

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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March 12, 2018
Start: 10:06 a.m.
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HELD AT: Committee Room - City Hall

B E F O R E: DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS: 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
Jumaane D. Williams

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

James O'Neill, Commissioner
New York City Police Department, NYPD

Vincent Grippo, Deputy Commissioner, Management and
Budget, New York City Police Department, NYPD

Jessica Tisch, Deputy Commissioner of IT
New York City Police Department, NYPD

Lawrence Byrne, Deputy Commissioner Legal Matters
New York City Police Department, NYPD

Terry Monahan, Chief of Department
New York City Police Department, NYPD

Rodney Harrison, Chief of Patrol
New York City Police Department, NYPD

Brian Conway, Commanding Officer
School Safety Division
New York City Police Department, NYPD

Dermot Shea, Chief of Crime Control Strategies
New York City Police Department, NYPD

Bill Morris, Chief of Personnel
New York City Police Department, NYPD

Susan Herman, Deputy Commissioner, Collaborative
Policing, New York City Police Department, NYPD

Robert Boyce, Chief of Detectives
New York City Police Department, NYPD

Edward Delatorre, Chief of NYPD Transit Bureau
New York City Police Department, NYPD

Theresa Shortell, Chief of Training
NYPD Training Bureau
New York City Police Department, NYPD

Mildred Hofmann, Chief of Community Affairs
School Safety Division
New York City Police Department, NYPD

Thomas Chan, Chief of Transportation
New York City Police Department, NYPD

Frederick Davie, Acting Chair
Civilian Complaint Review Board

Jonathan Darche, Executive Director
Civilian Complaint Review Board

Jerika Richardson, Senior Advisor and Secretary to
the Board Civilian Complaint Review Board

Jeanine Marie, Deputy Executive Director for
Administration, Civilian Complaint Review Board

Carla Rabinowitz, Advocacy Coordinator
Community Access & Project Coordinator, CCITNYC,

Davis Emile, intern, Community Access

Ralph Palladino, Clerical Administrator
Employees Local 1549 DC37

Towaki Komatsu

Beverly Tillery, Executive Director
New York City Anti-Violence Project, AVP

Vivienne Laborde, Director of Development and
Community Engagement, Lincoln Center

Charlotte Pope, Juvenile Justice Policy Associate
Children's Defense Fund of New York

Grace Spinks, Chapter Chair, School Crossing Guards
Local 372, DC37

Andrea Bowen, Consultant, Transgender and Gender
Non-Conforming Solutions Coalition

2 [sound check, pause] [gavel]

3 CHAIRPERSON RICHARDS: Good morning and
4 welcome to the Public Safety Committee's Fiscal 2019
5 Preliminary Budget and Fiscal 2018-2018 PMMR hearing.
6 Today we will hear testimony from Commissioner
7 O'Neill and his staff followed by the Civilian
8 Complaint Review Board, and lastly we will hear
9 public testimony. Before we proceed, I would like to
10 recognize members of the Public Safety Committee who
11 are here today, Council Members Gibson, Cohen, and
12 we're joined by Council Member Lancman and I'm not
13 missing anyone else right? The department's Fiscal
14 2019 Preliminary Budget totals \$5.6 billion, an
15 increase of less than 1% compared to the Fiscal 2018
16 adopted budget. More than 90% of their budget
17 supports personnel services while less than 10%
18 supports other than personnel services. The
19 department's budget supports a budgeted headcount of
20 approximately 52,000 personnel, which includes 36,000
21 uniform-uniformed personnel and 16,000 civilians.
22 The budget reflects key init-initiatives such as the
23 expedited rollout of body-worn cameras to all
24 officers on patrol by the end of 2018; additional
25 tasers for officers and an enhancement of the joint

2 co-response teams with DOHM as part of New York City
3 Safe. As this is my first budget hearing, as Chair
4 of the Public Safety Committee, I am looking forward
5 to working with the department on numerous issues
6 over the next four years, including improving budget
7 transparency. Today, I hope to learn more about the
8 department's new initiatives, its capital program,
9 and the budget priorities for Fiscal Year 2019. As
10 you can see, we have a lot to discuss today, and a
11 lot to consider. So, let's begin. Welcome
12 Commissioner O'Neill, and we'll let you begin. Thank
13 you for being here today, and please begin when
14 you're ready.

15 COMMISSIONER O'NEILL: Thank you and--

16 CHAIRPERSON REYNOSO: [interposing]

17 Sorry, and Beth is going to swear you in.

18 LEGAL COUNSEL: Can you please raise your
19 right hand.

20 COMMISSIONER O'NEILL: Sure.

21 LEGAL COUNSEL: Do you swear to tell the
22 truth, the whole truth and nothing and answer
23 honestly to Council member questions today?

24 COMMISSIONER O'NEILL: I do.

25 LEGAL COUNSEL: Thank you.

2 COMMISSIONER O'NEILL: Hi. Good morning
3 everyone. Thank you for the opportunity to discuss
4 the Mayor's Preliminary Budget for the 2019 Fiscal
5 Year. It's a pleasure to be here, and to testify
6 before the members of the Council about the
7 outstanding work the men and women of the New York
8 City Police Department have been doing and continue
9 to do around the clock every day and night. As such,
10 I would like to thank the members of the NYPD's
11 Aviation, Harbor and Emergency Service units and our
12 Scuba team for their quick and professional response
13 to last night's tragic helicopter crash in the East
14 River. Our immediate rescue and recovery work was a
15 coordinated effort with the members of the Fire
16 Department's Marine Unit, the U.S. Coast Guard, and a
17 private tug boat. On behalf of all the first
18 responders, I extend our condolences to the families
19 of the five passengers who did not survive. We will
20 now assist in everyway possible in the ongoing
21 investigation by the Federal Aviation Administration
22 and National Transportation Safety Board. When I
23 testified before this body one year ago, we spoke
24 about continuing to bridge the gaps where they still
25 exist between the NYPD and the communities we serve,

2 and about strengthening the fundamental notion that
3 public safety is a shared responsibility. The
4 underlying premise being building trust and earning
5 the full and willing support of the people we serve
6 is not only essential to safeguard New York City, it
7 can also assist us in driving crime and disorder down
8 beyond the record low levels we have already
9 achieved. It is this crime fighting approach that
10 shapes our neighborhood policing philosophy keeping
11 New Yorkers safe, ensuring that they feel safe, too.
12 The bottom line is we want the public to know that
13 each of us has a stake in keeping all of us safe.
14 Before highlighting some key budget items, I'll
15 update you on our core mission on several significant
16 public safety initiatives, and I will be as brief as
17 I can so our team can field as many of your questions
18 as possible in the time we have available this
19 morning. Just after the stroke of midnight on New
20 Year's Day we found ourselves truly in uncharted
21 territory. The crime reductions New York City
22 achieved in 2017 were categoric—categorically
23 historic. The lowest per capita murder rate in
24 nearly 70 years, the fewest shootings ever recorded
25 in a modern era, burglaries, robberies and auto

2 thefts all down to levels we have not seen since the
3 1950s. Simply put, the city has not been this safe
4 for three generations, and let me tell you, there
5 were those who believed we would never be this safe.
6 They assumed that more than 2,000 murders a year was
7 just the price of doing business in New York City,
8 that it was normal and nothing could be done about
9 it. There were others, however, who refused to
10 believe that, who refused to accept that life in our
11 city could not change for the better. Chief among
12 these idealists were the hardworking men and women of
13 the NYPD, but we are realists, too. We know that
14 reversing the decades long trend of rising crime and
15 violence would take time, and we knew that it would
16 not be a solo effort. We understood that reclaiming
17 our neighborhoods required the coordinated efforts of
18 the entire police department in full partnership with
19 all the people we serve. Let me be clear,
20 neighborhood policing is not a program. It is not an
21 initiative, and it is not just a few cops in some
22 parts of the city trying to be nicer to people. It
23 is a philosophy intend—intended to reshape the
24 approach to fulfilling our core mission not only in
25 an operational sense, but in the spirit and practice

2 of every aspect of the work we do. Neighborhood
3 policing reflects a cultural change for our entire
4 agency, for every NYPD employee, uniformed and
5 civilian, for every bureau, division and unit and for
6 everyone who lives, works and plays in New York.
7 It's about each of us sharing responsibility for
8 public safety by working to reduce violence together
9 all while building trust and it's the most radical
10 top-to-bottom operational change the NYPD has
11 embarked on in nearly 25 years. What we have learned
12 in the NYPD is that we want everyone who lives in our
13 communities to trust and respect our—our police
14 officers, all of us in leadership from the Police
15 Commissioner's Officer on down to the front line
16 supervisors on the street. Also, have to trust and
17 respect our police officers. We have to allow our
18 men and women in uniform to be decision makers and
19 problem solver. We need to take responsibility for
20 and great pride in the people in areas of New York
21 City they protect, and we need to treat everyone we
22 serve equally and fairly. In short, this style of
23 New York policing is a game changer for our entire
24 profession. If you look back just two years in 2016
25 we achieved historic lows across many crime

2 categories including the lowest number of shootings
3 in the history of our city, 998. This was the first
4 time that tally had ever been below 1,100 let along
5 under a 1,000, but then in 2017 we pushed shootings
6 down even further to 790. In 2018, year to date
7 shooting instances are down about another 4.5%.

8 Since 2013, they're down about 35.5% and since 1993,
9 they are down an incredible 88.5%. I really cannot
10 overstate how remarkable this turnaround is for New
11 Yorkers, the lives saved, the families kept intact.

12 Overall crime is down in the patrol precincts. It is
13 down in the transit system and it is down in public
14 housing, but at the same time that shootings and
15 other violent crimes are being reduced year after
16 year, NYPD police officers are also making thousands
17 of fewer street stops, issuing thousands of fewer
18 summons and making many, many fewer arrests.

19 Meanwhile, we continue to lobby heavily against
20 proposed legislation in Washington D.C. that would
21 undoubtedly bring more guns into New York. The
22 Concealed Carry Reciprocity Act passed in the U.S.
23 House of Representatives in December. The Senate
24 version is in still in the judiciary committee
25 awaiting a hearing date. What do we do if passed and

2 signed into law by the President is force all states
3 to recognize conceal carry weapons permits from other
4 states regardless of how lax those state permitting
5 laws may be. In fact, some states do not require gun
6 owners to take any special training or to obtain a
7 license or permit before carrying a concealed weapon.
8 That is absolute insanity, and that lowest common
9 denominator approach to gun safety would become the
10 law of the land. It would effective eviscerate state
11 and city laws meant to keep people safe from gun
12 violence and threatens to undo much of the incredible
13 success we have achieved here in New York City. What
14 does this all mean? Frankly, it means that achieving
15 further declines in crime would get increasingly
16 difficult with each passing year, but we are
17 optimists at the NYPD, and we view this as both a
18 challenge and an opportunity. That is why in 2018,
19 we are redoubling our efforts to complete the NYPD's
20 full conversion to neighborhood policing. To date,
21 56 of our 77 patrolled precincts are neighborhood
22 policing commands plus all of our nine Housing Bureau
23 Police Service Areas. In this year, we will finish
24 up the precincts and expand into all 12 of our
25 transit districts. Some might wonder how we plan to

2 apply the principles of neighborhood policing down in
3 the subway system. I can tell you this: The same
4 people use the same subways lines everyday to get to
5 and from work, to visit their friends and families
6 and to explore this great city, and even with the
7 ridership of about six million passengers per week
8 day, it is no unreasonable to believe that individual
9 officers can form bonds and build trust with many of
10 those train riders. We're not going to meet
11 everyone, of course just as we will not be able to
12 meet everyone up on the streets, but we have an
13 obligation to try to foster these relationships and
14 effect change. It can all begin with a simple smile
15 and a good morning, and as NYPD cops go about their
16 daily business of protecting New Yorkers wherever it
17 may be in the five boroughs, we are seeking to build
18 that trust. We are now connecting local
19 neighborhoods in ways that simply were not possible
20 before, and we have found that these partnership feed
21 and sharpen our entire investigative process.
22 Information flows from neighborhood residents to
23 teams our sector cops, to the precinct detectives and
24 to specialty squads like gang and narcotics. Over
25 the last three years, the relationships we have built

2 with the public are leading to valuable information
3 that becomes integral to the short, medium and long-
4 term investigations we are conducting. Literally
5 hundreds of them a year. Our method, our precision
6 policing focuses now on the real drivers of crime.
7 This means listening to New Yorkers and angling our
8 investigative resources towards the relatively small
9 percentage of our city's population that is
10 responsible for the majority of our violence. Our
11 laser like focus on these specific individuals is
12 further sharpened by the coordinated efforts of our
13 patrol cops, detectives and all of our local, state
14 and federal law enforcement partners. In these days
15 we're able to build stronger cases than ever because
16 of our close ties with the FBI, the DEA, the ATF, the
17 State Police, the U.S. Marshal Service and others.
18 Some of our best work is done through the joint task
19 forces we are running, which look at everything from
20 bank robberies and so-called traditional crime to the
21 evolving and ever-present threat of international
22 terrorism. And some of our greatest partners in
23 these matters are the city's five district attorneys,
24 and the U.S. attorneys for the Southern and Eastern
25 Districts in New York. With their assistance many of

2 these criminals are pre-indicted before we even knock
3 on their doors to bring them in. Another enormous
4 benefit of this level of collaboration is what we-is
5 that we see these cases all the way through to
6 convictions and appropriate and meaningful prison
7 sentences. This type of interagency cooperation is
8 stronger right now than I've ever seen it in more
9 than 35 years in law enforcement, and these
10 partnerships are proving effective for all levels of
11 crime. A week ago today on Monday, March 5th about
12 3:20 p.m. two of our Transit Bureau police officers
13 were patrolling the Freeman Street station in the
14 Bronx, the 2 and 5 lines. They watched as a man
15 jumped over the turnstile and tried to catch and
16 uptown train. When the officers stopped the train,
17 he violently resisted and was pepper sprayed. The
18 officers called for back-up and as the struggle
19 continued, hundred dollar bills started to fall from
20 the bag the man was carrying. In fact, it turned
21 out he had \$684 in cash on him at the time of the
22 fare invasion. So, why did all of this occur? Why
23 did the man not simply stop for the officers, and
24 after being properly identified accept the civil
25 summons, which is essentially \$100 ticket payable to

2 the MTA's Transit Adjudication Bureau. It happened
3 because 35-year-old Randy Hayes had about 20 prior
4 arrests in the Bronx and Manhattan on his record for
5 offenses including robbery, assault, grand larceny
6 and theft of service. He was a transient recidivist
7 and he had an open warrant. Also, the needed to so
8 quickly get out on the train was because he had just
9 robbed a Metro PCS store on Southern Boulevard.
10 Detectives with our Transit Squad and our Bronx
11 Robbery Squad interviewed the man and found this was
12 hardly new behavior for him. Previously, he had been
13 convicted and sentenced for a string of robberies in
14 2007, and was later released on parole. In 2014,
15 when he violated that parole, he violently assaulted
16 those arresting officers, too. When he was captured
17 last week for his latest crime, NYPD detectives sat
18 down with investigators from the ATF to further
19 strengthen the case. Formed three years ago, the ATF
20 NYPD Strategic Pattern Armed Robbery and Technical
21 Apprehensions Task Force or SPARTA, pursued high
22 profile armed robbery cases, and the great news is
23 our alert transit police officers had just captured
24 the criminal responsible for another pattern of
25 commercial robberies committed in the Bronx in

2 February. In each incident, the suspect displayed a
3 knife while simulating to have a gun in his pocket,
4 and now, due to the man's criminal history, and the
5 fantastic cooperation between the NYPD and the ATF,
6 The U.S. Attorney for the Southern District of New
7 York is prosecuting him federally. Because of these
8 partnerships, we are very confident Mr. Hayes will
9 this time go away for a long time. I want to commend
10 the Transit District 12 Officers who made the initial
11 stop—who made the initial stop last Monday, for what
12 they thought at the time was nothing more than a fare
13 evasion, but it turned out to be a remarkable arrest
14 of a career criminal wanted for an open pattern of
15 robberies. Cases like this further solidify our
16 belief that we must always control access to the New
17 York City Subway system, and we will not shirk our
18 responsibility to enforce quality of life offenses
19 including fare evasion. When we stop people for
20 turnstile jumping if they're sneaking in through the
21 emergency exit gate, the most common outcome is a
22 civil summons. Another partnership producing results
23 is the one we share with the city's Department of
24 Transportation aimed at reducing traffic fatalities
25 as part of the Mayor's Vision Zero Initiative. In

2 2017, New York City had the fewest traffic deaths on
3 record driven a 32% drop in pedestrian fatalities.
4 This marks the fourth consecutive year of declining
5 traffic deaths.

6 Turning to budgetary issues, the NYPD
7 plans to again apply for and obtain federal
8 assistance to protect members of the public and
9 critical infrastructure including the Financial
10 District, the transit system, bridges, tunnels and
11 port. Although we have already started planning for
12 the federal fiscal Year 2018 Preparedness Grant
13 Funding process, the application's guidelines for
14 homeland security preparedness grants have not yet
15 been released. That is because the federal
16 government including the Department of Homeland
17 Security and the Federal Emergency Management Agency
18 is currently operating under a continuing resolution
19 until March 23, 2018.

20 The timing of the Fiscal Year 2018
21 appropriation we significantly compressed the time
22 frame to announce and award these grants by September
23 30, 2018. Consequently, grant applications will have
24 a much shorter application period than in recent
25 years and potentially shorted several weeks. NYPD

2 relies on these funds to help protect all New Yorkers
3 and visitors to our great city against terrorist
4 attacks and to strengthen our homeland security
5 preparedness. New York City since the devastating
6 9/11 attacks has been the target of 23 terror plots.
7 These plots have included a suicide bomber in a
8 subway passage beneath Times Square; the fatal truck
9 attack on pedestrians and bicyclists along the West
10 Side highway, plans to place bombs among the festive
11 crowds watching the July 4th fireworks over the East
12 River and an ISIS plot to behead a woman in Manhattan
13 and to capture it on video. The Federal Homeland
14 Security Funds buy us a lot including our bomb
15 squad's total containment vessel, the rolling vault
16 that allowed the NYPD to remove the live pressure
17 cooker bomb planted on a street in Chelsea. The
18 money also funds our Vapor Wake dogs that patrol
19 large scale events searching for hidden explosives
20 and our active shooter training that hones the
21 tactical skills of thousands of officers who might
22 have to face a machine gun wielding attacker in a
23 crowded concert venue or school. Federal funds have
24 allowed the NYPD to develop and sustain our senior and
25 information technology centerpiece known as the

2 Domain Awareness System, or DAS, which supports the
3 department's counter terrorism mission, higher
4 intelligence research specialists deploy officers to
5 the transit system and other strategic locations
6 citywide based on intelligence, and train officers to
7 respond to chemical, ordinance, biological and
8 radiological threats or incidents as well as active
9 shooter scenarios. The NYPD also uses federal funds
10 to purchase personal protective equipment for
11 uniformed members of the service and to purchase
12 critical equipment that enhances our ability to
13 protect New Yorkers and critical transportation and
14 port infrastructure.

15 Regarding the Preliminary Budget, and its
16 impact on the NYPD, the NYPD's Fiscal Year 2019 City
17 Tax Levy Expense Budget is \$5.2 billion. The vast
18 majority of this 92% is allocated for personnel
19 costs. Highlights in the Preliminary Budget include:
20 Body-worn cameras, \$5 million in Fiscal Year 2018,
21 \$12 million Fiscal Year 2019, and \$9.5 million in
22 Fiscal Year 2020, and the out years will cover the
23 cost of purchasing addition body-worn cameras,
24 associated and information technology upgrades and
25 the build-out of the space for the body-worn cameras

2 and their risk management and information technology
3 bureaus. As you are already aware, all New York City
4 Police Department officers and detectives on patrol
5 will be outfitted with body-worn cameras by the end
6 of 2018, a full year earlier than originally planned.
7 Fair and Impartial Police Training, funding in the
8 amount of \$1.1 million Fiscal Year 18 and \$4.5
9 million over the next two years was provided to
10 initiate implicit bias training for all uniform
11 personnel. Co-Response Teams and Triage: An
12 Additional 27 uniformed officers will expand the
13 department's current deployment of co-response teams
14 for citywide coverage seven days a week. Conducted
15 Energy Device Expansion: Funding in the amount of
16 \$3.1 million in Fiscal Year 18 and \$7.3 million in
17 Fiscal Year 19 was approved for extended distribution
18 of CEDs commonly known as Tasers. Over the next two
19 years, the department's supply of CEDs for patrol
20 officers will increase by more than 7,000.
21 Currently, more than 16,000 of our patrol officers
22 are trained. In the next 10 to 12 months all of them
23 will be trained. In the interim our goal by the end
24 of this month, is to have at least one CED trained

2 officer assigned to every patrol vehicle that answers
3 911 calls citywide.

4 The Parks Department's Capital Commit-
5 Commitment Plan contains \$1.97 billion for Fiscal
6 Year 2018 through 2022. In this plan the NYPD was
7 able to secure an additional \$71.1 million over and
8 above the last capital plan. Highlights of capital
9 funding include New 40th Precinct Station House, \$6.1
10 million in additional funds provided in order to
11 proceed with construction. As you know, three years
12 ago this Administration began addressing an important
13 NYPD priority, the major rehabilitation or complete
14 replacement of department facilities. Funds have
15 already been allocated for the design and
16 construction of a new 40th Precinct Station House in
17 the Bronx, which was built in 1924. It's in very
18 poor condition. It cannot be rehabilitated. I am
19 pleased to report to you that the design for the new
20 40th Precinct Station House has been completed, and
21 we now expect a construction contract award later
22 this spring. It is important for me to note as well,
23 that we would be—that will be the—that this will be
24 the first precinct built that incorporates community
25 space in which residents and workers from New Yorkers

2 can engage directly with the police officers who
3 serve them.

4 127 Pennsylvania Avenue Community Center:
5 \$3.7 million in additional EDC funds was provided
6 based on revised cost estimates. NYPD is in the
7 preliminary stage of construction for the portion of
8 this building in Brooklyn that will be devoted to the
9 Community Center. Construction is complete on this
10 section of the building that will be used by NYPD
11 Community Affairs Bureau. In order to seek a
12 qualified vendor to design, implement and administer
13 programing for the neighborhood residents of East New
14 York, the NYPD published a Request for Proposal for
15 Community Center Programming. Proposed activities
16 will be age and developmentally appropriate and will
17 be geared-geared to promoted wellbeing, foster a
18 sense of social connection and belonging and reflect
19 the-the distinctive needs and interest of the
20 community. Programming will be offered after school
21 during the academic year as well during business
22 hours in the summer months. Activities will be
23 centered on athletic development, health and fitness,
24 academic enhancement, life skills, career awareness,
25 school-to-work transition, civic engagement,

2 community building and culture and art. The
3 interview process for selecting a qualified vendor is
4 ongoing. The construction of Phase 1 was completed
5 in October 2017. The Phase 2 construction for the
6 community space is anticipated for mid-2019.

7 Information Technology: \$53 million
8 provided for body-worn camera infrastructure as well
9 as hardware to support the Domain Awareness System,
10 DAS. Across our department we will continue to
11 leverage every tool available to us to keep New York
12 City safe including the use of new and innovative
13 technology. We are keenly focused on technological
14 advances and how they can be applied for fighting
15 crime, creating safe and more efficient ways for
16 police officers to do their jobs, and contributing to
17 the important work that of building trust. As such,
18 our footprint in social media continues to expand.
19 In order to share timely and important information
20 directly with the public, the NYPD currently operates
21 127 Twitter accounts with more than 1 million total
22 followers. We have one Twitter account for every
23 precinct police service area, and many chiefs and
24 specialty units. We also maintain 58 separate
25 Facebook accounts including 55 for neighborhood

2 policing commands: One for the recruitment section,
3 and for the cadet corps. Additionally, we run three
4 Instagram accounts, and one Snapshot account plus an
5 external NYPD website, a very popular blog in
6 nypdnews.com, and our own YouTube channel. Our goal,
7 of course, is to further engage with all New Yorkers
8 while illustrating how neighborhood policing touches
9 everything we do. It is important to remember that
10 it is not just about so-called traditional crime any
11 more. Each of our partners is also a critical ally
12 in capturing the ever-changing and perpetual threat
13 of terrorism here in New York, our nation's principal
14 target, and that important work continues around the
15 clock for vigilant New Yorkers and for the NYPD
16 alike. Our Critical Response Command works 24 hours
17 a day protecting sites and infrastructure around the
18 city. Cops in our Strategic Response-Response Group
19 are at the ready to rapidly respond to any emerging
20 threat be it an active shooter situation or other
21 terrorist incident. Along with our Emergency Service
22 Unit, cops there are all informed by our first rate
23 Intelligence Bureau, which continues to be the
24 industry leader in detecting, deciphering and
25 responding to a very fluid threat stream. Building

2 trust with people we serve fighting traditional
3 crime, combatting international terrorism none of
4 this is easy. The cops do not take these jobs
5 because they are easy. People join the Police
6 Department to make a difference, to do good and NYPD
7 cops accomplish that every single day. They are
8 doing in newer and better ways every day, too. As we
9 consistently drove down crime over the years and
10 achieved what many said was unachievable, making New
11 York the safest big city in America. We did so
12 sometimes at the expense of vital support in the
13 communities we swore to protect. We did so sometimes
14 in ways that inflamed old wounds especially among
15 people of color. It now our mission to not re-
16 inflict those old wounds, and to do all we can to
17 help them heal again, to gain through partnership a
18 new level public support and public action that
19 achieves our common mission of public safety. In my
20 view, our two most important goals are these:
21 Members of every community should feel they are
22 understood by their police and know they are treated
23 fairly. When we have achieved that, the NYPD will
24 have achieved real trust, and we need civilians to
25 view cops through a lens of trust, because frankly,

2 we need their support. Community engagement has
3 always been key to crime fighting, but over the years
4 that fact was somewhat lost. There's no better time
5 than now to rectify that, and I think we are well on
6 our way. We continue to make sure our workforce
7 reflects the communities we serve. We are a majority
8 and minority police department and we constantly work
9 towards furthering diversity and inclusiveness at
10 every rank. Members of the NYPD are now policing
11 with the people of New York rather than just for
12 them. The relationships we are fostering with the
13 people who live, work, and visit here allow us to
14 tailor our crime reduction and preventive strategies
15 to individual neighborhoods, and that makes all the
16 difference. Couple that with enhanced training,
17 upgraded equipment and the newest technology and you
18 can see how the best cops in the nation are able to
19 constantly improve year after year. We are now
20 holding regular neighborhood meetings not run by
21 executives or precinct commanding officers, but by
22 patrol level cops, the same cops the people who live
23 and work there interact with everyday. The NYPD is
24 saying we need to build and strengthen this
25 relationship. The first step has to be taken,

2 acknowledgement. We are willing to see and hear the
3 truth, and we are willing to act on that truth. It
4 is about transparency and building trust between all
5 of us. The second step requires people in every
6 community to interact with their police. That can
7 mean talking with a cop on the street or simply
8 calling 911 when they see something that does not
9 look or feel right. What a great next step it is to
10 to attend these small neighborhood meetings. People
11 can look up the time and place for the next local
12 meeting at buildtheblock.nyc. We want everyone to
13 have input as to what happens in their neighborhoods,
14 and we need everyone to be part of the solution, and
15 New Yorkers are responding. Since our announcement
16 of buildtheblock last spring, more than 650 police
17 officer led meetings have been held in more than 51
18 precincts, and about 1,000–10,500 engaged New Yorkers
19 have attended. While violence certainly remains at
20 the forefront of conversation, the top concerns
21 raised by attendees at these meetings include drug
22 sales and use, trespassing and loitering,
23 homelessness, traffic congestion and noise
24 complaints. This shows us that the NYPD continues to
25 do the right thing in addressing quality of life

2 concerns in every neighborhood. We know that
3 policing is a profession that must change with the
4 times, and when it comes to New York policing, if we
5 are not innovating and involving, we are not moving
6 forward. Through this mass-massive paradigm shift in
7 our operations, we have almost all of our detectives
8 reporting through the same chain of command. This
9 unified investigations model encompasses traditional
10 precinct detective squad work plus narcotics, vice,
11 warrants, our Gun Violence Suppression Division and
12 much more. It is those detectives along with our
13 Field Intelligence Officers our Neighborhood
14 Coordination Officers who are honing in on the most
15 troubled locations in the city, and we look for local
16 members of the community to assist us because we know
17 that no one knows better what is happening on a given
18 block than the people who live and work there
19 everyday. Soon, every police officer will be working
20 closely in some way with community members to
21 identify problems specific to the neighborhoods to
22 develop intelligence about crimes and to lead problem
23 solving and crime fighting efforts. This is how
24 trust is earned. This is how lasting, productive
25 community ties are built, and we sometimes—and when

2 we sometimes fall short, we need to quickly,
3 decisively and transparently correct the issue. More
4 people in our society are basically honest, and most
5 police officers are more honest than that, but we
6 recruit from the human race so we know that some of
7 the people we hire are not entirely honest, and we
8 have built in systems to find them and to discipline
9 them. Any time—anything that undermines trust is
10 counterproductive and contrary to our goals. I've
11 read some of the recent news stories about the NYPD
12 and our disciplinary process, which seem to leave out
13 many important facts. I'm going to give you one
14 example. Now my story about dismissal, probation
15 suggested that we put members on notice and this the
16 only penalty. Dismissal probation, however, is a
17 condition after charges have been brought and
18 penalties have been levied. These penalties can
19 involve loss of pay for 30 days and more and result
20 in the loss of thousands of dollars in pay. Only
21 then does the condition apply that officers can be
22 immediately fired without any process if they commit
23 additional violations. Government is a difficult
24 business in which to fire people, but I'm willing to
25 compare the NYPD's disciplinary process and the

2 number of people the NYPD terminates with any other
3 agencies.

