

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

----- X

January 11, 2021  
Start: 10:07 a.m.  
Recess: 3:02 p.m.

HELD AT: Remote Hearing - Virtual Room 1

B E F O R E: Adrienne E. Adams  
Chairperson

COUNCIL MEMBERS:

Justin L. Brannan  
Fernando Cabrera  
Chaim M. Deutsch  
Robert F. Holden  
Vanessa L. Gibson  
Carlos Menchaca  
I. Daneek Miller  
Keith Powers  
Kevin C. Riley  
Ydanis A. Rodriguez

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

Iris Baez  
Mother of Anthony Baez

Hawa Bah  
Mother of Mohamed Bah

Sammy Feliz  
Brother of Allan Feliz

Victoria Davis  
Sister of Delrawn Small

Victor Dempsey  
Brother of Delrawn Small

Chelsea Davis  
Chief Strategy Officer at Office of First Deputy  
Mayor

Thomas Giovanni  
Deputy Executive Assistant of NYC Law Department

Marcos Soler  
Chief of Staff at Mayor's Office of Criminal  
Justice

Juanita Holmes  
NYPD Chief of Patrol

Danielle Pemberton  
Deputy Commissioner for Strategic Initiatives of  
NYPD

Chauncey Parker  
Deputy Commissioner of Community Partnerships for  
NYPD

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

Elizabeth Daitz  
Executive Director for Strategic Initiatives at  
NYPD

Michael Clarke  
Managing Attorney of Legislative Affairs Unit

Frederick Davie  
CCRB Chair

Jonathan Darche  
Deputy Executive Director of CCRB

Kadiata Kaba  
Make the Road Youth Project

Michael Sisitzky  
NYCLU

Melissa Moore  
Drug Policy Alliance

Maryanne Kaishian  
Brooklyn Defenders

Charlotte Pope  
Girls for Gender Equity

Joo-Hyun Kang  
Communities for Police Reform

Keith Fuller  
Make the Road New York

Justine Olderman  
Bronx Defenders

Corey Stoughton  
Legal Aid Society

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

Marinda Van Dalen  
New York Lawyers for Public Interest

Albert Fox Cahn  
Executive Director of Surveillance Technology at  
NYU

Mary Renaldi  
GOSO

Yasmin Harris  
Anti-Violence Project

Cal Hedigan  
Common Access

Jasmine Boden  
AVP-TGNC

Carla Rabinowitz  
CCIT-NYC

Nabitu

Towaki Komatsu

Shaylee Severino



UNIDENTIFIED: Okay, thank you. Sergeant Bradley, would you please begin the computer recording? Cloud recording done. Sergeant Martinez, you may take it away with the opening.

SERGEANT AT ARMS: Good morning, and welcome to today's New York City Council hearing of the Committee on Public Safety. At this time, would all panelists please turn on their video? To minimize disruption, please silence your electronic devices, and if you wish to submit testimony, you may do so via email at the following address: [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Once again, that's [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your cooperation. We are ready to begin.

CHAIRPERSON ADAMS: [gavel] Good morning and thank you for joining today's virtual hearing of the Public Safety Committee of the City's Policy, Policing Reform Process. I'm Council Member Adrienne Adams, Chair of the Public Safety Committee. I'd like to acknowledge that we're joined this morning by my colleagues, Council Members Powers, Holden, Menchaca, Riley, and Louis. We're here today to hold an oversight hearing on the City's police reform and reinvention collaborative. This summer, our city and

our country were rocked by yet another example of how we under-value black lives. We watched the murder of George Floyd by a police officers by a police officer in Minnesota. Millions took to the streets to say that black lives matter and that we won't tolerate police brutality. As a result, in June, Governor Andrew Cuomo issued an executive order directing every city in the state to create a policing reform plan by April 1<sup>st</sup>. The City got a very late start, and it wasn't until October that the Administration started the process. Now, when the City announced that Jennifer Jones Austin [sp?], CEO and Executive Director of the Federation of Protestant Welfare Agencies, Arva Rice [sp?], President and CEO of the New York Urban League, and Wes Moore, CEO of Robinhood were key advisors who would work on the collaborative, I was extremely hopeful. I couldn't have asked for a more impressive group. Jennifer, Arva, and Wes are some of the most outstanding, dedicated New Yorkers that I know. And it's not just Jennifer, Arva, and Wes that were willing to serve and do the work. We've heard again and again from advocates that they feel totally shut out of this process. The City says they've been included, but if

the Police Commissioner and the Mayor aren't willing to give weight to their voices, if they don't allow them to be part of a truly collaborative process, then I'm afraid we're just wasting their time. Here we are. Here we are. seven months after the Governor's Executive Order, and I have nothing to review this morning, nothing to give you feedback on today, nothing concrete to speak of, to enlighten and inform of any progress at all. It's a real missed opportunity, and I question the value of the work you have done. Listening sessions with no direction aren't going to get us anywhere. I'm concerned about the NYPD's role here. It's not hard to see that they're leading this process, but I've yet to see a true commitment to reform from the NYPD. I question when they can partner-- whether, I question whether they can partner with others to reform themselves. Among other things, to envision a force that doesn't handle responding to every mental health call or offering services to the homeless, not to mention, reducing police misconduct and the excessive use of force, and mandating definitive consequences for bad behavior. If the leadership of the NYPD didn't get the message this summer on what's wrong with policing



1 in America and in New York City, I quite frankly  
2 don't know if they ever will. But I do want to work  
3 on this together. I want to get to a place where I  
4 trust that the Administration is working in earnest  
5 on this plan, but I need to see that you're serious.  
6 New Yorkers need to see that you're serious and what  
7 we don't need are empty promises or more "training"  
8 that will fix this. We can have new training all day  
9 and every day. We can have the best of the best come  
10 in to run training sessions. We can update the  
11 Patrol Guide. We can put in new roles to improve  
12 transparency, but if leadership is not committed to  
13 change, this plan won't be worth the paper it's  
14 written on. Culture eats breakfast-- culture eats  
15 policy for breakfast. So we need to see that the  
16 Administration is serious about more than just  
17 changes around the margin. Today is not just about  
18 hearing from the Administration, though. We're going  
19 to hear and listen to the people and the groups that  
20 have been on the ground doing this work for years and  
21 years. They didn't just come around to reform this  
22 summer. They actually live it, so I hope-- no, I  
23 expect that the Administration will have its people  
24 watching and listening to this hearing until the very  
25

end, and because this is so very important, I don't want everyone to wait until after the Administration testifies. We're going to do something different today. We're going to start today with the families of four New Yorkers who lost their lives because of police brutality, Anthony Baez, Mohamed Bah, Allan Feliz, and Delrawn Small. We need to start this hearing off by hearing this morning what's really at stake here. This is a matter of life and death, and before I turn it over to our moderator, I want to thank you all for being here today, especially the families. I know how difficult this must be for you, and I can't say enough how much I admire your courage and your determination to see things changed, as we all are, as I am, to see things finally change in this city, and we won't let you down. I'd like to acknowledge that we've also been joined by Council Member Rosenthal. I'll now turn it over to our moderator, Committee Counsel Danielle Addie [sp?] to go over some procedural items.

COMMITTEE COUNSEL: Thank you, Chair Adams. I'm Daniel Addis, Counsel of the Committee on Public Safety at the New York City Council. Before we begin testimony, I want to remind everyone that

you will be on mute until you are called to testify,  
at which point you will be unmuted by the host.

Members of the Administration who are testifying will  
not be muted during the Q&A portion of the

Administration testimony. I will be calling on

panelists to testify. Please listen for your name to

be called. Members of the Administration, I will

call on you shortly for the oath and then again when

it is time to begin your testimony. During the

hearing, if Council Members would like to ask

question of the Administration or a specific

panelist, please use the Zoom "raise hand" function,

and I will call on you in order. We will be limiting

Council Member questions to three minutes which

includes the time it takes to answer questions. All

hearing participants should submit written testimony

to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) if you have not already

done so. The deadline for written testimony is 72

hours after the hearing. Chair Adams has also asked

me to note for the public that we have a number of

witnesses scheduled to testify today. We expect this

to be a long hearing, but we will be reviewing

written testimony which is also part of the record in

case you need to leave before you are called to

1 testify. Before we hear from representatives from  
2 the Administration, there will be a panel of  
3 witnesses from impacted families. I'll just read  
4 those names quickly: Iris Baez, Hawa Bah, Sammy  
5 Feliz, and Victoria Davis and Victor Dempsey. Each  
6 panelist will be given three minutes to speak. For  
7 panelists, once you're called to testify, a member of  
8 our staff will unmute you and the Sergeant at Arms  
9 will set the timer, then give you the go-ahead to  
10 begin. Please wait for the Sergeant to announce that  
11 you may begin before delivering your testimony. I'll  
12 now turn to the first panel. Iris Baez?

14 SERGEANT AT ARMS: Time starts now. Ms.  
15 Baez, you have to click the unmute when it gets  
16 prompted on your screen.

17 CHAIRPERSON ADAMS: Ms. Baez, you're  
18 still on mute.

19 IRIS BAEZ: You hear me now?

20 SERGEANT AT ARMS: Yeah, you're good now.

21 CHAIRPERSON ADAMS: Yes.

22 IRIS BAEZ: I am Iris Baez, the mother of  
23 Anthony Baez. Anthony was murdered by NYPD  
24 [inaudible]. 1994 Labodi [sp?] put him a chokehold  
25 that was banned by the Police Department in 20 years

before Eric Garner was killed. I want to thank the Council Members Adrea [sic] Adams and Chair of Public Safety Community and the City Council for hearing the families first today. Members of the NYPD murdered-- the family of the NYPD that murdered. The under dangerous of little-- New York-- the killers of our children are not being held accountable for the murder of our children. I've been fighting nonstop police brutality and racism and violence for 26 years. I helped pass the City Council Law Safety Act, the Right to Know Act, the Repeal 50A, and Special Prosecutor Law. I sat next to Wen Car [sic] every day when Pantaleo discipline trial to make sure that there wasn't any perjury done there, to make sure that she was going to be okay, because they murdered her loved one and nobody got fired. I probably-- I'm proudly and only saying that I saw the police officers that murdered my son go to Federal prison. I'm the only one, but that doesn't-- and I didn't get justice. None of the family has gotten justice. We're tired, and promises from the government. Talk is cheap, but law created change if you don't have the courage to back it up. We have other families on the panel with me who are still fighting police

1 killing of their loved ones, Victoria, Victor have  
2 been fighting for five years for Dan Brielle [sp?]  
3 and Juan Issac [sp?] to be fired. I've been hearing  
4 that Governor Cuomo is asking for the city can tell  
5 you how that way New York is handling is terrible.  
6 The Governor-- the Mayor does not know how to put the  
7 police in its place. The city officials say they do--  
8 - they want reform from the police. They say what  
9 they think, but in here, behind closed doors they do  
10 what they want and say what they want. They don't  
11 really mean changes for the community of black and  
12 Latina.

14 COMMITTEE COUNSEL: I'm sorry, Ms. Baez?

15 IRIS BAEZ: Yes?

16 COMMITTEE COUNSEL: I'm sorry, we're just  
17 going to have to pause for one second. We're having  
18 some administrative issues, okay? Just give us oen  
19 second. Okay? I'm sorry.

20 IRIS BAEZ: Just give back one second.

21 COMMITTEE COUNSEL: Will do.

22 UNIDENTIFIED: Let's stop the time and  
23 just restart it. Just give us one second. Okay, Ms.  
24 Baez, you can begin. Can we restart the clock, Pedro  
25 [sic] to where she left off? Thank you.

IRIS BAEZ: You hear me?

SERGEANT AT ARMS: Yes, we can hear you.

You can begin.

IRIS BAEZ: After Anthony was killed 26 years ago, I organized town hall meetings. Police came, elected officials came. They said everything that the community wanted to here, but today there's no charge. Twenty years later, Eric Garner was choked to death. His mother had to fight for five years to get Pantaleo fired. De Blasio still hasn't fired Pantaleo. After Anthony was killed they retrained the police, but did nothing. You can retrain the police, but the police don't-- are not being trained properly. So all that money, that tax payer's money go to waste. The Mayors [sic] process [sic] is fake. We make no change. The only way make changes is to have other people, not the NYPD, not--

SERGEANT AT ARMS: [interposing] Time expired.

IRIS BAEZ: [inaudible] have took control of the process. Family like mine need help that leads. We need the City Council to be the people's voice. We need you to help make sure that the officials that killed Rongelle Mohamed, Kawatsi

[sp?], Anthony Williams, Allan Feliz, all fired immediately. We can't keep making families fight for years and years just to try to get an officer fired. We need to understand why the family support defunding the police. We need the black- we and the black and white Latino youth are the ones who suffered the most because of police violence. We need you to work with us so we can move some of the money from that Police Department to the community so our community can be safe from violence, including violence from the police. We need you to work directly with the families and people to pass strangle laws, pass strong law panel [sic] so Cuomo can perfect not shame and plan fake reform. We-- sorry. An activist and a leader murdered-- they put me in this position to be an activist and a leader after they murdered my son. I had no choice. Will you work with me so we can-- don't have to keep fighting the same fight years and years so we can really end police violence. Please let me know. Thank you and God bless you.

CHAIRPERSON ADAMS: Thank you, Ms. Baez.



COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Hawa Bah, mother of Mohamed Bah.

SERGEANT AT ARMS: Time starts now.

COMMITTEE COUNSEL: Hawa Bah?

HAWA BAH: Good morning. Can you hear me?

COMMITTEE COUNSEL: Yes.

HAWA BAH: Good morning everyone. My name is Hawa Bah. I'm the mother of Mohamed Bah who was killed on September 25<sup>th</sup>, 2012 in his own home. My son Mohamed Bah, I thank everybody today. I thank Chair Adams and everyone who in the audio today to listen to the family who lost a loved one in the police violence. My son, Mohamed Bah, was an honor student, taxi driver, hard worker. He was loved from the family and the neighbors. Mohamed was not feeling well. I sign [sic] like you are not happy. I flew all the way from Guinea to New York to help him. I call 911 to get him an ambulance. In sending the ambulance, the police came first. I told them I don't call police, go away. They told me this is how the system works, which is why we need to change the system. The police can fire [sic] Adrienne Matcho [sp?], Andrea Grace [sic], Michael Gray [sp?], shoot

1 Mohamed eight times in his own home. Adrian Matt  
2 [sic] fire their lost shots at close range when my  
3 son was already on the ground. That happened-- the  
4 official [inaudible] let that happen. I want for all  
5 of you help me continue pushing all the officers who  
6 involved killing my son, and the other people they  
7 should be fired immediately. This is happening on  
8 and on, and the NYPD who murder my son still  
9 collecting the NYPD paycheck without having any  
10 liability. First, we need accountability for our  
11 uniform [sic]. The NYPD cannot help the black and  
12 brown people. They should not [sic] respond for the  
13 emotional distress when somebody is suffering. It's  
14 not make no sense for someone with gun and come  
15 unless to discriminatize [sic] the person who's  
16 suffering and kill. Officer Matthew [sic], Andrew  
17 Cray [sp?], Michael [inaudible] are still working and  
18 collecting the paycheck from NYPD. They should be  
19 fired immediately.

21 SERGEANT AT ARMS: Time expired.

22 HAWA BAH: There is so many things you  
23 can learn from my son's story. First, we need  
24 accountability. The officers who murder my son and  
25 all the other, please they should be fired

1 immediately from the NYPD. I need you continue  
2 pushing for everything defunding the NYPD. That  
3 money should go in our community needs, like mental  
4 health, education, housing, and other necessary what  
5 our family need for safety. Finally, the Mayor and  
6 the City Council should defund the NYPD so that the  
7 money can go to do necessary need for our community.  
8 The only way to stop police violence and killing is  
9 to defund the police. That money should put in our  
10 community needs, the services. Thank you for  
11 everyone who listening me today, but just listening  
12 is not enough. I want you to create a space which you  
13 can act as you said.

14  
15 CHAIRPERSON ADAMS: Thank you, Ms. Bah.

16 COMMITTEE COUNSEL: The next panelist  
17 will be Sammy Feliz, brother of Allan Feliz.

18 SERGEANT AT ARMS: Time starts now.

19 SAMMY FELIZ: Thank you. Hello everyone.  
20 I am Sammy Feliz, the brother of Allen Feliz. On  
21 October 17<sup>th</sup> of 2019 my brother was unjustly stopped  
22 in his car, beaten, tasered [sic], shot and killed by  
23 NYPD Sergeant Johnathan Rivera, officers Michelle  
24 Almunsar [sp?] an Edward Barrett [sp?] in the Bronx.  
25 I remember oen day I fell into a wall while visiting

relatives in the Dominican Republic, and even though Allen was very young, he jumped in to help me. He could have run to get someone, but he risked his life to help me. His personality was already mature and caring. He stayed that way the rest of his life until NYPD took it. The day that they took Allan, Bravera [sp?] Almanzar and Barrett [sp?] falsely alleged he wasn't wearing his seatbelt, but when they got to the car door, they admitted he was. There is video of this. The stop should have ended there, but instead, NYPD escalated and moments later, my brother who was unarmed was dead. After Sergeant Rivera shot Allan, Officer Barrett aggressively yanked him limp body from the car, exposing his genitals. After this, none of the officers had the decency to cover Allan up. Instead, they left him bleeding in the road cut [sic] and exposed. In spite of this, Attorney General James did not charge these officers. Mayor de Blasio had nothing to say. The NYPD has taken no disciplinary action, and Rivera, Almanzar, and Barrett are still collecting NYPD paychecks. My family and I are calling for the Fire Sergeant Jonathan Rivera, Officers Edward Barrett and Michelle Almanzar. Sadly, my family's story is not unusual.

1 So many other families are fighting for  
2 accountability. As I stand with these other families  
3 by calling for the firing of the officers who killed  
4 Delrawn Small, Eric Garner, Antonio Williams,  
5 Kawasaki Tradewick [sp?], Mohamed Bah, and others  
6 lives who had been taken by the police. The NYPD,  
7 violence is a very serious problem in the city and  
8 the reform process following Governor Cuomo's  
9 Executive Order, it is its own big problem. Mayor de  
10 Blasio's response has been a sham from the start. He  
11 waited until the last minute to announce public  
12 meetings that has let the NYPD dictate the process.  
13 Community engagement has been an illusion and the  
14 meetings are just NYPD propaganda sessions. We need  
15 to reframe this process. If you want to form the  
16 police and make it a safer city, we have to take  
17 money from the NYPD and invest in our communities. We  
18 cannot afford for our communities to be starved for  
19 resources during the pandemic while the NYPD's budget  
20 is given special protection. We need resources for  
21 education and for healthcare. I work in a nursing  
22 home, and last year we didn't have enough money for  
23 PPE. If some of the NYPD's bloated six billion  
24 budget had gone to the nursing home I work for proper  
25

protection, we could have saved at least 30 lies where I work. The City Council and the Mayor must act by substantially defunding the NYPD in the FY 22 budget, and this can be done by reducing the NYPD's roles in our lives. Get the NYPD out of traffic enforcement, mental health responses--

SERGEANT AT ARMS: [interposing] Time expired.

SAMMY FELIZ: schools, and social services, and cut their headcount. Violent abusive officers like Rivera, Barrett, Almanzar, and other officers I named earlier, defund the NYPD of their salaries and benefits, defund the NYPD of the cost of their misconduct, civil suits and judgments, and settlements from the year before. The worst police units in precincts which are sued much more should get even bigger cuts. Finally, I close by saying, you who are watching this hearing live or reading about it later, put pressure on the Police Commissioner, the Mayor and the City Council to make real change. That means taking it to the streets by marching for justice for Allan Feliz, Delrawn Small, Eric Garner, Kawaski Tradewick, Mohamed Bah, Antonio Williams, and others who have been unjustly killed by

the NYPD in our own city, just like so many marched for George Floyd. Thank you all for your time and God bless.

CHAIRPERSON ADAMS: Thank you very much, Mr. Feliz.

COMMITTEE COUNSEL: Thank you. And the last panelist of this panel will be Victoria Davis and Victor Dempsey, siblings of Delrawn Small.

SERGEANT AT ARMS: Time starts now.

VICTORIA DAVIS: Okay, can you guys hear me. Okay. So, my name is Victoria Davis and I am the sister of Delrawn Small. I'm going to thank you, Speaker Johnson, Council Member Adams, and the rest of the Council Members present today for taking the time to listen to my testimony and the testimonies of other families whose loved ones were killed by NYPD. I hope and expect that Mayor de Blasio and the NYPD are listening to myself and all families. Two years ago my brother and I testified before the City Council on the failures of the NYPD to discipline officers and the systems in which they discipline or lack of. We told the story of our older brother Delrawn Small who was on his way home from a Fourth of July barbeque in 2016 when he was shot and killed

by Officer Wayne Isaacs who was off-duty at the time, but still operating in the capacity of NYPD officer when he killed Delrawn. Delrawn was killed in front of his girlfriend, his step-daughter, and his four-month-old baby. Delrawn was killed one day before Baton Rouge killed Alton Sterling and two days before Minnesota police killed Philando Castile. Officers in those cases were fired, but almost five years later we are still fighting to get Mayor de Blasio and NYPD to serve discipline charges on Wayne Isaacs for murdering our brother. The CCRB substantiated charges against Isaacs in October and sent them to the NYPD. It is now three months later, and as far as I know, the NYPD still hasn't served those charges on Isaacs. I believe the NYPD is trying to avoid firing Isaacs by continuing their years of delay and playing games with our family and with fellow New Yorkers. I work for the City, and my job was more in jeopardy than Isaacs, because I had to take a leave to attend trial against Isaacs that the Attorney General did, and I had to take time off to organize and rally for justice for my brother. I can tell you now that if I had killed someone in cold blood and lied the way Wayne Isaacs did after murdering my



brother, I would have been fired from this city immediately. Delrawn was my brother, but he was also like my father. He was also like a father to myself and my younger brother Victor after our mother died. She died when we were small children. I gave birth after the trial, and as a result of that unjust verdict, I ended up naming my son Justice, because that's what we continue to fight for, Justice, and that's what I'm demanding and hoping to get. I am here today for Delrawn, but I am also here for every black New Yorkers and New Yorker of color who has experienced violence by the NYPD. Officers like Wayne Isaacs are dangerous. They're a danger to New Yorkers and should be fired immediately. There is no reason why families like the families of mine, Mohamed Bach, Kawaksi Tradewick, Antonio Williams, Allan Feliz should be here fighting for all of these years after these murders and officers haven't been fired. We need you to take our demands very seriously, and defunding the NYPD and allocating those funds to building communities and programs that will keep communities safe. We are not campaigning to defund the police out of vengeance. We're fighting for a decrease to the NYPD's outsized power. I have

1 a background in health education, and I can tell you  
2 now that part of the problem is that we let the NYPD  
3 run the City instead of understanding many things  
4 that are needed as a public health approach, and  
5 those are things that will keep New Yorkers safe. I  
6 believe that I'm running out of time, but lastly, I  
7 would just say that I'm hoping that you all will  
8 stand with us to make sure that we cut the power and  
9 the budget of the NYPD. They should not have the  
10 power that they have to be in spaces where they do  
11 not belong, especially mental health and the  
12 education system. Our community should have power  
13 and we should have power over our communities to keep  
14 our communities safe. I hope you all will stand with  
15 us, and I hope you are hearing us, and you all will  
16 continue this fight and journey with us. Fire Wayne  
17 Isaacs.

19 VICTOR DEMPSEY: Morning everyone. My  
20 name is Victor Dempsey. I'm also the brother of  
21 Delrawn Small. As my sister just stated-- well,  
22 first, I want to thank the Public Safety Committee  
23 Chair Adrienne Adams and members of the Public Safety  
24 for allowing us to give testimony today. As my  
25 sister said, we've been at City Council numerous

time. We're here again, once again, to discuss the urgent need for comprehensive change to public safety and policing in our city. We along with other families know too much about the NYPD and the lack of accountability and the deadly violence they do in our lives every single day. As my sister said, Delrawn was killed in front of his girlfriend, step-daughter, and four-month-old baby by Wayne Isaacs, more than four and a half years ago. Isaacs rolled his window down forcibly, shot my brother three times, and as Delrawn was dying in the street, Isaacs called 911 for himself. There's video recordings for that. He did not call 911 and say there's a man dying in the street, he called for himself falsely claiming he was attacked. He never even told 911 that someone who needed aide, and he didn't try to provide any aide himself. He literally let our brother die in the street. In the years since Delrawn was killed, we have gotten to know many other families, locally and nationally, that have faced the same struggles as us. The NYPD and the Mayor used deliberate tactics to delay and block accountability to protect officers from the consequences of their wrong-doing. It's almost impossible to get an NYPD officer fired when

they kill or brutalize black, Latino, or other people of color in the City, and that is wrong. But let's get to this piece. Last year, when Governor Cuomo called for Mayor de Blasio and other leaders in the cities and towns throughout the state to reform policing, I was skeptical because I know personally the resistance of the Mayor standing up to NYPD, but I know and the families that are here today know, the NYPD's power must be checked. I've been following the NYPD's process responding to the Governor's Executive Order, and I can tell you that it's fake. The community engagement have been the propaganda session for the NYPD. There is no real engagement. They're going to tell you that they've engaged with hundreds of thousands of people, but honestly it's all fake. I know this because I was literally present in the audience in the Facebook [sic] at five of those events. I too am a City worker. And even if it wasn't fake, the NYPD shouldn't be the ones running the process. The fact that the Mayor has left them to do so is the reason, let alone, why they can act with impunity. This executive order came down and asked for this, for NYPD to work with community groups, stakeholders, the voices of the people, and

that was not done. The process from the Mayor and NYPD has been largely happening behind closed doors with almost no transparency. We need to make a plan that-- that is not-- that is being directed by NYPD, the same people who already refuse to do the bare minimum is a sham process. The mayor and the NYPD won't even serve the discipline charges against Wayne Isaacs that CCRB sent them months ago, literally last year, and there is no excuse for that. Our family hasn't even heard anything else about it. As a City Council, we need you to be the people's voice. We need you to work with us, the families and the groups that we trust, to make sure that people who killed our loved ones are fired. Families are the experts in this field. We are the ones fighting day in and day out, not sleeping, running out of bereavement time, sacrificing everything in our personal lives to seek justice, and not only justice, but also seeking accountability for not only our loved ones, but for the communities that we live in so it doesn't happen to their families the way I's happened to us. I, like the other families, want to see Isaacs-- want to see the officers who killed, brutalized and disrespect our communities fired. We

1 want to see the NYPD's power cut so they can't run  
2 the city the way they've been doing. We need money  
3 from the NYPD to the Crisis Management System and  
4 Violent Interrupter groups and other needs so that we  
5 can have real safety in our city. I know this,  
6 because again, I'm a city worker and I work directly  
7 with the Cure Violence sites, and I see the work  
8 these men and woman do day-in and day-out on the  
9 ground by making some change. We don't need more  
10 police in our communities. I hope you will work for  
11 us to make sure that Wayne Isaacs is fired, and that  
12 as a city we do some real thinking and creative  
13 public safety that isn't only about police. I know  
14 that's my time, and I really, really appreciate it.  
15 Thank you, again, Council Member Chair Adams for  
16 giving us the time for this testimony.

18 COMMITTEE COUNSEL: Chair, do you have  
19 any questions?

20 CHAIRPERSON ADAMS: I do. Before-- well,  
21 I don't really have any questions, just a comment on  
22 the significance of hearing these families. You  
23 know, we did this this morning because things are  
24 typically done the opposite. We usually hear from  
25 the Admin and others, and then they have an

1 opportunity to leave, and quite frankly that has been  
2 a sticking point for me as a Council Member for my  
3 term here. I'm in my third year now, and that's  
4 always been something that has bothered me about  
5 Council hearings is that we don't have the folks that  
6 need to hear from the families, from the public  
7 sticking around and hanging around and paying them  
8 the respect that they rightfully deserve. So, I just  
9 thought that, you know, our first time out today in  
10 this hearing, myself chairing this committee, that we  
11 would just start off on a bit of a different footing,  
12 especially given the subject matter. So, to the  
13 families, my heart continues to go out for you.  
14 Prior to becoming a Council Member, I was and still  
15 consider myself out there fighting the good fight.  
16 So, we're going to do our best to get this done, and  
17 just know that I sincerely appreciate your time this  
18 morning. I carry your loved ones in my heart and  
19 sincerely feel, sincerely, sincerely feel for your  
20 loss. We're going to continue to do this work  
21 together. Thank you so much for your testimony  
22 today.  
23  
24  
25

COMMITTEE COUNSEL: And Chair, I believe we've been joined by a few Council Members. Would you like to--

CHAIRPERSON ADAMS: [interposing] Yes. Yes. We have been joined by Council Members Lander, Rodriguez, Gibson, Cabrera, Majority Leader Cumbo, Council Members Rose, Deutsch, Levin, Koo, and Miller.

COMMITTEE COUNSEL: Thank you. Next, we will hear from representatives of the Administration. The panelists to give testimony will be the Chief Strategy Officer of the Office of the First Deputy Mayor, Chelsea Davis, Deputy Executive Assistance of the New York City Law Department, Thomas Giovanni, Chief of Staff of the Mayor's Office of Criminal Justice, Marcos Soler, Chief of Patrol, the New York City Police Department, Juanita Holmes, Deputy Commissioner for Strategic Initiatives of the New York City Police Department, Danielle Pemberton, Deputy Commissioner of Community Partnerships for the New York City Police Department, Chauncey Parker, Executive Director for Strategic Initiatives at the New York City Police Department Elizabeth Daitz, and Managing Attorney of Legislative Affairs Unit, the



New York City Police Department Michael Clarke.

Before we begin testimony, I will administer the oath to all members of the Administration who will be offering testimony or will be available for questions, please raise your right hands. I will read the oath and then call on each of you individually for a response. Please raise your right hands. Do you swear or affirm to tell the truth, the whole truth and nothing but the truth before this committee and respond honestly to Council Member questions?

Ms. Davis?

CHELSEA DAVIS: Yes, I do.

COMMITTEE COUNSEL: Mr. Giovanni? Thomas Giovanni?

THOMAS GIOVANNI: Yes.

COMMITTEE COUNSEL: Mr. Soler?

MARCOS SOLER: Yes, I do.

COMMITTEE COUNSEL: Chief Holmes?

CHIEF HOLMES: I do.

COMMITTEE COUNSEL: Deputy Commissioner Pemberton? Deputy Commissioner Pemberton?

DEPUTY COMMISSIONER PEMBERTON:

[inaudible] I do.

COMMITTEE ON PUBLIC SAFETY

34

COMMITTEE COUNSEL: Thank you. Deputy  
Commissioner Parker?

DEPUTY COMMISSIONER PARKER: Yes, I do.

COMMITTEE COUNSEL: Executive-- Ms.  
Daitz?

EXECUTIVE DIRECTOR DAITZ: I do.

COMMITTEE COUNSEL: And Mr. Clarke?

MICHAEL CLARK: I do.

COMMITTEE COUNSEL: Thank you all. Now,  
I invite Ms. Davis to begin the Administration  
testimony.

CHELSEA DAVIS: Good morning, Chair  
Adams, Council Members, members of the Public Safety  
Committee. I want to start by thanking Ms. Baez, Ms.  
Bah, Mr. Feliz, Ms. Davis, Mr. Dempsey for speaking  
this morning. It's certainly an understatement to say  
that I'm humbled and honored to speak after you. I  
really want to thank you for sharing your experience  
and for all the work that you've done. My name is  
Chelsea Davis, Chief strategy in the Office of the  
First Deputy Mayor. I'm joined by Thomas Giovanni,  
Deputy Executive Assistant from the Law Department  
who's helping support the collaborative, Marcos  
Soler, Chief of Staff from the Mayor's Office of

Criminal Justice. I'm also joined by colleagues from the Police Department, Juanita Holmes, Chief of Patrol, Danielle Pemberton, Deputy Chief for strategic initiatives, Chauncey Parker, Deputy Commissioner for Community Partnerships, Elizabeth Daitz, Executive Director of Strategic Initiatives, and Michael Clarke, Managing Attorney of the Legislative Affairs Unit. Thank you for inviting us to discuss the important topic, and we do certainly look forward to staying today for the duration of the hearing. The Mayor has seized the opportunity presented by Executive Order 203 to fully engage all communities in creating shared vision of public safety and rebuilding mutual trust between police and the people they serve. I'll provide a brief overview of the Executive Order, describe the framework of the reform and reinvention collaborative working group under the leadership of the First Deputy Mayor, explain the City's engagement strategy and discuss themes that you're likely to see in the reform plan that will be posted for public comment. All policy changes still under careful consideration and we'll be releasing the draft reform plan soon. I want to begin by saying that while Executive Order 203