4 Agency: We take our jobs, our integrity
5 and the trusted people we have given to us,
6 extremely seriously. In closing, I can tell you
7 this city is in much better shape today than it was
8 when I become a cop in in 1983. Those of you who
9 lived and worked here 25 to 35 years ago know it,
10 too. This is not the same city it was in the 1980s
11 and '90s, and each year we are making even more
12 headway, but we need everyone's help, everybody's
13 effort if you're going to increase those gains.
14 Together, we are proving that New York City is the
15 place that others across the nation want to emulate.
16 As we—we redefine the role of NYPD police officer—
17 officer and in essence redefine what it means to be
18 an engaged member of our society, we all have a
19 unique opportunity right now to set the tone for the
20 rest of the United States. Perhaps the most
21 important reason for our city's turnaround on crime
22 is our collective understanding that public safety
23 is the foundation of everything we do. Here in New
24 York City we are proving that when the public and
25 the police work together we can make positive,

2 lasting change in our society. That change begins
3 when people are safe, and sustained when they feel
4 safe, too. Throughout the tremendous changes we are
5 undertaking in NYPD, we've had the Mayor's full
6 support, and we have benefitted from the City
7 Council's support as well. Thank you for your
8 ongoing partnership and assistance and for
9 everything you do to help us build a better and
10 stronger police department. I'm very optimistic
11 about the future of the NYPD, and the direction we
12 are heading. As the over decrease in crime so far
13 this year shows, we can police the city effectively
14 without intruding unnecessarily or excessively into
15 the lives of residents, businesses and visitors. I
16 believe the same is true of our mission to defend
17 New York City from another terrorist attack. In my
18 experience there is a direct correlation between the
19 level of community support for the police, and
20 success in fighting crime and terror. We will
21 continue to work tirelessly to earn the trust and
22 confidence of all New Yorkers and to ensure that
23 there are even better days ahead, and we will do so
24 in a way that optimizes officer safety. This is all
25 part of New York policing in 2018. The police do

2 not underestimate the change any one person in our
3 great city can effect and neither should the public.
4 Everything we do is geared toward embracing our
5 differences, and celebrating our common traits. We
6 look forward to working with each of you as we make
7 our way forward together. Thank you again for this
8 opportunity to testify this morning. At this point,
9 I'm happy to take your questions. Thank you.

10 CHAIRPERSON RICHARDS: Thank you,
11 Commissioner and we're joined by Council Members
12 Powers-Deutsch-Powers, Deutsch, Brannan, Williams,
13 Cabrera, Vallone and Menchaca, and I want to then
14 get your testimony this morning. I want to start
15 off speaking a little bit about capital investment.
16 So, let's start with Rodman Neck Facility. Can you
17 share with the committee the progress of the
18 renovations at this facility?

19 COMMISSIONER O'NEILL: Sure, Deputy
20 Commission Vincent Grippo will talk about that.

21 DEPUTY COMMISSIONER GRIPPO: So, um, do
22 you want me to state my name or is that--?

23 CHAIRPERSON RICHARDS: Yes.

24 DEPUTY COMMISSIONER GRIPPO: Vincent
25 Grippo, Deputy Commissioner of Management and Budget.

2 Rodman's Neck, as you know, we have \$275 million that
3 have been—that are in the budget for the renovation
4 of that facility. We are right now in the process of
5 beginning the design on that facility. Now, one
6 important measure that we have advanced that know is
7 of interest to the Council mitigation. So, the very
8 first phase of the design we've asked them. They
9 should be on board and around the May timeframe.
10 We've asked them to look at the sound mitigation
11 during the construction process at the ranges, which
12 as you are also aware will have to remain active for
13 a significant portion of that construction. The
14 design consultant will be looking at that so that we
15 can put those design measures in place over the
16 coming months. So, we would—we would view that time
17 frame being late summer or early fall where we would
18 have temporary sound mitigation in place. The
19 overall time line, the design should take
20 approximately a year. So beginning in May, it will
21 run until sometime Mid 2019, and then we anticipate
22 construction. Again, understanding that there's a
23 significant amount of work that needs to be done
24 there to deal with utilities, to deal with flood
25 mitigation. Then we have to deal with keeping the

2 range active for as long as possible. We anticipate
3 a construction schedule of approximately five years.

4 CHAIRPERSON RICHARDS: Wow, and do you
5 think Design Build-Build could be helpful in
6 expediting this particular project?

7 DEPUTY COMMISSIONER GRIPPO: We've looked
8 at it. Ultimately, because of some of the work
9 that's already been done, we think it may be less of
10 a candidate, but we haven't completely ruled it out.
11 We have some other facilities--

12 CHAIRPERSON RICHARDS: [interposing] So,
13 you're speaking to the State?

14 DEPUTY COMMISSIONER GRIPPO: To DDC and
15 the Mayor's Office.

16 CHAIRPERSON RICHARDS: Okay, and to the
17 Mayor's Office, and do you think \$275 million is
18 enough now? Someone who recently, as you know,
19 visited the site I can attest that our officers
20 deserve a much better facility when it comes to
21 training. Should we be asking for more money to
22 ensure that this particular facility is--can provide a
23 better quality of life for the officers that so
24 deserve it?

2 DEPUTY COMMISSIONER GRIPPO: So, we
3 undertook a CPSD process, which was a preliminary
4 design process to assess then the cost. Based off of
5 the CPSD, we at the department are comfortable with
6 the \$275 million. The one disclaimer is whenever we
7 go through now the official design, there are times
8 that we come out of that process, and we've
9 identified additional costs. I can assure you that
10 the department is going to ensure that all those
11 facilities are modernized and replaced.

12 CHAIRPERSON RICHARDS: [interposing]
13 Including the bathroom?

14 DEPUTY COMMISSIONER GRIPPO: Including
15 the bathroom, which actually we're looking at trying
16 to get something done as an interim measure along
17 with the sound so we can improve the bathroom
18 conditions there now.

19 CHAIRPERSON RICHARDS: Okay. I'm going
20 to go into the crime lab in Jamaica. There are some
21 horrendous conditions, and this is where most—where
22 labs—the crime labs obviously have happening DNA and
23 other things happen. Can you speak to investment to
24 this facility because we've been hearing a lot about
25 the condition it's in whether it's drinking water,

2 and leaks. So, can you speak to any capital
3 investment, and a list of projects that are going to
4 in there to ensure that the place we process DNA and
5 other things can live up to its potential.

6 DEPUTY COMMISSIONER GRIPPO: So, there's
7 two paths on this. One, we have a list of capital
8 projects we would initiate if we can't go with the
9 bigger plan, which would include a new roof, a new
10 façade to deal with some of the flooding, and some of
11 the issues that we have there, brand new elevators,
12 new boilers, and replacement of the AC systems.
13 However, in light of your concerns and—and we've
14 preliminarily looked at a number of facilities. This
15 ranks fairly high in being a facility that may need
16 to be either replaced or undertake a gut renovation.
17 So, over the coming next several weeks, we're going
18 to be looking at that, and we can follow up with your
19 office. We'll keep you informed.

20 CHAIRPERSON RICHARDS: [interposing] So
21 there's some things you can do in the interim--

22 DEPUTY COMMISSIONER GRIPPO: Yep.

23 CHAIRPERSON RICHARDS: --until--okay. I'm
24 going to go into one last question, and this is just
25 on quality of life. So, obviously the NYPD has make

2 a-made a concerted effort to diversity its ranks
3 including a \$54 million advertising campaign, but one
4 of the things that we're seeing is the course
5 diversifies a whole lot more that seems to be a
6 larger pay gap happening in comparison to other
7 police departments. Can you go into where we're with
8 pension discussions and salary and what is the
9 department looking to do? Especially as we diversify
10 the ranks to ensure that officers who are now coming
11 in would have a better pension and--and perhaps better
12 paying benefits? [background comments]

13 CHAIRPERSON RICHARDS: Don't all sing at
14 once. [laughter]

15 DEPUTY COMMISSIONER GRIPPO: So, I mean,
16 ultimate-ultimately I think we-we have to work with
17 the unions through the labor process to deal with
18 things like salary compensation and benefits. So,
19 obviously we have similar interests in ensuring that
20 our cops have what they need from a salary
21 perspective that's competitive with other areas as
22 well as the benefits for our--for our package, but
23 that all is done in the negotiations with the unions.

24 COMMISSIONER O'NEILL: It's that the
25 unions are now in the process of collective

2 bargaining. So, we want to make sure that in the
3 coming years that we have a Police Department that's
4 motivated, and I think part of that we understand is--
5 is through compensation, and there are a lot of other
6 benefits that come to NYPD officers. We fully
7 understand that there's got to be equality as--as the
8 years go by.

9 CHAIRPERSON RICHARDS: And you do
10 understand, as you know, the importance of ensuring
11 this happens so that we can retain quality officers--

12 COMMISSIONER O'NEILL: [interposing]
13 Without a doubt.

14 CHAIRPERSON RICHARDS: --and not lose
15 them to Suffolk County and Nassau and--and other
16 places that--that we're seeing.

17 COMMISSIONER O'NEILL: We don't want to
18 put people for our City Fund Training program
19 [laughter] just to lose them to another agency.

20 CHAIRPERSON RICHARDS: Yes, yes. Let's
21 go into body-worn cameras. So, in your testimony, we
22 were a little taken aback at the \$53 million price
23 cap here. Can you go into the difference? So, how
24 much of it is expense? How much of it is capital?
25 [background comments]

2 COMMISSIONER O'NEILL: So, you've got
3 plenty of volunteers to talk about body-worn cameras

4 CHAIRPERSON RICHARDS: Yes. I know this
5 is one of your favorite subjects.

6 DEPUTY COMMISSIONER TISCH: And Jessica
7 Tisch and Deputy Commissioner or IT at the NYPD. The
8 \$53 million actually isn't all for body cameras.
9 There were two numbers that were—come together, body
10 cameras and our Domain Awareness System. So, in
11 terms of body cameras on the—we—we have a number of
12 programs that are underway to support it. We have to
13 upgrade our network. We got \$1.2 million for that.

14 CHAIRPERSON RICHARDS: \$2 million you
15 said?

16 DEPUTY COMMISSIONER TISCH: \$1.2 million.

17 CHAIRPERSON RICHARDS: Oh, \$1.2. Okay.

18 DEPUTY COMMISSIONER TISCH: \$1.2 million
19 for that on the capital side.

20 CHAIRPERSON RICHARDS: Uh-hm.

21 COUNCIL MEMBER TISCH: Those are the
22 only—in FY18, those are the only costs associated—
23 capital costs associated with body cameras on the
24 capital side. On the expense side, we got \$8.3
25 million in Fiscal Year 19. That's for the expense

2 related to storing the video, provisioning the
3 cameras, et cetera, and then \$500,000 for an upgrade
4 in our connection to the Cloud. So, those are really
5 the costs associated with the body cameras. It's
6 nowhere the \$53 million. The \$50--most--the majority
7 of the \$53 million was associated with upgrades for
8 our domain and LINUX system.

9 CHAIRPERSON RICHARDS: Okay, and how are
10 you working? So, I know the DAs are going to testify
11 a little later and--and we've heard certainly from a
12 lot of them. There is some concerns of how effective
13 network sharing will be. So, can you go into how
14 we're going to ensure that we're working with the
15 district attorneys who are going to have to look at a
16 lot of this--

17 DEPUTY COMMISSIONER TISCH: [interposing]
18 Sure thing, so--

19 CHAIRPERSON RICHARDS: --by April 14th and
20 what investments are we looking at to ensure that,
21 you know, we can co-exist together in a way?

22 DEPUTY COMMISSIONER TISCH: Sure. So,
23 the DA's offices have all been set up with access to
24 our body camera application from which the DAs can
25 view the body camera footage that we share with them

2 because it is of paramount importance to us to secure
3 all the videos so that we don't suffer from data loss
4 or-or hacks. It's all done on the NYPD's network.
5 So, we don't open it up just to the Internet at
6 large. So, we run Virtual Private Network
7 connections between the NYPD and each of the district
8 attorneys offices so that they can securely access
9 the body camera footage, and we don't expose
10 ourselves to unnecessary data loss.

11 CHAIRPERSON RICHARDS: Right, but I-I
12 would just suggest, and I don't know if you're
13 speaking to them, but to start conversations if
14 they're not having-if you're not having them because
15 you're--

16 DEPUTY COMMISSIONER TISCH: [interposing]
17 Oh, yes, we work with each of them hand-in-hand to
18 address any issues or concerns that they have.

19 CHAIRPERSON RICHARDS: Can you go through
20 transparency? So, one of the questions is, and I
21 know the press has a lawsuit--

22 DEPUTY COMMISSIONER TISCH: [interposing]
23 Yes.

24 CHAIRPERSON RICHARDS: -and one of our
25 concerns is that obviously when it comes to this

2 footage that I believe the Commissioner will be the
3 one who determines if this footage is released. So,
4 can you go through how we're going to ensure
5 transparency because one of the reasons obviously
6 body cameras are needed to ensure that there's
7 protection, one for officers but for communities as
8 well. But one of our concerns is that in the case of
9 an event, who determines whether that footage would
10 be released, right.

11 COMMISSIONER O'NEILL: Yep.

12 CHAIRPERSON RICHARDS: Is there some sort
13 of independent body whether it be CCRB or-or someone
14 else you're thinking of who can objectively look at
15 the footage and determine outside of the department
16 or working with the department whether footage should
17 be released.

18 COMMISSIONER O'NEILL: Yeah, I-I, Mr.
19 Chairman, I already made a statement that whether
20 it's, you know, good, bad, or inconclusive that we
21 would release it. It's just a matter of working with
22 the-whatever district attorney is involved to make
23 sure that that process is done fairly, but Larry
24 Byrne our Deputy Commissioner of Legal Matters can
25 maybe talk about it a little bit more.

2 DEPUTY COMMISSIONER BYRNE: Okay. Thank
3 you. Good morning, Lawrence Byrne, Deputy
4 Commissioner for Legal Matters at the NYPD. So,
5 there are a number of issues at play here with regard
6 to release of body camera footage. We have both the
7 state FOIL Law, which we comply with, which allows
8 disclosure and prevents disclosure of certain issues,
9 and then we have our own policy where there have been
10 critical incidents of great public concern, and we've
11 released very recently, for example, footage in a
12 number of recent police involved shootings. We're in
13 the process of developing an internal policy, which
14 we will then publish-

15 CHAIRPERSON RICHARDS: Okay.

16 DEPUTY COMMISSIONER BYRNE: --about when
17 and how the Police Commissioner will distribute that
18 in a timely fashion consistent with the concerns of
19 district attorneys and our detectives who are
20 conducting investigations, and consistent with the
21 many privacy interests that are implicated by those
22 caught on body camera footage.

23 CHAIRPERSON RICHARDS: And how--when do--
24 when can we anticipate those protocols to be--

2 DEPUTY COMMISSIONER BYRNE: [interposing]
3 We have an internal working group, and I'm hoping in
4 the next, you know, 30 to 45 days the Police
5 Commissioner will approve a final policy.

6 CHAIRPERSON RICHARDS: And you won't be
7 working with any external group or--

8 COMMISSIONER O'NEILL: [interposing] No,
9 but as part of every phase of our Body Camera Program
10 including when we first deployed the pilot system,
11 we've spoken with external stakeholders including the
12 district attorneys, including some of the civil
13 rights advocacy groups, including our own unions, and
14 members of the public, and we'll continue to do that.

15 CHAIRPERSON RICHARDS: Okay.

16 COMMISSIONER O'NEILL: [interposing] So,
17 I'll just--we've--we've released the last--the last four
18 out of our five officer involved shootings have been
19 captured on body-worn cameras, and they've all been
20 released.

21 CHAIRPERSON RICHARDS: Right, but it's
22 just still in the name and no offense to you.

23 COMMISSIONER O'NEILL: [interposing]
24 Yeah, I know. I take no offense.

2 CHAIRPERSON RICHARDS: I think you're
3 doing a phenomenal job, and I think, you know,
4 obviously you're—you're trying to—to be more
5 transparent, but even looking to future
6 administrations whether you're—they keep on as
7 commissioner or not, we want to ensure that--

8 COMMISSIONER O'NEILL: [interposing]
9 Right.

10 CHAIRPERSON RICHARDS: --the next
11 administration also follows--

12 COMMISSIONER O'NEILL: [interposing] Got
13 it.

14 CHAIRPERSON RICHARDS: --a protocol as
15 well. So, that's why it's so important to get it out
16 early. Let's go through NCO Officers. So—so just
17 speak about rollout. When do we anticipate every
18 precinct to have rollouts, and can you speak to how
19 are you measuring, what are the metrics that
20 determine if you're NCO program is success within
21 local communities?

22 COMMISSIONER O'NEILL: And so, Chief of
23 the Department Terry Monahan is going to talk about
24 it, and he'll give you an overview, and then Rodney,
25

2 Chief Harrison our Chief of Patrol can talk about
3 some of the specifics.

4 CHIEF MONAHAN: Hi. So, we're going to
5 be rolling out by October of this year. Every
6 precinct will be working under the neighborhood
7 policing philosophy. So, every command and there are
8 20 commands left. So, all of them will be up by-by
9 the end of the year, and then we started with transit
10 districts, two transit districts will start within-
11 within the next month, and they'll be up, and we're
12 looking to roll through that hopefully by the end of
13 this year, or early next year to have each of our
14 transit districts up.

15 CHAIRPERSON RICHARDS: And can you speak
16 to how to metric? So, how do you determine if this
17 program is really doing what it's set out to do? How
18 do you know that the particular NCO sectors that you
19 have are actually doing the job that they're supposed
20 to do?

21 CHIEF HARRISON: Okay. So, good morning.
22 My name is Rodney Harrison, Chief of Patrol. If I
23 could just piggyback on what the Chief of Department
24 was saying. We're rolling out some of the commands
25 in April, the first, the fifth, the 50, the 62, the

2 105, the 111 and the 121. There'll be all up and
3 running by-by April 2nd. So, some of the metrics
4 that we take a look at regarding each precinct as
5 well as this—as well as the study sector, we have—we
6 have a couple of things in place. Of course, we take
7 a look at the reduction in—in crime in each one of
8 the sectors and we make sure that there is an
9 appropriate deployment plan for each one of those
10 sectors. We also have sentiment meter that we are—
11 are utilizing to kind of see if—if there's a concern
12 regarding safety or—or if there's a happiness with
13 the community residents regarding each sector within
14 the—within the neighborhood policing precincts. So
15 those are just one of the two ways we've—we've
16 analyzed and evaluate the success or failures as well
17 as speaking to focus groups, as well as community
18 leaders. I'm trying to see if they have any input
19 regarding the neighborhood policing within their
20 areas to see if they're happy or content with it, and
21 will also open up the—the floor to suggestions as
22 well. We have Build The Block meetings with each one
23 of our NCOs. They have one meeting each quarter of
24 the year, and we promote it and try to get a nice
25 robust attendance at the event. These are other ways

2 we evaluate the complaints that come in and make sure
3 that there's an immediate response from the NCOs
4 regarding how they're handling—handling some of the
5 conditions that come up in—within these meetings.

6 CHAIRPERSON RICHARDS: And I—I guess what
7 I'm trying to dibble into a little bit is how are we—
8 are we positive that NCOs are reaching not just civic
9 associations, the—the individuals who are heavily
10 engaged in civic infrastructure across New York City,
11 but how are they meeting everyday New Yorkers, and
12 how do you, you know, look at those metrics?

13 CHIEF MONAHAN: There—there's a—we're—we
14 are working on finishing up an app. As you know,
15 every police officer has a Smart Phone--

16 CHAIRPERSON RICHARDS: Okay.

17 CHIEF MONAHAN: --to be able to track the
18 Build The Block meetings and whatever the community
19 or business tenant association meetings they go to,
20 and in that app will be contained what the problems
21 were that were identified and—and how those were
22 solved. So, we're going to—that will give us a good
23 sense of who—the NCOs are meeting with. We
24 understand that NCOs are one of the most important
25 positions in the Police Department moving forward.

2 They have to be the people out there on the front
3 line helping us build trust. So, the—not only do the
4 precinct commanders select the NCOs, Chief Harrison
5 personally looks at each and every one of them that
6 are selected to make sure they're the right person
7 for job, and we know it's got to be—it's got to be
8 everyone in the community not just certain segments
9 of the community.

10 CHAIRPERSON RICHARDS: Okay, we're going
11 to—we're going to look to—look much deeper into this
12 as we move forward.

13 CHIEF MONAHAN: Yeah.

14 CHAIRPERSON RICHARDS: But we understand
15 you're rolling out and we commend the NYPD for
16 certainly doing this. I'm going to dabble into just
17 a few more questions before we get to my colleagues.
18 I want to go into civilianization a little bit. So,
19 in a recent report provided to the Council the
20 department identified nearly 480 positions that could
21 be civilianized. Can we speak to what is the plan
22 this year to ensure that we reach that number?

23 CHIEF HARRISON: First what I'll do, we—
24 we have a civilianization program that was funded, as
25 you know, two years ago, 415 positions. We're down

2 to only five positions at which we need to recruit.
3 So, that--that program was extremely successful. Of
4 that 480--those 480 positions we think the next group
5 of positions that are ready to be civilianize--
6 civilianized is approximately 335 positions, but I
7 would state also that we are looking at more
8 comprehensively beyond the report that we're required
9 to submit to City Council. Now that we've done
10 enhanced civilianization, at the department over a
11 number of fiscal years, we have our Office of
12 Management Analysis and Planning doing a more
13 comprehensive review to see what the true final
14 number is. So, I think that 480, we may come back
15 ultimately with a different number

16 CHAIRPERSON RICHARDS: And how could we
17 partner with you on this? Is there anything we can
18 do to be helpful here?

19 CHIEF HARRISON: Also, I think in many
20 instances the City Council has been helpful in
21 advocating for us to continue to get civilianization
22 positions. Ultimately I think we share the same goal
23 here, which is to ultimately get as far as we can in
24 this because we're---every position that we

2 civilianize means another office reassigned back to
3 patrol-

4 CHAIRPERSON RICHARDS: Uh-hm.

5 CHIEF HARRISON:--which is helping enhance
6 the Neighborhood Policing Program.

7 CHAIRPERSON RICHARDS: Okay. So, and
8 when can we anticipate you getting back to us or
9 being--so, when do--when can we anticipate these 335
10 positions actually being filled?

11 COMMISSIONER O'NEILL: Well, I do--we--we
12 have to work--we're working on that with both the
13 City Council and the Mayor's Office.

14 CHAIRPERSON RICHARDS: Okay. But more of
15 a--a timeline would be good as we move forward. I'm
16 going into school safety quick. So, obviously I mean
17 our Speaker who cannot be here today has called for
18 auxiliary officers to be outfitted with bulletproof
19 vests. Obviously, you saw yesterday I'm sure,
20 Commissioner, are you reading the Post? Alright, I
21 was joking. He didn't--he didn't catch it.

22 [laughter] But, once school safety agents obviously
23 will be outfitted with bulletproof vests. Can you
24 speak to your thoughts on that as it's something the
25 department is willing to entertain? I'm also

2 interested in knowing what is the department doing
3 around school safety? We notice it's not Florida,
4 but there has been an uptick in school crime, and I'm
5 interested in knowing what is the department doing?
6 How are you partnering with the DOE, and we
7 understand we can't--

8 COMMISSIONER O'NEILL: [interposing]
9 Right.

10 CHAIRPERSON RICHARDS: --militarize our
11 way out of this situation and we don't want to do
12 that, but we want to hear a little bit more around
13 the plan of school scanners. Have you re-evaluated
14 your strategy around that now? How are you gauging
15 the school community in particular on safety, and if
16 they feel safe and--and what warrants the proto--the
17 different protocols to ensure they do feel safe in
18 that case. In the case if they're not. So, I wanted
19 to hear a little bit more about staffing as well--

20 COMMISSIONER O'NEILL: Sure.

21 CHAIRPERSON RICHARDS: --and how are we
22 ensuring that our schools are--are really being
23 covered in a way prevention is the best cure always?
24 So, how are working for that?

2 COMMISSIONER O'NEILL: Chief Brian Conway
3 is with me. He's the Chief of School Safety, just
4 as—as far as bullet resistance vests for School
5 Safety Officers we are in support of that, and we are
6 working with the people necessary to get that done.
7 Some of them being in the unions. So, we are—we are
8 support in of them. We're looking, we're looking to
9 get that done. We're trying to keep school safety
10 officers as safe as possible.

11 CHAIRPERSON RICHARDS: And just lastly,
12 while I have you. So, I think Trump today has said--
13 he's—he's obviously dangling some dollars, federal
14 dollars at states that are willing to train teachers
15 to be armed. What are your thoughts on that?

16 COMMISSIONER O'NEILL: I—I—I think if you
17 read the Daily News, not the Post--

18 CHAIRPERSON RICHARDS: [laughs]

19 COMMISSIONER O'NEILL: --you know—you
20 know what my comment was.

21 CHAIRPERSON RICHARDS: I read both.

22 COMMISSIONER O'NEILL: Right and so do I.
23 There are—teachers need to teach. This is the job of
24 law enforcement to—to help—to keep the children
25 protected. So, that's—that's my position.