1 outlines a process and timeline for developing and  
2 improving a reform plan for increasing community  
3 police relationships and reducing disparities in  
4 policing, we'll continue to work to ensure that  
5 policing reflects the needs of the communities we  
6 serve long past the April 1<sup>st</sup> deadline for this  
7 reform plan. The EO is an opportunity to focus on the  
8 most urgent and impactful policy changes in  
9 collaboration with community members and leaders,  
10 police reform experts and justice advocates. Our  
11 mission must also be to set up permanent structures  
12 for ongoing reform that will last far past April 1<sup>st</sup>  
13 into future Administrations and departments. We aim  
14 to continue finding ways to address long-standing  
15 policing concerns, concerns raised by communities  
16 that have historically borne the brunt of over-  
17 policing. We know that cannot happen overnight. The  
18 Administration is committed to police reform, more  
19 than seven years ago. We'll continue to seek and  
20 find ways to address concerns raised by communities  
21 most impacted by over-policing. We're equally  
22 committed to ensuring that NYPD recruits retain,  
23 train, and promotes diverse and resilient  
24 professionals who always reflect the values of the  
25

communities they serve. Finally, we recognize that public safety and quality of life in New York City is not the sole responsibility of the Police Department. We'll continue to find ways to allocate city resources appropriately across agencies to ensure that not every condition or crisis triggers a law enforcement response. Executive Order 203 requires every local government in New York State to create a police reform and reinvention collaborative. It was signed during a period of national and local unrest following a number of incidents with police that resulted in the recent deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, among too many others. The order which recognizes the longstanding and painful history of discrimination and mistreatment of communities of color in New York State. Also, specifically list some of the New Yorkers, including New York city residents who have been killed by police officers, Anthony Baez, Delrawn Small, Amadou Diallo, [inaudible] Zang [sic], Sean Bell, Ramarley Graham, Patrick Dorismond, Mohamed Bah, Allan Feliz, Akai Gurley, Eric Garner, an obviously incomplete list, the order directs Police Department across the state to perform a comprehensive review of work all

current, procedures and practice, as well as to consider creating new practice and structures entirely. The Executive Order directs local governments to adopt a policing reform plan by April 1<sup>st</sup>, 2021. The order directs the Chief Executive of such local government to convene the head of the local police agency and stakeholders in the community to develop a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations and innovations to policing deployments, strategies, policies, procedures, and practices tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability and transparency which seek to reduce racial disparities in policing. On August 17<sup>th</sup>, 2020, the state published resources and guide for public officials and citizens, a workbook to aid government and communities with the reform and reinvention collaborative process and final product. The plan must be offered for public comment to all citizens and then after a consideration of such comments presented to the local legislative body for

adoption by April 1<sup>st</sup>, 2021. All of this work starts with meaningful community and stakeholder engagement. The City's Reform and Reinvention Collaborative was convened by the First Deputy Mayor in partnership with the Police Commissioner as required by the Executive Order and includes leaders across City Hall, at the Mayor's Office of Criminal Justice, Community Affairs Unit, Legislative Affairs Unit and the New York City Law Department along with three extraordinary community leaders, Jennifer Jones Austin [sp?] from the Federation of Protestant Welfare Agencies, Wes Moore from the Robin Hood Foundation, and Arva Rice [sp?] from the New York Urban League. Let me take this opportunity to thank them for their time and hard work and service to the City of New York. In the first phase of community engagement, the NYPD hosted eight open meetings across all patrol boroughs, plus one citywide multilingual meeting simultaneously translated into 10 languages. These meetings consisted of a brief presentation on recent policing reforms and an open dialogue facilitated by co-sponsors, community members, and leaders including generous volunteers from the New York Peace Institute, Cure Violence Community, Center

for Court Innovation, Youth [sic] Build Staten Island, Queens Bridge Tenant Association, and others. All these events and videos remain available on the NYPD YouTube channel. The collaborative also hosted a separate session to engage those in communities most impacted by policing, led by the incident co-sponsors. These impacted-- for multiple meetings. Impacted communities were identified using New York City Department of Health data on incarceration rates overlaid with Community Board boundaries and an aggregate of 311, 911, use of force, shooting incidents, shooting victims at CCRB rates [sic]. Our co-sponsors, Jennifer Jones Austin, Arva Rice and Wes Moore hosted meetings that encouraged and supported individuals who spoke candidly about their lived experiences, often in economically disadvantaged communities of color in New York. During the second phase of the engagement strategy, the collaborative hosted an additional 32 meetings with external stakeholders including community-based organizations, advocacy groups, clergy, racial justice advocates, Cure Violence providers, ethnic and religious organizations, nonprofits, LGBTQIA community leaders, the deaf and hard-of-hearing community, tenants



associations, shelter-based and affordable housing communities and providers, people who are justice-involved, crime victims, policy experts, prosecutors, oversight bodies, elected officials, and many others. In order to succeed, we understand that reform must happen with police rather than to them. To that end, the collaborative also hosted 13 meetings with uniform and civilian members of the NYPD. These meetings paralleled the impacted community meetings, focused on members assigned to work in the same neighborhoods. Uniform and civilian members of all ranks, ages, races, genders, orientations, ethnic background, and assignments participated along with leaders from NYPD's police union, and 36 different fraternal organizations. The City recognizes that fulfilling the order's directive requires the creation of a plan that seeks to achieve several fundamentally important outcomes to eliminate unnecessary and excessive force, eliminate racially-biased policing, to create policies that respect and reflect the perspectives of the most heavily-policed communities, to apply principles of restorative justice and reconciliation to increase community trust, to address areas of police culture that acts

as impediments to the achievement of reform, and perhaps most importantly, to create new and permanent structures to achieve, monitor, and develop new and ongoing policy reforms through genuine community engagement and stakeholder engagement with NYPD. Achieving reforms in these areas both as to outcomes and process will result in a better, safer, more lawful environment for all New Yorkers, most especially those in heavily impact communities. The city has identified key parts of the reform agenda that can bring us closer to achieving our goal, leading us to develop a shared vision for public safety with all New Yorkers and address the needs identified in the Executive Order. Taken together, this framework offers a vision of policing in New York City that delivers better results for communities as well as members of the NYPD. One area with mere universal support, including for members of the NYPD, is improving the disciplinary process. The plan will ensure greater transparency, accountability and discipline within NYPD, and the City will take long-term steps to ensure robust, consistent, external oversight. We will also continue to work closely with local communities to implement a shared

vision for service response and public safety that includes law enforcement as a supportive partner, but does not force officers into roles that other service providers can satisfy more effectively. The plan will also focus on improving interactions between policing communities through culture change, policy change, and tactical change, such as implementing recommendations made by DOE and law after investigating this summer's protests. The collaborative is also exploring new robust programs that combat racial bias and create strong and lasting bonds between policing communities. Additionally, the City will provide New Yorkers with opportunities to give their feedback to the Department in the development of both policy and training, a model that was imperative in the development of the agency's new disciplinary penalty guidelines which will be published January 15<sup>th</sup>. All New Yorkers are critical stakeholders in how they are policed, and the NYPD is committed to including more voices in all manners of processes that were previously internal to the Department. Finally, the City is committed to greater diversity, equity, and inclusion throughout NYPD, and we'll support members of service with the tools they

need to promote mental health and safety as a means towards resiliency and improving officer performance.

Before closing, I must note that at every public event so far held, the single most common word used by community members a swell was police is respect.

While not a policy itself, concepts of respect can and will be infused into measurable policies and practices. We must do this. We look forward to

coming back to Council after the draft plan is published for feedback from members and from the public. This process is iterative, collaborative, and ongoing. We're confident that this framework reflects what is being voiced by community members and demanded by these times. But at the same time we recognize that large-scale policing reform is a long-term, multi-layered evolving commitment that requires flexibility and requires continuous communication.

We're fully committed to this process. We look forward to future conversations with the Council and working with you to create a plan that will make our city safer and more equitable for generations to come. Thank you, and my colleagues and I are now happy to answer any questions you may have.

COMMITTEE COUNSEL: Thank you. I will now turn it over to Chair Adams for questions. Panelists from the Administration please stay unmuted if possible during this question and answer period. Reminder to Chair Adams, you'll be in control of muting and unmuting yourself during this period. Thank you, and Chair, you may begin.

CHAIRPERSON ADAMS: Thank you, Counsel. Before we go on, I just want to note that we're aware that there have been technical difficulties this morning with this live stream. So, we just want folks to know my office has received phone calls. We're trusting that everything is back in order. We were told that the screen went blank for a little while. So, just want to make sure that we're up and running and everything is streaming properly at this time.

UNIDENTIFIED: Yes, Chair Adams. We are in room one now, and we will make sure to have the video up as soon as the hearing is over.

CHAIRPERSON ADAMS: Terrific. Thank you very much.

UNIDENTIFIED: Not a problem.

CHAIRPERSON ADAMS: We've also been joined by Council Member Brannan. So, with that, Ms. Davis,

thank you very much for your testimony this morning.

I do have questions, and this really would be for anyone testifying on the administrative side of the house. Can any of you say whether or not you've read the state's guidance on the collaborative?

CHELSEA DAVIS: Yes, thank you for that question. We've absolutely read, obviously, the Executive Order and the state's guidance on the collaborative. We believe that the collaborative so far, the plan we have in place for engagement, for engaging as many stakeholders as possible, accepting all recommendations and publishing a plan, you know, in the coming weeks for public comment before bringing it to council for ratification on or before April 1<sup>st</sup> reflects what we've read in the Executive Order and in the guidance.

CHAIRPERSON ADAMS: Okay, so that said, I guess I'd like to know why the City's not following the suggested timeline or the transparency guidelines in the guidance then?

CHELSEA DAVIS: sure. So, in terms of the timeline, we absolutely understand the urgency of creating this plan. I believe we've reached out to many members of Council to have meetings and hear as

much feedback as possible. However, we are not looking at this effort as just something that's going to be completed by April 1<sup>st</sup>. Our goal is to make sure that what we're doing is creating permanent structures for meaningful engagement, and that in and of itself is a key reform. So, even if some of the milestones which I'm happy to talk more specifically about don't align exactly with the guidelines. We're very committed to this process and to making sure that there is enough time for a full engagement and public comment before any plan is decided on.

CHAIRPERSON ADAMS: Okay, well [inaudible] or agency is actually responsible for drafting the plan? Has it even started yet?

CHELSEA DAVIS: Sure. So this effort is being led by the First Deputy Mayor in collaboration with the Police Department, Mayor's Office of Criminal Justice, and many other stakeholders in City Hall. The Mayor's Office will be presenting the plan in collaboration with the co-sponsors Jennifer Jones Austin, Arva Rice, and Wes Moore for public comments.

UNIDENTIFIED: The First Deputy Mayors Office is the one directed to be responsible for the contents of the plan that is put before you.

CHAIRPERSON ADAMS: Okay, so it is the First Deputy Mayor's Office.

CHELSEA DAVIS: That's right.

UNIDENTIFIED: The Executive Officer-- the Executive Order directs the Mayor to come up with this plan, and then the Mayor has directed the First Deputy Mayo to be responsible to come up with the content of the plan that will be submitted to the Council.

CHAIRPERSON ADAMS: Has any content started yet? Has anything started on the ground floor as far as content?

CHELSEA DAVIS: So we are working very diligently to come up with a plan that can be shared for public comment. We have absolutely started to think through what policy and what kinds of structures are appropriate for the framework that we put forward. Fundamentally, our plan will center around the need to create a public safety system that fosters a safe and equitable environment for all New Yorkers, and we'll focus on mechanisms for transparency for accountability at the individual level and at the systemic level as well as culture change. I will also add that we are going to be



1 putting up a website that will be dedicated to this  
2 process that will detail a lot of meetings that we  
3 can talk through today as well as we'll be where you  
4 can find the link to the public report. Currently  
5 NYPD posts a very significant amount of data on their  
6 website, and through their website and their YouTube  
7 channel you can access many of the public meetings  
8 that were had for this process.

10 CHAIRPERSON ADAMS: Okay. So, the  
11 timeline says that you should have already identified  
12 measurable goals by now. Have you done that?

13 CHELSEA DAVIS: Yes. As I said in my  
14 testimony, we have identified major goals for reform.  
15 I'm happy to reiterate those. Our--

16 CHAIRPERSON ADAMS: [interposing] Can you  
17 give us some examples?

18 CHELSEA DAVIS: Sure. Our major goals  
19 are the elimination of excessive an unnecessary  
20 force, the elimination of racially-biased policing, a  
21 policing culture that reflects and promotes the  
22 values of New York City, policing that's transparent  
23 and holds officers accountable in a matter that's  
24 swift consistent and fair at the individual officer  
25 level and the level of the Department, the systemic

level. We're committed to as part of this process developing robust, independent oversight of policing, of creating regular, respectful, and productive engagements with communities, and permanent structures for those engagements that will last far past the April 1<sup>st</sup> deadline. Our goal is to create policing responses that are calibrated to having the lightest touch necessary to maintain safety, and a department that supports officers with the training tools and resources that they need. But also as I said in the testimony, our main goal is to make sure that all of our communication and engagement is infused with trusting communities and in respecting and privileging the experiences and the voices of people who have been impacted by over-policing and racially biased policing in New York City.

CHAIRPERSON ADAMS: So, you're talking a lot about collaboration now. So, can you provide us with a list of all of the stakeholders you've had meetings with so far?

CHELSEA DAVIS: I absolutely can follow up with a-- like a detailed list of all the stakeholders that we have met with so far. The list has included hundreds of organizations and

1 individuals. It includes policy experts, community  
2 groups, impacted community members, members of  
3 service, oversight agencies, clergy members. I'm  
4 happy to follow up with a detailed list of who we've  
5 spoken to individually and who's been representing  
6 what organizations.

8 CHAIRPERSON ADAMS: You're also working  
9 with the DA's offices. Have they given you any  
10 recommendations?

11 CHELSEA DAVIS: We are. The  
12 collaborative hosted a meeting with all of the  
13 District Attorney's offices to get their  
14 recommendations for this process. I'll also add that  
15 the Mayor's Office of Criminal Justice obviously has  
16 very regular communication and engagement with all  
17 criminal justice stakeholders, including the District  
18 Attorneys, and I'll allow Marcos Soler from the  
19 Mayor's Office of Criminal Justice to speak to what  
20 that engagement has been like as well.

21 MARCOS SOLER: Thank you, Chelsea. Our  
22 office regularly has a stand [sic] with any other  
23 reforms whether it's Close Rikers, other initiatives,  
24 meets regularly with all institutions in the city,  
25 obviously the DA's office is one of them. We have

also met in the past with members of the Defense Bar and certainly with a lot of community organizations, CMS groups, etcetera, [inaudible].

CHAIRPERSON ADAMS: Are you working with any outside experts or consultants?

CHELSEA DAVIS: So, we are working very closely with the three co-sponsors, Jennifer Jones Austin, Arva Rice, and Wes Moore, and I will-- as a leader and co-facilitator of many of the stakeholder meetings, I will leave it to Deputy Commissioner Parker to talk through some of our other partners and some of our other engagement strategies and to talk a little bit about the major content of what we've heard so far from this meeting.

CHAIRPERSON ADAMS: What about the federal monitor from the Stop and Frisk case?

CHELSEA DAVIS: The collaborative has had a meeting with the federal monitor focused on recommendations for this plan as well.

CHAIRPERSON ADAMS: Okay. I'm going to shift gears just a little bit before I get my colleagues into this. I just want to start talking about leadership. If we don't have leaders that are committed to reform, then none of this is really

CHELSEA DAVIS: We're very grateful to the-- to DOI for their report. I think the Mayor has been clear that we are accepting all of the

1 recommendations and part of this plan will be  
2 creating implementation plans for those  
3 recommendations. He's also clear that we're grateful  
4 and accept all the findings of the report, and I  
5 believe he also has said that there were certainly  
6 things that he wished everyone had done differently.  
7 I believe that report was thoughtful and well done  
8 and well documented, and I think those many  
9 significant recommendations we are really looking  
10 forward to building plans to implement, including the  
11 plan to consolidate independent external oversight  
12 which we believe will have really positive  
13 implications for accountability. I will leave it to  
14 the Police Department to talk through their  
15 leadership and their Department's commitment to  
16 implementing these recommendations and to speak to  
17 how seriously we take these findings as well.

18  
19 CHAIRPERSON ADAMS: Do you think that  
20 it's a problem that some officials are refusing to  
21 acknowledge that anything went wrong at all?

22 CHELSEA DAVIS: I think that yes, the  
23 Mayor and we are clear that we accept the findings of  
24 that report and are absolutely committed to making  
25 sure that improving accountability is part of this

1 plan. We absolutely need that accountability to  
2 create mutual trust between police in communities.  
3 The core function of PD is to protect and serve the  
4 public and to be able to do both effectively,  
5 officers have to have the trust of the communities  
6 where they work.  
7

8 CHAIRPERSON ADAMS: So, Ms. Davis, can  
9 leaders who refuse to acknowledge mistakes help to  
10 implement real change?

11 CHELSEA DAVIS: Something that we have  
12 heard over and over again through almost every  
13 community meeting that we have done is that in order  
14 to build trust, in order to move forward and have  
15 real accountability, it's absolutely essential to  
16 acknowledge harm that's been done. That's why one of  
17 our explicit goals is to move forward and have-- you  
18 know continue engagement based on the principles  
19 of restorative justice and reconciliation which  
20 absolutely requires that acknowledgment of past harm  
21 is done and that's essential for the accountability  
22 that we're talking about and for building trust. And  
23 we'll--

24 CHAIRPERSON ADAMS: [interposing] Okay,  
25 but you know, we're trying to really peel back, you

1 know, the layers of this onion and to be as  
2 forthcoming and truthful as possible when it comes to  
3 complying with this Executive Order. So, in all  
4 actuality it looks like the Mayor is letting NYPD  
5 take lead here. That's what it looks like. Do you  
6 think that an agency should be charge of reforming  
7 itself? You think that's possible?

9 CHELSEA DAVIS: I absolutely don't think  
10 that's possible, but I want to reiterate that the  
11 Reform and Reinvention Collaborative is led by First  
12 Deputy Mayor Dean Fuleihan. We are partnering with  
13 Mayor's Counsel with intergovernmental Affairs with  
14 many other partners within City Hall, the Mayor's  
15 Office of Criminal Justice, our Community Affairs  
16 Unit and the NYPD, as dictated by the Executive  
17 Order. We also see Jennifer Jones Austin, Arva Rice,  
18 and Wes leaders and really thank them for their  
19 leadership here as well. I think that Police  
20 Department are key partners in reform, especially as  
21 we have heard from so many members of service that  
22 they have very similar feedback, as many community  
23 members, especially in terms of the need for  
24 reforming and improving the disciplinary process.  
25 So, as I said in my testimony, we have to make sure



THOMAS GIOVANNI: Also, I would like to add that this process is not only iterative and evolving process for the city, it's one for us as well, and we understand the perspective that people have about the beginnings of this process and why they feel what they feel about the composition and nature of the meetings early on. But I would suggest that we continue to look at the process, look at the more recent meetings [sic] and look at the inertia and energy that have been developed as this process has grown, and we learned even more about to engage. I think you will see a difference between early engagement and the recent engagement, and again, you're hearing from the Administration about our continued commitment to new engagement. There is [inaudible] that I want to suggest is gas-lighting in a sense that what people perceived wasn't real, what they perceived is real and we reacted to it by

changing the way of our engagement. We will continue to adjust our engagement based upon what we hear from [inaudible].

CHAIRPERSON ADAMS: But respectfully, and thank you for that. Respectfully, it was NYPD that actually announced this, rolled this out, and basically why did-- why has the NYPD hosted all meetings so far, in perception?

THOMAS GIOVANNI: well, they haven't actually. To be-- they have been the vehicle to engage the community first, the structure, but they have not actually controlled or led the meetings in that sense. Part of this endeavor, especially in the listening sessions, though, is to actually hear from the communities that were harmed, and it would be inappropriate I think to impose another person or another entity in between police and those community members. Deputy Commissioner Parker has actually had to sit and actually engage with that negative community voice that has been out there in a way that would not have happened if police weren't central to this activity. They do need to be in the room. They do need to be hearing the information directly from community members. You're very correct, as Chelsea's

1 already said, they do not need to be in total control  
2 of this process, and they are not, but they should be  
3 first and foremost to hear from the community about  
4 what we've done and about what needs to be done. So,  
5 in that sense, we do need to perhaps calibrate how  
6 this is getting received, but they should be there  
7 and they should be at the forefront of this, as they  
8 were at the forefront of the events that have led us  
9 to this. So I think there's a parallel here that has  
10 to be respected for them. They do belong in the  
11 process.  
12

13 CHELSEA DAVIS: I'll also add that we are  
14 extremely grateful for the feedback that we got from  
15 the community after the first eight listening  
16 sessions that we described. We really tried to make  
17 as many--create as many different kinds of forums as  
18 possible, and again, here as much as possible from  
19 people who are from communities that have borne the  
20 brunt of over-policing and racially biased policing  
21 in the City. I do think it would be helpful to hear  
22 from Deputy Commissioner Parker about the meetings  
23 that he has co-facilitated and a lot of the feedback  
24 that he's heard from the community.  
25

CHAIRPERSON ADAMS: So, with-- I'm sorry?

I was going to say with that great introduction, Deputy Parker, would you like to chime in, because I've got some questions for NYPD, but before I go there do you have any remarks thus far?

DEPUTY COMMISSIONER PARKER: Yes, Chair Adams. I would say this, that after the murder of George Floyd at the end of May, the Governor's Executive Order in June, on June 12<sup>th</sup>, the guidance came out August 17<sup>th</sup>. From our perspective, from the Police Commissioner down to the Police Department and the Mayor's Office is that we're doing everything we can to seize this opportunity, to hear as many voices as possible, to take [inaudible] to what we can do to reimagine public safety. I can tell you what we've done. We're just-- the NYPD and the effort that we made. I'm sure you're aware the town hall is the first step. [inaudible] started on October 14<sup>th</sup>. Chief Holmes led together with our co-sponsors to try to go far and wide within the city to at least start the conversations [inaudible] feedback. We've heard from our co-sponsors, we've heard from our leaders. The most important thing for the Police Department to [inaudible] is to be listening. And so we've gone to

lots of different-- I'll give you an example of how it's organized [sic] has gone. The conversation I had with Fred Davy [sic] and the CCRB and then-- so thankfully, they're-- they said, you know, I think it would be really important for the Police Department to hear voices of young people, and so at their-- what day would you be willing to do that. And so that was one of the conversations that we've had. Those are conversations with the CCRB Youth Counselor. There was the Chief Manager [sic]. I think it was a two hour conversation with about 20 young people who are borough affiliated with CCRB Youth Council, and then that led-- that was a very productive, very poignant, very focused where we listened to what the young people had to say [inaudible] criticisms of the Police Department and their ideas for how we could do better. That then led to a town hall that the CCRB Youth Council put together that invited young voices from across the City. I think there were 200 young people on the call, but on all these calls, that call, and I'll tell you about some of the others, it's always been we want to bring the voice to the table to hear what they have to say for how we can help, how we can do

1 better. We don't control who-- whoever they want to  
2 bring to that group, whatever it may be, whether it's  
3 CCRB or NAACP or anyone else. It's always been you  
4 bring the people to the voice. We want to listen and  
5 we want to hear specifically how we can be better  
6 [inaudible] specifically in the Police Department,  
7 but also the City to protect and serve New Yorkers.  
8 our meetings have ranged from-- we met with New York  
9 Reform NYPD Now, which is a group of 60 [sic] top  
10 community-based organizations from across the city  
11 that are dedicated [inaudible] in their effort is in  
12 protecting and helping and serving New Yorkers across  
13 the city. They came to us with very specific ideas  
14 about how the Police Department could be better, and  
15 we went-- in fact the Police Commissioner met with  
16 them. They went through item by item of each one of  
17 their suggestions. That was one of the conversations.  
18 We met with the leadership with [inaudible] and the  
19 leadership of the NAACP and her branch leaders, very  
20 specific and that was with the Police Commissioner,  
21 very specifically their ideas of what the police  
22 Department and the City needs to do--

24 UNIDENTIFIED: [inaudible]

DEPUTY COMMISSIONER PARKER: [inaudible]

with follow up recommendations from their legislative counsel [inaudible] that are followed up with very specific suggestions for what we need to do on the path forward. We've met with men who are working at the Columbia Center for Justice who are people who have come home from prison that are now professor/teachers as part of that initiative. We talked very specifically about their experience. A lot of these are [inaudible] of bad experiences, very bad experiences happen in their life with police officers, but also [inaudible] I would say a theme through every conversation, I've probably had 50 of them with our partners from the Mayor's Office and with our co-sponsors. Every conversation I've had has been a constant theme has been how much New Yorkers crave [sic] this conversation. It's going to be real, and we're really going to talk about it. They're coming to the table with very specific ideas and leaning into this conversation. The three things that's very much the message, the passionate message of our first five speakers, and I'm so sorry for their losses of their sons, their brother, but it's-- one it's accountability. It's not that-- they want

accountability within the Police Department. They just want a system that's fair, that's clear, that's transparent, that people can believe in. that's the one-- accountability is number one. Number two is if people in the community want to be treated with exceptional customer service, almost like they do at the Apple Store or anywhere else, but how police officers engage with young-- with people, for example with young people are saying we want to have-- we want to see the police in something other than [inaudible] some 911 calls, but there are other ways that the Police Department [inaudible] can you participate in? Creating opportunities for young people. Communities want to be part of the transition plan for community-- with precinct commanders. So they're one day, then they're in another precinct the next day. They build up these relationships. But it goes far wide very specifically. The bottom line for the second theme that I hear and [inaudible] is customer service. And then the third is what you referenced and our early speakers referenced is really kind of creating a shared vision together with the community for public safety. What really should be the responsibility of the Police Department when



1 it comes to people suffering from mental illness,  
2 people who are homeless, people who are suffering  
3 from a substance abuse disorder [sic], schools,  
4 safety in our schools, traffic, all those are  
5 questions, but we've heard in lots of different  
6 perspectives ranging from people who have had very  
7 bad experiences. We've also had conversations, for  
8 example, with the Greater Harlem Group Coalition.  
9 They're very frustrated, I think as you may know and  
10 others know, very frustrated with how the city-- all  
11 city agencies are responding to challenges that they  
12 face. We met with Harlem Mother Save [sic], and we  
13 met with the parents of people who have lost their  
14 children to gun violence. We-- what we've done is  
15 the best we possibly can to hear as many voices as we  
16 possibly can. Nobody that we haven't set a schedule  
17 of all who wants to talk with us. We're working as  
18 fast we can, but at the end, the [inaudible] whether  
19 we're rogue [sic] or not, right? That will be what  
20 we're doing, but I could tell you from our team, the  
21 First Deputy Mayor's of the Police Department, we've  
22 dropped everything that we're doing basically to take  
23 advantage of this opportunity, because that's what  
24 the Police Commissioner, and specifically to me and  
25

our team, and their [inaudible] us this isn't a burden. That's exactly what word it is, this is an opportunity. We are in a historic moment in time, right now, and we're either going to swing for the fences or we're not, but we are going to take advantage of it, and so that's what all of us have done the very best we could do.

CHAIRPERSON ADAMS: Thank you very much. Thank you very much, and that was-- and I'm asking this because I know that, again, NYPD has taken the lead, and I'm not questioning the work that you've done thus far, but we-- this is a collaborative effort for reform, and it sounds like you're doing your due diligence as far as the NYPD is concerned, and that's appreciated. We're trying to bring together the entire collaborative to make this happen for the people of the City of New York and to meet this Executive Order. So we're six months into a nine-month process, and really it sounds like the only agency that's held a listening session is the NYPD. Can we share some engagements, some more engagement? What about the Department of homeless services? The Department of Health and Mental Hygiene, the Department of Education, some of those

very agencies that we've heard the families talk about this morning when they're talking about defunding and where the money and the budget dollars in their estimation should be reallocated. So where are those listening session's? Where have those talks gone? How many meetings has the admin had with other agencies that should be involved as a part of this important collaborative to make this reform happen and to meet this objective.

CHELSEA DAVIS: Thank you for that question. I'm grateful to be able to clarify sort of the meetings that we've had so far and what leadership looks like. We're extremely grateful for Deputy Commissioner Parker's extremely honest facilitation of many of these meetings. All of the meetings that we have described so far, well over 50 meetings with hundreds of organizations and individuals have been hosted by the whole collaborative, which again is led by Frist Deputy Mayor Dean Fuleihan. Many of the meetings are facilitated by Deputy Commissioner Parker and our co-sponsors, but we are all leading those meetings. We are all directly hearing the feedback and following up. Additionally, the Mayor's Office of Criminal

Justice has very, very regular contact with all criminal justice stakeholders, policy experts, policing experts, policing advocates, and they can-- Marcos can speak more to their engagement as well. I will also add to your point that re-thinking the role of police, understanding that we need to right-size the police force, right-size what functions they do and what they don't is a key part of this plan and will be a line of many of the recommendations and the plans that we hope to implement and that we hope to publish in the draft report. We are certainly working with DHS, the Department of Homeless Services, on implementing the commitment over the summer to transfer all of homeless services and outreach away from the Police Department. We also work very closely with Thrive, particularly in making sure that we can effectively implement and eventually expand programs to ensure that mental health crises get the response that they deserve from a health perspective and not a law enforcement perspective. So, I'm happy to talk through other meetings that we're having. We're also meeting with the runaway youth and homeless services providers to make sure that we are addressing needs through non-law

1 enforcement mechanisms outside the criminal justice  
2 system so we don't criminalize poverty, and so we  
3 don't criminalize homeless, and that we respond to  
4 health crises appropriately. Marcos, do you have  
5 anything to add about the Mayor's Office of Criminal  
6 Justice's leadership on engagement with criminal  
7 justice stakeholders?  
8

9 MARCOS SOLER: I would simply add two  
10 things. One is, from the beginning of the  
11 Administration in our role in providing policy advice  
12 to the Mayor and to the First Deputy Mayor, we have  
13 been a strong advocate for the position that we need  
14 to reduce a footprint of the criminal justice system  
15 in the City of New York. As a result of that, we  
16 have engaged very widely with all groups. In order  
17 to advocate from police [inaudible] vision of public  
18 safety to community-centric vision of public safety.  
19 That is something that we did from the beginning and  
20 we have not changed on this process [inaudible]. So,  
21 that has allowed us to connect [inaudible] stated  
22 before. The DA's, the Defenders, and some instances  
23 people have come to the table. Some instances after  
24 coming to the table they have decided to take  
25 different steps. We understand that, but we have

communicated with multiple city agencies. We have certainly talked, as I said before, to a lot of our partners in the community with every CMS [sic] group, whether they're re-entry organizations, and our work in this work of changing the criminal justice system every day. The second is, to state a point, and Chelsea has stated before very clearly, our role is in this process is to support to the people who are leading in these case, the First Deputy Mayor's Office on behalf of the Mayor. Certainly, that's the way we see it. We do not-- we-- this process is not ran by the Police Department. This process is to remain by the Mayor and the First Deputy Mayor, and I can attest to that. I can assure you that is the approach we certainly are taking in our office.

CHELSEA DAVIS: I'll also add a few other agencies that we are meeting with regularly, including MOPD and NGBD, the Office to End Domestic and Gender-based Violence. Part of this plan will also be implementing recommendations to take-- to address family violence and gender-based violence outside of the criminal justice system as well as to create permanent structures for working with community members and organizations with direct lived

1 experience. There was also a program implemented in  
2 Brownsville recently that I think speaks to a lot of  
3 what you're talking about, about the need to build a  
4 shared vision of public safety through providing  
5 services as opposed to criminalization. So, I would  
6 love if the Police Department and the Mayor's Office  
7 of Criminal Justice can talk a little bit more about  
8 that program which the Mayor has said already that we  
9 are certainly looking to expand citywide all programs  
10 that can re-envision public safety, utilizing as much  
11 service provision as possible. But before that, I  
12 will also just quickly reiterate that this process is  
13 absolutely not over and will not be over when we  
14 publish this plan and start to implement it on April  
15 1<sup>st</sup>. We would love for any Council Members to  
16 provide more recommendations or to give us more ideas  
17 of people who should be meeting with your  
18 constituent's organizations. We are continually  
19 looking to set up new avenues of real engagement and  
20 to create neighborhood-based systems for increasing  
21 trust.  
22

23 CHAIRPERSON ADAMS: Ms. Davis, were you  
24 talking about the pilot program in Brownsville?  
25

CHELSEA DAVIS: Yes, I was. I think that it's a good example of the kinds of strategies that you're alluding to that utilize community-based organizations and other city agencies to provide services in order to create public safety that's dictated by the community as opposed to dictated by the police.

CHAIRPERSON ADAMS: I would like to hear the NYPD talk about that pilot program, expound on that a little bit. In an article, the Mayor said that it had his full support. I'd like to know if the NYPD fully supports it, and if so, when can we expect the next one. So, Chief Holmes, did you want to speak to that?

CHIEF HOLMES: Yes, good morning. How are you?

CHAIRPERSON ADAMS: Good morning.

CHIEF HOLMES: So, good morning, and thank you for the opportunity to address what took place in Brownsville community. Since [inaudible] office in October, the position of Chief of Patrol, I distributed a memo to all PSP commands, pretty much an operational strategy consisting of five pillars, one of which challenges each commander to reimagining



neighborhood policing by developing creative ways to engage the community with that. I have the pleasure of saying that Deputy Inspector Terrell Anderson who's the Commanding Officer of the 73 precinct did just that. How did he do that? We try to think of this as a community solution, working with the community together. he pretty much had-- one of the TA Presidents assigned to Van Dyke Houses challenged him as what, you know, what could be done about a two-block radius that believe it or not was not really on our radar. There weren't many 311 calls there. There weren't many 911 calls there. So, but still, the area still send to the community to be very seedy looking and required some services. It is surrounded by some of our developments there that have some violence. So, with that, there were some police deployment, but strictly to address the violence. What he did was go to the table with one community-based organizations or bigger, Brownsville in, violence out, as well as New York City Sanitation because there were a lot of garbage or sanitary issues that needed to be addressed as well. And they sat down to the table and Bivo [sic] agreed to being deployed in that particular two-block radius for 10

hours a day, from 12 noon to 10:00 p.m. In addition to that it was probably about a total of 32 other service providers, not at the same time, but throughout the five-day span that they were deployed there. So, if they ran into someone in the community that required particular services, stark [sic] homelessness or job opportunities, they were there to kind of guide them and lead them over into the direction of these other community-based organizations that were assisting with this. So, the looked at it for a five days, and based on some of the surveys that were given out in the community including the business owners that were pulled into this. People like it. The area was clean several times throughout the week by Sanitation. So, therefore, just cleanliness itself gives this different appearance. But with that, that's exactly what I was asking the commanders to do, and we will continue that but on a bigger level, and naturally, because of the diversity of New York City, it will look different in different communities. But with focus on our black and brown communities, and definitely strengthening the relationship, trying to re-establish the faith and trust in their Police

1 Department, we're definitely focused more in those  
2 communities with this community solution philosophy.  
3 And that's just identifying matters of the community  
4 with the community. What is- like, I heard  
5 Commissioner Parker speak about, I think it's the  
6 Greater Harlem Initiative. We had a phone call with  
7 them, and they spoke about the appearance in the area  
8 with the methadone clinic and the homeless, certain  
9 issues encompassing the 25 and 28 precinct that we  
10 spoke with Councilwoman Ana-- Ayal-- Anayla, I think  
11 it is.  
12

13 CHAIRPERSON ADAMS: Ayala.

14 CHIEF HOLMES: Ayala, thank you. That we  
15 spoke with her about that we've been addressing. So  
16 those are some of our focuses just taking the--  
17 trying to prioritize and taking the primary issues in  
18 each community and having this command roster re-  
19 enhanced, because we always had it where we had  
20 numbers and contacts, key stakeholders in the  
21 community to address whatever issues need to be  
22 addressed. And now, bringing everybody to the table,  
23 Cure Violence, Sanitation, homeless, everyone plays a  
24 role and then determining who should take the lead on  
25 whatever particular issue that's being met. So,

1 that's something that was pushed out. I came-- I  
2 started in October, like I said, the end of October.  
3 I pushed that out within a two week span, and now  
4 we're going to capitalize off of that. I know we  
5 had-- we had one meeting with Brooklyn North [sic],  
6 because naturally Brooklyn North and the Bronx has  
7 true-- a lot of violence in the city as far as gun  
8 violence is concerned. So we're definitely focused  
9 there, but also keeping our foot to the pedal and  
10 communities such as Harlem.