2 CHAIRPERSON RICHARDS: So, we won't be
3 entertaining any of those federal--

4 COMMISSIONER O'NEILL: [interposing] Not
5 as it--not as it seems right now. You know, we're--
6 we're always open to--to think about new things, but,
7 you know, of the many conversations I've had my
8 executive staff, that's not the direction we're
9 looking to go in. Brian.

10 CHIEF CONWAY: Brian Conway, Commanding
11 Officer of the School Safety Division. As you
12 mentioned, we--we had an increase of crime, but only
13 during the full quarter of the calendar year of 2017.
14 So, as we stand now, we're down 8% in--in major
15 crimes, and over the--January and February, we're down
16 27%. So, that fourth quarter was troubling for us,
17 but we did institute some plans into effect, and
18 we've seen a--a turnaround. We're always monitoring
19 and we'll always keep our eye on school crime, but so
20 far we're doing very well, and just to point on top,
21 last school was the lowest crime in--in schools since
22 we started, since the NYPD took over school safety in
23 1998.

24

25

2 CHAIRPERSON RICHARDS: But it has been
3 reported there's been more weapons being confiscated.
4 Is there—is there truth in that or-or---

5 CHIEF CONWAY: Yes. Over the last
6 several years we've seen an—an increase in the number
7 of weapons recovered during the schools. We think
8 we're doing a real good job at intercepting weapons
9 before they get into the schools. So, on deposit
10 it's negative, of course, that students are carrying
11 weapons, and we're working very closely with the
12 Department of Education to come up educational
13 programs to discourage that, and talking to students
14 also to find out, you know, what's the reasons why
15 they're carrying weapons, and try and make sure that
16 they feel safe inside the schools.

17 CHAIRPERSON RICHARDS: And the Mayor has
18 called for, I believe active shooter drills.

19 CHIEF CONWAY: We do—we do drills within
20 the—within the schools. The schools are required to
21 do drills not only for—it's not active shooter
22 drills. They're more incidents. We do have fire
23 drills. We do lockdown drills inside the school and
24 School Safety works directly with the school staff
25 on—on doing those. We, too, train our personnel on

2 an active shooter. Our uniformed police officers are
3 trained on that, and also our civilian agents are
4 also trained on what to do if there's a circumstance
5 with an active shooter or other type of emergency.

6 CHAIRPERSON RICHARDS: Now, are we
7 positive all the schools are actually, and this is a
8 question I think I've raised with DOE as well on
9 coordination. Are we positive these drills are
10 actually happening, and if not, you know, we should
11 sort of get in a place where they are, right.
12 Preparation is key to prevention, but also ensuring
13 in the event of an incident that our kids are safe,
14 and that we have measures in place that could prevent
15 or help to minimize a tragedy from happening. So, I
16 haven't heard too much more on this, but interested
17 in knowing are you re-evaluating your partnership
18 with DOE in terms of ensuring that protocols are in
19 place?

20 CHIEF CONWAY: We've had several
21 discussions on that, and we've made suggestions and
22 they're very open to the suggestions that we have.
23 We're also working very closely with our precinct
24 partners on this, and particularly NCOs and the
25 Precinct sectors about increasing the level of

2 patrols in—in the vicinity of precincts. Also, in
3 the vicinity of our schools. Also to increase that
4 level of safety around the schools.

5 CHAIRPERSON RICHARDS: Okay, I'm going to
6 go to my last—these are—I'm going to group these
7 questions together, and then I'm going to get to my
8 colleagues and then I'll come back around because I
9 think we have you until noon. So, obviously we've
10 been looking at marijuana arrests and summonses, and
11 obviously I mean I don't have to read the figures
12 again, but 86% of summonses and arrests were in
13 communities of color, and I'm interested in knowing
14 from the department on why we're prioritizing these
15 marijuana arrests at such high levels. Is this the
16 department's priority? Are we looking at re-
17 evaluating why communities of color are being
18 targeted at this particular level? Do you find it
19 troubling? So, I'm interested engaging and hearing a
20 little bit more from you on how we're going to
21 correct this.

22 COMMISSIONER O'NEILL: So, we have to
23 responsive to community concerns and I was lucky
24 enough to be a precinct commander in NYPD for a
25 little over six years. I worked in the 25, which is

2 East Harlem and I worked in the 44 in the South
3 Bronx, and if I did not engage in quality life
4 enforcement, I would not have been a precinct
5 commander for very long. So, we do need to be
6 responsive. I know there's been some articles in
7 some of the—the newspaper. Dermot Shea, our Chief of
8 Crime Strategies is going to speak about that a
9 little bit but, you know, this—this is something that
10 we need to do, right. I understand that there are
11 disparities. There are reason for it—there are
12 reasons for it, and Dermot can talk about that a
13 little bit, and when he's done, we can engage in it a
14 little bit more.

15 CHAIRPERSON RICHARDS: But, Commissioner,
16 I'm just a little taken aback by your comments. So,
17 you acknowledge that there are disparities.

18 COMMISSIONER O'NEILL: There—there—if—if
19 you look at it, that's, you know, if you look at the
20 stats, I'm not going to deny that, but you got to see
21 the—the whole body of work that we're doing here.

22 CHAIRPERSON RICHARDS: Right and the
23 question is how are we going to fix those
24 disparities?

2 COMMISSIONER O'NEILL: Well, the-the
3 question is how are we going to continue to keep
4 people safe in this city? You know, I go to-I'm ran
5 COMPSTAT for two years. We look at the minute level
6 of detail of who we are arresting and why we are
7 arresting them, and I'll let Dermot speak to that a
8 little bit, but we really have to be careful here
9 about, you know, what we're looking to do. There's
10 been a great improvement in public safety over the
11 last-since-since 1994. Actually before that with
12 Mayor Dinkins. A lot of great programs have-we-we
13 can-done a lot of great programs. We've-we went from
14 listen, in 1990 to 2,245 homicides to last year we
15 had 292.

16 CHAIRPERSON RICHARDS: So you're making
17 the correlation--?

18 COMMISSIONER O'NEILL: [interposing] And
19 I understand-I understand the issue--

20 CHAIRPERSON RICHARDS: --between
21 Marijuana and murder.

22 COMMISSIONER O'NEILL: Right, it's just-
23 it is--part of-of our strategy is to conduct quality
24 of life enforcement, and we need to be responsive to
25 the people of this city, and we're going to talk-

2 Dermot is going to talk about complaints, and-and
3 enforcement and-and I'm sure we're going to continue
4 the conversation, but we-we-we are trying our best
5 to-to-to move forward and to make sure whatever
6 disparities exist in this-in the city we address
7 them, but we also have to be mindful, very mindful of
8 strategies that change how they're going to impact
9 public safety.

10 CHAIRPERSON RICHARDS: And if you're
11 going to rad stats on 911 and 311, I don't believe
12 there's a correlation. I think anyone who looks at
13 the numbers knows-can very well see that there's no
14 correlation between the two, that this-there are
15 certain commanders perhaps or certain precincts who
16 are choosing to overly enforce to a great degree, and
17 you know, one example as Council Member Lancman and I
18 looked at the 105th Precinct for instance where you
19 had 2,500 low-level marijuana arrests and summonses,
20 right from 253 calls. Then on the other hand, we
21 looked at the 90th Precinct and majority white
22 precinct in Brooklyn covering mostly Williamsburg,
23 which you received 451 calls, but only had 300
24 arrests and summonses for marijuana. So, what do you
25 have to say to that disparity and once again, just

2 looking at the facts everyone smokes marijuana or at
3 the same average. So, the calls are not correlating
4 between 911 and 311 data, and the—and that and you
5 can't change those facts. That's a fact based on the
6 analysis and numbers you gave us. So-

7 COMMISSIONER O'NEILL: [interposing] So,
8 Dermot, do you want to just talk about

9 CHAIRPERSON RICHARDS: [interposing] Yes.

10 COMMISSIONER O'NEILL: --marijuana
11 enforcement over the last couple of years.

12 DERMOT SHEA: Sure. I'll just I'll just
13 give a—a brief overview. Dermot Shea, Chief of Crime
14 Control Strategies. [coughs] I'll start with some
15 positive news where we are now and where we've come
16 from. In 2011, the NYPD peaked with over 420,000
17 arrests. In 2013, we made close to 394,000. We
18 finished last year with 286,000 arrests. We're down
19 from that already this year 10%. To me from my view
20 of the NYPD and the landscape in New York City that's
21 probably the most impressive piece of not just
22 pushing crime down, but how we've done it with a
23 significantly lighter touch. We've—over the last
24 four plus years instituted numerous policies that
25 have a direct correlation to achieving that whether

2 you're talking about diversion of youth, diversion of
3 adults, working with our district attorneys to—most
4 recently with Staten Island with the Hope Program,
5 and now a different name, but also expanding that to
6 Brooklyn whether you're talking you're talking drugs,
7 whether you're talking marijuana. We've had
8 discussions on peddlers. We've had discussions on
9 people driving with suspended licenses. Across the
10 breadth of the NYPD. That's how we've achieved a 32%
11 reduction from the peak, and just in the last four
12 years, nearly 27% in overall arrests, and to echo the
13 Police Commissioner's introduction, we've done that
14 while we have now seen record crime last year, record
15 homicides and record shootings. That's the overall.
16 Moving onto marijuana. Marijuana as a subset of the
17 overall enforcement activity that we see. Our peak
18 year was 2000, and we essentially had the same in
19 2011 between 51 and 52,000 arrests for 221.10,
20 Criminal Possession of Marijuana. We do see
21 fluctuations over the years. When you look at 2011
22 with nearly 52,000 arrests, by 2013, it had fallen to
23 29,000. By 2017, last year at the end, it's under
24 18,000.

2 CHAIRPERSON RICHARDS: Right, but it's
3 still 20,000 nearly a year.

4 DERMOT SHEA: It's-it's--

5 CHAIRPERSON RICHARDS: Right, so--

6 DERMOT SHEA: [interposing] It's-it's
7 just under 18,000 last year, and we are down as we
8 sit here today one percent very early in the year.

9 CHAIRPERSON RICHARDS: One percent is not
10 enough.

11 DERMOT SHEA: So-so-so now I'll turn to--

12 CHAIRPERSON RICHARDS: [interposing] And--
13 and the reason we say this is because when the Mayor
14 is because when the Mayor out, and I definitely
15 understand the level of arrests in moving it to
16 summonses, but summonses aren't that much better as
17 well, right, because if you end up in the court
18 system for a warrant, it's almost penalizing someone
19 for life, right. So-so the question is why is this
20 over-enforcement happening in black and brown
21 communities, and I don't want any-I mean, there are
22 states looking a legalization. You have the governor
23 who has just set up a task force on legalizing it.
24 What are you going to do if it's legalized, and--and
25 are these individuals' records going to be expunged

2 who are possibly ending up in prison over a low-level
3 offense?

4 DERMOT SHEA: So, we're going to enforce
5 the law. We would deal with that eventuality as it--
6 when and if it comes. We'll enforce the law that's
7 on the books, and then in terms of any sealing we'll--
8 we'll consult with the--the appropriate attorneys
9 within the department and outside to make sure our
10 policies are in line with the law. I will point out,
11 sir that since 2013 to the end--to the end of last
12 years, that's not that long ago, a 4-year period.
13 When you look at 911 calls in New York City that
14 mention marijuana, a 48% increase. This is the
15 balance that we are trying to strike.

16 CHAIRPERSON RICHARDS: [interposing]
17 Right, and I--and I knew you were going to say--I knew
18 you were going to say that, but when you look at the
19 911 calls and you look at the data from every
20 precinct in the city, on average they're all calling
21 about the same amount.

22 DERMOT SHEA: No, that's not--that's not
23 accurate. We--we see wide disparities in the general
24 911 calls.

2 CHAIRPERSON RICHARDS: [interposing] when
3 you say that each precinct at least has about 200
4 complaints?

5 DERMOT SHEA: Some have many less, some
6 have many more. We—we see a wide--

7 CHAIRPERSON RICHARDS: [interposing]
8 Maybe one has less. Maybe one or two, but on average
9 based on the data you provided us, unless I'm reading
10 it wrong, every precinct in New York City has 200 or
11 more.

12 DERMOT SHEA: [interposing] Right, again,
13 this-this is something--

14 CHAIRPERSON RICHARDS: Yeah.

15 DERMOT SHEA: --that was spoken about
16 before in—in terms of 911 data and 311 data in terms
17 of marijuana related calls. There are many factors
18 that come into play, which was discussed at the prior
19 hearing in terms of our hesitancy to turn over data,
20 which can be run five different ways. So, I'll be
21 clear with the numbers I'm quoting now. This is not
22 a subset of 911 calls. This is all 911 calls
23 received in New York City over 2017 and then for year
24 2013, and then querying that base of all 911 calls
25 not just certain types for where the word marijuana

2 spelled with a J, marijuana spelled with an H, and
3 the word weed shows up. Somebody can come after me
4 and probably add a couple different variables to
5 that, and get slightly different numbers, but any way
6 you run it, there is a significant increase in the
7 public calling the NYPD about conditions relating to
8 marijuana.

9 CHAIRPERSON RICHARDS: Okay, we could
10 debate this, but I-I look forward to continuing to
11 have this conversation.

12 COMMISSIONER O'NEILL: And just-just to
13 jump in for a second, and as you know, being on the
14 Council for-for many years, we are more than willing
15 to engage with the Council to-to make sure that we
16 are policing the city as fairly and as equitably as
17 possible so-so we'll have--

18 CHAIRPERSON RICHARDS: [interposing] I
19 appreciate those words but that's-those are, you
20 know, we want to see it in deeds because right now,
21 the data reflects something that is-I mean you can
22 make the correlation, and people are using the same
23 argument about stop and frisk, right? You know, we
24 are stopping and frisking because more crime and more
25 calls are coming, but we know that was yes. We know

2 that there were communities of color who were being
3 where there—there was a concentrated amount of stop
4 and frisk happening and—and I—I see this marijuana
5 issue very similar, and I don't know any one who
6 wouldn't who's looking at the data. Alright, I'm
7 going to move onto my colleagues. Council Member
8 Miller has joined us. I'm going to go to first
9 Council Members Lancman, Gibson, Cohen and then
10 Powers. So, we'll start with Council Member Lancman.

11 COUNCIL MEMBER LANCMAN: Okay. Thank
12 you. Good morning, Commissioner--

13 COMMISSIONER O'NEILL: Good morning.

14 COUNCIL MEMBER LANCMAN: --and your team.
15 So, since, if I understand your testimony something
16 like 92% of the Police Department's budget is for
17 personnel services, and since this Council in pushing
18 for first a thousand new cops, which ended up being
19 1,300 new cops, understands that part of performing
20 policing in the city means ensuring that we've got
21 the appropriate number of police officers that they
22 are properly compensated, trained, et cetera. I want
23 to focus on those issues, and I'm going to start with
24 them with an anecdote. I don't know if it's an
25 anecdote, an old story. When—when Alberto Carvalho,

2 our School's Chancellor, for a moment, was hired, he-
3 he was offered \$345,000 a year salary, which was 800-
4 -\$118,000 higher than Chancellor Farina was getting
5 and the Mayor was questioned about that, and the
6 Mayor explained that it was important for the
7 Chancellor's salary to be competitive with other
8 school districts around the country specifically he
9 said, "In other cities around the country including
10 much smaller cities, the salary levels are much
11 higher for the head of the school system." And then
12 the Mayor's spokesman Eric Phillips expanded on this
13 point saying that Carvalho's salary offer was "In
14 line with what big city systems are paying and we
15 wanted the best." So, let's start with a—with a
16 basic foundational question. Do you agree that
17 police officers are entitled to the same standard at
18 looking at other jurisdictions when it comes to
19 setting their compensation?

20 COMMISSIONER O'NEILL: I agree that
21 police officers should be treated fairly and they
22 should be compensated at their rate. There's a
23 couple of things going on here, and it has to be what
24 the city can afford, too, and they're in the middle
25

2 of collective bargaining right now. So, that's
3 what's they are trying to work out.

4 COUNCIL MEMBER LANCMAN: No. I understand
5 that—that there are many factors I won't go into it,
6 and we all agree that police officers should be
7 treated fairly, but you've been a—you were a police
8 officer long before you were—rose through the ranks
9 and—and now a Commissioner. Do agree that one of the
10 factors in—in determining what a New York City police
11 should get paid should include looking at
12 compensation in—in other jurisdictions?

13 COMMISSIONER O'NEILL: I mean that's
14 something that has to be looked at, of course. We
15 have to be paid fairly and just to go back to the
16 Chairman's point we just want to make sure that we're
17 losing people to other police agencies. I know that
18 being an NYPD cop means a lot to the 36,000 uniformed
19 members of the service, but they also have to be
20 compensated correctly. I understand that.

21 COUNCIL MEMBER LANCMAN: Okay.

22 COMMISSIONER O'NEILL: Of course, that's
23 my executive staff I mean as far as compensation.

24 COUNCIL MEMBER LANCMAN: Sure, and—and
25 I'm sure you're aware of the tremendous disparity

2 that exists. [bell] May I have a few more minutes,
3 Mr. Chair? The tremendous disparity that exists even
4 in between police organizations that operate in New
5 York City. The data that I have, which I got from
6 the Police Officer's Union has 20-year average
7 compensation of a Port Authority Police Officer
8 making \$115,000 a year; State Trooper in New York
9 City making \$112,000 a year; an MTA officer making
10 \$101,000 a year; a New York City police officer, 20-
11 year average makes only \$89,000 a year. And it—the
12 data that I have indicates that you talk about, you
13 know, keeping good police officers, there's been a
14 significant increase in the number of resignations
15 from the department. These are folks not who have
16 reached their 20 or 25 years, but people who have
17 left early, and that those number—those numbers have
18 gone up each year in the de Blasio Administration.
19 They've gone up 100% from the last year of the
20 Bloomberg Administration and do you believe that
21 better compensation in other New York City and nearby
22 jurisdictions has played a role in these increased
23 resignations?

24 COMMISSIONER O'NEILL: I'm—I'm going to
25 ask Chief Bill Morris, our Chief of Personnel. Bill,

2 do you have--do you have those numbers? If not, we're
3 not going to have to get to you--get them to you. I'm
4 going to have to take a look at it. Bill.

5 CHIEF BILL MORRIS: [coughs] Yeah, I'm
6 Bill Morris. I'm the Chief of Personnel. I don't
7 have the figures with me about resignations, but we
8 can get them for you, and we can provide them.

9 COUNCIL MEMBER LANCMAN: Well, I
10 appreciate that, and it's my understanding when folks
11 resign, and cops resign there's some kind of exit
12 form--

13 CHIEF BILL MORRIS: Yes, sir, there is.

14 COUNCIL MEMBER LANCMAN: And--and that
15 exit form indicates where they're going next like if
16 a cop is resigning to go Nassau County or the--MTA,
17 is that--is that indicated on their form, and you have
18 that data?

19 CHIEF BILL MORRIS: Yes, sir. I--I sign
20 every single one of them. So, we can provide that to
21 you.

22 COUNCIL MEMBER LANCMAN: Got it. We
23 would like to get that data. Obviously redacting all
24 officer's individual names, but just for an
25 understanding of where people are going. But in

2 terms of resignations that are happening whether
3 there are more in the last few years or-or the same
4 as it's always been? I think the data will show that
5 there's more. Does the fact that other jurisdictions
6 like Nassau County or even within New York City the
7 agencies that I mentioned pay so much more than the
8 NYPD does. Is that a factor in folks resigning from
9 the NYPD and-and going to work in those
10 jurisdictions.

11 COMMISSIONER O'NEILL: I think we'd have
12 to take a look at the-at the-the data that we have
13 and the-the forms that Bill sees, but-and I
14 appreciate Councilman, you acknowledging the value of
15 NYPD Police Officers. I've been a cop-well, I'm not
16 a cop any more, wearing that uniform for 35 years.
17 So, I appreciate what you're saying here. In my job
18 as the Police Commissioner and the job of the
19 executive staff is to make sure that we are-we have a
20 Police Department that is-is motivated, and we've
21 asked them to do a lot over the last three years
22 specifically with neighborhood policing.

23 COUNCIL MEMBER LANCMAN: Right.

24 COMMISSIONER O'NEILL: So, thank you.
25 Thank you for-for what you said. We are always

2 looking to make sure that we are compensated
3 properly, and as I said before, this is a matter of
4 collective bargaining and we're in that--and we're in
5 that process right now.

6 COUNCIL MEMBER LANCMAN: Alright, my last
7 question. My understanding is that the offer that--
8 that the city has the table is a 1.5% increase
9 followed by for a period of time and then 1.75%
10 increase, which obviously just mathematically isn't
11 going to come close to getting our officers anywhere
12 near parity. [bell] And that's kind of forced by
13 the--by the pattern bargaining system. In your
14 opinion as Commissioner, the constraints that pattern
15 bargaining imposes on the ability to--to raise cop's
16 salaries so that there's some parity within the
17 jurisdictions. So you think pattern bargaining
18 really works when we're talking about cops?

19 COMMISSIONER O'NEILL: No, no--I'm not--
20 they're in the middle of I think mediation right now
21 and possibly arbitration. So, I--I don't want to
22 comment--comment any more about the collective
23 bargaining that's going on right.

24 COUNCIL MEMBER LANCMAN: Okay. Thank you,
25 Mr. Chair.

2 CHAIRPERSON RICHARDS: Thank you. We're
3 going to go to Council Member Gibson followed by her
4 will be Cohen and Powers. I'm going to ask you—the
5 Commissioner does have to leave at noon. So, to
6 really adhere to the three minutes.

7 COUNCIL MEMBER GIBSON: Absolutely.
8 Thank you, Chair Richards and good morning,
9 Commissioner to you and the Executive Team. It's
10 always good to see you. I want to thank you as well
11 for your incredible response and efforts yesterday's
12 horrific tragedy in the East River. The work that
13 the men and women of the NYPD do every day is
14 remarkable and certainly, we appreciate the work
15 you've done, and since I have a timeframe I will just
16 limit my remarks as best I can because I do have just
17 several questions, but on behalf of colleague in the
18 Bronx, certainly the work we're doing, Mr. Grippo
19 Rodman's Neck is going to be very crucial. I am
20 concerned about the five-year time frame that you
21 alluded and without Design-Build authorization I
22 certainly think that it propels a further
23 conversation because five years is certainly too long
24 to wait for the complete renovation and the noise
25 mitigation for Rodman's Neck. I'm happy to hear

2 about the work on the NCO rollout and the expansion
3 to get to all of our precincts, our PSAs, and transit
4 districts. I think that's great. I wanted ask
5 quickly on two items. School crossing guards have
6 always been my passion. I really appreciate the work
7 that our school crossing guards do. In last year's
8 budge we added 200 new school crossing guards, and
9 100 supervisors. So, I wanted to find out where we
10 are in terms of vacancies, the work we're doing with
11 DOE to ensure that as new schools open we're able to
12 provide a school crossing guard with those particular
13 schools.

14 COMMISSIONER O'NEILL: So, I just-before
15 Rodney answers that, I just wanted to acknowledge and
16 thank you for your service as the former Public
17 Safety Chairperson.

18 COUNCIL MEMBER GIBSON: Thank you.

19 COMMISSIONER O'NEILL: That's Donovan.
20 Nothing. No, thank you, Chair. Okay.

21 CHAIRPERSON RICHARDS: I feel much better
22 now.

23 COMMISSIONER O'NEILL: Okay, I'm just
24 acknowledging that--

2 COUNCIL MEMBER GIBSON: [interposing]

3 Thank you.

4 COMMISSIONER O'NEILL: --I didn't say--I
5 didn't say that. I did not say that. I did not say
6 that. [laughter]

7 RODNEY HARRISON: Okay. So, okay--

8 CHAIRPERSON RICHARDS: [interposing] I
9 had big heels to fill. That's it--that's it.

10 RODNEY HARRISON: Alright. So, good
11 morning once again.

12 COUNCIL MEMBER GIBSON: Good morning.

13 RODNEY HARRISON: Rodney Harrison, Chief
14 of Patrol. Alright. So the--the budget staffing for
15 school crossing guards right now is at 2,638. We
16 currently have [coughs] the number of 2,546. Sixty-
17 seven of the school crossing guards are out on
18 military and extended leave, which leaves us a number
19 of 25 that we need to hire. Some of the things that
20 we're putting in place in order to--recruiting
21 efforts are to develop the online application
22 development. We actually have it in place. We're
23 going to help promote it.

24 COUNCIL MEMBER GIBSON: [interposing]

25 Right.

2 RODNEY HARRISON: We're going to go to
3 social media to make sure that we—we get the word out
4 regarding the—the school crossing guards and the—the
5 flexibilities that come along with it, and
6 distribute—distribution of material at the commands
7 throughout the—throughout the different precincts,
8 throughout the city to once again get better—attempt
9 to get more—more school crossing guards to apply for
10 the position. Also, a retention. In 2016, we had
11 120 resignations and in 2017, we had 118
12 resignations.

13 COUNCIL MEMBER GIBSON: Got it.

14 RODNEY HARRISON: So, that's a little
15 concern that we had to kind of tighten up as well.

16 COUNCIL MEMBER GIBSON: Okay, and I'm
17 certainly happy to join Chair Richards in working
18 with you. They are a very critical part of the work
19 we do, and certainly we've made a lot of progress.
20 So, I want to make sure we can reduce those numbers
21 on attrition and certainly the recruitment efforts,
22 the social media, and all of the promotions are
23 great. I wanted to ask about crisis intervention
24 training [bell] and the Co-Response teams. I could
25 ask that last question, crisis intervention. Deputy

2 Commissioner Susan Herman has been doing a lot of
3 great work meeting with organizations. I wanted to
4 find out where we are on expanding CIP training to
5 senior officers. Now that it's incorporated into the
6 Academy training, all of the new officers are getting
7 CIT, but senior officers were doing the small class
8 size training. So, I wanted to find out where we are
9 on that, and the co-response teams Commissioner, I'm
10 happy to see that we're expanding, and moving to
11 citywide coverage seven days a week. Would that be
12 24 hours, and if you could expand on that as well.

13 DEPUTY COMMISSIONER HERMAN: Good
14 morning.

15 COUNCIL MEMBER GIBSON: Good morning.

16 DEPUTY COMMISSIONER HERMAN: Susan
17 Herman, Deputy Commissioner, Collaborative Policing.
18 The—as you know, we committed to training supervisors
19 in the CIT training, and by the end of the March, we
20 will have trained all of the lieutenants, NCIC
21 training, and by summer all of the sergeants. So
22 that means that supervisors who are at the scene of
23 an EDP incident will all have CIT training by the end
24 of the summer, but lieutenants by the end of this
25 month.

2 COUNCIL MEMBER GIBSON: But we are-

3 DEPUTY COMMISSIONER HERMAN:

4 [interposing] We are going back to recruit training,
5 and there will be in-service training as well.

6 COUNCIL MEMBER GIBSON: Okay. So, we're
7 alternating, or is that happening simultaneously?

8 DEPUTY COMMISSIONER HERMAN: It's
9 happening simultaneously.

10 COUNCIL MEMBER GIBSON: Okay, and the Co-
11 Response Teams?

12 DEPUTY COMMISSIONER HERMAN: The Co-
13 Response teams are expanding to two tours a day seven
14 days a week, and the Triage Desk is expanding to
15 seven days a week, three tours a day.

16 COUNCIL MEMBER GIBSON: Okay, great.
17 Thank you so much. I look forward to working with
18 you. You know I have more questions, but if there is
19 a second round I will certainly provide that, but
20 really wanted to thank you all, and it's been an
21 honor working with you the past four years.
22 Certainly as a member of this committee my commitment
23 remains there on behalf of my beloved borough of the
24 Bronx. I want to thank you for your work to our
25 city. Thank you, Chair Richards.