12 CHAIRPERSON ADAMS: So, that sounds very  
13 positive. So, when can we expect the next one?

14 CHIEF HOLMES: So, the next one has begun  
15 in Brooklyn North already, and you know, we-- we had  
16 a meeting last Thursday I think with the commanders  
17 and the borough commander Judith Harrison [sp?]. so  
18 they are currently now identifying their key areas of  
19 each of the Brooklyn North commands and developing  
20 that type of relationship or partnership with key  
21 stakeholders, and hopefully to be implemented by the  
22 beginning of next week. We have-- and we will be  
23 monitoring that as well, you know, managing it,  
24 ensuring that it's working, and if it's not, going  
25 back to the drawing board. What can we be doing

1  
2 differently? I like it. I love it. I think it  
3 brings everyone into play because everyone has an  
4 onus to keeping this city safe.

5 CHAIRPERSON ADAMS: I agree.

6 CHELSEA DAVIS: Expanding these kinds of  
7 partnerships and programs citywide will absolutely be  
8 a key part of our reform plan. I think the City's  
9 crisis management system and Cure Violence providers  
10 are such an essential partner for doing that work at  
11 the local neighborhood community level and figuring  
12 out what public safety means and what's required of  
13 that specific community. So, Marcos, can you speak  
14 more to the kind of neighborhood level work being  
15 done with Cure Violence providers?

16 MARCOS SOLER: Absolutely. As you know,  
17 Madam Chair, the Be Yourself [sic] is criminal  
18 justice houses, the Office of Neighborhood Safety  
19 that includes both the Office [inaudible] Violence  
20 and the Mayor's Action Plan for Neighborhood Safety,  
21 both of them are community-centric approaches to  
22 problems of gun violence and crime. [inaudible] the  
23 Mayor from the beginning of the Administration has  
24 supported very strongly the expansion of the program.  
25 The Program only started with two or three sides

right now. It's included in about 20 different precincts in the city and continues to expand with additional support from the Mayor for FY21 and FY22 even in the very difficult circumstances [inaudible]. And is our commitment as has been from the beginning of the Administration to continue the expansion of the model, a model that has achieve highlighted [inaudible] highlighted demands or requires the level of internal cooperation and trust between the Police Department and obviously members of the community. It's a model in which we know works better. Not when one works separate from the other, but when one and the other are supporting each other, that's also what our numbers suggest in terms of outcomes, in terms of evaluations. We see that it's both generating greater reduction in crime, but also in addition to that generating [sic] greater levels of community trust, and part of that, again, is that there is no exclusion here. There is no one person leads, but rather it's a very community-centric approach to make sure that we are both working together, community and the Police Department, and the criminal justice system, and the City as a whole in order to change the way infrastructure of our neighbors, the human

capital, the social infrastructure, and obviously address some of the underlying problems that we have seen and experienced for too long. We will continue to do this work and it will be central to our reform work. You will see that in the plan that we will submit.

CHAIRPERSON ADAMS: Okay, thank you. I agree. I think it's very important to continue to strengthen the relationships between NYPD and Crisis Management system much tighter than it is. We've got work to do in that arena, because I think a lot of us will agree that the violence interrupters hold a very, very key role in our communities and they are the glue really between the police and the community. So, that said Chief Holmes mentioned diversity. So I'm going to ask this and then I'm going to turn it over to my colleagues. You know, there is definitely a diversity issue that has to be addressed when we look at police reform. We see that leadership is predominantly white, while we see that the ranks are people of color. So, how much outreach are we doing to officers of color with regard to this reform process, especially those that are not in leadership, and what have their responses been? Because I can

1 tell you, feedback that I have received from the rank  
2 and file is a total disconnect from leadership. Some  
3 officers feel--officers of color, black and brown  
4 officers feel that they're not heard, they're not  
5 respected, and they feel that their own union does  
6 not represent them. So how are we really, really,  
7 really addressing the issue of race in the NYPD?

9 CHELSEA DAVIS: Improving diversity,  
10 equity and inclusion in recruitment, in retention,  
11 and promotion will absolutely be a major goal of this  
12 reform effort. I will leave it the Police Department  
13 to talk through not only the engagement with officers  
14 that they've done as part of this plan, but the ways  
15 in which we're dedicated to making that a much more  
16 permanent mechanism for continuing to get this  
17 feedback and meet the goals that I think diversity,  
18 equity and inclusion in this context are for, which  
19 is representing communities, respecting communities  
20 that we serve, and certainly improving the way that  
21 police interact with all members of the public.

22 CHAIRPERSON ADAMS: NYPD, do you have  
23 anything to add to that?

24 ELIZABETH DAITZ: Yes, good morning  
25 Chairperson Adams and members of the City Council and



members of the public that have joined us today. My name is Liz Daitz. I'm the Executive Director for Strategic Initiatives for the NYPD. The collaborative led by [inaudible] and the Deputy Commissioner of Equity and Inclusion here at NYPD hosted 13 meetings with uniformed and civilian members of the NYPD covering a whole range, ages, races, genders, orientations, ethnic backgrounds, and assignments. More than 266 members participated in those opening listening sessions where matters of equity, inclusion, diversity, transparency, as well as disciplinary and promotion process, as well as resiliency were thoroughly discussed. I can also say that you're correct, ma'am, that union leadership is not the only leadership in the NYPD. We did engage with all 36 fraternal organizations which represents a myriad ethnicities and religious groups here in NYPD to get their take on what better leveraging the diversity of the ranks and holes [sic] in this organization to build bridges with the communities that we serve. I can also say that we distributed a survey to our employees, uniformed and civilian. We've received over 4,000 responses to-date, and everyone I think who has spoken thus far has

reiterated, we intend to use this process to build a framework for continuing engagement with all of our members rather than through the traditional chain of command channels [inaudible]. Our members are critical stakeholders in this process, and we continue to engage with them on all matters of concern for the Department.

CHAIRPERSON ADAMS: Okay, thank you.

Before I turn it over to my colleagues, one note, and I'll probably come back for a second round. Last month, the former Council Member Ritchie Torres and I held a joint hearing on racial bias. The subject matter was the investigation of James Kobel, aka Clouseau. I want to know whether or not he's been fired.

MICHAEL CLARKE: Inspector Kobel has not been fired yet, but he was suspended without pay last week, and the disciplinary process is ongoing, but that was next step is he's been suspended without pay.

CHELSEA DAVIS: I also really want to thank you for that question and to thank you and your colleagues for holding that hearing. An explicit goal of this reform plan is, of course, eliminating

racially-biased policing, and to accomplish this we are committed to improving preventative efforts, early intervention, and of course, true accountability, and that's going to be a major part of this plan, and we look forward to talking more about that.

CHAIRPERSON ADAMS: I think we really ought to take a look at-- well, obviously a lot of things in reform, but one of the things that especially gets me is that it appears very little consequences for bad behavior. Again, as heard by these families this morning. Again, as heard by these families that still have no justice for dead relatives. There has got to be accountability for bad behavior, not suspension, not pay, firing and/or prosecution. That said I'm going to turn it over to my colleagues for questions at this time.

COMMITTEE COUNSEL: Thank you, Chair. I will now call on Council Members in the order that they have used the Zoom raise hand function. If you would like to ask a question and you have not yet used the Zoom raise hand function, please do so now. Council Members you have a total of three minutes to ask your questions and receive an answer from the

1 panelist. The Sergeant at Arms will keep a time,  
2 will let you know when your time is up. When I call  
3 on you, please wait 'til the Sergeant has announced  
4 "You may begin" before asking your questions. First  
5 three Council Members will be Menchaca, followed by  
6 Lander, and Riley.

8 SERGEANT AT ARMS: Time starts now.

9 COMMITTEE COUNSEL: Council Member  
10 Menchaca?

11 COUNCIL MEMBER MENCHACA: Yes, thank you  
12 so much. Thank you to the Chair and the  
13 Administration. I'm just curious that the-- kind of  
14 the main folks that have been presenting today have  
15 been the Administration on the Deputy Mayor's side  
16 and not the NYPD, including Commissioner Shea  
17 himself. And so is there a quick response to why  
18 he's not here representing since the NYPD has been  
19 the focus of this whole operation and conversation  
20 that we're having today?

21 CHELSEA DAVIS: We'll ask PD to answer  
22 the question about the Police Commissioner, but I'll  
23 just add that I'm here today as a representative of  
24 First Deputy Mayor Dean Fuleihan who's leading this  
25 collaborative as with my colleagues Thomas Giovanni

as well as Marcos Soler from the Mayor's Office of Criminal Justice, but I'll ask my colleagues at PD to respond to your questions about the Police Commissioner.

UNIDENTIFIED: Hi, good morning everyone. So, as you probably heard, the Commissioner tested positive for COVID-19, so he's at home. He's resting, and he's looking forward to getting back to the office now, but he's entrusted us, Deputy Commissioner and others in this room to go feed this process from day to day [inaudible].

COUNCIL MEMBER MENCHACA: Okay, so just so I can-- cause I only have like another minute. You're saying that he's not a work right now and he's entrusting you to take this on.

UNIDENTIFIED: Correct.

COUNCIL MEMBER MENCHACA: Okay, alright. I wish him a speedy recovery. So we've heard from the organization and advocates that the Administration has run a failed process and has allowed for the NYPD to run it all, which is why I want Commissioner Shea to be here. But I've heard from advocates that the Administration pulled together a lead committee that was supposed to have a

role independent from the NYPD-run process, but MOCJ and the First Deputy at the Mayor's Office held one meeting and then completely dropped the communication with a dozen or so advocates that pulled together after they responded. Given the complete failures of this process-- and I think it's already come out already in this hearing-- what specific organizations that have had long-standing expertise on police reform and who have regularly criticized NYPD given power to help develop the city's plan? We're hoping that you can really engage those organizations.

CHELSEA DAVIS: I really want to thank you for asking that question. We are certainly hoping that we hear from organizations who want to have really difficult discussion with us. You know, we are not looking to only talk to--

COUNCIL MEMBER MENCHACA: [interposing]  
Let me just pause you there. That's an aggressive move. It's one thing to just wait for organizations to come. I'm asking for a pro-active move that the Administration is engaging in, and that is active. We know the organizations that are wanting to be in the room. That's what I'm trying to find out.

SERGEANT AT ARMS: Time expired.

CHELSEA DAVIS: Sure. So, as I mentioned in my testimony, the order requires the Mayor to convene the Police Chief and community stakeholders and to allow all stakeholders to submit recommendations for our reform plan. We've gone far beyond that and have been doing a great amount of outreach to many, many organizations in partnership with the three co-sponsors here. That certainly includes policy experts. We can speak to the more specific advocates, experts and community groups that we've spoken to, but I also just want to reiterate that this process is not over. If any members are hearing from constituents or groups that we haven't met with yet, that we haven't reached out to, we absolutely want to do so. I will ask Marcos to speak to some of the regular experts in this area that we've been working with.

COUNCIL MEMBER MENCHACA: Thank you, Chair. I'd like to come back on second round.

COMMITTEE COUNSEL: Next-- thank you, Council Member Menchaca. Next up will be Council Member Riley followed by Council Member Lander.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER RILEY: Thank you, Chair Adams and Administration. I really do appreciate most importantly the families that came out today to give their testimony. The basis of today's conversation has been accountability and transparency, and seeing what we just saw and realize my first day actually started last Wednesday, and what we seen at the Capitol and seeing also what we seen during the summer when we protested for George Floyd and Breonna Taylor, have there been any accountability that came from the leadership of NYPD to condemn the actions of those who participated in the riot at the capitol this past Wednesday? My next question also is, I heard a lot about stakeholders having a say-so for the police reform process, but we do have families on this call who are also stakeholders who are immediately impacted by police shooting. Have they been given the opportunity to be a part of this process also? And last, but not least, there was a report that came out this weekend with the de-escalation program in Newark that seemed to work out for them that had, I believe, one shooting which happened at the end of last year. Has



NYPD looked into that de-escalation program and thought about incorporating it into this? Thank you.

CHELSEA DAVIS: Thank you so much and congratulations, Councilman. We're glad you could be here with us today. Thank you for your time. To speak to your first question, we think it's essential for the Department to have real accountability. That means discipline for individual officers for individual complaints and accountability for the Department as a whole when systemic issues are identified. I'm happy to have the opportunity to speak to how horrible the events were last week at the capitol. But could the Police Department please speak to-- I think the question was changes that have been made that came from PD leadership since the protests this summer. And so I would love for the Police Department to speak to that, and we'll just reiterate that we're grateful for the reports of the Department of Investigation and the Law Department, and the Mayor's already committed to implementing all of the recommendations that came out of those, including one that we think is particularly meaningful, and that's consolidating the independent external oversight agencies which will lead us to

1                                    COMMITTEE ON PUBLIC SAFETY                                    90  
2    take a really big step toward increasing both that  
3    individual systemic accountability. But PD, could  
4    you speak to any changes that have been from the  
5    summer.

6                                    CHIEF HOLMES: Yes, hi. It's Chief  
7    Holmes, and congratulations, Councilman. So, I'll  
8    speak to changes that have been made since the  
9    demonstration-- since the demonstrations last summer.  
10   So there have been several changes made as a result  
11   of that. One, I think, key position that was  
12   replaced, we used to have an Assistant Chief-- I'm  
13   sorry, Deputy Chief who was the Chief of Operations,  
14   and operations oversees the deployment for our  
15   Disorder Control. They oversee the mock drills that  
16   are put in place so people are very familiar with  
17   what it is that's the conduct that's supposed to be  
18   conducted during demonstrations. As a result of  
19   that, what we identified was there was a lack of  
20   training as far as disorder control. Back then-- we  
21   still have certain taskforces that are identified to  
22   actually take on these responsibilities during  
23   demonstrations, but we were met with challenges last  
24   summer that were never seen, and I've been here a  
25   little over 30 years within the Department, and

1 especially the numbers of people that we were met  
2 with, and not to mention, some of the bad actors that  
3 attempted to blend in with that. But with that being  
4 said there was training given to ten-- probably about  
5 12,000 members were retrained in disorder control. I  
6 told you about the Chief that's in place. The  
7 leadership, the executives were also given essential  
8 training regarding disorder control, and maybe that  
9 addresses-- maybe, maybe not. It addresses, I know,  
10 our public safety chair addressed earlier today with  
11 some of the questioning that went on with executives  
12 and DOI. But I can honestly say there were a lot of  
13 them that were out there that really, really weren't  
14 as well-versed as they should have been when dealing  
15 with disorder control. So, there have been a lot of  
16 changes since then as I said, and this is before the  
17 DOI report, because what we always do at NYPD is take  
18 a look back, what could we have done differently,  
19 what could we have done better? And we identified a  
20 lot of those key areas that were identified in the  
21 DOI report. And with that, that's how the training  
22 was implemented. And also, I know we spoke about  
23 taking into consideration the recommendations made by  
24 the-- that were forthcoming in the DOI report.  
25

CHELSEA DAVIS: Sorry, to speak to your question about the de-escalation training in Newark. We have spoken-- members of the Administration and the Police Department have certainly been in communication with Newark and improving de-escalation is certainly a part of this reform plan and will be always an ongoing goal of improving policing.

UNIDENTIFIED: [inaudible] but I think the members of the NYPD, like most people, were horrified by what was [inaudible] D.C. It was outrageous, and you know, to attack the most fundamental moment of democracy, the peaceful transfer of power, was shocking to all of us.