2 CHAIRPERSON RICHARDS: Thank you, and
3 just to follow up on school crossing guards, I think
4 we need to re-evaluate some things with DOE in terms
5 of for instance they can't sit in the building, you
6 know, they can't go into a school building I believe.
7 So, just wan to--I think we need to have a larger
8 conversation around how we can improve the quality of
9 life for them so that they could actually--or maybe
10 I'm misspeaking. I don't know if there have been
11 some protocols that have been changed.

12 RODNEY HARRISON: Yeah, just if--if you
13 don't mind. I apologize--

14 DEPUTY COMMISSIONER HERMAN:
15 [interposing] Yes.

16 RODNEY HARRISON: --but there have been
17 some changes or maybe information got out
18 incorrectly. School crossing guards are allowed to
19 go in the schools. The one thing we do want is for
20 them to be out there during the--the times of arrival
21 at the schools as well as dismissal. So, we just
22 want to--they're allowed to go in, but during those--

23 CHAIRPERSON RICHARDS: [interposing]
24 Right.

25 RODNEY HARRISON: --priority times--

2 CHAIRPERSON RICHARDS: Right.

3 RODNEY HARRISON: --that we-we would like
4 someone to be on the post.

5 CHAIRPERSON RICHARDS: Okay. Alright,
6 great. Thank you. We're going to move onto Council
7 Members Cohen, Powers and the Deutsch.

8 COUNCIL MEMBER COHEN: Thank you Chair
9 Richards. Thank you, Commissioner for your
10 testimony. I do want to say congratulations on-on
11 your recording setting crime reductions, and thank
12 you to the men and women of the department for doing
13 the hard work. I'm extremely appreciative and on
14 behalf of all my constituents. One thing that I am
15 particularly concerned of is part of-I represent part
16 of the 52 Precinct, and the opioid crisis is having a
17 significant impact, and I also think it is sort of-it
18 maybe a disproportionate impact in terms of people's
19 perception of what's going on in the community, and-
20 and-and I'm the first to acknowledge that I think the
21 men and women of the NYPD sometimes have an untenable
22 job that I-I think that this is a public healthy
23 crisis. But having people O-D'ing in our libraries
24 and on our streets and in our parks ultimately it has
25 an impact on the perception of crime. Could you talk

2 a little bit about the resources needed to combat
3 that and the response?

4 COMMISSIONER O'NEILL: Susan and Bob
5 Boyce are going to help me with this answer, but this
6 is something that, you know, in '16 there were 1,400
7 ODs. There were two, you know, three. I think it
8 was—it was over 335 homicides, and 17—I don't think
9 we have the final numbers yet, but I think it's up 10
10 to 12%. So, we understand that this is a serious
11 health crisis and it's—it goes, and it goes beyond
12 just the NYPD, you know, working with the
13 Administration and the city, and we're working with
14 the Council to make sure we do our best to reduce
15 those overdoses. Bob can talk about what we're doing
16 on the enforcement side, and—and Susan can talk about
17 the—the other issues that we're contending with so—

18 CHIEF BOYCE: So, good morning. One of
19 the things we did about going on two years ago, was
20 embark on a—on a plan to reduce distribution networks
21 or Heroin and Fentanyl. It mixes with what the—what
22 the issue is here by adding 82 officers to our
23 Narcotics Division. We also added another 20 --
24 [coughs] I'm sorry—out of the 82, 20 into an
25 addiction program introducing task forces. In that

2 time, and it's just not a police issue at all. Susan
3 will tell you what—what we're doing as well, but we
4 do have a role, and we've accepted that role. So, in
5 that time, we've uncovered record levels of Heroin
6 coming in from Mexico, and Fentanyl coming in from
7 China. That combination is what's creating this
8 issue. What was once a 10% purity is now 60%. The
9 human body cannot take that, and that continues. So,
10 we're fighting the fight. We've done casework time
11 and time again in the—in specific areas as well all
12 over the city. The Bronx, sir, is what you're
13 talking about, and that is the number one area for
14 overdoses in New York City. Aggregate number, per
15 capita is Staten Island, but it's shared throughout
16 the city for the most part. Along with the least
17 (sic) is actually Queens South. It's still an issue
18 there. So, we've sent up people and deployed these
19 resources throughout the city according where it's
20 happening. We also have Twitter posts out to warn
21 people. When we have a stamp that killed someone, we
22 put that out as well to make sure that everybody gets
23 the word. [bell] So, I think last year we did over
24 600 kilos. We recovered over 600 kilos of Heroin,
25 and Fentanyl, which we hadn't recovered at all. We

2 are now doing it as well. Our big fear is that it
3 will get to the gangs, and this will create violence.
4 So, far that hasn't happened. So, we do this
5 everyday. We've embarked on something that no one in
6 the Police Department has done in the country.
7 [coughs] We respond to every overdose that happens
8 whether fatal or safe, and start a case from that
9 overdose, and that's how we've disrupted [coughs]
10 disrupted these networks [coughs] by gathering
11 evidence of that and then giving it to a narcotics
12 officer to further the case. We have taken down a
13 lot of networks. We still have more to do, but
14 that's where we are right now as—as far as attacking
15 this from a police standpoint from an enforcement
16 standpoint. I'll let Susan Herman tell you what else
17 we're going as well.

18 CHAIRPERSON RICHARDS: Thank you. We're
19 going to go to Council Member Powers followed by
20 Chaim Deutsch and then Brannan.

21 CHIEF BOYCE: [interposing] I think was—I
22 think we have a little bit out of there—a little bit
23 of advance on that. Susan.

24 CHAIRPERSON RICHARDS: [interposing]
25 Okay, well, oh, sorry.

2 DEPUTY COMMISSIONER HERMAN: So, in
3 addition to all of the enforcement work that you just
4 heard about to identify and try and enter Dicked
5 (sic) where there are significant dealers involved,
6 and to try and find the product that's most
7 problematic on the streets. We've also been working
8 with all of the DAs on their diversion programs.
9 There's Staten Island Hope Program. It was out-first
10 it's been out for about a year. They've had zero re-
11 arrests for the 318 people that have been through
12 that program. They have some people who declined to
13 go through it, but that's a pretty significant
14 statistic. The Brooklyn Clear Program launched about
15 a month ago. They've already had 29 people enter the
16 program, and none re-arrested. Bronx we hope will
17 launch relatively soon. Manhattan hopes to launch in
18 the summer. In addition to that, we have launched
19 with HIDTA and the Department of Mental Health and
20 Health and Mental Hygiene what we call RX Stat
21 Operations Group, which is a group co-convened by
22 these three entities with over about 35 different
23 agencies at the table. We meet quarterly. The law
24 enforcement city, state, federal, regional law
25 enforcement there. There are government agencies

2 rang from probation to the Department of Homeless
3 Services. Everybody is there. H&H is there, the ME
4 is there, and those meetings have exposed
5 opportunities for improved protocols, improved
6 policy, where additional resources could be helpful,
7 and many of the things that you would hear about if
8 you talked to any of these agencies originally came
9 from conversations at those meetings where review
10 cases of fatal overdoses.

11 CHIEF BOYCE: Thank you.

12 CHAIRPERSON RICHARDS: Okay, great.
13 Thank you. I'm going to go to Council Member Powers.

14 COUNCIL MEMBER POWERS: Thank you and I
15 want to share everybody's appreciation for being here
16 and testifying, and for the work that the department
17 does every day I know in all of our communities.
18 Very grateful for having a world class police force,
19 and I share, but I do, yeah, I do share the concerns
20 that have been brought up by folks around pay
21 compensation, attracting the best talent, retaining
22 the best talent as well. I think we have great
23 officers, and—and want to make sure we retain them.
24 I—I—I recall that this is about fiver or so years ago
25 Council Member Brannan's predecessor had reached out

2 to the Independent Budget Office related to shift
3 times, and whether those cost savings that could be
4 achieved and potentially put into other places like
5 salaries or-or-you know, or training or whatever--
6 whatever it might be if you extended tours to longer
7 shifts like 10 or 12 hours. Has the department
8 looked that, and is that something that you're
9 considering and-and if-if so, where does that

10 COMMISSIONER O'NEILL: [interposing] No
11 we-looked at--

12 COUNCIL MEMBER POWERS: -- stand, and if
13 not when?

14 COMMISSIONER O'NEILL: --our OMAP Officer
15 Management Planning, and did a study on the 10-hour
16 and 12-hour tours, and to do that, we would have to
17 hire-I don't want to get it-I don't know the exact
18 number, but it was thousands of officers. So, just--
19 it's just something that-that couldn't be done.
20 Vinny, I don't know if you-if you got anything you
21 want to add to it.

22 DEPUTY COMMISSIONER GRIPPO: No, I would
23 agree, though. It was-it was thousands. It was not
24 insignificant in terms of the additional officers

2 that would be needed because of the loss of patrol
3 hours.

4 COUNCIL MEMBER POWERS: You would need
5 to-how--what's-how many officers do are you-do you
6 believe you need to hire in order to do that?

7 DEPUTY COMMISSIONER GRIPPO: I think the
8 number was about 2,000 because what you're doing is
9 you have less appearances per year, and you need
10 people to fill in that gap.

11 COUNCIL MEMBER POWERS: And--and when was
12 that report--that study done?

13 DEPUTY COMMISSIONER GRIPPO: It was in my
14 time as Chief of the department so I'd have to say
15 two years. I'll have to--

16 COUNCIL MEMBER POWERS: [interposing]
17 Okay.

18 DEPUTY COMMISSIONER GRIPPO: --I'll have
19 to get it. That's with them, too? (sic)

20 COUNCIL MEMBER POWERS: Yeah, that would
21 be great if you have any--and research on that, and
22 them my--my second question sort of following up is I
23 noted that there was--it seemed like there as record,
24 and we talked about the attrition, and we talked
25 about the loos of officers. I know you're going to

2 get us data on where folks are going, but I also
3 noted that I know a number of people have been
4 looking at their pensions more recently. It seems
5 like a higher number than average. Is there—and my
6 concern would be with all the great programs you're
7 putting in place right now that we're going to lose
8 officers that has this training, and have sort
9 integrated into the communities over the next few
10 years as they—as they sort of become disincentivized
11 to stay into the forces. Is there a concern about
12 the loss of officers and what I would call brain
13 drain in terms of the department if—if so many folks
14 exit in the next coming years?

15 COMMISSIONER O'NEILL: Right, and it's
16 something I'm always concerned about, and we have to
17 make sure that we have—first of all that police
18 officers are properly compensated, but we also have a
19 department where—where the men and women who do this
20 job are motivated each and every day, and I think
21 what we've done over the last four years in
22 particular are the number of programs that we've
23 created, the new positions that we created, the
24 Neighborhood Coordination Officers, Steady Sectors,
25 Strategic Response Group, a number of federal task

2 forces, the Critical Response Command. We are
3 putting people—more people into the—into the Cadet
4 Program to keep that—that—that—that line of people
5 entering the force at—at a good pace and qualifying
6 people. So were are—this is something that I'm
7 concerned with each and every day. As a matter of
8 fact, we have Chief Bob Boyce is—I think this is
9 going to be your last Preliminary Budget hearing.
10 Bob is retiring on April 17th I think and, you know,
11 he's—he's aging out. He doesn't look like it, but—
12 but he actually is.

13 COUNCIL MEMBER POWERS: He looks like
14 he's 35.

15 COMMISSIONER O'NEILL: Yes.

16 COUNCIL MEMBER POWERS: Yeah.

17 CHAIRPERSON RICHARDS: See, you're going
18 to be in the report that they do, right.

19 CHIEF BOYCE: I vote. Actually, one for
20 our country.

21 CHAIRPERSON RICHARDS: [interposing] When
22 I lived near (sic) you, it's another county right?
23 [laughter]

24 COUNCIL MEMBER POWERS: Just—just another
25 a final question, Mr. Chair, and congratulations,

2 Bob, and congratulations on a--on a career, and soon
3 retirement, and we don't want to lose Bob, by the
4 way. We wan to keep him. My--I just want to--just for
5 some comments very quickly, and I'm sorry to use more
6 time than--thank allotted. I just did the--the-port--
7 the part in your testimony about the turnstile
8 jumping, and it seems like you have the noticeable
9 opinion that's different than the district attorneys
10 who are enforcing it, and we live in the city with
11 five different district attorneys who have been--who
12 can take on different policies than one police
13 department. So, it's a--it's a difference, but can
14 you tell me your--your position on the--the district
15 attorneys turnstile jumping --

16 COMMISSIONER O'NEILL: [interposing] Yeah
17 we--

18 COUNCIL MEMBER POWERS: -- enforcement.
19 It seems like you have a difference of opinion.

20 COMMISSIONER O'NEILL: Yeah, we've had--
21 we've had a number of good meetings with DA Vance's--
22 Vance and--and his office. So, when you're talking to
23 a former transit cop, I came on with the Transit
24 Police Department in 1983. It is very important that
25 we control access to the subway. That's how we

2 control crime in the subway. If you look now, we
3 average about six crimes a day, and that's about six
4 million riders a day. So, the way it—the way we
5 operate now I think it's fair. Most of the—it's, 75%
6 of the people who beat the fare receive a tab
7 summons, and the other 25% are arrested, and if you
8 want Chief Delatorre can go into why we arrest that
9 25%, and most of it is because they're transit
10 recidivists. They continue to commit crimes in the
11 subway system. I think it's important that we
12 continue—we continually operate this way because the
13 other millions of people who ride the subway everyday
14 see when people beat the fare, and it lends to sense
15 of disorder in the subway, and quite frankly, I don't
16 think they're real appreciative of other people
17 beating the fare while they have—while they have to
18 pay their fare each and every day.

19 COMMISSIONER O'NEILL: And I think he's
20 coming up to add something.

21 CHIEF DELATORRE: Yes. Hi. I'm Chief Ed
22 Delatorre, Bureau Chief for the Transit Bureau. Just
23 in line what the Police Commissioner was just saying,
24 I think it's important to note that first of all, our
25 fare evasion enforcement has gone down. We divert.

2 We divert three out of four people that are arrested
3 to the Civil Court. So, we're already doing that.
4 Out of those that we do not divert that we arrest
5 about 10 to 20% of those do get desk appearance
6 tickets. So, there is a very small percentage let
7 that actually do go on, and get arrested. We've also
8 been meeting with the MTA and district attorneys
9 around the city to get feedback from them because
10 obviously if you're on the Pelham Line, we don't want
11 you to be treated in the Bronx differently from the
12 way you'd be treated in Manhattan. So, we've already
13 had a meeting with Darcel Clark and—and the MTA
14 Chair, and we're going to continue to work our way
15 around the city and meet with all the district
16 attorneys. There will be only one policy in the NYPD
17 for the entire city.

18 COUNCIL MEMBER POWERS: Yeah, I
19 understand, and I—and I have to leave and I apologize
20 because I have to speak students in my district about
21 gun safety, and—and I would note one comment before I
22 leave is I would ask that if it's—if it's in terms of
23 the department engaging, if it's—if it's the
24 department that's engaging with the Department of
25 Education around—around how to respond to the

2 obviously important moments of the time that parents
3 and students are involved in that conversation,
4 because I know there's a lot of trepidation about
5 having the students, which we know the important
6 safety measures we have to take, but having very
7 young students have to go through what could be
8 traumatic drills, even that would lead to an
9 expectation of violence or—or whether I have heard
10 from parents in that. So, I'm not asking you not to
11 take appropriate steps and safety measures quite the—
12 quite differently, but I do—would ask that to think
13 about parents, student engagement in that—in that
14 process because I think they're—they're the important
15 stakeholders here that are—are affected in this.

16 CHAIRPERSON DEUTSCH: And whatever we do,
17 we're not doing unilaterally. We're working with the
18 DOE to make sure that we do it in conjunction with
19 everybody involved there, and we understand the
20 sensitivity of it.

21 COUNCIL MEMBER POWERS: Yeah, thank you.

22 CHAIRPERSON RICHARDS: Thank you, and I
23 guess this is a plug to fund fair fares. Alright,
24 we'll go to Council Member Deutsch and then Brannan.

2 COUNCIL MEMBER DEUTSCH: Thank you very
3 much. Good morning Commissioner. So, first of all--
4 first of all, I'd like to thank all the first
5 responders between the NYPD and this, and the Fire
6 Departments, and all the civilians who are--who were
7 out there yesterday in the helicopter crash. Our
8 thoughts and prayers are with the family, and
9 secondly I'd like to congratulate Chief Boyce on
10 your retirement, and it doesn't mean that you could
11 retire. You could always come back in in plain
12 clothes. So, I just wanted to say that for the
13 record. [laughter] So, I'm going to be--I'm not going
14 to ask too many questions because I only have three
15 minutes. I just want to speak about in response to
16 Council--Council Member Lancman's questions. How much
17 does it cost to train an NYPD Officer?

18 COMMISSIONER O'NEILL: Ben, do you have
19 that number

20 BEN: I don't have the number. Terry--
21 Terry, you have the number. [background comments,
22 coughing]

23 CHIEF SHORTELL: Chief Shortell, Chief of
24 Training. \$14,000.

2 COUNCIL MEMBER DEUTSCH: \$14,000. So,
3 it's \$14,000 to train an officer, and then you have
4 training officers in the Police Academy and—and
5 every—all the other costs that come with it to train
6 officers. So, we had—we have now over 1,000 people
7 leaving the NYPD. So, if you take those thousands of
8 dollars to train an officer, it's costing the city
9 millions of dollars to train officers, for other
10 states because the fact is that a state trooper makes
11 \$40,000 more. The cost of a house Upstate New York
12 and other states, and Update New York is probably
13 approximately \$200,000 and here in the city if you
14 want to buy a house, it's around \$800,000. So, the
15 cost of living here is a lot higher. We are—it's—it
16 is costing the city millions, millions of dollars to
17 train an officer for other states. So, I just want
18 to make that point for that. Secondly, I want to
19 talk about the bulletproof vests. So, first of all, I
20 want to thank the Commissioner for raising the
21 allowance while auxiliary officers from \$250 to \$425.
22 That is—is-is great. It's a—it's a home run for our
23 auxiliary officers who volunteer their time. We have
24 about 4,500 auxiliary officers who protect our
25 streets in the city of New York. So, our chair did

2 mention that we're looking about two-to outfit the
3 school safety officers with bulletproof vests, but I
4 must say that currently our 4,500 auxiliary officers
5 do not have bulletproof vests that are up to date.
6 The expiration for a—the life span for a bulletproof
7 vest is five years, and I know that the Police
8 Department has purchased some [bell] bulletproof
9 vests for our police officers—for our auxiliary
10 officers, but not enough because it's not in the
11 budget, and we have 4,500 and every time an auxiliary
12 officer goes out to protect out streets, he's
13 unprotected. Thirdly, I just want to say, you'll
14 answer the questions at the end. Thirdly, I want to
15 say regarding ROTOW. So, there are three different
16 departments that tow cars. One is the Sanitation
17 Department, Traffic Department as well as our local
18 NYPD precinct. So, if there is a vehicle that the
19 plate—plate number does not—does not match the
20 vehicle, or a car is parked for more than seven days
21 in one spot, and it's marked by an NYPD officer, then
22 that car gets towed to a pound. So, the officer
23 calls ROTOW and a private company comes down and tows
24 the vehicles, and it gets towed into a private lot.
25 I had about 15 cars just last week, actually three

2 weeks ago in my district that the plate numbers were
3 way out of state. They cars had been sitting there.
4 They do move for all-the side of the street parking
5 only to come back, and those plates did not match the
6 vehicle. The problem is that the lots that these
7 vehicles get towed to have no room. So, in the last
8 three weeks I only had one-one out of the 15 vehicles
9 towed in the last three weeks. So, we have a
10 beautiful NCO program where the officers go out there
11 and try to do their job to tow these vehicles off the
12 streets, but when a lot doesn't have any room only
13 for one vehicle, then we have a problem. So, we need
14 to figure out a way to expand and get more parking
15 lots. So, this way when 311 is called, and the NCO
16 officers respond, that these vehicles get removed
17 immediately, and not-shouldn't-not that-that it
18 shouldn't be towed because there's no room in the
19 lot.

20 CHIEF MONAHAN: Chief Terry Monahan,
21 Chief of Department. That-that shouldn't be an
22 issue. These are all private companies. They have
23 their own lot, and this is how they make their money.
24 We'll take a closer look at that and see because
25 there's numerous companies if we need to add

2 companies onto the rotation two within that area, and
3 they want to make that money, we can always do that.
4 If-if they're saying they can't take it, that's-
5 that's-that's not acceptable.

6 COUNCIL MEMBER DEUTSCH: So, okay. So,
7 if we could talk--

8 CHIEF MONAHAN: [interposing] We'll talk
9 offline.

10 COUNCIL MEMBER DEUTSCH: --offline about
11 this. Yeah.

12 CHIEF MONAHAN: Yeah.

13 CHAIRPERSON RICHARDS: Alright, we've
14 been joined Council Member Rosenthal, and I've got
15 one more.

16 MALE SPEAKER: The auxiliary vests.

17 CHAIRPERSON RICHARDS: They've got to
18 wrap that up. Oh, sorry.

19 MALE SPEAKER: The auxiliary vests. So,
20 we-we're taking-we heard you on that. Ultimately,
21 we're taking some funds from our vest budget, and
22 we're beginning, although as you actually accurately
23 say that we're continuing to purchase of replacement
24 vests for the auxiliary. We will get to
25 approximately half of them before the end of this

2 fiscal year, and we're committing to do the remainder
3 early next fiscal year. It's really about how many
4 the manufacturer can produce for us under what
5 schedule, but ultimately by early next fiscal year we
6 will have replaced all of the auxiliary vests so that
7 every auxiliary officer has access to a vest that is
8 within that five-year period.

9 CHAIRPERSON RICHARDS: Thank you. We're
10 going to go to Council Member Brannan followed by
11 him, Cabrera, then Williams.

12 COUNCIL MEMBER BRANNAN: Thank you, Chair
13 Richards. Obviously, I'll preface this by saying men
14 and women of the police do an extraordinary job
15 staring down the unknown every day, and that's
16 something we don't take for granted in the Council.
17 I think I speak on behalf of--of all of us that we
18 also don't see a contradiction in--in supporting the
19 police, but also wanting everyone to be held to the
20 highest standard. Something coming out of some of
21 the questions today about brain drain and--and folks
22 who are leaving before they take a pension, and,
23 yeah, we had, you know, 1,200 people at a pension
24 seminar a couple of weeks ago out in Queens. I know
25 I saw the PBA did a survey back in 2016 with about 6

2 or 7,000 of its members talking about morale, and
3 that morale was at rock bottom. Do we—I know it's
4 sort of hard to quantify, but is there something
5 going on there besides that they could make more
6 money elsewhere that we think is—is affecting morale?

7 COMMISSIONER O'NEILL: I—I think that's a
8 general—obviously, a general statement. I know. I
9 interact with police officers every day. I know all
10 members of my Executive team. I keep close contact
11 with people in the field. So, I'm not—I'm not going
12 to agree with the premise of—of the statement that
13 morale is at an all-time low. As far as people
14 attending pension seminars, I encourage that because
15 that doesn't—you should not be attending a pension
16 seminar when you have 19 years on the—on the Police
17 Department. You should be attending that seminar
18 when you have five years on the job. So you plan for
19 the future. Just because you go to a pension seminar
20 doesn't mean you want to leave. It means you want to
21 make sure that you're being financially—that—that—
22 that you're paying attention as you move through your
23 career. So, I mean morale is always an issues, and
24 that's why we have to make sure we keep people
25 motivated and for the 15th time today I guess we're

2 going to talk about compensation, properly
3 compensated, but there's more to that also. Police
4 officers have to feel that they're respected, and-and
5 that we appreciate everything that they do each and
6 every day, and I think that's why they are embracing
7 the neighborhood policing philosophy. You know,
8 we're are a point where a police officer can go out.
9 They use discretion. They identify problems with the
10 community, they come up with solutions together, and
11 now if you're working in a Steady Sector or an NCO,
12 if I had a problem today, guess what? If I don't
13 solve it, that problem is going to be there tomorrow.
14 That means that we-we are showing our cops that we
15 care about them. So, yeah, there's a lot of-a lot of
16 different things going on here. I know that many of
17 the different unions are in their process of
18 collecting bargaining-collective bargaining, too.
19 So, that might play into this.

20 COUNCIL MEMBER BRANNAN: Yeah, I just
21 hope you look to the Council as partners. I mean we
22 want our police to be happy, and I appreciate that I
23 have the Community Policing Program coming to all the
24 precincts in my district and, you know, morale is-is-
25 is an issue, and we want to make sure we could be

2 partners there, and however we can be helpful, and I-
3 and I-I agree with your statement that-that we do
4 work together, but we do have to be accountable and
5 we are held to a higher-a higher standard, and that's
6 why we do what we do. [bell]

7 CHAIRPERSON RICHARDS: Thank you, Council
8 Member Brannan. We're going to move to Cabrera, then
9 Williams, the Vallone.

10 COUNCIL MEMBER CABRERA: Thank you so
11 much, Mr. Chair. Commissioner, thank you for being
12 here today. I was looking at your testimony, and
13 we're looking at the lowest crime and shootings
14 since-actually before I was even born, the best
15 neighborhood policing ever, fewest traffic deaths,
16 the best Counterterrorism Unit. This-this is just
17 simply amazing the work that you are doing alongside
18 with the NYPD, and I just heard my colleagues talked
19 about morale. I mean we should be praising the work
20 that is taking place in the NYPD and I-and I think
21 that all of use in New York need to do a better job
22 and-and creating a culture that embraces the NYPD, a
23 culture that says we value what you're doing. I
24 remember 9/11. I was there helping out as a
25 chaplain, and I saw the great work that the brave

2 men, and how many in the Council and the city
3 everybody stood up, and then there was a shift that
4 took place some years after that. I—I think we need
5 to come back, and to not only morally support but
6 also in terms of legislation, and sometimes
7 unintentionally I think some times we could do things
8 that can demoralize the brave men. I mean I wanted
9 to ask you in regards to an earlier question
10 regarding the opioid problem that we have in the city
11 having worked as the Director, but we had a program
12 before. I'm very familiar with this problem. You did
13 a tremendous job. NYPD did a tremendous job, the
14 department dealing with the K2 problem. We—we—we—it
15 was just tremendous what I saw happen when we started
16 seeing them blooming ,and we went to the source of
17 it, which a lot of it was being sold in bodegas. Is
18 the big problem that we have right now that this is
19 being sold through doctors who are doing, they're
20 trying from what I understand some of them are—are
21 making \$100,000 literally a week towards the end of
22 their career as a form of a retirement package, they
23 do it for about a year, and they make a gazillion
24 amount of money at the expense or constituents. Is
25 that where we're putting in most of our efforts to

2 combat this problem ore is it—I heard earlier that
3 was mentioned that the gangs thank God that the gangs
4 are not the ones who—who are really moving the
5 opiates. So, I would love to know what's the source
6 and what's the strategy.

7 COMMISSIONER O'NEILL: Alright, so, we're
8 not just looking at one area. We have to look at it
9 internationally, and we do that with DETF. We have
10 to look at it nationally, regionally. We also have
11 to look at it at the local level, and part of that is
12 that we're—we're looking at traditional dealers. We
13 arte looking at cartels. We are looking at doctors
14 also. So, that's part of our strategy moving
15 forward.