COMMITTEE COUNSEL: Okay, I believe we're ready Council Member Levin, you're going to be up next.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER LEVIN: Thank you very much, Chair. I appreciate the time. I want to ask about discipline. A recent New York Times report identified that the Commissioner takes the recommendations from CCRB approximately 29 percent of the time. So CCRB does its investigation. Sometimes it'll conduct its own, you know, administrative trial

of sorts. Other times it's in NYPD trial, but 29 percent of the time the Commissioner takes that recommendation because-- and the reason he can, he has the discretion to take the recommendation is that the Commissioner has full authority under the add code section 14.115. First off, I mean, first question is can you explain why 29 percent of the time the recommendations are taken from the CCRB? That includes, by the way, instances where the CCRB and the officer, the offending officer, have actually made a plea deal, and there are incidences where the Commissioner doesn't take that recommendation. So, first can you explain why that percentage is so low? Secondly, at a recent CCRB meeting, Chair Fred Davey [sp?], was-- said, and this was in a Republica article from a couple of weeks ago, that it is time to look at final authority, meaning time to explore changing that final authority discretion to the Commissioner under 14.115? so, my first question is why is it so low that concurrence rate, and why-- and does the Administration agree, and is it going to be part of this plan to reform 14.115 taking full final discretionary authority away from the Police Commissioner on discipline?

CHELSEA DAVIS: Thank you very much for this question. We absolutely agree that CCRB is a fundamental component of police oversight, and I know working with Council we've seen them strengthened and enhanced significantly over the past several years. We have met with CCRB a number of times for this initiative. They have also led on public engagement with use and with other civilian oversight agencies, and we're very grateful to them for that. They've made their recommendations to the Administration as part of this plan extremely clear, and I think you'll be hearing from them later today. They hosted a youth town hall with their Youth Advisory Council. If you haven't seen it, I believe it's on their website. I highly recommend watching it.

COUNCIL MEMBER LEVIN: I'll check it out.

CHELSEA DAVIS: It's absolutely critical that CCRB be fully empowered to perform their oversight role, and that includes making sure they have access to the investigative material [sic].

SERGEANT AT ARMS: Time expired.

CHELSEA DAVIS: We want to ensure that all of the oversight agencies are working seamlessly together in performing their roles as effectively as

possible, and that really speaks to the DOI recommendations to consolidate oversight agencies, and we are working to implement that this year as the Mayor said. So, I will ask Marcos Soler from the Mayor's Office of Criminal Justice to speak to why that recommendation is so important and how it will improve oversight,--

COUNCIL MEMBER LEVIN: [interposing] Okay.

CHELSEA DAVIS: and I'll also ask the Police Department to speak to the disciplinary matrix that's going to be coming out--

COUNCIL MEMBER LEVIN: [interposing] I know about the disciplinary matrix. I want to know why it's so low, 29 percent, the concurrence rate or that when the Commissioner actually implements the recommendations of CCRB. And very specifically, does this Administration agree with Chair Fred Davey that it is time to reform 14.115 and remove full discretion, final discretion from the Police Commissioner so that New Yorkers can have some confidence that there's a fair system in place for discipline. Because right now, as you heard from the first panel, and as I'm sure you've heard in these public listening sessions. It is-- New Yorkers do

not have confidence. When they see that it takes five or six years to fire Daniel Pantaleo, they don't see any other officers held accountable that were involved in Eric Garner's death. And there was even - and then when the city court counsel says in court, "Well, we don't have to discipline those officers, because the Police Commissioner has full authority." That was in a Politico article earlier this summer regarding the Garner case. So, does the Administration agree with Fred Davie, the Chair of the CCRB, that it is time now to give New Yorkers some confidence that there's a fair and impartial adjudication of disciplinary complaints, especially when it comes to use of force? So, sorry, I just-- this is something I feel very strongly about. I'm being told I have to move on.

CHELSEA DAVIS: I'll start by saying that no idea is off the table for what will be in our reform plan at this point. I absolutely agree that with that low concurrence rate between CCRB recommendations and discipline it's extremely difficult to build trust with the community. It's extremely difficult to show that there are real accountability mechanisms. So, we are looking at the



1 matrix that I would like PD to talk about which is  
2 one of the major goals it to make sure to increase  
3 that concurrence to make sure that everyone sticks to  
4 the matrix and that there is transparency around the  
5 discipline process and around the Police Department's  
6 decisions. There is really no accountability without  
7 that consistency, without that transparency, and  
8 without the timeliness that you talked about as well.  
9 That is a major goal of the matrix, but it's also a  
10 major goal of the other much larger policy decisions  
11 that we have to make. So I'll ask the Police  
12 Department--  
13

14 COUNCIL MEMBER LEVIN: [interposing] No,  
15 I agree and applaud you all for the efforts that  
16 you've made and our former Chair and now Queens  
17 Borough President Donovan Richards for implementing  
18 the matrix, because I do think that that's an  
19 important tool.

20 CHELSEA DAVIS: Absolutely.

21 COMMITTEE COUNSEL: Council Member Levin,  
22 we will now turn to Council Member Miller followed by  
23 Council Member Lander and Council Member Rosenthal.  
24 Those are the remaining Council Members that I have,  
25 that I see have used the Zoom hand raise function.

If there are any other Council Members who'd like to ask questions, please raise your hands. Council Member Miller?

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER MILLER: Thank you so much. Good morning. Good afternoon now to Chair and all those involved, particularly the families. I hope that you are still with us and so that you see that we are attempting to give this hearing and your causes the gravity and depth that they deserve, but I would like to raise a public objection to this hearing being held simultaneously at the same time that we are hearing-- having a hearing on racial impact of rezonings in the Land Use. [inaudible] should read the report and I'm listening as much as I can here this morning, and I see a lot about the proposed what has done and some of the forums that have been held in talking about some of the upcoming objections-- objectives based on the reforms and oversight goals. And I would submit that over the past year or two, three, that if you-- depending upon your geography, one might believe that this has been impactful, and then you step outside your zone and you kind of see that it is business as usual,

1 particularly in these marginalized communities. And  
2 so, what we see is that in these historically  
3 disenfranchised communities that it's business as  
4 usual and that we would like to see a difference in  
5 the impact on the-- as Steve just mentioned, as  
6 others, in terms of discipline, number one, but in  
7 terms of policy and procedure, actually making a  
8 difference. So, with that being said, could you once  
9 again elaborate on discipline and then could you let  
10 me-- let us know if bail reform, the Executive Budget  
11 or legislative reform such as chokehold and 50A has  
12 any impact-- has had any impact on the implementation  
13 of such reforms? And obviously, I'm a little  
14 discombobulated jumping back and forth, but if we can  
15 talk about discipline and then--

17 COMMITTEE COUNSEL: Ms. Davis, did you  
18 get the question?

19 CHELSEA DAVIS: Yes, I did. Sorry, it  
20 [inaudible]

21 COUNCIL MEMBER MILLER: Okay.

22 CHELSEA DAVIS: Thank you very much. We  
23 absolutely agree that discipline is core to this  
24 plan. With the lifting of 50A, we really look  
25 forward to being able to have a lot more transparency

1 about the discipline process. I'll reiterate how  
2 essential we think improving the discipline process  
3 is for this overall plan. There is no true  
4 accountability without discipline for individual  
5 officers as well as accountability for the Department  
6 as a whole for systemic issues. What officers are  
7 disciplined for should reflect the values of the  
8 Department, should reflect stronger [sic] public  
9 safety that communities have, should reflect what we  
10 think makes a good police officer. Accomplishing  
11 this is a core goal of reform. I would ask the  
12 Police Department to talk through the discipline  
13 matrix that will be coming out at the end of the week  
14 and how it fits into our larger goals for improving  
15 discipline.  
16

17 DANIELLE PEMBERTON: Sure. So, I think  
18 that's the most important thing about the Matrix is  
19 that it is a living document. It [inaudible]  
20 continuously looking at with feedback from public and  
21 input from our community. So, as you may know, we  
22 [inaudible] matrix in August, late August for review.  
23 It was open for public comments for a little bit over  
24 30 days, and in that timeframe we got about 506 [sic]  
25 comments. We also got kind [sic] letters that were

much more thorough in detail from a number of partners, some of which are [inaudible] the Federal Monitor, AG, [inaudible] and others, again, that are on the call. These letters and our other comments highlighted some very important feedback. We made some significant revisions to the matrix after reviewing that, and it'll be posted by the end of this week.

ELIZABETH DAITZ: So, I also want to add that this process we realize is very good one to get public feedback. We want to try to implement this a little bit more formally going forward bringing public feedback [inaudible] in developing of future policies around the Department.

COUNCIL MEMBER MILLER: And has these events of legislative policies introduced have had an impact on implementation of these stated goals? Because what we've seen on the street and in our districts that police are performing differently because and they are saying literally because the bail reform, because of other policies that they can no longer do their job, call your Council Member. Literally, businesses and constituents are being told what impact does this have on moving further with

these type of reforms, and how do we address this in terms of oversight and reform within the Department. Is it within the responsibilities or purview of NCO officers, executive officers? Who has the authority to, on behalf of the Department, make such statements?

CHELSEA DAVIS: So, I can speak to bail reform. Bail reform has certainly helped the city work towards achieving our goals of creating a smaller, safer, and fairer justice system can safely reducing the jail population so that we can work towards closing the jails on Rikers Island. Marcos from the Mayor's Office of Criminal Justice can speak more to how bail reform has--

COUNCIL MEMBER MILLER: [interposing]  
[inaudible]

CHELSEA DAVIS: We don't have any data to  
[inaudible]

COUNCIL MEMBER MILLER: [interposing] Good afternoon. I am actually at a-- you know what, I want to thank you so much to the Chairs for having this important hearing along with the Public Advocate, but I do want to wage an objection to this

hearing happening simultaneously at the same time we are addressing--

CHAIRPERSON ADAMS: As we said earlier, we are in conflict right now with two hearings, and Land Use dealing with two similar, believe it or not, subject matter having to do with people of color right now. So, Council Member Miller, who was Co-chair of the BLAC and I want to make this known that we have got to do better with our scheduling for Council. This is affecting how we are working today. So, Council Member Miller is now also asking his questions, as we both have devices up together as a lot of my other colleagues right now. So we're going to excuse him to ask his question in the Land Use hearing and come back. So, Counsel, let's continue.

COMMITTEE COUNSEL: Thank you, Chair. So we'll turn to Council Member Lander next, followed by Council Member Rosenthal, and we'll see if Council Member Miller is back.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER LANDER: Thank you very much to the Chair and to the staff actually for moving me on the list. I'm also am at racial equity and Land Use hearing. Chair Adams, I really want to

1 thank you for setting the tone you did by having  
2 families first and making clear how far we have to go  
3 and how unfortunately little this process seems to be  
4 moving us in that direction. We heard from those  
5 families this morning, and I want to build on the  
6 questions that Council Member Levin and Council  
7 Member Miller asked. We heard from families whose  
8 loved ones were killed by NYPD officers, and many of  
9 the relevant officers still have not been disciplined  
10 or fired. In particular, Wayne Isaacs who killed  
11 Delrawn Small almost five years ago is still on the  
12 force, and we heard Delrawn's siblings say this  
13 morning that the NYPD still hasn't served CCRB  
14 charges on Wayne Isaacs, even though the CCRB sent  
15 them months ago. So, I guess my first question is,  
16 what's the hold up on serving the CCRB charges on  
17 Wayne Isaacs?

19 CHELSEA DAVIS: I'll ask the Police  
20 Department to respond to your specific question, but  
21 I want to thank you for the question and reiterate  
22 how important we think for this process the goals are  
23 of improving constituency, timeliness, transparency  
24 of discipline, and we do believe that that's  
25



absolutely necessary for accountability and building trust.

COUNCIL MEMBER LANDER: We all-- and Ms. Davis, you know I really appreciate and respect you. We all believe that's necessary, but we're not doing it. Anyway, let me ask the question. What's the hold up on serving the CCRB charges on Officer Isaacs?

MICHAEL CLARKE: Council Member, I apologize, sitting here, we don't have the information on that particular case. We can look into it and get back to you, but I can't--

COUNCIL MEMBER LANDER: [interposing] I'm sorry, can you say that again, please?

MICHAEL CLARKE: Sitting here--

COUNCIL MEMBER LANDER: [interposing] Actually, could you address it to Delrawn Small's family who I believe are still on rather than to me.

MICHAEL CLARKE: Yes. Mr. Dempsey, I apologize. I don't currently have the information, and Ms. Davis, I don't have the information with me right now. I can look into it, but sitting here right now, I don't know what's going on with that particular case. I apologize.

COUNCIL MEMBER LANDER: So, I mean, if it were otherwise, Madam Chair, and had this had happened earlier [inaudible], I'd say let's adjourn this hearing [inaudible] There's no way to build confidence or trust in systemic reinvention or reimagining a reform when the most basic forms of accountability are not being attended to. It's five years ago, and we've got a CCRB process, and they sent charges over, and not only haven't they been processed, we don't even get information at a hearing that's supposed to be on accountability, and we hear sort of about a matrix, but not one concrete proposal for strengthening CCRB authority, for making their decisions binding. So, I don't have any more questions, but unfortunately, this hearing is not helping move us forward. This process is not helping move us forward. Let's start with accountability, and then we can move forward past that. Thank you.

CHELSEA DAVIS: I really do appreciate those comments. I don't think that anyone [inaudible] with you today will argue with you about that being an absolutely essential place to start and recognizing harm that's been done by lack of accountability in the past, and building--

COUNCIL MEMBER LANDER: [interposing] But not in the past. In the present right at this moment. It's no good to say we recognize that's a past history and we're going to do better, when you've got families on the call asking for information that of course you have. The NYPD has those charges. They've had them for months. So, this is not about a past problem. This is about an exact, right in the moment problem, and you-- as much as you want to, you can't move us forward in this process while you're sitting at a moment of inability to provide basic accountability to the folks who started the hearing. So, I mean, I appreciate your saying it's important, and I know you personally believe it, but this hearing can't move us forward when-- as it is.

CHAIRPERSON ADAMS: And Council Member Lander, thank you very much for your remarks, and I would be remiss if I didn't say that I agreed with you to an extent, but this hearing is to exactly what you just did. Okay? So--

COUNCIL MEMBER LANDER: [interposing] Thank you, and Madam Chair, I agree. You know, you've done a great job setting this up this way so

that we heard that family at the top, and I appreciate your leadership here entirely. Thank you.

CHAIRPERSON ADAMS: Absolutely. Thank you. Counsel?

COMMITTEE COUNSEL: Next up will be Council Member Rosenthal followed by Council Member Menchaca [inaudible].

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER ROSENTHAL: Thank you so much, and Chair, thank you for this amazing hearing and giving all of us the opportunity to hold the NYPD's feet to the fire. Most importantly, having them hear directly from the families at the start of the hearing in addition to your really terrific opening statement. I appreciate that. My question has to do with the-- how exac-- it has to do with changing the culture of the NYPD. Everyone knows that culture change, fundamental culture change, is-- it must be required in order to achieve our goals in addition to accountability, which I thought Council Member Levin's line of questioning was spot-on. How do you change culture? And I am looking for specifics. I'm not looking for your plan to talk to people, retrain, or hear more stakeholders. What I

mean is, you know, in Finland, for example, Department of Correction officers need to get a Social Work degree before they're allowed to become a Correction Officer. That's a fundamental change in culture, right? Because they are trained as social workers, and then brought in to Department of Corrections. So what I'm asking you is what is the meaningful change that you planned for or that you're doing now because as long as I've been on the Council we've passed retraining bill after retraining bill after retraining bill, and you've always said, oh yes, we're retraining, which sort of gets to Chair Adams' point about changing the entire patrol guide, but how are you going to change the culture, underlying culture of the NYPD?

CHELSEA DAVIS: Thank you for this question. Culture change in the Police Department is certainly one of the most essential things to be able to accomplish in order to have the successful implementation of any other kind of reform. Specifically, we have heard a lot about the need to create a culture of accountability, to create a culture--

COUNCIL MEMBER ROSENTHAL: [interposing]

No, I know what we need. I'm asking you what you're going to do.

CHELSEA DAVIS: Sure. So I think you're right that training is, though, an important part of creating things like a culture of active bystandership [sic] or duty to intervene are important. It's absolutely not the entirety of what has to be done to change culture. There is certainly a need a to augment implicit bias trainings to--

COUNCIL MEMBER ROSENTHAL: [interposing]

We already passed legislation. You've already done that. Hypothetically, you already did that before the peaceful demonstrations this summer. Laurie Cumbo passed that bill a couple of years ago, so that's been done. What I'm asking you is what fundamental change are you going to make to change culture in the NYPD? You haven't answered it yet, and my guess is your report won't answer it either.

CHELSEA DAVIS: Well, I'll start by saying we're certainly looking for as many recommendations as ideas from experts and from yourself and all Council Members.

COUNCIL MEMBER ROSENTHAL: Have you considered requiring NYPD officers becoming social workers before going to the police academy?

CHELSEA DAVIS: Does PD want to respond? I think that, you know, we are thinking--

COUNCIL MEMBER ROSENTHAL: [interposing] I mean, you're from the First Deputy Mayor's Office. It's your response that I'm looking for, not PD's. What kind of leadership is the First Deputy Mayor taking in this process?