16 COUNCIL MEMBER CABRERA: Thank you so
17 much.

18 COMMISSIONER O'NEILL: Thank you.

19 CHAIRPERSON RICHARDS: Thank you.

20 Council Member Williams followed by him Vallone then
21 Menchaca.

22 COUNCIL MEMBER WILLIAMS: Thank you, Mr.
23 Chair, Commissioner, et al. First, obviously I think
24 we're in a—a much better place than we were before.
25 I just want to make sure—I want to put that on the

2 record, and thanks to you, I've sat on panels with
3 you before you were Commissioner, and we truly
4 believe in the direction that we're trying to do, and
5 that was very helpful from the top, and I just want
6 to make sure I put that on the record. Sometimes to
7 the chagrin of my advocacy friends, but I try not to
8 say things I don't believe, and I truly believe that.
9 I also know that—that we got to where we got to with
10 a lot of pushback. Every inch has tremendous amount
11 of pushback always. That seems to be the nature of
12 the business. I also know that we have a lot more
13 work to do. I think everyone agrees with that
14 particularly around transparency and accountability.
15 My hope is that as we continue to do that, it's—it's—I
16 don't think we get gangs without the pressure. So,
17 I'm just expecting that, but my hope is that we can
18 have those conversations without people asserting or
19 pushing forth that we are somehow opposed to police
20 because during those discussions that's not what this
21 is about, and I don't want it to affect the morale,
22 and I think how we talk about it is particularly
23 important. I have a few things. I won't be able to
24 get through all in three minutes. So, I'll lay them
25 out and hopefully you can respond. I was very, very

2 encouraged by the description of neighborhood
3 policing looking like it's moving toward a real
4 community policing program. Specifically you're
5 saying it's not a program. It's not an initiative.
6 It is a philosophy. I'd be interested to hear not
7 now, but at some point, it's top-to-bottom approach
8 exactly how that is pervasive throughout the entire
9 force because I do like the program, but I do want it
10 to get a philosophy that everyone is adopting. When
11 it comes to the subway phase-fares, I did read your
12 description of someone who was caught obviously doing
13 that. I don't I guess believe that fare program or
14 the subway fares. I don't think people should be run
15 roughshod over the subway system, but I think
16 everything has to be applied equally. I don't think
17 that has happened particularly in the different
18 communities. I also—I look at people who don't for
19 many years would be able to get through the toll
20 system. I don't know anybody who has been arrested.
21 And so there seems to be a dichotomy there. I also
22 think there's some legality between asking for a
23 swipe and giving a swipe that might be legal
24 somewhere in there. I don't see the same thing when
25 it comes to easy pass, and so I think how we treat

2 communities should also be equal with the Marijuana
3 arrests, and, of course, that's already been brought
4 up. I just want to lend my name to that. Perhaps
5 there are other things that we can do with the
6 Marijuana arrests that are not just police involved,
7 and I know you believe in making sure that police
8 aren't the answer to everything. I would like to
9 know when we're going to promulgate rules for their
10 releasing. I think that's something that just have a
11 lot more work to do. With the CRT, the—the—I'm sorry
12 to—the response team, the CRT, Crisis Response Team,
13 is there a way and is there a cost to separate those
14 that are responding to counter-terrorism versus that
15 are [bell] that are responding to peaceful protest?
16 Lastly, of the bus feed article, it is very, very
17 concerning to me. I know you did respond to it, the
18 claim—the claims that their plaintiffs (sic) are
19 often coupled with dismissal probations, and we do
20 know that Officer John McLaughlin who broke protocol
21 during—during in the Molly Graham case, kicked in the
22 door, led to his death, and lied on the stand during
23 the NYPD trial. He was given dismissal probation at
24 the end of 2017 to the knowledge of Molly's family
25 was communicated by the NYPD. There was not other

2 discipline. So, I'm asking if we can get
3 disaggregated by the type of offense, specifically
4 the number of dismissal probations related to the
5 police brutality incidences each year, and what other
6 discipline was leveled, and those are a lot of
7 questions. If you can respond to what you can. I
8 would say I also believe and also my advocacy
9 friends are probably going to shrink but I do believe
10 that officers need to be paid. I am in the business
11 of making sure that employees all over get a-a fair
12 wage so they can live in the city. So, I do support
13 that. Hopefully, we can and you give someone a gun
14 and ability to take life or take away freedom. I
15 want to make sure they are properly compensated. I
16 would be even more supported if we looked at the
17 qualifications of officers needing to come into the
18 department. Thank you.

19 COMMISSIONER O'NEILL: Alright, so just
20 real quick. The neighborhood policing philosophy,
21 Rodney, Chief Harrison and-and Chief Monahan would-
22 would be more than happy to sit down with you and the
23 are other members of the Council to let you know how
24 we are pushing that into not just patrol, but to all
25 aspects of-of the Police Department body-worn

2 cameras. We should have a—a finalized policy on
3 release of—of camera footage. That should be done
4 shortly. I think Commissioner Byrne said between 30
5 and 45 days. SRG I think is what you were speaking
6 about, the Strategic Response Group. Their mission
7 is threefold. If there's a spike in crime somewhere
8 in the city, we can deploy them. They also have the
9 ability to respond to a terrorist event or active
10 shooter, and they also have received very extensive
11 training in—in—in policing protests and
12 demonstrations. So, their mission is threefold. But
13 they came out of the Patrol Borough Task Force as we
14 saw that each patrol borough had their own task
15 force, and we—this came back in the re-engineering
16 back in 2014. We've decided it was better to have a
17 group of 800 cops that had that threefold mission.
18 And I think last but no less, I do agree with, and
19 I've stated it on the record numerous times that we
20 need to be better with the police discipline
21 transparency and we're working towards that end.

22 COUNCIL MEMBER WILLIAMS: Thank you.

23 The, I don't know if we can follow up on the data
24 that I—I tried to get for the response to Buzz Feed.
25 Also, I didn't get to ask about—three's supposed to

2 be task force in terms of the EDP. That was at the
3 administration. I would love to get a response to
4 that.

5 COMMISSIONER O'NEILL: Yes, Susan, do you
6 want to want to talk about the Mental Health Task
7 Force.

8 CHAIRPERSON RICHARDS: And before she
9 does that as well, you know, just in terms of the
10 Buzz Feed because we don't want to get too deep into
11 it today, but transparency is important, and—and one
12 of the things we also want to hear is a little bit
13 more about 50-A and where we're at with the State and
14 the push there, but it really does, you know,
15 articles like this undermine the work of every good
16 officer out there who's doing great work day in and
17 day out, and I'm hoping, you know, transparency is
18 one way that we can truly build a great community
19 rapport with police, and without that, it undermines
20 the good work that officers do day in and day out,
21 and—

22 COMMISSIONER O'NEILL: [interposing] And—
23 and have you ever heard me say--

24 CHAIRPERSON RICHARDS: Yes.
25

2 COMMISSIONER O'NEILL: --anything to the
3 contrary?

4 CHAIRPERSON RICHARDS: Yeah,

5 COMMISSIONER O'NEILL: Agree with that,
6 and we're looking to build trust throughout the city
7 and it works both ways.

8 CHAIRPERSON RICHARDS: Yeah.

9 COMMISSIONER O'NEILL: I think we do—we
10 do—the NYPD does things, many very well, but there
11 are some things we don't do well, and police
12 disciplinary system is not something that we're doing
13 well and I've gone on the record, and working with
14 the Administration to make sure that 50-A is-is
15 changed so we can—we can do that.

16 CHAIRPERSON RICHARDS: And let me go on
17 the record and just say I think there are obviously
18 way more police officers doing the right thing and
19 the wrong thing. Just as there are way more
20 politicians doing the right thing and the wrong
21 things. But transparency is one way we can really cut
22 road in (sic) and that's the only way we'll truly
23 meet our goals. So, you can continue, sir.

24 DEPUTY COMMISSIONER HERMAN: Just to
25 respond to your question, Council Member Williams.

2 The Police Department has gone on record supporting
3 either the reconstituting of the old behavioral
4 health task force or a new working group, but we have
5 been continuing to work even as that that hasn't yet
6 happened. We did a--a pretty substantial review
7 within the Police Department of our response to
8 people who are mentally ill quite recently, and our--
9 in the process of implementing several
10 recommendations--

11 COUNCIL MEMBER WILLIAMS: [interposing]

12 Any idea when that--

13 DEPUTY COMMISSIONER HERMAN: [interposing]

14 So, the work has continued.

15 COUNCIL MEMBER WILLIAMS: Any idea when
16 it will be either reconstituted or new to move
17 forward?

18 DEPUTY COMMISSIONER HERMAN: It's really
19 a City Hall conversation.

20 COUNCIL MEMBER WILLIAMS: Thank you.

21 Thank you, Mr. Chair. Thank you, Commissioner.

22 COMMISSIONER O'NEILL: Yes.

23 CHAIRPERSON RICHARDS: Thank you. We've
24 been joined by Council Member Rodriguez and now we'll
25 hear from Vallone then Menchaca, then Miller.

2 COUNCIL MEMBER VALLONE: Thank you, Chair
3 and officially good afternoon. Commissioner, thank
4 you and God bless you and the NYPD for all that you
5 do for the greatest police force in the world, not
6 just here. I've had some revelations lately in a
7 district and I think we are on the tip of the iceberg
8 with school safety. I think we need as a city to
9 redirect our priorities first and foremost to the
10 children of the city. Other than hearing, then want-
11 agreeing with the chair's bill to put the best on our
12 school safety agents, I'd like to hear from you as to
13 how we can maybe create a school safety task force or
14 talk about increasing police presence in our schools
15 since we don't have enough officers to do that. So,
16 I put in a package of ten bills about a month ago
17 directly on police safety and public safety in the
18 schools. I'd like to hear some of your thoughts on
19 maybe how we can start to allay some of the concerns
20 of the people in the city, and our principals and
21 teachers about safety.

22 COMMISSIONER O'NEILL: Yes. So, we have
23 5,300 school safety agents. We have—we should have
24 at this time a 120 people in the School Safety Task
25 Force. They're NYPD officers. So, with the School

2 Safety Task Force with the—the precinct personnel,
3 specially the NCOs who have a very good relationship
4 with—with all the schools in their sectors. We are
5 absolutely looking to increase our presence at—at
6 schools especially in the morning and in the
7 afternoon. So, we're in the process of figuring out
8 exactly how to do that. We have right now, that
9 School Safety Task Force. We have the—the Steady
10 Sectors. We have the NCOs, and we are just making,
11 we're doing our best to make sure we're at as many
12 schools as we can be everyday, and we're looking to
13 solidify that.

14 COUNCIL MEMBER VALLONE: We have full
15 capacity for the School Safety Agents?

16 COMMISSIONER O'NEILL: 5,300.
17 [background comments, pause]

18 COUNCIL MEMBER VALLONE: So, at my neck
19 of the woods in Northeast Queens we recently had an
20 incident in one of the Whitestone schools where we
21 were advised there were not enough agents to cover
22 each and every school in the city, and that often
23 what happens is agents are pulled from other schools
24 to cover existing schools, and we want to make sure

2 that we have enough agents for every one of our
3 schools.

4 MILDRED HOFMANN: Oh, yes, good
5 afternoon. Mildred Hofmann, Chief of Community
6 Affairs. I oversee the School Safety Division, and a
7 current headcount that we authorize right now is
8 5,063, and 5189. So, we are a little over, but we're
9 putting in—so, in March now we're putting in over
10 250. Because of an attrition, we know that we lose
11 every month, and then we have another class going in
12 in June.

13 COUNCIL MEMBER VALLONE: So, with those
14 classes will we have at least one officer in every
15 school in the city?

16 MILDRED HOFMANN: Well, these are school
17 safety agents that I'm speaking about.

18 COUNCIL MEMBER VALLONE: Correct.

19 MILDRED HOFMANN: The officers like the
20 Police Commissioner mentioned we're working out. My—
21 my officers that I currently have we have a uniformed
22 task force, which we should be up at 125 police
23 officers, and in addition with Chief Rodney
24 Harrison's patrol, the NCO in the Steady Sectors we
25 will be covering many of the schools within the city.

2 COUNCIL MEMBER VALLONE: Well,
3 commissioner, I just want to end by saying when your
4 transfer--

5 MILDRED HOFMANN: [interposing] No,
6 there's a school.

7 COUNCIL MEMBER VALLONE: --transitioning
8 over to the NCO Program, some of the precincts had
9 school safety officers, which are now becoming the
10 NCO officers. There's concern with the principals
11 and the teachers and losing the school safety officer
12 to the NCO for that. So, we need to make sure
13 there's coordination specifically with that precinct
14 and the NCO team to make sure that the schools like
15 Francis Lewis and Bayside High School, two of the
16 largest high schools in the city, who are losing
17 their school safety officers to the NCO Program, make
18 sure that those officers are fully aware as to what
19 there is because I'm getting concerns from that
20 unit.(sic)

21 BRIAN CONWAY: Those--those schools and
22 precinct COs have discretion whether or not they want
23 to assign someone to a specific school or not. So,
24 in addition to the NCO, this is something will be up
25 to the discretion of each CO.

2 COUNCIL MEMBER VALLONE: Thank You.

3 MILDRED HOFMANN: Every school is-is
4 covered by a School Safety Agent and-and the specific
5 school you're talking about has 1 in 7, has a
6 supervisor and 7 school safety agents. [background
7 comments]

8 COUNCIL MEMBER VALLONE: Thank you.
9 Thank you, Chair.

10 CHAIRPERSON RICHARDS: Thank you.

11 COUNCIL MEMBER VALLONE: I think those
12 are bullets of the public safety there.

13 CHAIRPERSON RICHARDS: Council Members
14 Menchaca, Council Member Menchaca, followed by
15 Menchaca Miller then Rosenthal.

16 COUNCIL MEMBER MENCHACA: Thank you,
17 Chair and thank you Commissioner, and the panel for
18 coming out and talking to us. I-I also want to make
19 sure that I-I say that it's-it's important as we talk
20 and dig deep to understand the investments that are
21 being made by the NYPD that we highlight all the
22 incredible work that's happening in our communities,
23 the 72s being led by I think an incredible rising
24 star Deputy Inspector Gonzalez, and a lot of the work
25 that he's doing with the NCO team and our community

2 engagement has changed, and that's the kind of
3 investment that I also want to talk about, the human
4 capital within the NYPD and making sure that we have
5 diverse leadership growing at all times. And so, as
6 we talk about numbers and cents, let's—let's also
7 make sure that we—we think about how—how this works
8 in human capital. Specifically, though, I want to
9 talk a little bit about a—a part of this connection
10 with NYPD is the foundation, the NYPD Foundation.
11 Can you talk to us—talk to us a little bit about how
12 the NYPD Foundation works in supplementing the work
13 that you do everyday?

14 COMMISSIONER O'NEILL: The Police
15 foundation?

16 COUNCIL MEMBER MENCHACA: The Police
17 Foundation.

18 COMMISSIONER O'NEILL: Yeah, this came
19 out of post Knapp Commission. Wanted to make sure
20 that any contributions that are made to the Police
21 Department are funneled through one—one entity and
22 that's the Police Foundation, and over the years
23 they've been able to help us tremendously keep the
24 city—they do a great job in helping keeping the city
25 safe. A couple of different things that they've

2 helped fund, they've helped fund the pilot projected
3 of body-worn cameras. They've helped in funding
4 initially with bullet resistant vests. They are
5 helping us with the Public Engagement Campaign. They
6 help us with the community—with the Foreign Liaison
7 Program another way we keep the city safe. So, each
8 and every day the foundation really greatly
9 contributes to the safety of the people this city,
10 and I'm very thankful to them.

11 COUNCIL MEMBER MENCHACA: In some ways
12 I've kind of heard as well that there's been positive
13 impact on the ground for this kind of auxiliary
14 support that comes in from private citizens. Is
15 there a way that we—is—is there—or I guess in what
16 ways are these funds made public to say us and—and
17 the community about—about spending? Can you talk—
18 talk to us a little bit about how that gets out?

19 COMMISSIONER O'NEILL: Yeah, Larry Byrne,
20 out Deputy Commissioner of Legal Matters will talk
21 about that.

22 COUNCIL MEMBER MENCHACA: Great.

23 DEPUTY COMMISSIONER BYRNE: Larry Byrne
24 from Legal. [coughs] With the Police Foundation,
25 which is a private separate [coughs] legal

2 organization with their own legal obligations, and
3 with that matter for any other organization that
4 donates good services or funds to the department. We
5 report that several times a year to the Conflict of
6 Interest Board. So, every nickel that the Police
7 Foundation has given us has been disclosed. With
8 something like the Foreign Liaison Program, we don't
9 go into great detail about that, but the money—the
10 fact that they fund that program, and the money they
11 gives us is—is publicly disclosed in addition to our
12 filings with the Conflict of Interest Board.

13 COUNCIL MEMBER MENCHACA: How detailed is
14 that report? I haven't seen it.

15 DEPUTY COMMISSIONER BYRNE: [interposing]
16 So, I will send you the report, and I can ask that
17 we'll put it on the to-do list after the hearing, and
18 it's—I believe we filed it twice a year.

19 COUNCIL MEMBER MENCHACA: Okay and—and I
20 know that we only have three minutes, but this is
21 just another area where we can have a fuller picture
22 about what the city is offering in terms—in terms of
23 or in term of city tax levy dollars, and private
24 citizens, and—and where—where this is going to fill
25 the gaps for the summit.

2 DEPUTY COMMISSIONER BYRNE: Right. As
3 the Police Commissioner said, the Police Foundation
4 was actually formed in the 1970s not only after the
5 Knapp Commission, but when the city was going through
6 a fiscal crisis where there was not only a hiring
7 freeze, but more than 5,000 police officers, many
8 with more than five years experience were laid off,
9 and the people who formed the Police Foundation at
10 that time were concerned about public safety. The
11 very first program they funded was they bought the
12 first bulletproof vest officers, and as the crime and
13 now terrorist threat had expanded, they've continued
14 to refocus what programs they fund at the request of
15 the Commissioner and the department.

16 COUNCIL MEMBER MENCHACA: All good news
17 to share. Thank you.

18 CHAIRPERSON RICHARDS: I think he's
19 getting at the commercials. They're a little cheesy
20 at least from people I've heard in the community.

21 DEPUTY COMMISSIONER BYRNE: [interposing]
22 You know, I've heard the exact—I've heard the exact
23 opposite.

24

25

2 CHAIRPERSON RICHARDS: [interposing]
3 They've said the commercials are a little cheesy.
4 [laughs]

5 DEPUTY COMMISSIONER BYRNE: [interposing]
6 I've heard the exact opposite.

7 COMMISSIONER O'NEILL: And that's also,
8 the commissioner is all on the record. Thank you,
9 Donovan.

10 CHAIRPERSON RICHARDS: [laughs]

11 COUNCIL MEMBER MENCHACA: And on a super
12 side note, I just—I love your tie. [laughter] I've
13 been—I've been admiring it from here, and I just want
14 to say, Rock On. [laughter] Everyone that's up here
15 right now—

16 CHAIRPERSON RICHARDS: Right. We're
17 bringing back the Mafia Love Fest, alright.

18 COUNCIL MEMBER MENCHACA: Okay.

19 CHAIRPERSON RICHARDS: Let's got Council
20 Member Miller then Rosenthal, then Rodriguez and—and
21 I believe we're done, finished.

22 COUNCIL MEMBER MILLER: Thank you, Chair.

23 CHAIRPERSON RICHARDS: Thank you for kind
24 to us. We have another stop.

2 COUNCIL MEMBER MILLER: Thank you, Mr.
3 Chair and Commissioner. Good to have you and your
4 team here and talk about the work that we're doing.
5 Obviously, being the safest big city in America has
6 value, and your department creates value for—for our
7 city attracting tourists, business and the other
8 things. So, I—with that being said, I'm going to put
9 my labor hat on and talk about the—the CBA, the
10 ongoing CBA talks that you won't talk about, but
11 being that this is a budget hearing, I would like to
12 know what number has been set aside to address this.

13 DEPUTY COMMISSIONER GRIPPO: Well, the—
14 the—the—and we—it's—I don't have a number ultimately
15 because this is handled in CBA. We from a budgetary
16 perspective aren't involved in those discussions.

17 COUNCIL MEMBER MILLER: That is good.
18 So, I've been involved in many agencies, CBAs, as a
19 former union president. In for us to know what—that
20 happens, we have to know that the budget is—is able
21 to support that. You—you don't have any number that
22 goes, not even the number that is associated with the
23 pattern bargaining?

24 DEPUTY COMMISSIONER GRIPPO: Maybe with
25 the city's budget, though. Our budget obviously

2 currently doesn't have funding for that. So, that's
3 why like my office, the NYPD's Budget is not
4 consulted.

5 COUNCIL MEMBER MILLER: Okay. So, that's
6 when we meet with Officer with the Bargaining Unit
7 will have that conversation there? But I do again
8 want to try to emphasize that I-I think that fair
9 compensation for a department that brings such value
10 to the city is-it's only fair, and I think it sets
11 the tone for all the workers here in the city of New
12 York. So, with that, I'm going to-I want to-I want
13 to-I want to address some quick policy stuff because
14 I do have-I want to touch the diverse and talk-talk
15 about the marijuana piece real quick. We've-I think
16 that last-last year's budget we discussed the influx
17 of 18-wheelers throughout the city and the problems
18 that we were having in different boroughs
19 particularly in Southeast Queens, and we were talking
20 about tow trucks, pounds, boots, and has there been
21 any headway made on that from the last budge, and/or-
22 if not, is there funds to support that in this
23 budget?

24 COMMISSIONER O'NEILL: I think Chief Chan
25 and Commissioner Grippo can speak to that.

2 CHIEF CHAN: Thomas Chan, Chief of
3 Transportation. We've took--taken a look certainly at
4 our Queens Command for Traffic Enforcement District,
5 and at that particular location we have--20 tow
6 trucks are assigned, dedicated to them. We also have
7 one heavy duty tow. We also use booting as part of
8 our process to--to prohibit illegal parking and things
9 of that nature, and they have 18 and we added four
10 additional boots to that particular unit. [bell] So,
11 they have 22 boots. Heavy duty boots, which we use
12 on tractor trailers and other large vehicles and
13 things of that nature. They also have six f them
14 assigned. Again, we've been doing enforcement in
15 terms of towing throughout Queens itself. There are
16 some specific commands you might be interested in,
17 but for overall for Queens, in 2017, we towed
18 approximately 18,045 vehicles. In tones--terms of
19 booting vehicles, we in 2017, we booted 7,065
20 vehicles also in--in--

21 COUNCIL MEMBER MILLER:

22 CHIEF CHAN:

23 DEPUTY COMMISSIONER GRIPPO:

24 [interposing] So, we--we are, you know, we--we are
25 interested in specifically in the--in the heavy

2 equipment commercial vehicles, the 18-wheelers and so
3 forth. There are residential communities that are
4 inundated with that. We've been attempting to
5 address to awhile. So, we can talk about offline,
6 and I would really appreciate that.

7 CHIEF CHAN: Absolutely.

8 COUNCIL MEMBER MILLER: Because I do want
9 to ask for that, but while we do have you here up
10 here and talking about transportation, is there any
11 intention to expedite the Van Enforcement Unit?
12 Commuter Van Enforcement Unit? Do we--?

13 CHIEF CHAN: We've been working
14 diligently on the dollar van services, and I would
15 venture to say that a majority of our enforcement has
16 occurred in the Queens South area. Just to give you
17 a little perspective, in terms of 2017, we've issued
18 over 1,600 summonses towards dollar van services, and
19 in 2018, we've issued 1,091 summonses, and we've
20 continued to work with the Patrol Bureau of Queens
21 South in terms of targeting enforcement. We know
22 that it is problematic. There is a--there's
23 compensation in terms of being out there, and
24 certainly if they're illegal, they're not properly
25 licensed, but our officers from our Citywide Traffic

2 Task Force has been working very closely with the
3 Patrol Bureau Queens South in terms of dealing with
4 this particular situation, and we anticipate that we
5 will continue to work with that.

6 COUNCIL MEMBER MILLER: Thank you, and—
7 and they—and they have been working on it. So, on
8 the—I—I don't want to—to continue to—to debate the
9 merits of the marijuana issue here. My frustration
10 is that we've been having this conversation for a
11 number of years here now, and particularly as it
12 relates to the 105th Precinct. The 105th Precinct
13 time and time again leaves the city
14 disproportionately in marijuana summonses and arrest.
15 [background comments] If, indeed, there is a unit
16 that is charged with aggregating this data, how is it
17 that time and time again the same precinct has
18 disproportionate numbers, and those communities
19 haven't received any relief from this problem? But
20 we're not having this conversation unless we're
21 having this conversation here now. The fact of the
22 matter is last year we attempted to have this same
23 conversation when numbers came out, but they've led
24 the city 7, 8 years in a row. At what point is
25 enough and that we really sit down and deal with the

2 numbers that you are being charged with aggregating,
3 and—and when you see those numbers, you see that it's
4 a problem. What are we doing about it? [background
5 comments]

6 COMMISSIONER O'NEILL: So this is the
7 conversation I think you were at the community
8 meeting I was at the same one out in—in the 105 last
9 year, and we are looking at the 105. They are
10 becoming a Neighborhood Policing Command in April
11 and, and you know, you said what you said at that
12 meeting, and then right after you left the meeting as
13 I was attempt[ting to leave. I had about 15
14 homeowners come up to me and say, you know, what—what
15 Council Member Miller said is all well and good, but,
16 you know, we're a part of the community, too, and we
17 want you to continue enforcement. So, we do have to
18 strike a balance at this time.

19 COUNCIL MEMBER MILLER: So, yeah, I
20 agree, but, you know, myself, the Council Members, my
21 colleagues, we attended every community board, civic,
22 church, synagogue, mosque, community meeting there,
23 and the general consensus is not consistent with that
24 statement that you just made.

2 COMMISSIONER O'NEILL: [interposing]

3 Right and I attend--

4 COUNCIL MEMBER MILLER: [interposing]

5 Yeah, we don't really see that.

6 COMMISSIONER O'NEILL: --I attend
7 community meetings all over the city..

8 COUNCIL MEMBER MILLER: Yes, and--and
9 that's certainly not, not when you had
10 disproportionately over 2,000 and second is 400.
11 That's a ridiculous number, and when we attempted to
12 address this last year, we started out at 1,800, and
13 we have now 400 more than we had last year. That is
14 not resolving an issue. That is--this is not just
15 something that occurred last year. This is a
16 phenomenon that has existed in that particular
17 precinct for nearly a decade now throughout large-far
18 greater than the rest of the city. Now, is there--
19 furthermore, is there a--a--a correlation that you see
20 with the disproportionate summons and arrests of that
21 what appears to be target audience and the lack of
22 recruitment from that same demographic?

23 COMMISSIONER O'NEILL: And--and that's
24 something that we have to look at. You know, we will
25 have to make sure that we're recruiting from the all

2 parts of the city, and-and that's something, that's
3 part of-of what we're looking at-looking at going
4 forward. I know we've had this discussion
5 [coughing]. We do have to respond to community
6 complaints, and we will work with the Council to make
7 sure that we come up with an equitable solution here.

8 COUNCIL MEMBER MILLER: And finally-

9 CHAIRPERSON RICHARDS: [interposing] Make
10 sure to wrap up.

11 COUNCIL MEMBER MILLER: --what is the
12 policy on-on metal detectors? How do you determine
13 what schools receive metal detectors, and-and--

14 COMMISSIONER O'NEILL: Right, Chief-Chief
15 Conrad can speak about that. Brian.

16 CHIEF CONWAY: We base the-the deployment
17 of metal detectors on a lot of factors, but certainly
18 crime in a school, the number of weapons covered in
19 the past at that school, threats to that school. So,
20 we an-an ongoing assessment of where our-our scanning
21 is deployed, and we have the ability to also deploy
22 for a day, scanning in any school, middle school or
23 high school throughout the city.

24 COUNCIL MEMBER MILLER: I thank you, Mr.
25 Chair. I thank you, and-and Commissioner, it's

2 always a pleasure to see you and your team, and I'm
3 hoping as the Chair of the Black, Latino and Asian
4 Caucus that we'll have our bi-annual meeting so we
5 can schedule that some time in the near future to
6 further discuss some of the policies that we're
7 talking about.

8 COMMISSIONER O'NEILL: Look forward to
9 it.

10 COUNCIL MEMBER MILLER: Thank you.

11 CHAIRPERSON RICHARDS: Okay. The last
12 two questions. I know the Commissioner has to go,
13 Council Member Rosenthal followed by Rosenthal,
14 Rodriguez, and then we'll close out this session.

15 COUNCIL MEMBER ROSENTHAL: Thank you so
16 much, Chair. Commissioner, I just want to quickly
17 say I've always appreciated, as you know, how quickly
18 you've defended the rights of survivors of domestic
19 violence and sexual assault, and I just wanted to
20 reiterate that today. It is noteworthy.

21 COMMISSIONER O'NEILL: Thank you.

22 COUNCIL MEMBER ROSENTHAL: I was wondering
23 along those lines, money was put in the budget last
24 year for Trauma Sensitivity Training. I know when we
25 spoke again last year the Special Victims Division

2 had been trained, but most of the front line cops had
3 not been trained, and I was just wondering how that
4 was coming along.

5 COMMISSIONER O'NEILL: Right, yeah.

6 Susan.

7 DEPUTY COMMISSIONER HERMAN: So, there's
8 different kinds of training at different levels. The
9 Feddy training that I think you're referring to, the
10 new forensic experiential trauma interview training.
11 We've trained 170 people in SVD, and that will
12 continue to train more people. We are also currently
13 reviewing the sexual assault curriculum at the
14 Academy, which hasn't been updated in a number of
15 years to make sure that there--there's a trauma
16 informed portion of it.

17 COUNCIL MEMBER ROSENTHAL: And what's the
18 timing on that?

19 DEPUTY COMMISSIONER HERMAN: On the
20 Academy curriculum?

21 COUNCIL MEMBER ROSENTHAL: Will the
22 curriculum be updated by the time of your next
23 academy training or the next time you have an
24 opportunity?

2 DEPUTY COMMISSIONER HERMAN: Probably-
3 probably not by the next class. We are-we're working
4 internally and then we will work with a number of
5 advocates to review as well. So, it will take a few
6 months.

7 COUNCIL MEMBER ROSENTHAL: Is there
8 anything I can do to help facilitate that? It's
9 pretty important.

10 DEPUTY COMMISSIONER HERMAN: I-I think
11 it's a pretty good schedule. I mean I think in-in
12 three months or so you'll have a new curriculum.

13 COMMISSIONER O'NEILL: We just like-we
14 just-we just--

15 COUNCIL MEMBER ROSENTHAL: Right but we
16 won't have trained the cops that are right in front
17 of our.

18 COMMISSIONER O'NEILL: Yeah, we just-we
19 just met with a number of advocates-advocacy groups
20 about a week and a half ago, and they asked that they
21 help create that curriculum. So, that's going to,
22 you know, add a little bit of time, but I think it
23 will make the training that much better.

24 COUNCIL MEMBER ROSENTHAL: Right, my
25 guess is that they would be available today--

2 COMMISSIONER O'NEILL: Yeah, yeah.

3 COUNCIL MEMBER ROSENTHAL: --to meet with
4 you to work on that.

5 COMMISSIONER O'NEILL: We are working as
6 quickly as possible.

7 DEPUTY COMMISSIONER HERMAN: Uh-hm.

8 COUNCIL MEMBER ROSENTHAL: Okay, and
9 secondly as it has to do with school crossing guards,
10 last year in the terms and conditions we asked for a
11 report on every Council district, or every precinct,
12 and unfortunately, my precinct was left out of that
13 report. This year it's in there, and according to
14 the report something like 3 out of 20 positions are
15 filled. Currently this is at the 2-0 that could be
16 old information, but, you know, last year we made it
17 very clear to everyone that with two or three new
18 schools coming online at a particular corners, we
19 were going to need more crossing guards, and someone
20 applied for the job back in September, a parent, a
21 local parent, and she didn't--the timing was such that
22 I don't think she's going to come on the job until
23 like a month from now or it might be this month maybe
24 in March. But, meanwhile there's been no crossing
25 guard at 60th and West End Avenue where we just

2 opened a new public school, a private school opened,
3 and we have three other schools up the block on West
4 60th, so-or 61st.

5 COMMISSIONER O'NEILL: I would say Chief
6 Harrison will take a look at the two.

7 COUNCIL MEMBER ROSENTHAL: Thank you.

8 COMMISSIONER O'NEILL: Thanks.

9 COUNCIL MEMBER ROSENTHAL: It's been very
10 distressing for the parents.

11 COMMISSIONER O'NEILL: Okay.

12 COUNCIL MEMBER ROSENTHAL: Thank you.

13 COMMISSIONER O'NEILL: Thank you.

14 CHAIRPERSON RICHARDS: Thank you.

15 Council Member Rodriguez.

16 COUNCIL MEMBER RODRIGUEZ: Thank you.

17 Commissioner, first of all, thank you for the great
18 job that you do leading the agency that keep our city
19 safe. Even though we don't agree on everything, but
20 as I said before as a father of two daughters we rely
21 on the men and women of the NYPD to be sure that the
22 street is safe for everyone. I had a question on the
23 Collision Investigation Squad. Collision
24 Investigation Quad, and that one is very specific
25

2 because of my time. How many men and women do we have
3 in that investigation?

4 ED DELATORRE: We—we went from—we went
5 from 22 to 25.

6 COUNCIL MEMBER RODRIGUEZ: How many?

7 ED DELATORRE: 22 to 25.

8 COUNCIL MEMBER RODRIGUEZ: I think that
9 we should double the number. In 2016, we have 40,000
10 the average of 40,000 hit and run. Is that number the
11 same? The number was for 2016. Was that number the
12 same in 2017?

13 ED DELATORRE: It's close. In 2017,
14 40,868 situations where it's property damage, 5,138
15 cases where we actually had some type of injury, a
16 total number of 46,000 in '06. In terms of
17 comparison to the last year in 2016, we has slight
18 decrease of 2-1/2-

19 COUNCIL MEMBER RODRIGUEZ: [interposing]
20 Increase or decrease

21 ED DELATORRE: Decrease, decrease. No,
22 I'm sorry. Increase--

23 COUNCIL MEMBER RODRIGUEZ: [interposing]
24 Increase.

2 ED DELATORRE: --of 226, half a percent
3 from--

4 COUNCIL MEMBER RODRIGUEZ: Yeah. So, I-I
5 hope that City Hall and--and this is advocating for
6 all of us. We really worked to double the numbers.
7 That's, you know, it's an epidemic. You know,
8 sometimes we hold a press conference and Chief Chan
9 we're doing a great job. Those men and women in the
10 squad doing a great job, but they're not enough to
11 risk--to be deep, go deep in the investigation. You
12 know, unfortunately, there's those drives that they
13 fit in the scene. Sometimes we have the resources to
14 arrest it, but I feel that we should invest more
15 resources. So, my colleagues from City Hall to
16 double the number of the men and women designated to
17 Investigation Squad Unit. The second concern that I
18 have is I don't feel that we have a Latino voice in
19 the city advocating for our representation. We are
20 the second largest group. We are 29% of the New York
21 City population, and I give you credit for
22 understanding that we have to create a pipeline, and
23 to create a pipeline it doesn't--it would not happen
24 overnight, and we saw with Assistant Chief Pachardo
25 (sp?) and--and others that you were able to promote

2 it, but when you look at the charts, then you see
3 individual and charts per borough for the
4 Investigation Unit, the Anti-Terrorist and all those
5 special units. I would like to see more diversity,
6 [bell]] and, of course, I will be advocating for
7 everyone for the—all of us together, but specifically
8 when I look the other face is here, or the Latino
9 being 29%. What can we expect for the pipeline to be
10 moving faster so that we can leave the best legacy
11 under your leadership?

12 COMMISSIONER O'NEILL: I would just add
13 the results, the initial results from the Sergeants
14 Test, and the demographics of the people that passed
15 that test. It closely matched the demographics of
16 the department, which closely—getting closer and
17 closer to matching the demographics of the city.
18 Each and every position that comes available, I am
19 very mindful of diversity and—and making sure we have
20 the right person in that job. This is something I
21 spend a tremendous amount of time on, and we've had
22 on and we've had this conversation numerous times,
23 and as you see, as the diversity of the department
24 especially in the upper ranks is getting better and
25 better each and everyday.

2 CHAIRPERSON RICHARDS: Thank you,
3 Commissioner. So, we're going to begin to close out.
4 Just a few more points, and then we will close out.
5 So, I wanted to know, and I don't know if you can
6 give us the-the status of the investigations around
7 Detective Rice in terms of falsifying reports,
8 allegedly falsifying reports and what safeguards are
9 being put in place there, and then the status of
10 where the investigation is around the protests with
11 the Strategic Response Group, and-and the officers
12 that-I know there was one officer put on desk duty or
13 something of that nature. Have there been any
14 findings? When can we expect those?

15 COMMISSIONER O'NEILL: We can't-we can't-
16 can't give you any particulars about Detective Rice.
17 I know that's an ongoing investigation--

18 CHAIRPERSON RICHARDS: Okay.

19 COMMISSIONER O'NEILL: --and then with
20 SRG we did end up transferring one individual out of
21 that unit, and the investigation is-is not complete
22 into that incident yet.

23 CHAIRPERSON RICHARDS: Okay, and you
24 don't have a timeframe on it?

25 COMMISSIONER O'NEILL: I don't-I don't.

2 CHAIRPERSON RICHARDS: Alright and then I
3 couldn't let you get out of here without talking
4 about overtime and then we'll close out. So--

5 COMMISSIONER O'NEILL: The overtime since
6 that we were supposed to leave at 12:00--

7 CHAIRPERSON RICHARDS: [laughs] I'm
8 going to keep you on the clock a little bit more.

9 COMMISSIONER O'NEILL: I mean general
10 overtimes.

11 CHAIRPERSON RICHARDS: [laughs] So, can
12 you speak to how we're going to--

13 DEPUTY COMMISSIONER GRIPPO:
14 [interposing] Sure.

15 CHAIRPERSON RICHARDS: --do better?

16 DEPUTY COMMISSIONER GRIPPO: Well,
17 ultimately last year, the department in terms of
18 unit-uniformed overtime came in \$5 million under
19 budget. That budget, of course, included significant
20 adjustment for overtime related to the election and
21 the Trump Election, and then ultimately the
22 compensation we got from the federal government to
23 offset that.

24 CHAIRPERSON RICHARDS: [interposing] And
25 you've been completely reimbursed on that?

2 DEPUTY COMMISSIONER GRIPPO: We—we have—
3 we—we will get complete, full reimbursement of
4 around—approximately \$60 million. We received about
5 \$30 million of it, but ultimately and accounting for
6 the reimbursement needed for last fiscal year, we
7 came in \$5 million under that uniformed overtime
8 budget. We're tracking now, of course, this year
9 these is—there was actually some additional both
10 Trump overtime spending that's going to be reimbursed
11 by the feds with--

12 CHAIRPERSON RICHARDS: [interposing] And
13 what's the total?

14 DEPUTY COMMISSIONER GRIPPO: That for
15 this fiscal year is approximately \$10 or \$12 million
16 I believe.

17 CHAIRPERSON RICHARDS: And we don't
18 expect any penalties for being a sanctuary city as
19 well. So, you still expect--

20 DEPUTY COMMISSIONER GRIPPO: Correct.

21 CHAIRPERSON RICHARDS: --other like safe
22 security grants--

23 DEPUTY COMMISSIONER GRIPPO: Correct.

24 CHAIRPERSON RICHARDS: --utterly and
25 other things.

2 DEPUTY COMMISSIONER GRIPPO: Correct,
3 and—and with that projection of both the overtime and
4 the reimbursement, we right now are looking at the
5 budget through January, which is where we have good
6 data. We anticipate a similar surplus of about \$5 to
7 \$8 million in—for the over-uniformed overtime budget.

8 CHAIRPERSON RICHARDS: Okay. Alrighty.
9 Well, I want to thank you, Commissioner for extending
10 your overtime here today, and I want to thank the
11 department for the work that you—you do, and—and by
12 no means do we want you to think that we're trying to
13 undermine or anything. We value everything you do.
14 We do still truly believe that accountability and
15 transparency and a better quality of life for our
16 officers is—is critical in driving down crime in this
17 city. I know you believe in that as well. So, we
18 look forward to continuing to work with you to
19 strengthen our relationship. So, thank you.

20 COMMISSIONER O'NEILL: Thank you very
21 much.

22 CHAIRPERSON RICHARDS: I hope I treated
23 you nice at my first one. [laughter] Thank you.
24 [pause] We're going to begin again in five minutes
25 with CCRB. [pause] Right is CCRB here? [background

2 comments] Alrighty. Alright, we're going to start
3 this up again. Alrighty, good afternoon and welcome
4 again to the Committee on Public Safety's Fiscal Year
5 2019 Preliminary Budget hearing. We just heard from
6 the Police Department and now we hear testimony--

7 SERGEANT-AT-ARMS: [interposing] Quiet
8 please. We are reconvened. Thank you. [background
9 comments]

10 CHAIRPERSON RICHARDS: We will hear
11 testimony from the Civilian Complaint Review Board.
12 Before we proceed, I would like to recognize the
13 members if there are any left [laughs] of the
14 committee who have just joined us. Council Member
15 Rodriguez, and I'm sure other people will be popping
16 in. Now the Fiscal 2019 Preliminary Budget for CCRB
17 remains nearly unchanged since the Fiscal 2018
18 Adopted Budget. Today, I hope to learn more about
19 the priorities that are not reflected in the
20 Administration's Plan and an update on initiatives
21 implemented in the previous fiscal year. We will ask
22 you to swear them in, and then we may begin.

23 LEGAL COUNSEL: Do you affirm to tell the
24 truth, the whole truth and nothing but the truth in
25

2 your testimony before this committee, and to respond
3 honestly to council member questions?

4 FREDERICK DAVIE: I do. [pause]

5 CHAIRPERSON RICHARDS: Are you going to
6 read all six pages?

7 FREDERICK DAVIE: [off mic]

8 CHAIRPERSON RICHARDS: [laughs]

9 FREDERICK DAVIE: Should I begin?

10 CHAIRPERSON RICHARDS: Yes.

11 FREDERICK DAVIE: [off mic] So, first
12 I'm--

13 CHAIRPERSON RICHARDS: [interposing] Hit--
14 press your mic. Press. Did it light up right?
15 There you go.

16 FREDERICK DAVIE: Uh-hm. Alright.

17 Chairperson Richards, Members of the Public Safety
18 Committee, thank you for the opportunity to appear
19 before you today. It has been my privilege to serve
20 as Acting Chair of the Civilian Complaint Review
21 Board for the last three years. I am joined by my
22 colleagues at the agency, Jonathan Darche, our
23 Executive Director, and Jerika Richardson, our Senior
24 Advisor and Secretary to the Board as well as Jeanine
25 Marie who is our Deputy Executive Director for

2 Administration. The City Charter charges the CCRB
3 with the fair and independent investigation of
4 civilian complaints against sworn members of the New
5 York City Police Department. Our jurisdiction
6 includes allegations involving the use of force,
7 abuse of authority, discourtesy and the use of
8 offensive, and use of offensive language referred to
9 as FADO (sp?). We take that role seriously
10 evaluating each case individually. The Board makes
11 findings and where the evidence supports disciplinary
12 action the Board recommends discipline to the Police
13 Commissioner. CCRB is the largest police oversight
14 entity in the country overseeing the investigation,
15 mediation and administrative prosecution of
16 misconduct, and the largest police department in the
17 nation. Throughout 2017, the CCRB worked to build a
18 cohesive, effective and efficient agency by feeling-
19 filling key staff positions and proactively reviewing
20 internal policies and strategic development. The
21 agency under the management of Executive Director
22 Jonathan Darche, who was appointed in May of 2017,
23 has new leadership in several units including
24 communications, outreach and Intergovernmental
25 Affairs, Operations, Policy and Advocacy and the

2 Administrative Prosecution Unit known as APU.

3 Following the recent developments in New York City
4 policing including the expansion of body-worn
5 cameras, which we'll refer to as DWC, the Body-Worn
6 Camera Program and the passage of the Right to Know
7 Act, the CCRB has increased investigator training and
8 video analysis, created new ways of tracking and
9 receipt of footage from the department, and developed
10 new categories of allegations related to violations
11 of the Right to Know Act. Further, after a long
12 period of review and development, we recently began
13 to investigate and administratively prosecute
14 allegations of sexual misconduct by police officers.
15 The agency also recommitted itself to better serving
16 vulnerable and diverse communities in New York. In
17 2017, the Outreach Unit expanded to include
18 Intergovernmental Affairs and delivered 828
19 presentations to audiences including constituent
20 services staff for various officers, high school
21 students, immigrant populations, probationary groups,
22 homeless service organizations, formerly incarcerated
23 individuals, NYCHA residents and LGBTQ groups. The
24 CCRB remains dedicated to conducting hundreds of
25 interactive and informative workshops throughout the

2 five boroughs while building strategic partnerships
3 with city agencies, educators and service provider to
4 better serve New York City's various populations.
5 All agency board meetings are open to the public and
6 half of those are conducted in the city's various
7 communities where residents can attend and meet with
8 our staff and express to the board their issues and
9 concerns in a local setting. The CCRB's Policy and
10 Advocacy Unit began systemic reviews of issues,
11 complaints and NYPD's—and NYPD policies impacting
12 homeless individuals and youth, and plans to issue a
13 number of reports in 2018, including a follow-up to
14 our 2016 Taser Report.

15 Investigations: In 2017, the CCRB
16 received 4,487 complaints within its jurisdiction,
17 and increase of 5.3%. 2017 was the first time
18 complaints increased since 2009. One of the
19 challenges to successfully determined what happened
20 in any incident under investigation is a spoliation
21 of evidence whether it is video from commercial or
22 privately owned suburb-surveillance cameras, cell
23 phones taken by private citizens, or NYPD's
24 surveillance cameras. The Field Evidence Collection
25 Team proactively gather evidence of these types and

1 the CCRB requests footage from the NYPD's body-worn
2 cameras as well. The importance of video evidence to
3 CCRB investigations cannot be overstated. In 2017,
4 the Board substantiated 31% of full investigations
5 where there was evidence, where there was video
6 evidence as compared to 14% where there was no video
7 evidence. Video evidence did not only influence
8 substantiation rates, in 2017, 55% of allegations
9 with evidence were closed on the merits. That is
10 substantiated, exonerated or found—found them to be
11 unfounded compared to 38% without video. The
12 available of video evidence allows for clear
13 interpretation of circumstances and thus an increase
14 in the rate of substantiated, unfounded and
15 exonerated allegations. By early 20—February 2018,
16 the NYPD had rolled out body-worn cameras to at least
17 one tour of duty at 24 different precincts citywide.
18 In 2017, the CCRB requested body-worn cameras footage
19 and 165 complaints, a number that will only grow as
20 the NYPD's program expands in 2018 to include all
21 members of service on patrol assignments. As you
22 heard, video evidence is extremely beneficial to the
23 CCRB's investigations. The quality of the cameras
24 combined with audio recording makes BWC footage more
25

2 useful than any other types of recordings. The NYPD
3 accelerates the-the BWC program. It means that the
4 CCRB will need to address current limitations on the
5 storage of video evidence. At current rates, the
6 agency will run out video evidence space in less than
7 three years. As it is expected that the department
8 will issue all patrol officers a BWC earlier than
9 anticipated. This time line is likely to be even
10 shorter for the agency running out of storage space
11 for footage. The agency is working with OMB and
12 DOITT to make sure that we are able to meet the
13 demands of the BWC Program. When the Council passed
14 the Right to Know Act, the agency began preparing for
15 its implementation. Stating in October 2018,
16 officers for the first time will be required to hand
17 out business cards doing all Level 2 and Level 3
18 stops. The card will include the number for 311 and
19 an indication that citizens may call the number if
20 they wish to commit-if they wish to comment on their
21 interactions with officers. Those calls will be
22 routed to the CCRB and the agency will be prepared to
23 effectively manage the anticipated increase in
24 complaints. In addition, officers equipped with
25 body-worn cameras will be required to record

2 themselves giving guidance and requesting permission
3 before search individuals. Officers who are not yet
4 equipped with BWCs will have to find an alternative
5 objective procedure to document the requests. Failure
6 to give guidance, request informed consent or
7 properly record the interaction, will be additional
8 allegations the agency will be investigating.

9 Discipline: In those cases where the
10 Board substantiates allegations and recommends that
11 an officer receive the most serious type of
12 discipline that is charges and specifications, the
13 Administrative Prosecution Unit prosecutes these—
14 prosecutes these cases in the NYB-NYPD Trial Room.
15 As far as we've been able to ascertain, the CCRB is
16 the only civilian oversight agency in the country
17 that prosecutes cases in the trial section of the law
18 enforcement agency that they oversee. Comprised of
19 attorneys and trial assistances they APU prosecutes
20 misconduct before the NYPD Deputy Commissioner for
21 Trials. In 2017, the APU conducted 37 trials and
22 closed a total of 112 cases. Of the cases closed by
23 the APU in 2107, 53% resulted in some form of
24 disciplinary action and 44% resulted in a suspension
25 or loss of vacation time between 1 and 20 vacation

1 days. When the Board recommends instructions,
2 formalized training or command discipline against a
3 member of service, that recommendation is sent to the
4 department's Advocate's Officer. In 2017, the Board
5 recommended command discipline, a recommendation for
6 a loss of vacation days, and the second most serious
7 disciplinary recommendation following charges and
8 specifications. The Board recommended—the board
9 recommended command discipline for 51% of the 367
10 officers against whom there was a substantiated
11 allegation from 43% in 2016. The NYPD imposed
12 discipline on officers in 73% of the cases where the
13 Board recommended discipline other than charges and
14 specification, and 42% of the time, the discipline
15 imposed by the NYPD concurred with that recommended
16 by the Board.

18 Mediation: In addition to investigating
19 cases, the agency has a robust mediation program
20 successfully mediating 204 cases in 2017. The
21 Mediation Program is an important tool for the CCRB
22 to improve police community relations. Cases are not
23 only sent to the Mediation Program at the civilian's
24 request--cases are only sent to the Mediation Program
25 at the civilian's request. Mediation sessions focus

2 on fostering discussion and mutual understanding
3 between civilians and subject officers. After a
4 successful mediation the complaint is closed as
5 mediated, meaning there will not—there will be no
6 further investigation and the officer will not be
7 disciplined. If the mediation is not successful, the
8 case returns to the Investigations Division for a
9 full investigation. Successful mediations benefit
10 communities because of a measure of trust and respect
11 often develops between the parties. That in turn can
12 lead to better police-community relations. In 2017,
13 the mediation success rate increased from 88% to 90%.
14 The Mediation Unit is implementing changes in how it
15 prepares both civilians and members of the NYPD for
16 medication sessions in an effort to continue to
17 improve the mediation success rate.

18 Policy: The CCRB tracks and analyzes a
19 wide variety of data points. We present trends in
20 findings on an ongoing basis through public board
21 meetings, monthly statistical reports, the Data
22 Transparency Initiative known as DTI, and our annual
23 and semi-annual reports. The annual report for 2017
24 will be released in the coming weeks. In addition to
25 these reports, the agency produces reports on a

variety of topical issues in policing and oversight.

In 2017, the agency released a study examining the frequency and impact of officer interference with civilian recordings of police activity entitle:

Worth a Thousand Words: Examining Officer

Interference and Civilian Police Report and Civilian

Recordings of Police. In 2018, five issue-based

reports are planned. The aforementioned Taser Report

follow-up as well as reports on NYPD's interactions

with homeless New Yorkers and young people, sexual

misconduct and the impact of body-worn cameras. The

CCRB will host the National Association for Civilian

Oversight of Law Enforcement Regional Conference this

year. This large event will bring together oversight

practitioners, law enforcement, advocates, academics,

prosecutors, defenders, judges elected officials and

members of the public, and it will take place in June

at John Jay College of Criminal Justice. Panelists

and attendees will discuss topics ranging from

policing and sanctuary cities and the unique concerns

of vulnerable communities to the impacted body-worn

cameras and the role of advocacy and police oversight

all under the theme of building public trust. The

agency is committed to making as much of this data

public as possible via innovations to its DTI. The DTI is featured on the agency's website and provides descriptive data on FADO complaints against NY— against New York City police officers. Visitors can view, interact with and download CCRB data on four key areas of the agency's work: Complaints, Allegations, Victims and alleged victims and members of service. The DIT presents ten years of CCRB data covering more than 72,000 complaints, 210 allegations of police misconduct, 86,000 victims and alleged victims and encompasses the approximate 36,000 current NYPD officers and their entire careers.

Future Initiatives: The CCRB continues to expand training for investigative staff and the agency's training unit is regularly consulted by other oversight agencies to offer guidance and support in training development. The agency remains committed to expanding and improving training given to new investigators as well as implementing expanded and more sophisticated training for more experienced investigators. The Training Unit regularly revises and improves new investigative training, which is now in-house, competency based, multi-week training program for all new investigators including such

2 topics as the NYPD Patrol Guide, Investigative and
3 Interviewing Techniques, evidence gathering and
4 substantive issues surrounding types of cases that
5 fall within our jurisdiction under FADO.
6 Additionally, the Training Unit brings in trainers to
7 instruct staff on topics such as Forensic Video
8 Analysis and Implicit Bias. Given the NYPD's current
9 acceleration of the rollout of its BWC Program, one
10 of the training unit priorities for 2018 will be
11 expanding the Forensic Video Analysis training to all
12 investigators. In 2017, the agency trains select
13 senior investigators in Forensic Video Analysis. The
14 agency anticipates that by the end of 2018, nearly
15 every complaint will involve analysis of one or more
16 officers' BWC footage. Therefore, it is critical
17 that the agency provide this training to all its
18 investigators. A second significant component of
19 this expansion of training will involve preparing the
20 agency to take on investigation and prosecution of
21 allegations of serious sexual misconduct including
22 sexual assault and forceable rape. At our February
23 meeting the Board adopted a resolution directing
24 staff to begin investigating certain allegations of
25 sexual misconduct, and to develop a plan to

investigate allegations of criminal sexual misconduct. One major concern will be working to avoid re-traumatizing alleged victims of sex crimes. The CCRB takes seriously the commitment to civilians' wellbeing and intends to provide a designated group of experienced CCRB Senior Investigators with specialized training in trauma-informed care from certified professionals before the agency begins accepting complaints related to criminal sexual misconduct. Additionally, the agency took a number of steps to reduce the rate of investigations that we are not able to complete, which we call the truncation rate. Investigators now spend more time trying to reach unavailable complainants sometimes making field visits to communicate with complainants who have difficulty reaching the CCRB offices. The agency continues to expand the Community Partners Initiative in collaboration with this Council with the New York City Council holding special evening offices—even office hours in participating Council Members' district offices across the five boroughs to accommodate individuals who do not have access to our main office during regular business hours, and the CCRB will continue to work with Council Members to

2 find improved way to reach your constituents who may
3 be unable to travel for interviews. The agency is in
4 the late stages of hiring the first Blake Fellow who
5 will help determine via in-depth statistical analysis
6 the underlying reasons for truncations and identify
7 possible steps to ameliorate those reasons. The
8 Outreach and Intergovernmental Affairs Unit also
9 began to target presentations in areas with unusually
10 high rates of truncations relative to the rate of
11 complaints, and provides more detailed information on
12 the invest-on the investigation process and the
13 benefits of filing complaints directly with the CCRB.
14 Complaints filed directly with the CCRB are less
15 likely to be truncated than complaints that are
16 referred to the agency. For example, in 2017 the
17 truncation rate for complaints filed directly with
18 the CCRB was 44% compared to a truncation rate of 69%
19 for complaints that originate with the NYPD's
20 Internal Affairs Bureau. So, in conclusion, for
21 Fiscal Year 2018, the CCRB has a modified budget of
22 \$16,270,278. \$12,452,798 for personnel services, and
23 \$3,6574,480 for other than personnel services or
24 OTPS. An 18% total budget increase along with a 12%
25 headcount increase since 2015. The FY2018 Budget

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2 reflects a decrease of \$151,165 from the previous
3 fiscal year's budget, which was 416,178,443. The
4 authorized headcount for FY2018 and 2019 is 187
5 positions; 110 positions in Investigations; 4
6 positions in Medication; 24 positions in the APU; 8
7 positions in Policy and Advocacy; 6 positions in
8 Outreach and Internal-and-and Intergovernmental
9 Affairs; 3 positions in training; and 32 positions in
10 Administration. Due to the support of this Mayoral
11 Administration and this Council, the agency is
12 stronger than ever, and better able to accomplish its
13 mission to provide strong, effective and independent
14 civilian oversight for the New York City Police
15 Department, but there is more to be done. I am
16 confident with your help the CCRB will continue to
17 flourish, improve and lead the way in civilian
18 oversight nationally. Thank you for your time and
19 your continued support. The members of the Executive
20 Staff here and I will be happy to answer any question
21 that you may have.