CHELSEA DAVIS: So, I'm certainly telling you that we agree that culture change is one of the most essential things for having any reform be successful. That does involve enhancing training and improving training, but it's a lot more than that as well. We are looking for ways to kind of infuse community members into trainings in a way that I think will be a really, really important part--

COUNCIL MEMBER ROSENTHAL: [interposing] [interposing] I mean, let's just be clear--

CHELSEA DAVIS: [interposing] [inaudible] kind of are immersed in the communities that they're serving before they start serving there. Sorry?

COUNCIL MEMBER ROSENTHAL: I mean, I just want you to know that your responses in this hearing are not good enough. So, expect that as a response from this committee as my guess, upon release of your report, number one. And number two, it shows me ongoing lack of commitment from the Mayor's Office to make serious change in the NYPD. We saw the exact same thing with the Special Victims Division and the DOI report on the Special Victims Division. The fact that the Mayor did not insist those changes be made, the fact that the Mayor did not insist they go ahead and redo that investigation after the supposed changes, and the fact that the Mayor allowed DOI to drop its investigation of the Child Victim Division. So, I think part of this hearing, of course, is you know, what's the PD doing, but we're looking for leadership here, and that comes from what you're saying is the First Deputy Mayor's Office. So, I yield back to the Chair. Thank you.

CHELSEA DAVIS: I appreciate that. I want to reiterate that we are dedicated to what you're talking about, especially through culture change, which is something that absolutely does not happen overnight. I also think it is important to hear from



1 my colleagues, from Thomas Giovanni and from Marcos,  
2 the Chief of Staff of the Mayor's Office of Criminal  
3 Justice who have very regular contact with many  
4 experts around the country about culture change.  
5

6 MARCOS SOLER: So, [inaudible] I will  
7 address your question directly, Council Member. There  
8 are many changes that are we are thinking about in  
9 terms of requirements for the police officers that we  
10 are considering, but it starts with what we  
11 understand to be [inaudible] the police officer. I  
12 am not completely sure that when you say for  
13 instances let's follow the example of Finland where  
14 we-- all police officers, sorry, correctional  
15 officers are trained as social workers, which is  
16 actually what we want to the force. I think we're  
17 approaching this differently, which is what the role  
18 that we want for the Police Department. We want a  
19 role for the Police Department which is much more  
20 limited. It has a much more reduced footprint in the  
21 City of New York. In the primary role of the police  
22 officer, ultimately [sic], well-defined, should be to  
23 protect both our-- to protect us from crime,  
24 obviously to protect our rights and liberties, and  
25 also do that in a matter in which instills trust. It

1 his hard-- I am not disputing that that is one  
2 option. A lot of people talk about changes directly  
3 the educational requirement. I think in order to  
4 address that question, we have to address the  
5 question what is the role that we want to see in the  
6 Police Department. So what Chelsea wants to try to  
7 suggest here is we will appreciate your input and the  
8 input of the Council. What is ultimately the role  
9 that they see the Police Department to have in New  
10 York City, not just in this right now, but in the  
11 years to come? What we have seen is for years the  
12 Mayor has said we are trying to reduce the footprint.  
13 We are trying to change the role of the Police  
14 Department in the ways they have interactions. We  
15 have to address dynamics of enforcement and under  
16 enforcement, etcetera. And I think that certainly I  
17 can assure you that we are addressing issues of  
18 cultural change, but cultural change with a  
19 Department is not just a matter of one specific  
20 action, whether it is changing the requirement of the  
21 officer, whether it is implemented residency  
22 requirements, whether it's a multitude of those  
23 things, what I can assure you is we are looking into  
24 all of those things. We are not approaching this--  
25

COUNCIL MEMBER ROSENTHAL: [interposing]

With all due respect--

MARCOS SOLER: [interposing] Yeah.

COUNCIL MEMBER ROSENTHAL: Can you give me one example of something you're looking into that would result in some serious culture change, one example?

MARCOS SOLER: One-- without prejudicing the process in which we are [inaudible] internally, you want me to give you an example, then we'll say this is something that I think might change the police Department. Well, I can tell you one example in my mind, certainly very important. The Police Department has said that officers are both a crime-fighters and problem-solvers. We think there a whole set of skills, and the Police Department doesn't have about how to solve problems. In order to solve problems, you have to truly address issues of what does it mean in the community. We think that there are major problems about the fact [inaudible] strategic vision [sic] that allows the Department to be problem-solvers. There are models right now nationally, if any other jurisdiction that said this

is a place [inaudible] police officers be problem-solvers, right? For instance, they're very--

COUNCIL MEMBER ROSENTHAL: [interposing]  
Where?

MARCOS SOLER: In many jurisdictions in the United States have adopted a much more--

COUNCIL MEMBER ROSENTHAL: [interposing]  
Name one.

MARCOS SOLER: [interposing] Pardon me?

COUNCIL MEMBER ROSENTHAL: Name one.

MARCOS SOLER: One jurisdiction for instance, jurisdiction of Puerto Rico, then is going under Consent Decree the New Orleans, and Seattle, etcetera. They have implemented model called SARA [inaudible] it's a form of response to problems that allows the Police Department-- what I am trying to say, in order to incorporate a SARA model, for instance which is in many consent decrees in the United States,--

COUNCIL MEMBER ROSENTHAL: [interposing]  
With all due respect, SARA is not new.

MARCOS SOLER: [interposing] I know it's not new. I'm just--

COUNCIL MEMBER ROSENTHAL: [interposing]  
I've been told that the--

MARCOS SOLER: [interposing] You asked me  
for an example.

COUNCIL MEMBER ROSENTHAL: Special  
Victim's Division has implemented Sara to no effect.  
So, again, I'm asking for one change that you think  
will fundamentally change the culture in the NYPD.  
And you know, I'm not looking for gobbledygook, and  
I'm not-- I don't think the public is either, and  
your one example you gave right now is something that  
supposedly the NYPD already does and has been doing  
for a bunch of years.

MARCOS SOLER: I--

COUNCIL MEMBER ROSENTHAL: Really, I'm  
looking forward to your report and seeing something  
that is meaningful, and I see that someone else from  
the-- is it the PD who wants to respond? No? Okay.

CHELSEA DAVIS: I think we've spoken to  
many things that will change culture. I think it's  
important to recognize that, you know, one thing  
alone can't do that, and that this is an iterative  
process and we want to make a comprehensive plan. I  
think a lot of Mayor's Office of Criminal Justice and

1 the Police Department's efforts to expand these  
2 community-based relationships with Cure Violence  
3 providers can go a very long way toward changing  
4 culture. The Police Department is also soon going to  
5 be implementing a training called "able" to increase  
6 kind of the culture of active bystandership and duty  
7 to intervene, which--

8 COUNCIL MEMBER ROSENTHAL: [interposing]

9 And just so you know Holeback [sic] has been training  
10 every police precinct office in bystander training  
11 for the last five years, by the way, unpaid. So,  
12 been there, done that. I'm looking for real change.

13 THOMAS GIOVANNI: Just give me one  
14 second. I just want to go back to directly address  
15 one of the-- the first point you made up about the  
16 social worker aspect. There is genuine community  
17 push for what you expressed in having that kind of a  
18 training. There is also impacted community push  
19 against the idea of having police officers think  
20 they're social workers. That's what Mr. Soler was  
21 getting at when we talk about what we really think  
22 the role is. There are a lot of people who think, I  
23 don't want my police-- and have expressed to us-- I  
24 don't want them thinking they're social workers. I  
25

don't want them performing those roles in our community. So, what it means that we're doing--

COUNCIL MEMBER ROSENTHAL: [interposing]

But they're not social workers. They'll get a--

THOMAS GIOVANNI: [interposing] One of

the things I'm saying to you--

COUNCIL MEMBER ROSENTHAL: [interposing]

social workers' training and then go to the academy, and then--

THOMAS GIOVANNI: [interposing] What I'm

trying to say about that is, when we listen to both sides of these arguments, that's what we're trying to get together and figure out the balance that we have to strike.

MARCOS SOLER: If I made one more thing--

COUNCIL MEMBER ROSENTHAL: [interposing]

Thank you. I appreciate that, Mr. Giovanni. Sorry, I didn't mean to--

MARCOS SOLER: No, no, no problem. One

of the things that I was trying to highlight that one of the many reforms have been done in an individual basis. What we have not done, for instance, is to [inaudible] so, it's true that in certain jurisdictions have implemented [inaudible] like Sara

1 and others. What has changed and what we don't have  
2 in New York City, for instance, is a staffing [sic]  
3 plan that tells you exactly what are the needs of the  
4 Police Department and how that-- and what is the  
5 model that is going to drive that staffing [sic]  
6 plan. There was the difference. The difference is  
7 right now what you have is some people within the  
8 Department doing certain things, but not necessarily  
9 a comprehensive plan. That is what we are trying to  
10 develop here, and I understand your need to know, and  
11 certainly I think what we have been doing is trying  
12 to talk to many Council Members to understand,  
13 members of the community to understand priorities.  
14 What I am saying is you have to give us opportunities  
15 to produce the [inaudible] to have a conversation  
16 with your office and to other folks around the city  
17 in order to push forward a plan, but not to say you  
18 have not done anything. This is-- I don't think is a  
19 productive way to go about this, and so far as, as I  
20 said, we assure you that we are working on that. We  
21 just want to do it in a framework which has not been  
22 just one specific policy here disconnected from all  
23 the other elements of the Police Department needs to  
24 change. There are a lot of reforms the Department  
25



needs, not just one, and now the difference is we were addressing one issue. CCRB, we were addressing one issue, issues of diversity. Now, we have an opportunity to finally have a comprehensive plan of reform, and you have to think how reforming one area effects reforming another area.

COUNCIL MEMBER ROSENTHAL: You know, I'm not asking for any more time. Chair Adams, thank you for giving the extra time for this. I won't do a second round, but I just have to say, you can't give that kind of-- Mr. Soler, that kind of answer and not be able to answer Council Member Levin's questions about simply changing the Police Commissioner having the final say, and turning that over to an independent group. You can't--

MARCOS SOLER: [interposing] I was cut off, I couldn't provide the answer.

COUNCIL MEMBER ROSENTHAL: Council Member Levin's question--

MARCOS SOLER: [interposing] I'm happy to address that answer. I was cut off. They didn't let me address that answer. Chelsea asked me to address that answer, but I didn't have a chance [inaudible].

COUNCIL MEMBER ROSENTHAL: I defer to the Chair about whether or not to give time on that. I mean, if it can't be articulated at this juncture, I don't know. Anyway, thank you, Chair, I appreciate you.

CHAIRPERSON ADAMS: I'm just going to jump in, and thank you very much, Council Member Rosenthal for your questions. Thank you very much. Mr. Soler, just to kind of piggy back on what my colleague was just asking about, specific roles of the NYPD, what they should be handling and what they should not potentially be handling, particularly with regard to reform. Does the NYPD or you, do you believe that any function should be transferred away from the NYPD? Has that topic come up in your discussion? And I will let you elaborate on that answer.

MARCOS SOLER: Yes, that topic has come in our discussions. It's my view, at least the view of the Mayor's Office of Criminal Justice, has been the view for a long time, that part of addressing the dynamics of enforcement [inaudible] for many years requires certainly [sic] a transfer or to think about an effective way to transfer certain functions away

1 from the Police Department. And certainly try to  
2 figure out how the role of the Police Department can  
3 be [inaudible] to the task of reducing the main  
4 drivers of gun violence in the city and a lot of  
5 other major problems [inaudible] prevention, yes.  
6 It's my view that is necessary.

8 CHAIRPERSON ADAMS: Can you elaborate a  
9 little bit more on what those-- what responsibilities  
10 you feel should be moved out of NYPD?

11 MARCOS SOLER: I don't want to-- just  
12 again, there's internal deliberations that we are  
13 having in my office, the First Deputy Mayor's  
14 ultimately, because my office is providing advice,  
15 but it's not the ultimate decision-maker as the Mayor  
16 and the First Deputy are. Certainly--

17 CHELSEA DAVIS: [interposing] Sure. I'm  
18 happy to provide a little bit of information  
19 specifically on what we have heard over and over  
20 again from the community during this process, during  
21 the Crisis Response Taskforce as well as, you know,  
22 for many years about making sure that we have the  
23 correct citywide health to mental health crises. So,  
24 we are working closely with Thrive on the  
25 implementation of the pilot to have a health-only EMT

1 and social worker response to mental health crisis  
2 calls that come into 911 and certainly want to talk  
3 about implementation of that kind of a model on a  
4 much larger scale through this process. We've also  
5 been talking to the Office to End Domestic and  
6 Gender-based Violence about working more closely with  
7 community-based organizations to respond to family  
8 violence. We're also completely committed to  
9 implementing all of the transfers that were announced  
10 over the summer, and that includes homeless outreach  
11 vending. I'm happy to answer- we work with the  
12 Police Department to answer any questions about the  
13 status of those transfers. Apologies, Thomas, I  
14 think you--

16 THOMAS GIOVANNI: [interposing] That's  
17 okay. Well, actually, it gives me a good opportunity  
18 to piggyback on what Chelsea just said. All of those  
19 activities are ongoing, under consideration,  
20 certainly the mental health status of police  
21 engagement is on the able, actively engaged previous  
22 to this process and will continue to go on through  
23 this process. We've seen school safety have its  
24 changes that are going to continue. One of the new  
25 things that you asked about in this process that we

1 hope to come out of this plan will be the vigorous  
2 and robust and regular community and collaborative  
3 oversight in auditing and public reporting about  
4 these things. One of the issues that keeps bringing  
5 us back to these tables in some of these same ways is  
6 we don't know what happens while it's happening,  
7 until it happens to break. I work in the Law  
8 Department and I settle a lot of-- I've settled a lot  
9 of cases with us. That's not the place to learn, if  
10 you don't have to. So, one of the things that we  
11 would like to see throughout the plan that we will  
12 put forward to the greatest extent possible is  
13 interjecting those moments of community feedback,  
14 public reporting, and actual auditing that comes out  
15 and is available to the public before we implement or  
16 as we implement procedures and as we review them,  
17 either renew them, augment them or change them. What  
18 we haven't had tradition-- historically here is a  
19 great deal of community input as we build. Right?  
20 We take things, we come back down from the mountain.  
21 We give things. We go back up to the mountain and do  
22 things. Well, people need to be on the ground. But  
23 that's-- you want to talk about community change.  
24 That's not a policy. That's a perspective, right?

1 And we can't prove that to you here. We can only say  
2 we're going to do it and like everybody else who at  
3 here, you either do it or not. That's all we have  
4 here. We know where community trust is on many of  
5 these issues, and we know how it got here. Anybody  
6 who could look out a window knows what happens, but  
7 we have to go ahead now, and we just have to work on  
8 it in a way that we're trying to talk about it. I  
9 want to-- I do also want to go back to the other--  
10 never-- anyway, I'm good.

12 CHAIRPERSON ADAMS: You're good?

13 THOMAS GIOVANNI: Yeah.

14 CHAIRPERSON ADAMS: Okay. I'm going to--  
15 thank you. Again, thank you. I'm going to go back  
16 to the subject again of moving some of the  
17 responsibilities away from NYPD.

18 THOMAS GIOVANNI: Oh, oh, I'm sorry. I  
19 am so sorry. That is exactly the point I wanted to  
20 make. The lawyer in me-- the human in me wanted to  
21 shut up. The lawyer in me needs to talk.

22 CHAIRPERSON ADAMS: Oh.

23 THOMAS GIOVANNI: When you talk about  
24 removing the Police Commissioner from the ultimate  
25 decision-making policy, it's a legal question that is

not going to be easy to untangle or short. That power, as I understand it, was placed into the charter not by us, but by the State. So, in order to move that, it would require state action as well local action, and on top of that, one of the implications there is the discipline system itself. Because if we remove him, then we have to go through what the bartering [sic] system will actually do for that relationship. So, I just gave you three guardian [sic] knots [sic] that have to be dealt with before we can do that. So, it's not a quick thing, and it may not be-- and by the way, be careful what we ask for, if we're not thinking about what's new, because all that we've been talking about so far is taking NYPD discipline system and making it look like the rest of the country. I don't know a model that we say we like in anybody else's discipline system that we want to import. So, just getting back to that, might be an improvement. It might be a thing that we need to do that we want to do, but somebody's gotta [sic] show me the positive comparison to say why can't we be like that. I understand we need to be traveling. We absolutely need to be seeing what people are doing, but when we talk about the

1 historical relationships here and what we want to  
2 project in the future, I do challenge anybody-- I  
3 think I know a decent amount about this. I challenge  
4 anybody to show me a Department who's done it right  
5 [inaudible]. Right? So, we've got a lot of work to  
6 do, and we're doing it. Some of this is new. Some  
7 of this is old. A lot of it is old, but I do think  
8 we have to think about these relationships  
9 differently, and I understand the hits we're supposed  
10 to be taking today and we're going to take them  
11 because we earned a lot of them, but we are going to  
12 move forward. People do have to come through this  
13 door. We are old [sic]-- we've asked everybody and  
14 we continue to ask people to come to participate.  
15 There have been missteps, there will be missteps, but  
16 we're still here and we're not going anywhere.