22 CHAIRPERSON RICHARDS: [interposing]

23 Thank you, Chair and thank you all for the work that
24 you do day in and day out. I wanted to dig into body
25 cameras quickly. I also want to acknowledge we've

2 been joined by Council Member Lancman again. So, can
3 you talk to—talk a little bit more about the data
4 sharing between you and the NYPD, and I wanted to
5 gauge your thoughts a little bit more on transparency
6 around body cameras, and what are some thoughts that
7 perhaps your agency has around the release of
8 footage, should be an independent body such as yours
9 that plays a role in ensuring that that footage is
10 being released in a transparent manner, not just by
11 the department in itself. So, I'll start there.

12 FREDERICK DAVIE: Sure and I'll turn it
13 over to our Executive Director Jonathan Darche who's
14 had lots of conversations with various parties about
15 those issues.

16 JONATHAN DARCHE: The CCRB shares your
17 concern that the body-worn cameras footage be used
18 effectively and fairly for all the residents of the
19 city of New York. We've been working closely with
20 the department to facilitate our requests for body-
21 worn camera footage. We've—we've already made
22 significant in headway in making it a less
23 complicated process. When it first started, we would
24 make requests to the Internal Affairs Bureau. They
25 would sent it to Risk Management. Risk Management

2 would send it to legal, and then it would come back
3 to us through the same path. What we now do is we
4 send an email directly to IAB and the Legal Bureau at
5 the same time, and when Legal has figured out
6 responses that match our data, they send their
7 response to us at the same time they send it to IAB.

8 CHAIRPERSON RICHARDS: How long on
9 average will that take?

10 JONATHAN DARCHE: So, right now requests
11 are slightly less than seven days. I think like 6.7
12 days, and we've—we—we think we're going to shave two
13 days off by this new system of emailing directly
14 between legal and CCRB.

15 CHAIRPERSON RICHARDS: Okay. Let's go
16 through—so, there's obviously been an uptick on
17 complaints. Can you speak to what factors are
18 driving that? Is it outreach or—and what are you
19 seeing out there?

20 JONATHAN DARCHE: So the CCRB has done
21 more outreach this year in 2017 and in 2016 than it
22 had done in the previous three years combined. We
23 are hopeful that that outreach is—is what has caused
24 the increase, but this is the first increase that
25 we've—we've seen in nine years in complaint numbers.

2 So, we—we just don't know if this is an outlier or if
3 this is a start of a trend. Nine—nine years—since
4 2009. I might have misspoke that.

5 JONATHAN DARCHE: And—and obviously you
6 can't go into individual cases, but what—can you give
7 us some examples? Is there any one particular area
8 that you're seeing an uptick on that's troublesome?

9 FREDERICK DAVIE: I think it's abuse of
10 authority. Is that right?

11 JONATHAN DARCHE: So, our—our largest
12 number of allegations continue to be in the abuse of
13 authority category.

14 CHAIRPERSON RICHARDS: What does that
15 mean?

16 JONATHAN DARCHE: Our top four
17 allegations in abuse of authority are: Refusal to
18 provide name and shield; entering and searching
19 premises; or improper stops; and threat of arrest.

20 CHAIRPERSON RICHARDS: Improper stops and
21 what?

22 JONATHAN DARCHE: Threat of arrest.

23 CHAIRPERSON RICHARDS: And—oh, threat
24 also. Yeah. Can you provide those numbers
25 transparently? If they reported something. Forgive

2 me, I'm on this (sic). So, you'll-you'll provide
3 that in your annual report?

4 JONATHAN DARCHE: Yes. 100% and it's
5 also released in our Monthly Report. We-

6 CHAIRPERSON RICHARDS: [interposing]
7 Okay.

8 JONATHAN DARCHE: --update those
9 statistics that are online at www.nyc.gov/ccrb.

10 CHAIRPERSON RICHARDS: Okay, and then the
11 PMR Report it doesn't acknowledge the same reporting.
12 So, how to you merge it to work with the
13 Administration to make sure that that information
14 reflects--

15 JONATHAN DARCHE: So the-the PMR goes off
16 of the Fiscal Year, and so I actually met on Friday
17 with-with someone from City Hall to make sure that
18 our data is-is-is tracking the same way and-

19 CHAIRPERSON RICHARDS: [interposing] And
20 are you seeing differences in-I mean I know they do
21 it by fiscal year. Has there been an openness to do
22 it or does the Council need to push here?

23 JONATHAN DARCHE: No, there-so, we-we-we-
24 we agree with you that there needs to be a good
25 relationship between and I-I apologize for blanking

2 on the name of the—the group that does the PMMR and
3 the MMR, but we—we do have a good relationship with
4 them and we provide them data every month on a
5 regular basis. So, our numbers match their numbers
6 match their numbers. It's just that we report them
7 slightly differently.

8 CHAIRPERSON RICHARDS: And I'm assuming
9 theirs is less. So, let's—let's keep working
10 together, and we should have more conversations
11 around that. I noticed in your report so I see
12 mediations, 204 cases in 2017, and—and in your
13 testimony, you state that this is at a civilian's
14 request. I know very little civilians who go to
15 people and say I want a mediation. They want
16 discipline. Obviously, I'm not seeing discipline
17 again come out of a mediation, too, but can you speak
18 to civilians requesting mediation or is that typo?

19 JONATHAN DARCHE: No, that's—that's
20 people—we—we will only send a case to our Mediation
21 Program if the civilian complainant asks for it.
22 Many people don't want discipline. They want to talk
23 to the officer. They want to say what they—they—how
24 they experienced the interaction and—and they want
25 satisfaction from talking to that officer why they

2 were upset, or getting an explanation from the
3 officer as to why they did what they did.

4 CHAIRPERSON RICHARDS: So, you're saying
5 people what a touchy-feely

6 JONATHAN DARCHE: [interposing] Some
7 people

8 CHAIRPERSON RICHARDS: --experience?

9 JONATHAN DARCHE: Some people do, and we
10 think it is an important tool to improve police
11 community relations when people who are interested in
12 that process have an opportunity for it.

13 CHAIRPERSON RICHARDS: I find that hard
14 to believe, though. I think when most people call
15 the CCRB or they contact our office that they want--
16 and I'm not saying you should just outright and
17 discipline every case, but I'm just interested in
18 knowing what warrants a mediation and--and how would
19 constituents who contact you say we just want to talk
20 it over? Because most of the constituents that
21 contact us want discipline.

22 JONATHAN DARCHE: And--and remember we
23 only--it's only a small number of cases that do have--
24 do go to mediation. We had 40--4,400 cases, 4,487
25 cases.

2 CHAIRPERSON RICHARDS: [interposing] Yes,
3 can you go through it. Yes, so just go through the-
4 the differentiation a little bit between mediation
5 and discipline.

6 JONATHAN DARCHE: So, there 4,487 in our
7 jurisdiction. Of those cases--

8 FREDERICK DAVIE: 204.

9 JONATHAN DARCHE: --204 were mediated,
10 and 1,349 had full investigations.

11 CHAIRPERSON RICHARDS: And out of the full
12 investigations how many warranted serious
13 disciplinary action?

14 JONATHAN DARCHE: So, 2017, the-the Board
15 recommended that members of service receive charges
16 and specifications 40 times, which is the most
17 serious form of discipline.

18 CHAIRPERSON RICHARDS: You said 40?

19 JONATHAN DARCHE: 40 times, not 40-

20 CHAIRPERSON RICHARDS: [interposing] 40
21 times, 40 times. Okay.

22 JONATHAN DARCHE: 189 members of service
23 the Board recommended a command discipline. 76
24 officers we recommended formalized training and 62
25 times command level instructions.

2 CHAIRPERSON RICHARDS: And can you go
3 through—are there like examples? What warrants—how
4 does CCRB make these determinations?

5 FREDERICK DAVIE: Sure. So, we have a
6 panel of three that are made—the panel is made up of
7 designees from each authority. So, the Mayor has one
8 representative, the Council has one, and the Police
9 Commissioner has one. We have investigators who have
10 looked at these complaints and the charges with the
11 complaints, and based on the information they
12 compile, which is quite extensive, the panels then
13 vote on what charges we think, if any, should be
14 applied. I'm sorry, what discipline we think, if
15 any, should be applied to the charges that—that we
16 are considering.

17 CHAIRPERSON RICHARDS: And you don't find
18 it a problem that the Police Department is supposed
19 to be an independent body and the Police Department
20 is actually a decision maker in some of these
21 decisions? I'm not saying that they overwhelmingly
22 represent the Board, but--

23 JONATHAN DARCHE: [interposing] Right.

24 CHAIRPERSON RICHARDS: --if you're
25 supposed to function as an independent body, why

2 would we have an agency at that table who may differ
3 on— You know, how do they objectively look at these
4 cases and say, well, it should be mediation or they
5 should be fired or--? I'm—I'm just interested in
6 knowing, and I'm not saying that they overly
7 influence decisions, but if the CCRB is an
8 independent body having PD at the table when these
9 decisions are made, you don't find that a little bit
10 troubling? And I'm sure that's the way the structure
11 is set up, but is that something we should look at?

12 JONATHAN DARCHE: Well, it's a—they're
13 retired police officers and theoretically they're—
14 well, not theoretically. In fact, there are no
15 current officers who are on the—the board.

16 CHAIRPERSON RICHARDS: Okay.

17 JONATHAN DARCHE: I think we're—

18 CHAIRPERSON RICHARDS: Not retirees
19 okay. You said and no retirees as well right now?

20 JONATHAN DARCHE: No, no, there are
21 retirees.

22 CHAIRPERSON RICHARDS: Right.

23 JONATHAN DARCHE: The three are retirees,
24 and they can be. I think the, you know, the—the—we
25 insist on the same civilian perspective on this that

2 has as much legitimacy as any other perspective when
3 it comes to reviewing these charges and deliberating
4 the—the—the level of discipline. And I mean it's
5 clear we—at times we just disagree, but there are a
6 majority on every panel. There are three people and
7 two of those three have had no relationship with the
8 NYPD.

9 CHAIRPERSON RICHARDS: And you don't think
10 those people, individuals who perhaps might have
11 served on the force before would be more sensitive
12 to—I mean obviously we want people who have some sort
13 of expertise in the area, but how do you—how do they
14 strike that balance with people to be on the force?

15 JONATHAN DARCHE: [interposing] We--we
16 encourage our colleagues to be objective.

17 CHAIRPERSON RICHARDS: I find that hard
18 that to do in this case, but that's something we—we
19 should delve into a little bit more at another time.
20 Allegations of serious sexual misconduct, are you
21 good at staffing levels there? [background comments]
22 And what motivated you to finally look at this area?

23 JONATHAN DARCHE: And this is actually—it
24 was a—a long process for us. It started in 2015
25 during that LGBTQ symposium that the Board had where—

2 where we heard from members of communities that felt
3 that they were the victims of sexual misconduct a the
4 hands of police officers, and then the process really
5 moved forward in October of 2016 when Andrea Ritchie
6 presented to the Board at a public Board Meeting,
7 and—and at that point then the Board took the lead on
8 the issue, and—and forced staff to—to come up with a
9 plan to see how the CCRB could—could help in this—in
10 these issues, and investigate these cases. And so,
11 in February of last month at our Board meeting, the
12 Board passed a resolution unanimously deciding to
13 investigate cases of sexual harassment now, and then
14 in cases of sexual assault, continue to refer them to
15 IAB, but also refer them directly to district
16 attorneys offices, and to develop a process by which
17 we could train senior investigators so that they—they
18 can handle the—those types of cases in a way that
19 won't re-victimize victims of sexual assault.

20 CHAIRPERSON RICHARDS: And you said in
21 2015 you started to look at this. How many alleged
22 cases were there that motivated you to look at this.

23 JONATHAN DARCHE: So, in February, last
24 month at our Board meeting the board passed a
25 resolution unanimously deciding to investigate cases

2 of sexual harassment now, and then cases of sexual
3 assault continue to refer them to IAB, but also refer
4 them to district attorneys' offices and to develop a
5 process by which we could train senior investigators
6 so that they—they can handle those types of cases in
7 a way that won't re-victimize victims of sexual
8 assault.

9 CHAIRPERSON RICHARDS: And you in 2015
10 you started to look at this. How many alleged cases
11 were there that motivated you to look at this.

12 JONATHAN DARCHE: So, in—in 2016 and the
13 first half of 2017, there were 100 and—117 cases that
14 we referred to the NYPD for various types of sexual
15 misconduct.

16 CHAIRPERSON RICHARDS: And out of those
17 117, do you know what actions were taken on these
18 117?

19 JONATHAN DARCHE: We do not know.

20 CHAIRPERSON RICHARDS: Okay. Okay, so
21 that's something we're certainly interested in
22 looking, and so you have no idea if individual who
23 could have been involved in the most grotesque
24 incidents are still on the force or not?

2 JONATHAN DARCHE: We—we don't know if—we
3 did not investigate those cases. So, we refer them
4 to the department, to the Internal Affairs Bureau and
5 they—we don't know the results of those
6 investigations.

7 CHAIRPERSON RICHARDS: Okay, and will you
8 seek to follow up now that you have a department?

9 JONATHAN DARCHE: So, we—we-we requested
10 the results of those investigations, but we did not
11 receive them.

12 CHAIRPERSON RICHARDS: Okay, we will
13 surely be following up on that. Can you speaks to—
14 so, I noticed that it takes about 20 days for the
15 CCRB to get back to—and tell me if I'm wrong. On
16 average if someone calls to file a complaint it takes
17 about 20 days on average for you to get to them. Can
18 you speak to if you're looking at ways to improve
19 that, and how long on average does it take you to
20 close out a case?

21 JONATHAN DARCHE: So, the CCRB shares
22 your concern about quickly adjudicating
23 investigations and making sure that people who
24 contact us are—are promptly spoken to and their
25 complaints are taken seriously, and promptly. In

2 2016, the average length of a full investigation was
3 163 days.

4 CHAIRPERSON RICHARDS: 163 days?

5 JARED FOX: For a full investigation.

6 CHAIRPERSON RICHARDS: And what warrants a
7 full investigation?

8 JONATHAN DARCHE: It means that we have a
9 signed--

10 CHAIRPERSON RICHARDS: [interposing]
11 Okay.

12 JONATHAN DARCHE: --complaint by a
13 civilian and we have sent the case to the Board for
14 them to vote whether to substantiate,
15 unsubstantiated, exonerate or unfound the allegations
16 in the complaint.

17 CHAIRPERSON RICHARDS: And then in terms
18 of just customer service in terms of getting back.
19 So, I think, if my memory serves me correct it takes
20 about 20 days. Is that a staffing issue or--

21 JONATHAN DARCHE: [interposing] So--

22 CHAIRPERSON RICHARDS: --how do we get
23 back to constituents in a more timely fashion?

24 JONATHAN DARCHE: So, I will double check
25 that number because that--that seems--

2 FREDERICK DAVIE: It sounds high.

3 CHAIRPERSON RICHARDS:

4 JONATHAN DARCHE: That sounds high to me--
5 and so--

6 CHAIRPERSON RICHARDS: Yea.

7 JONATHAN DARCHE: --I'll double check
8 with the--

9 CHAIRPERSON RICHARDS: Okay, I could be
10 wrong, but I think I--

11 JONATHAN DARCHE: [interposing] No, no,
12 no.

13 CHAIRPERSON RICHARDS: --remember looking
14 at this and saying that.

15 JONATHAN DARCHE: But one of the--one of
16 the issues that we have that I--that the Chair
17 described in--in his testimony is the difference of
18 how long it takes to--to reach a witness who in our
19 ability to reach witnesses when they don't come
20 directly to the CCRB. So, if someone files a report
21 directly with the CCRB, we can handle their case
22 immediately. The problem is when things are referred
23 either by 311 or from the department or from another
24 source it may take longer to reach out to those--those

25

2 people and--and arrange for them to come in and give
3 an interview.

4 CHAIRPERSON RICHARDS: And then for the
5 witnesses are you using things like Uber and Lyft so
6 you could be discrete? How do we get witnesses--

7 JONATHAN DARCHE: [interposing] So,
8 Chair--

9 CHAIRPERSON RICHARDS: --to come and
10 actually testify? So, can you speak to how you're
11 making it more convenient?

12 JONATHAN DARCHE: So, one of the--one the
13 things that's been very helpful in arranging--in
14 allowing us to reach out to witnesses more
15 effectively is the CPI, and we're very grateful to
16 the Council for having the Community Partners
17 Initiative that lets us meet with people closer to
18 where they live and work, and not make them come
19 downtown. We're at 100 and Church Street--100 Church
20 Street, and--and in order to give a statement, but
21 we're--we are much more proactive about either
22 providing Metro Cards to people to come down, or
23 actually sending people out in the field to meet with
24 people in order to--to take their statements.

2 CHAIRPERSON RICHARDS: And how many
3 complaints are you getting on average from—are you
4 getting calls from like individuals on Rikers or
5 anywhere? How many?

6 JONATHAN DARCHE: We'll have to get you
7 those numbers. I don't have them in—in front of me,
8 but we do get calls from people. We get complaints
9 from people who are being detained at DOC, and we—we
10 make sure to—to go interview them.

11 CHAIRPERSON RICHARDS: So, you—you have
12 oversight over that. So, you can actually--

13 JONATHAN DARCHE: [interposing] So, we
14 don't have--

15 CHAIRPERSON RICHARDS: [interposing] Will
16 you got Rikers or what would you do in the case
17 someone at Rikers?

18 JONATHAN DARCHE: Our investigators would
19 go to—to—tor Rikers Island.

20 CHAIRPERSON RICHARDS: And do you have a
21 specific unit dedicated to that or no?

22 JONATHAN DARCHE: No, sir.

23 CHAIRPERSON RICHARDS: Okay.

24 FREDERICK DAVIE: Mr. Chair--

25 CHAIRPERSON RICHARDS: Yes.

2 FREDERICK DAVIE: --based on the response
3 rate to people who make complaints, it's a 24-hour
4 turnaround for us on average and then 16 days to the
5 actual full interview.

6 CHAIRPERSON RICHARDS: Oh, 16 to the
7 full. Okay.

8 FREDERICK DAVIE: Yeah, but we—we're back
9 in touch within 24 hours.

10 CHAIRPERSON RICHARDS: Okay and there's
11 no way to shorten that 16 day—because the—the thing
12 is when—when people call you want to try to get to
13 them as fast as you can.

14 FREDERICK DAVIE: Sure.

15 CHAIRPERSON RICHARDS: And I understand
16 you may be limited so is it a staffing issue? Is
17 there a way to cut that down, I don't know four days,
18 you know, three days and what would it take for us to
19 get there?

20 FREDERICK DAVIE: Right. We could
21 certainly work on it, and—and be back in touch with
22 you about it. Sometimes it's the complainant, and
23 their availability, but that's something we certainly
24 can look into.

2 CHAIRPERSON RICHARDS: Right and I say
3 that because for—for most communities throughout the
4 Rockaways for instance, you got to move fast.
5 Otherwise people lose hope in the system. So, I'm
6 assuming where a lot of these calls are coming from,
7 and complaints are coming from the majority
8 communities that we have work to do in, and so I
9 think it's, you know, imperative for us to--

10 JONATHAN DARCHE: We—we try and—and have
11 those interviews happen as soon as possible, but
12 it's—it's sometimes difficult to schedule with people
13 in such a way that—but—but we take your—your point.
14 We share your desire to—to conduct interviews in a
15 prompt manner and we're going to look at it.

16 CHAIRPERSON RICHARDS: Yes. Yeah, and
17 then not only that, just on the witness end. You
18 know, you may have a witness you need to get to as
19 I've seen in specific cases in my district that, you
20 know, if you—you may have only a short window before
21 they change their mind, which can affect the outcome
22 of a case. So, so I think that that's why it's
23 certainly imperative that we—we try to figure out a
24 more rapid response. Any ways we can be helpful to
25 the CCRB this fiscal year? Any initiatives or things

2 that you want to lay out that we should be-being
3 helpful and to help you to be as effective as you can
4 be?

5 JONATHAN DARCHE: Yeah, we've—we've been
6 working with the—with OMB to—to make sure that we are
7 fully staffed up for any additional needs we have
8 for—for the Right to Know Act, and body-worn cameras.
9 It's been a, you know, it—from—from my conversations
10 with OMB they understand how difficult the—the strain
11 of body-worn cameras is going to be not just on the
12 CCRB but NYPD and the district attorneys' offices,
13 and—and so they're working with DOITT for a citywide
14 solution to that situation, but we're also—they've—
15 they've said, you know, you need to—we need to keep
16 them posted on how our server space is looking so
17 that we can—we can make sure that we don't have any
18 difficulties going forward.

19 CHAIRPERSON RICHARDS: And they're not
20 counting—because I know a lot of agencies sometimes
21 are under headcount. So, are they penalizing you for
22 that or does it seem like there's a true willingness
23 to try to figure this out?

24 JONATHAN DARCHE: There seems like a true
25 willingness to figure it out.

2 CHAIRPERSON RICHARDS: Okay.

3 JONATHAN DARCHE: I would say there is a
4 true willingness to-to-to figure it out.

5 CHAIRPERSON RICHARDS: I know you can't
6 say anything different on the record about them.
7 [laughter] If you-if you need a push, you have
8 friends here. I will go to Council Member Cohen for
9 questions now.

10 COUNCIL MEMBER COHEN: Thank you, Chair.
11 Thank you, Chair. [coughs] I'm sorry I missed you
12 reading your testimony, but I think I'm caught up
13 now. Could you just expand a little bit on your
14 testimony regarding FADO? Like what are the nature
15 of the complaints? How they break down in each
16 category. [background comments]

17 FREDERICK DAVIE: So, we-I can do the
18 broad categories and then our Executive Director can
19 offer some texture to them.

20 COUNCIL MEMBER COHEN: But you could also
21 jus give a couple of examples. Just so-give us some-
22 some examples of what falls into each category.

23 FREDERICK DAVIE: Okay. I'm going to let
24 you do that.

2 JONATHAN DARCHE: So, abuse of authority
3 is our—our largest category, and it includes things
4 such as refusal to provide name and shield, entering
5 or searching a premise without author—proper
6 authorization, improper stops, improper frisks,
7 improper searches of a person, threats of arrest,
8 improper arrests, improper vehicle stops, improper
9 vehicle searches, refusal to give medical attention.
10 In discourtesy, we have discourteous words,
11 discourteous actions, discourteous gestures, and
12 discourteous either demeanor or tone. Physical force
13 could be hitting someone against an inanimate object,
14 pointing a gun, using a chokehold, hitting someone
15 with a fist or kicking them. And then offensive
16 language is comments based on race, gender,
17 ethnicity, sexual orientation, immigration status,
18 almost any protected class if—if you're somehow
19 implicating that it would be offensive language.
20 [siren]

21 COUNCIL MEMBER COHEN: And—and could you
22 just do a little bit of the—the percentage breakdown
23 per--?

24 JONATHAN DARCHE: So, in 2017, we
25 received for example 911 allegations of refusal to

1 provide name and shield, and we substantiated 29 of
2 those complaints, which was 3% and—and we had 60–724
3 allegations of improper stop, which we substantiated
4 66, which was 9%. In the discourtesy category we had
5 100–1,579 allegations of discourteous word. 58 were
6 substantiated. We had 2,203 allegations of improper
7 physical force. We substantiated 41 for a 2%
8 substantiation rate, and we had 159 allegations of
9 offensive language based on race of which we
10 substantiated four.

12 COUNCIL MEMBER COHEN: Again, I'm new to
13 this committee, and it's a little bit of a learning.
14 [bell] Could you just talk for a minute about the
15 challenges in substantiating? I guess—I guess in the
16 cases of he said—he said or she said—she said, if
17 that case cannot be substantiated is--?

18 JONATHAN DARCHE: So, in order to
19 substantiate a case, we have to have a preponderance
20 of the evidence, which is more than 50%. One of the
21 real benefits of the Body-Worn Cameras program is it
22 has audio as well as video, and so many the
23 discourtesy or offensive language allegations we—
24 we're hopeful that we'll be more likely to find a
25 decision on the merits rather than just have to

2 unsubstantiate a case. The [pause] If you could
3 bear with me one second. So, the—we can get back to
4 you with the number, but it's roughly half of the
5 cases that fully investigated are unsubstantiated and
6 then I think, you know—excuse me. And so we have—one
7 of the benefits of having every patrol officer with a
8 body-worn camera is many of those allegations we will
9 be able to reach a decision on the merits rather to
10 have to unsubstantiate them.

11 COUNCIL MEMBER COHEN: Mr. Chairman, can
12 I just opt for one more quick question? In terms of
13 right now the body of evidence in a typical case is
14 the testimony of the complainant and the testimony of
15 the officer? Is that generally speaking the—how a
16 hearing goes down?

17 JONATHAN DARCHE: So, we—we collect as
18 much evidence as we can other than just the
19 statements whether it's surveillance--

20 COUNCIL MEMBER COHEN: [interposing] I--I
21 appreciate that but typically—in a typical case, is
22 that all the evidence you're ultimately able to
23 collect?

24 JONATHAN DARCHE: As well—as well as
25 police paperwork.

2 COUNCIL MEMBER COHEN: Okay. Thank you,
3 Mr. Chair. Thank you.

4 CHAIRPERSON RICHARDS: Thank you. Any
5 other questions? That's really good. Okay, thank
6 you for coming out. We look forward to continuing to
7 work with you, and—and improve transparency,
8 accountability. The same thing we say to the Police
9 Department. The stronger we are, the better our
10 communities are. So, thank you.

11 JONATHAN DARCHE: Thank you.

12 FREDERICK DAVIE: Thank you, Mr. Chair.

13 CHAIRPERSON RICHARDS: We're going to
14 call the first public panel. Davis Emile, Community
15 Aces—Access. I'm sorry. Carla Rabinowitz, Community
16 Access; and CC NYC; Towaki Komatsu; Ralph Paladino,
17 Second Vice President of 1549; DC37 and Beverly
18 Tillery from the New York City Anti-Violence Project.
19 [background comments, pause] Okay. [background
20 comments] We're going to just ask everybody to say
21 their names on the record and then you may begin.
22 We're going to put three minutes on the clock and you
23 may begin.

24 CARLA RABINOWITZ: Hi. My name is Carla
25 Rabinowitz. Thanks for hearing the testimony. I'm

2 the Advocacy Coordinator at Community Access, a
3 mental health housing agency, Project Coordinator of
4 CCITNYC, a coalition of 75 organizations and
5 stakeholders. Our mission is to improve relations
6 with the NYPD and create a fully functioning CIT
7 system in New York City. Many of you know that the
8 Mayor's Task Force on Behavioral Health and Criminal
9 Justice met in 2014, and then became defunct. It was
10 designed to solutions that will stop the deaths of
11 mental health recipients in the hands of the police.
12 We need that task force. We really need that task
13 force. We need all stakeholders, all those city and
14 state agencies at the table to suggest alternatives
15 to police responding these crisis calls or EDP calls.
16 We need to divert these calls before they get to the
17 crisis level, and for that we need community funding
18 like respite care and other alternatives. Some of
19 the contributions that the task force came up to—came
20 with have been implemented by the NYPD like CIT
21 training, which is going well, but CIT training alone
22 is not going to prevent these recurring deaths. Like
23 neighborhood policing is to the police, we need a
24 comprehensive change from the mayor to deal with all
25 these crisis calls. Since the NYPD started CIT

2 training, at least nine mental health recipients have
3 died in police encounters. In the last six months
4 three people have died. This is more than any time
5 that I can remember in my ten years of advocacy on
6 this issue. We need more effective solutions. We
7 co-response teams that respond to crisis. The police
8 mentioned co-response teams, but they're not
9 responding to 911 calls. They're responding to more
10 like wellness checks when there's a little
11 regression. We need co-response teams, mobile crisis
12 teams, maybe pairing up mental health peers. As I
13 said, we need alternatives to hospitals like respite
14 care funding for that in the community. We need to
15 support the police by building the diversion centers
16 or drop-off centers where police can drop off people,
17 and they get wraparound care from the community.
18 Most importantly we need the Mayor to revive his 2014
19 task force on Behavioral Health and Criminal Justice.
20 The NYPD can't do it alone. It has to be under the
21 level of a deputy mayor like so many other programs
22 we can stop the senseless deaths that are occurring.
23 Thank you.

24 CHAIRPERSON RICHARDS: Thank you.

2 DAVID EMILE: Hi. My name is Davis
3 Emile. I am an intern at Community Access. Since
4 The NYPD started CIT training, at least nine mental
5 health recipients have died in police encounters.
6 Three of the mental health community--three people of
7 the mental health community have died in the last six
8 months: Mario O'Casio age 51, June 2015 or 2015;
9 Rashad Lloyd, age 25, June 2016; Deborah Daniel age
10 66, October 2016; Ariel Gracia, age 49, November
11 2016; Dwayne June age 32, July 2017'; Andy Supdale,
12 age 29, August 2017; Miguel Richards, age 31,
13 September 2017; Cornell Lockhart, age 67, November
14 2017; Dwayne Prichard, age 47, January 2018. We need
15 more effective solutions. We need to expand co-
16 response teams throughout the city, add mobile crisis
17 teams and peer--mental health peers with police to
18 de-escalate these encounters. These [background
19 comments, pause] We need to support police by fully
20 funding diversion centers to provide a rapid handoff
21 to New Yorkers in acute crisis from police custody to
22 get immediate care and long-term connections to
23 community resources. More diversion centers and
24 respite centers will be needed as we move people from
25 Rikers back into [bell] the community.

2 CHAIRPERSON RICHARDS: Thank you. Well
3 taken.

4 RALPH PALLADINO: Okay.

5 CHAIRPERSON RICHARDS: Yes.

6 RALPH PALLADINO: Good day. Ralph
7 Palladino, Clerical Administrator for Employees Local
8 1549 DC37. I want to say congratulations and welcome
9 to the new Chair, and we hope we have the same good
10 relationship with you that we had with CM Gibson
11 working with here. We represent 16,000 employees of
12 the city New York and taxpayers I might add. We
13 represent the PCPs in the 911 call centers, and also
14 the police administrative aids in the precincts. Two
15 issues on the 911 system in the last—since 2015 there
16 are 100 less PCTs than there were since then. We
17 have lost 100 people. There has been a large
18 turnover because of the nature of the work. Also the
19 fact that there is understaffing and more overtime.
20 People are getting worn out. People are coming in
21 and new people are—are being put into positions where
22 they have to work overtime in stressful situations
23 and they wind up leaving. We believe that hiring of
24 200 additional PCTs would be critical and key to keep
25 this service going, and recapture some of the—the

2 work. We have a situation where we have—now have two
3 centers as opposed to one. There are about 25 per
4 shift empty cubicles in each center. That's four
5 shifts in one, four shifts in another. That's eight
6 shifts and we think that they should be filled, and
7 use to keep the—the public safe. Revenue to hire
8 could easily be done by the reduction of overtime
9 that's needed, which has gone up, number one. Number
10 two, less absentees and give less stress. Also, the
11 issue of having to do less training, money to train
12 more people over and over again, and finally the—the
13 surcharge. The surcharge that goes on the—the
14 telephone bills that the state collects is used for
15 the Generals Fund to the state. When asked about it
16 on the John Oliver show, Mayor—Governor Cuomo—excuse
17 me—Governor Cuomo stated that no one has asked.
18 Well, we are asking the City Council and the City to
19 ask. The other issue dealing with the police is
20 civilianization. To this date we still have almost
21 500 police administrative aids positions being filled
22 by uniforms including school age that they're going
23 to want to hire this year, traffic enforcement agents
24 and police officers. This despite the fact that 1549
25 our Local is the only entity that has filed and won

2 arbitrations on this, and yet the NYPD has not
3 civilianized. We don't understand why. We have less
4 PAAs in position right now than we did four years
5 ago, and we estimate that it would cost the city \$31
6 million when they don't do that, and you do that and
7 add that up five years, \$31 million, it's \$150
8 million. To add insult to injury, there have been
9 additional grievances in the last few years [bell] on
10 this issue as well. So, we ask you to please work
11 with us on getting more employees and service people
12 in the 911 to--about the surplus, reach out to the
13 Governor and deal with the issue of civilianization
14 immediately once and for all and avoid any further
15 litigation with the city on this, and join 1549 to
16 request that City Comptroller perform an audit on
17 civilization of the NYPD because they have been
18 coming back and forth with different numbers, and so
19 let's get it together and do an audit. Thank you.

20 CHAIRPERSON RICHARDS: And you did hear
21 them speak of this study they're doing?

22 RALPH PALLADINO: Yeah, and--

23 CHAIRPERSON RICHARDS: Have they
24 contacted you on that?

25 RALPH PALLADINO: No.

2 CHAIRPERSON RICHARDS: No?

3 RALPH PALLADINO: No, and they haven't
4 contacted us on-on this for awhile and the thing is
5 that the numbers keep changing. Their numbers keep
6 changing.

7 CHAIRPERSON RICHARDS: Okay.

8 RALPH PALLADINO: So, let's do an audit.

9 CHAIRPERSON RICHARDS: Okay. Thank you.
10 We'll certainly be there with you on that. Yes, sir.

11 TOWAKI KOMATSU: [off mic] Thank you. Let
12 [background comments, pause]

13 CHAIRPERSON RICHARDS: We have three
14 minutes.

15 TOWAKI KOMATSU: [off mic] So, let me
16 separate my written testimony.

17 CHAIRPERSON RICHARDS: Press-press you-
18 your mic, too.

19 TOWAKI KOMATSU: Sir?

20 CHAIRPERSON RICHARDS: Press your mic.

21 TOWAKI KOMATSU: Oh, thank you.

22 CHAIRPERSON RICHARDS: Alright, there you
23 go.

24 TOWAKI KOMATSU: Hi, we met previously at
25 the last Public Safety meeting. I tried presenting a

2 video then, but unfortunately the IT team didn't
3 properly set up the equipment. I gave some written
4 testimony earlier and I'll read from that as I guess
5 try to set up this laptop. There was court hearing
6 at the Federal Court last week on Thursday in this
7 case against Trump. The federal judge assigned to
8 that hearing stated once it is a public forum you
9 can't shut somebody up because you don't like what
10 they're saying. Earlier today you had NYPD Detective
11 Jarolla (sp:?) who is part of the Mayor's Security
12 Detail. He was in the room. Before you and I met,
13 he was keeping me out public meetings throughout last
14 year in violation of what's called viewpoint
15 discrimination meaning if I'm a whistle blower, and
16 you don't agree with—with what I have to say, I still
17 have that First Amendment Right to walk through—
18 through the doors to talk to you audience to expose
19 that fact that you're fraud if you're saying you're
20 ultimately responsible for policing if you say that
21 you support hiring veterans who are next door while
22 I'm talking to you. So, yeah. So that's one thing.
23 Also, there's actually federal lawsuit against the
24 Mayor's head of security. He lost a motion in
25 Federal Court on March 5th. Because of that federal

2 judge's decision he's going to have to stand trial
3 for having violated the Fourth Amendment Rights of a
4 bicyclist in September of 2012. So, the question is
5 if somebody was mayor, any average person, a random
6 person, it doesn't make any sense whatsoever to have
7 somebody who is civil rights be--to be a top
8 bodyguard while taxpayers have to fund their salary.
9 You had NYPD Commissioner O'Neill sitting here
10 earlier today. I talked to him on February 23rd at
11 the New York Law School about Mr. Redman. He ducked
12 my questions. So, how does that comport with the
13 issue of transparency and accountability? It
14 doesn't. Following that meeting, just like you
15 acknowledged earlier, there was a BuzzFeed report or
16 essentially exposed the fact that the NYPD is full of
17 it in terms of the crime statistics. They just
18 manufactured the crime statistics, and there's no
19 accountability. So, the bottom line is I'm
20 currently--I currently have to contend with a
21 frivolous criminal prosecution of me for having
22 exercised my self-defense rights on December 26th of
23 last year after I was assaulted by members of NYPD in
24 the Bronx. I was walking to a store in a public
25 area. I was illegally stopped, assaulted, seized.

2 While in Custody they lost my wallet. So there's no
3 chain of custody in terms of people's property while
4 you're—what do you call it? Illegally arrested. I
5 was offered a plea deal on what? February 20th. I
6 immediately rejected that because I want to expose
7 the fact that the NYPD are full of it to basically
8 put an end to this problem. So, my point is if Mr.
9 Redmond has been violation civil rights for six
10 years. [bell] then at what point, just like I said
11 in our last meeting, is somebody like you going to
12 step up to the plate and swing a bat.

13 CHAIRPERSON RICHARDS: Thank you for your
14 testimony. Hi, Ms. Beverly. You may begin.

15 BEVERLY TILLERY: Hi. Good afternoon
16 Chair Richards and thank you to the entire Public
17 Safety Committee for hearing my testimony today. My
18 name is Beverly Tillery. I'm the Executive Director
19 of the New York City Anti-Violence Project or AVP.
20 At AVP we empower our lesbian, gay, bisexual,
21 transgender, queer and HIV affected communities and
22 allies to end all forms of violence through
23 organization education, and we support survivors of
24 violence through counseling and advocacy. Currently,
25 LGBT people in this country are experiencing

2 heightened rates of violence of all kinds
3 particularly hate violence, and as much as we pride
4 ourselves in New York City as being welcoming and
5 affirming for LGBTQ people and all people, rates of
6 violence are at a high here as well. AVP's bilingual
7 hotline experienced a 34% increase in calls from
8 survivors of violence in 2017 as compared to 2016
9 reflecting the turbulent times that we're
10 experiencing across the country. 2017 was also a
11 year in which nationally we saw an 86% increase in
12 LGBTQ hate violence homicides, and three of those
13 homicides happened in our city streets. John Jolly,
14 one victim, was stabbed in August after allegedly
15 making advances toward his attacker. Our community
16 members and clients are reporting more incidents of
17 hate violence in the city, at their workplaces, in
18 their homes, by landlords, on the subways and buses
19 they take every day. Since the presidential
20 election, not only have we seen a spike in hate
21 violence, but we've seen spikes in all kinds of
22 violence, intimate partner violence, dating violence,
23 on and on. Those in our community who are the most
24 marginalized, people of color, immigrants,
25 undocumented immigrants, and transgender and gender

2 non-conforming people are disproportionately impacted
3 by this violence, and many continually tell us that
4 they've become afraid to travel throughout the city
5 for fear of being attacked or harassed. Compounding
6 the problem is the fact that survivors often feel
7 like they have no place to turn for support and for
8 services. In AVP's report on hate violence in 2016,
9 only 26% of survivors in the city reported that they
10 went to the police representing a 53% decrease in
11 police interaction over two years. Of those who did
12 interact with the police, 45% reported either
13 indifferent or hostile attitudes from the police.
14 Many survivors have a difficult time accessing LGBTQ
15 affirming and safe spaces from providers [bell] such
16 as shelters, healthcare providers, et cetera. We
17 provide a lot of services at AVP and we help advocate
18 for our clients so that they can received the best
19 services possible. Our hotline, our one-on-one
20 counseling and support groups, our economic
21 empowerment program, legal services, community
22 outreach, organizing and public advocacy. I
23 respectfully ask that you continue the City Council's
24 support of AVP, and that the committee work with us
25 on these issues so that New Yorkers can become again-

2 New York can become a safer place where LGBT and HIV
3 communities can thrive. Thank you.

4 CHAIRPERSON RICHARDS: Thank you all for
5 your testimony. We look forward to following up with
6 you, and certainly working with you. Just as the
7 last Chair Vanessa Gibson did on these issues. So,
8 we look forward to much more dialogue and then work
9 in the near future. Thank you for your testimony.
10 Alright, we're going to go to the last panel and
11 public: Andrea Bowen, Transgender and Transgender
12 and Gender Non-Conforming Solutions Coalition;
13 Carlyle Anderson. I left he left. Community Board
14 14. Charlotte Pope, Children's Defense Fund; Grace
15 Spinks, School Crossing Guard Chapter Chair, Local
16 372, DC37 and Vivienne Laborde, Lincoln Center for
17 the Performing Arts. So, Elizabeth Escalante, School
18 Crossing Guard Chapter Secretary, Local 372; Vivienne
19 Laborde, Lincoln Center; Grace Spinks School Crossing
20 Guards Chapter Chair, Local 372 DC37; Charlotte Pope,
21 Children's Defense Fund of New York; Andrea Bowen,
22 Transgender and Gender Non-conforming Solutions
23 Coalition; and then lastly Carlisle Anderson.

24 VIVIENNE LABORDE: Okay.

25 CHAIRPERSON RICHARDS: You may begin.

2 VIVIENNE LABORDE: Okay. Hello. My name
3 is Vivienne Laborde. I am the Director of
4 Development and Community Engagement at Lincoln
5 Center. [background comments] I want to thank
6 Chairman Donovan and members of the Committee on
7 Public Safety for the opportunity to be here to
8 discuss a public safety issue that is of foremost
9 concern to me and my colleagues at Lincoln Center.
10 Lincoln Center faces a unique challenge as a non-
11 profit cultural institution in New York City
12 maintaining an accessible and hospitable yet safe and
13 secure environment in what is by far the largest open
14 area performing arts complex in the world. It has
15 become increasingly difficult to maintain the
16 standard particularly in light of the alarming rise
17 in terror incidents around the world. As you know,
18 in the last 17 months alone there have been 11 acts
19 of violence most recently in Parkland, Florida. New
20 York City has had three major incidents in the last
21 17 months alone: The vehicle attack on the Westside
22 Highway, the suit—the suitcase bomb left on the
23 street in Chelsea and—and the failed suicide bomber
24 at Port Authority. This alarming trend is, of
25 course, concerning to us at Lincoln Center. It's not

2 uncommon for events at Lincoln Center to convene over
3 10,000 people consistently most of children at a time
4 including our annual trick or treat Halloween Event,
5 and on our outdoor plazas and at the Big Apple
6 Circus. As a result—as a result, Lincoln Center has
7 been consistently on high alert taking appropriate
8 measures to update our campus security. Most of
9 these efforts have focused on increasing site
10 security, which protects several acres of city-owned
11 property at Lincoln Center. As a result of these
12 measures, our site security costs have risen rapidly
13 by \$1.3 million, 44% of the last four years. These
14 rising costs show no signs of slowing down and have
15 become increasingly difficult for us to sustain. Law
16 enforcement has advised that Lincoln Center is at
17 heightened risk for a terrorist attack because such
18 an attack would fulfill two known terrorist goals:
19 Mass casualties and intensive media coverage of an
20 attack on a prominent venue. We're calling on the
21 city to provide more funding to help us ensure the
22 safety and security of our public spaces for this
23 reason. The greatest cost of any terrorist incident
24 of—is, of course, a devastating loss of human life.
25 However, according to law enforcement, the impact at

2 Lincoln Center would extend far beyond the violent
3 itself. It would be of national significance
4 especially at one of our many televised or live
5 streamed events greatly impacting a larger and dense
6 urban Geographic region. The collateral impact of
7 such incident would most significantly harm New York
8 City to which Lincoln Center organizations yearly
9 contribute \$2.4 billion in economic activity
10 including nearly 16,000 jobs. [bell] The proper time
11 to address our challenges in sustaining the rising
12 costs of site security is now not in the wake of a
13 major incident. Therefore, we're requesting that the
14 Council assist us in offsetting these costs with
15 \$615,000 in security funding, which is the amount
16 that we receive from DCLA in baseline funding that we
17 currently spend in securing our public areas. On
18 behalf of Lincoln Center, thank you for the
19 opportunity to bring this important concern to the
20 Council's attention.

21 CHAIRPERSON RICHARDS: Thank you. Thank
22 you for your testimony.

23 VIVIENNE LABORDE: Uh-hm.

24 CHARLOTTE POPE: Good afternoon. My name
25 is Thank you for the opportunity to testify. We want

2 to highlight the policing of young people in school
3 and shift the conversation of school safety toward
4 initiatives that provide the structure, support and
5 the quality of relationships that most influence
6 students' feelings of safety. CDF New York works in
7 coalition with students across the city who
8 experience policing responses as measures that fail
9 to address and often exacerbate the underlying
10 conditions that lead to conflict in school. This
11 mirrors research on the School to Prison Pipeline
12 that describes how the introduction of police officer
13 to schools leads to a net widening effect, disrupts
14 the schooling process and students educational
15 trajectories, escalates conflict and has a
16 disproportionately harmful impact on students of
17 color who are more likely to be arrested at school
18 for behaving in the same ways as their peers. The
19 budget of the NYPD School Safety Division continues
20 to grow year after year at the same time that schools
21 call for more tools and sources to implement
22 effective alternatives. The city must realign its
23 resources to reflect the critical needs and school
24 staff, and with some of our partners we're urging the
25 city to make the following investments in Fiscal Year

2 2019: \$2.4 million to sustain the Council's
3 Restorative Justice Initiative; \$2.875 million per
4 year for direct mental health supports and services
5 for students as an alternative to disciplinary action
6 in 20 high need schools, and \$1 million per year for
7 whole school collaborative problem solving training
8 and support for school staff in high need schools.
9 Our ultimate goal is for the Department of Education
10 to implement restorative justice citywide. We urge
11 the Council to pursue investments in Whole School
12 Restorative Justice models that include sustainable
13 full-time school based staff, youth and family
14 involvement and decision making, continuing
15 professional development opportunities and district
16 wide coordination. CDF New York works to engage
17 community members in restorative practices and
18 contributed to the development of the Council's
19 Restorative Justice Initiative in 2015, and we ask
20 that the Council continue to push the city to
21 prioritize sustainability and meaningful
22 implementation. There are more details in our
23 written testimony. So, thank you.

24 CHAIRPERSON RICHARDS: Thank you for your
25 testimony.

2 GRACE SPINKS: Good afternoon. My name
3 is Grace Spinks and I'm the Chair for the School
4 Crossing Guards. I want to say thank you and to the
5 Safety Committee Chairman Donovan J. Richards, and
6 the distinguished members of the committee.

7 CHAIRPERSON RICHARDS: This is the first
8 time someone has used my middle initial. Thank you.
9 [laugh]

10 GRACE SPINKS: It's the honor of the
11 Local 372, New York City's Board Education employees.
12 District Council 37 asked me to present testimony--
13 testimony behalf of the approximately 2,546 school
14 crossing guards we represent under the leadership of
15 our President Shaun D. Francois I A major component
16 of Major-Mayor de Blasio, Vision Zero Plan calls for
17 a citywide plan to place a school crossing guard at
18 every school post throughout the five boroughs. The
19 Vision Zero Plan requires that there's additional
20 hire of 100 full-time new crossing guard supervisors,
21 200 part-time crossing guards and implementation of
22 the mobile replacement squad. Approximately \$25
23 million in the city funds over the next four years
24 will underwrite the cost of the initiative we support
25 as it will save many, many more of our children from

2 being injured or worse on their way to and from
3 school. Local 372 Level 1 level school crossing
4 guards are often the first line of defense to improve
5 the safety for students ride bicycles or taking
6 transit to school. Student pedestrians often faces
7 major safety traffic hazards everyday caused by
8 double and triple parked cars at bus stops in front
9 or near crossing buildings—buildings. Thus does
10 remain thousands of New York City school children
11 crossing main inter—intersections without any
12 supervision from NYPD. School crossing guards
13 provide teen-ager (sic) or adult guidance. Of the—
14 approximately of the 2,546 crossing guards, 95–90%
15 are female working daily—four or five hours daily,
16 weekly 25 hours cap part-time schedule that includes
17 early morning, lunch, lunch time, after school hours
18 serving 1.2 million charters for a total of public
19 children. [bell] The school—the core fill sounds
20 loudly to demand that a city analyze this workforce.
21 It's imperative that these workers become full-time
22 employment to make investment in higher job and
23 retention numbers, and further paves the way to much
24 lower traffic incidents involving students and
25 motorized public. Today's school crossing guards

2 face 16 unpaid DOE holidays and no pay when are
3 closed for bad weather or out-of-pocket healthcare
4 costs during the course of season-of off season of
5 the summer months. This is no doubt that providing
6 comprehensive safety measures to all New York City
7 school students, as the first and most significant
8 step-step in allowing for education success. The New
9 York-the New York Police Department, Department of
10 Education and Department of Transportation must work
11 together to better determine whether SCG placement-
12 placements are needed. It is our understanding that
13 the city is currently undergoing-undergoing [bell] a
14 mapping program to determine if-

15 CHAIRPERSON RICHARDS: Yeah, you have to
16 wrap up. I was being kind because Susan Chin is
17 here, and she means a lot to me, but you have to wrap
18 up--

19 GRACE SPINKS: Thank you.

20 CHAIRPERSON RICHARDS: --because the
21 district attorneys now.

22 GRACE SPINKS: Okay, replacement of new
23 school buildings and facilities strongly support-
24 support this plan. Our comprehensive include these
25 utilization projects of Leve 1 and 2 Level school

2 crossing guards, documentation and incidents of new
3 school opening before traffic studies have been
4 complete-completed during, and school children being
5 left to fend for themselves for several weeks and
6 months before school crossing guard are deployed in
7 their posts. Seamless ed-education and coordination
8 between city agencies can be achieved throughout the
9 establishment of ongoing transportation progress
10 report and School Crossing Guards Advisory Board,
11 which includes a seat at the table for three-for
12 Local 372. Again, thank you for your opportunity to
13 providing the testimony.

14 CHAIRPERSON RICHARDS: Thank you so much.

15 GRACE SPINKS: Thank you.

16 CHAIRPERSON RICHARDS: Thank you.

17 GRACE SPINKS: I'm going to say the same
18 thing as her.

19 CHAIRPERSON RICHARDS: The same thing.

20 Okay.

21 ANDREA BOWEN: Hi. Good afternoon Council
22 Members, Chair Richards and members and staff of the
23 Public Safety Committee.

24

25

2 CHAIRPERSON RICHARDS: Oh, sorry. Before
3 you begin, we've been joined by Council Member
4 Maisel. That's all. Sorry.

5 ANDREA BOWEN: Hello, Council Member
6 Maisel. Hello, Council Member Cohen and members and
7 staff of the Public Safety Committee. My name Andrea
8 Bowen. I'm a consultant working on behalf of the
9 Transgender and Gender Non-Conforming Solutions
10 Coalition, which includes Anti-Violence Project, the
11 Audre Lorde Project, GHMC, LGBT Community Center,
12 Make the Road New York, Sylvia Rivera Law Project
13 and the Trans Latino Network. I'm just going to
14 speak and refer to the testimony afterwards. So, in
15 2015 the LGBT Caucus of City Council and the then
16 Speaker encouraged these organizations to do
17 community forums in each of the five boroughs to see
18 what the TGNC community need-needed, and so what came
19 out of that were several recommendations around
20 diverse issues, housing, economic-housing and other
21 economic justice issues like employment and policing
22 and violence. And so we have been talking to the
23 Mayor's staff and agencies about a set of budget
24 proposals and we're also talking to Council now. Of
25 course we hope that this money gets put in for the

2 Mayor's side. In the event that it doesn't we seek
3 council support in getting funding for these
4 measures. I've attached a list of all of the things
5 that we're asking for on the second side of this
6 testimony, but I'm going to focus on our policing and
7 violence issues within this testimony. So, what
8 we're asking for is \$50,000 that would go to CCRB,
9 eventually be contracted out that will go towards
10 training and evaluation of how the NYPD works with
11 TGNC communities. You know, a recent report from the
12 Inspector General's Office of the NYPD outlined a lot
13 of deficiencies with respect to how the NYPD works
14 with TGNC communities including a lack of tracking
15 incidents, bias incidents with the LGBTQ people, and
16 inadequate training of officers and TGNC's
17 sensitivity provisions. These problems were also
18 brought up in the community at the borough forums
19 that went on, and so we are asking for funding that
20 would evaluate the training that is put on by the
21 NYPD. We'd like TGNC community members to work with
22 the NYPD and sort of reshaping the training, but we'd
23 also like evaluation money placed outside of the NYPD
24 so it's a little bit more independent to evaluate
25 what's going on, and also provide a little bit of

2 money to TGNC organizations to do Know Your Rights
3 literature in trainings to community members. So,
4 \$25,000 for evaluation and \$25,000 for Know Your
5 Rights literature, and I have 10 seconds left. So,
6 I'll just sort of leave the rest of the testimony.
7 Thank you very much for your time.

8 CHAIRPERSON RICHARDS: No problem. I'm
9 interest in why you would put the money through CCRB.

10 ANDREA BOWEN: Because we—again, we did
11 not want to go through the NYPD just so that there
12 would be someone outside of the NYPD doing sort of an
13 independent eval—evaluation. Yeah, and we trust the
14 CCRB as community members to do that kind of work.

15 CHAIRPERSON RICHARDS: Great. Alright,
16 thank you all for your testimony. Look forward to
17 continuing to work with all of you.

18 ANDREA BOWEN: Thank you.

19 CHAIRPERSON RICHARDS: Thank you.

20 GRACE SPINKS: Thank you.

21 CHAIRPERSON RICHARDS: Alright. We're
22 going to take a five-minute recess.

23 LEGAL COUNSEL: No, we adjourn.

24 CHAIRPERSON RICHARDS: Oh, we'll adjourn
25 this hearing [gavel] and we'll take a five-minutes

2 resource-recess and then we'll have the district
3 attorneys up.

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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 April 4, 2018