18 CHAIRPERSON ADAMS: Thank you. Thank you  
19 again for that, and I agree. I agree with you 100  
20 percent, and again, that's what this hearing is all  
21 about, to get all of this out and open and on the  
22 table for all of us to hear and understand, and  
23 again, you know, you express how critical this is.  
24 It really, really is. It's very critical and there  
25 is no magic potion for reform. We haven't seen it



anywhere, least of all at the national level where we need to see it the most right now. So, we definitely need to hear it, hear it, get it out, listen to each other. Again, I think a lot of the frustration at last on my end comes from the fact that this should have started months before it started. This-- I mean, the order was out there. We are up against a timeline and we stand to lose money, the very, very agency that right now we're speaking stands to lose funding because a timeline, you know, is in play here. So, again, this is all really great information. It's great feedback. I'm going to ask one more quick question. I'm going to hand it back for a second round to my colleagues. For Ms. Davis, last week the Mayor said that he was forming a Charter Revision Commission and it might consider DOI's proposal of consolidating the PD, IG, CCRB, and the Commission to Combat Police Corruption into one single agency. Will that be a part of the plan? And when will you formally announce this commission?

CHELSEA DAVIS: Thank you for that question. I don't have answers specifically about the Charter Revision Commission, however, I can absolutely speak to that recommendation as well as

all the other recommendations in the DOI report. We will be recommending-- we will be implementing them and putting forward those implementation plans as part of this report, and that absolutely as the Mayor has said, will include the consolidation of the Civilian Complaint Review Board, the DOI, PD, IG, as well as the CCPC. We're going to work with all of those stakeholders to make sure that we do this in the best way possible over the next year. I'm not sure if it will be its own process or part of Charter Revision Commission. We can absolutely let you know when we have more information about that, but we do think that that's a really important recommendation for improving oversight, which I think is obvious to everyone, is essential for increasing accountability both at the individual officer level and at the systemic Police Department level, and both of those kinds of accountability are essential for culture change, and we do think that recommendation is important. As the Mayor said, we'll be working to implement it this year, and those plans will be part of this report of this reform plan.

COMMITTEE ON PUBLIC SAFETY

131

CHAIRPERSON ADAMS: Okay, thank you. I'm going to hand it back over to Counsel for round two for my colleagues. Thank you.

COMMITTEE COUNSEL: Thank you, Chair. I believe Council Member Menchaca, you requested another turn, followed by Council Member Levin if you're still here. Council Member Menchaca?

COUNCIL MEMBER MENCHACA: Chair, I'm in the middle asking a question in Land Use, can I come in next after? Thank you.

COUNCIL MEMBER LEVIN: Okay, thank you. So, Mr. Soler, you said-- I'm sorry, in responding to Council Member Rosenthal, you said that you wanted to respond to my question about whether-- first off, why is the diversion rate so high between CCRB recommendations and the discipline implemented by the Police Commissioner. The second, does the Administration support what Chair Davie said in the public hearing recently, that it's really time to examine taking-- amending 14.115 and taking full discretion for final disciplinary authority away from the Police Commissioner. So, that's the first question.

MARCOS SOLER: So, I will address both questions. so, what I said was, and I had-- wanted to address the opportunity, but we know that historically people have said that the CCRB was overcharging and people [inaudible] was not providing sufficient evidence and the CCRB was not taking in extra [sic] circumstances as a reason why to explain the discrepancy between basically 100 percent rate of what would be a much-- which is a much lower rate as you have said of 29 percent. What I can tell you is that obviously we do not believe those [inaudible] explain the reasons. I think there are some structural factors that have to be taken into account that a-- we need to address moving forward. one is, for instance, is whether or not the CCRB investigations have a-- are only focused on specific individuals, as they should be, or have to be able to understand broader what is going to be the trajectory of that officer. A lot of the time the CCRB investigations do not have enough information because the Police Department has not shared that information about where is-- what else do we need to know about that officer. What is that officer in his trajectory, etcetera? I think there are some

individual factors that explain the discrepancy. In other instances was, under the previous Administration certainly, and in some instance under this Administration, certainly the CCRB did not have enough resources, and as you know, the prosecution, you know, was not established until 2015 in order to move forward some of these cases. It has to do a lot of with those processes. I'm simply explaining the--

COUNCIL MEMBER LEVIN: [interposing] That shouldn't have anything to do with whether or not the recommendations are taken up by the Police Commissioner, just because they don't have the resources. For one thing, this Administration has been in office for seven years.

MARCOS SOLER: Yeah.

COUNCIL MEMBER LEVIN: So, that's really hard to blame the Bloomberg Administration for anything this point.

MARCOS SOLER: No, I'm not-- I was not trying to.

CHELSEA DAVIS: So, I'll--

MARCOS SOLER: [interposing] No, I was not trying to give you-- Chelsea, one second, please. What I was trying to highlight is an investigation of

1 a specific police conduct. It's far more  
2 complicated, and that's the result of just one simple  
3 rate. The second thing is, nationally, the CCRB rate  
4 is not drastically different than it has been in  
5 other jurisdiction, which speaks to one of the  
6 problems over time, which I think is what we're  
7 trying to address. There's a certain weakness and  
8 has been a certain weakness in the oversight  
9 institutions for many years across the countries, not  
10 only in New York City. One of the examples is the  
11 fact that we have a patchwork of agencies working in  
12 many different ways and with very different  
13 jurisdictions. That has not helped to address this  
14 issue. This is why where are trying to do  
15 [inaudible] question is do you think about reform the  
16 disciplinary system as a whole and trying to be--

18 COUNCIL MEMBER LEVIN: [interposing] This  
19 is maybe it was my fault for asking a why question  
20 first. Let me get to the yes or no question. Do you  
21 agree with Chair Davie on is assertion to look at  
22 14.115 on discipline? That's a yes or no answer.

23 MARCOS SOLER: I think it's always  
24 appropriate to think as to whether or not a Police  
25 Commissioner should have or should not have. I think

1 in many instances there are a lot of-- as we  
2 indicated before, there are a lot of reasons to argue  
3 that the authority of the Police Commissioner should  
4 be limited, and there are some instances to argue  
5 that the police actually-- policeman should not be  
6 limited, because what you don't want to do--

7  
8 COUNCIL MEMBER LEVIN: [interposing] Can I  
9 ask--

10 MARCOS SOLER: [interposing] What you  
11 don't want to do is to have an agency head who does  
12 not have authority over the Department, and that is  
13 also something--

14 COUNCIL MEMBER LEVIN: [interposing]  
15 Right, except-- right, except that-- okay. We could  
16 talk about it more. I just have two more quick why  
17 questions here. First why question is why does it  
18 take so long for the NYPD to provide body-worn camera  
19 footage to the CCRB? I've heard this from CCRB  
20 investigators. If they do not get body-worn camera  
21 footage, they get stonewalled by the NYPD. And the  
22 second question is, has-- this actually isn't a why  
23 question. Has the New York City Police Department  
24 issued divergence letters for public consumption,  
25 facing the public, divergence letters as they have

1 agreed to every time they diverge from a CCRB  
2 recommendation, which is what they're supposed to be  
3 doing.  
4

5 CHELSEA DAVIS: Councilman, I'd like to  
6 answer all of your questions.

7 COUNCIL MEMBER LEVIN: Okay.

8 CHELSEA DAVIS: To get back to your  
9 previous question, and Marcos, you have very deep,  
10 expertise on this, so thank you very much. I just  
11 want to reiterate that we have to think about both  
12 the long-term and the short-term ways to achieve our  
13 goals of increasing consistency, transparency,  
14 timeliness, or fairness of discipline. So that  
15 certainly includes answering long-term questions  
16 about state law changes that we may need, but also  
17 includes short-term strategies [inaudible] that will  
18 have a big impact like the consolidation of the  
19 oversight agencies. So, I just want you to know that  
20 to ideas are off the table, but that we're absolutely  
21 look at this from a perspective with that we need to  
22 do no, what we know we can commit to, and then what  
23 longer form of reforms might be necessary and  
24 important. To speak to the body-worn camera footage  
25 issue, I believe that a lot of improvements have been



made, and I will let PD speak to the specific work they have done recently to improve access to that footage for CCRB, and I know you'll be hearing from CCRB later today. They've made it clear that improved access to such footage and to disciplinary records of officers is essential for them to do their job, then I just want to make sure you know how seriously we're taking all of CCRB's recommendations, but I'll ask PD to speak to what's been done recently to improve that access to body-worn footage.

COUNCIL MEMBER LEVIN: Okay, and I would like PD to also answer how are they keeping track of their timeliness of providing that evidence to CCRB.

CHELSEA DAVIS: Oh yes, and PD can also speak to the question about divergence letters--

COUNCIL MEMBER LEVIN: [interposing] Yep.

CHELSEA DAVIS: and the importance of lifting 50A on our ability to improve the transparency here.

COUNCIL MEMBER LEVIN: And how do I find the divergence letters? I'd like to see them.

DANIELLE PEMBERTON: Okay, so--

COUNCIL MEMBER LEVIN: [interposing] Even if I was a member of the public, yeah. Go ahead, sorry.

DANIELLE PEMBERTON: [inaudible] starting with body-worn camera [inaudible] so, we're absolutely committed to [inaudible]

UNIDENTIFIED: Can everybody hear?

COUNCIL MEMBER LEVIN: Kind of.

DANIELLE PEMBERTON: We're absolutely committed to providing CCRB everything they need as far as body-worn camera footage. There were some delays that we encountered from the COVID this spring, but we are back on track working to get them all the footage that they've requested. As of January 1<sup>st</sup> we have about five [inaudible], 60 percent of them are less than 30 days old. So, we'll continue to work with them to get them everything that they're looking for to continue with investigation. As far as the diversion letters [sic], it's something that we are committed to looking through in this process to see if we can really increase transparency around those letters, and there's some other jurisdictions that have some strategies here that we are looking to implant, to

mimic, and include the transparency around those diversions [sic].

MICHAEL CLARKE: And I will-- while [inaudible] the civil rights [sic] [inaudible] repealed, there is an outstanding temporary restraining order on releasing information related to discipline that's currently ongoing litigation. So, as of today, we're restricted by court order, not by the civil rights law 50A.

COUNCIL MEMBER LEVIN: Okay, so you are currently not releasing all NYPD discipline because of a TRO on the-- is that an appeal on the 50A? What's the TRO on?

MICHAEL CLARKE: Litigation around the release, not appealing 50A, but the release of disciplinary records in the wake of [inaudible].

COUNCIL MEMBER LEVIN: Okay, so there's a TRO, and that's why you're not releasing the records, but that doesn't have anything to do with divergence letters? Divergence letters shouldn't be subject-- why would divergence letters be subject to that TRO?

MICHAEL CLARKE: Divergent probably going to be part of the disciplinary record, so that's part of the TRO that we're [inaudible].

COUNCIL MEMBER LEVIN: So, that's the reason-- so, once the TRO is lifted presumably in accordance with the statute that the state enacted last year, then we should be expecting to have all police disciplinary records, including divergence letters made public. Is that correct?

DANIELLE PEMBERTON: So, right now we are working on a database that will make those records public when the TRO is lifted.

COUNCIL MEMBER LEVIN: Okay.

DANIELLE PEMBERTON: That coupled with the matrix it will allow the public to really see how we're being forthcoming [sic].

COUNCIL MEMBER LEVIN: Okay. Alright, thank you all very much. Thank you, Chair.

COMMITTEE COUNSEL: Thank you, Council Member Levin. We'll turn to Council Member Menchaca.

COUNCIL MEMBER MENCHACA: Thank you, Chair, for the second round and for your leadership here today, and as a member of this Public Safety Committee, I want to ask the Administration or NYPD, but one of you, to give us the status of-- and this is following up on Brad Lander's conversation and questions with you all-- the status of firing other

officers named today in this hearing, specifically that of the officers who killed Mohamed Bah, Allan Feliz, Kawaski Troig [sp?], Antonio Williams, and other officers that were involved in Eric Garner's death like Justin D'Amico and Lieutenant Christopher Bannon, and I'm hoping that you can get back to the families and this committee. What is the status?

MICHAEL CLARKE: Yeah, as I mentioned to Council Member Lander before I-- sitting here right now, I don't know the status of any individual disciplinary matter, but we can look into it.

COUNCIL MEMBER MENCHACA: So, when can you get that to us?

MICHAEL CLARKE: So, I'm not sure [inaudible] that's not part of the TRO--

COUNCIL MEMBER MENCHACA: [interposing]  
Give us a time, please.

MICHAEL CLARKE: We'll get back to you the status by next month.

COUNCIL MEMBER MENCHACA: Next month?

MICHAEL CLARKE: Yes.

COUNCIL MEMBER MENCHACA: Can you give us a date just so that we can stay accountable to each other?

MICHAEL CLARKE: I will reach out to the Committee next week and discuss where we are in the TRO, because it may prevent releasing some information [inaudible] but I will reach out to the Committee on Monday to discuss further.

COUNCIL MEMBER MENCHACA: Okay. I just want to leave everybody here who has been engaging with us that the longer conversation here that has been a more public conversation that has erupted in marches across the City this summer that we're asking the City Council to do things like defund NYPD and reallocate to our communities that were impacted by COVID. All of that is not moving constructively, and what I think is really important in this conversation is that it is the NYPD and this Administration that is going to-- that is leading us to this breaking point. It is yourselves that are actually going to construct something that's going to be a lot more transformative than you are willing to engage in, and I'm going to be held accountable. This committee is going to be held accountable. The City Council is going to be held accountable on how we approach this. And so in some ways you have a big role to play in

that, and today's been too little too late, and we have some work to do. Thank you.

COMMITTEE COUNSEL: Thank you, Council Member Menchaca. Do we have any more Council Member questions? If so, please use the Zoom hand raise function. Oh, I'm sorry, Council Member Rosenthal, you had another question.

COUNCIL MEMBER ROSENTHAL: I do. Now, I'll keep it short. I want to go back, Mr. Giovanni, I really appreciated your statement, very, very helpful, and I was wondering if you could give some of what you-- I don't know how to ask the question. It's great that you're doing the work of settling the cases, right? And you're thinking about when you settle, what types of cases are those and how do we preempt those types of cases from ever coming into being--

THOMAS GIOVANNI: [interposing] That's a part of it.

COUNCIL MEMBER ROSENTHAL: Yeah. Can you talk-- can you give some examples of-- one or two examples of what you've seen in settling cases and what kind of change you would be bringing to the table? Do you know what I mean?

THOMAS GIOVANNI: Yeah. If-- the easiest example that comes to mind right now, we're in the middle of the monitorship [sic]. I was the lead lawyer for us working with the Monitor for about five years. The reduction in stop and frisk which preceded the monitorship which has been overseen, and it still remains a hot topic of how we're dealing with racial bias and racial relationship and policing. That monitorship as you may or may not know also touches also on some of the issues we talk about recruitment and the actual nature of the officers we get, so that's one. And to put it in context of cases and risk management, you may-- I think you probably do know that the entire structure that Floyd was built on came out of Daniel [sic], another case. That was the [inaudible]. And so what happened is we are learning through these cases sometimes things that we could learn between that. There was a lot of activity, for instance, before the Floyd case about stop and frisk from community members, from other researchers from outside groups, from people. as a risk manager, from a risk management function, when I look at the case that is now, monitorship, which is actually in my opinion the



most widespread, large-scale, long-term monitorship in the history of law enforcement of this country, because we are the New York City Police Department. We have more police than anybody else, and this is about how we deal with black and brown people on the street, which is one of the biggest engagements in the City where people don't drive as much as they do every place else. So this is huge, and that came through a particular type of failure, in a certain sense, of risk management, because we shouldn't necessarily have a federal judge tell us to do something that other smart people can tell us we can adjust. So when I look at that case, what I say is how do we reverse engineer the moment before that and the moment before that. How do we get to that? And there are-- and this is what I say when I talk about these working groups or these taskforces, whatever phrasing we put on, the fact that we get other eyes on situations on policies before they're rolled out and as they're being rolled out with good information. Another thing that we talked about-- again, I think about these things about much more perspective-wise [sic] and structurally than I do about a particular policy. One of the things that

everybody has touched on, I think, almost here, is the difficulty of the information to flow into and out of the New York City Police Department.

SERGEANT AT ARMS: Time expired.

THOMAS GIOVANNI: That's not an actually policy. Again, that's a perspective. We need to put timelines on some of these processes. We need to put a moment, an actual legislative or policy rules or agreed upon rule. A lot of the agencies function very well with disagreements between each other that they are, right? We can do that. There are-- the mechanism depends on a particular circumstance, and one of the reasons I think you're being disappointed is because we have the largest Police Department in the most jurisdictions with the most people to support and the most subsets of people to support. When I look at the Albany website doing this work, for instance, they can have five meetings and touch a large number of different subgroups. I was just looking at this the other day. Queens, if we separated Queens itself from New York City, New York City would still be the first largest city, and Queens would be the fifth in the country. We're talking about reimagining police for that group.

That's not the same endeavor for everybody else. We do different things different ways and different solutions were necessary at different particular points. The orientation to get better information flow was absolutely present in everything you've heard us respond to when that subject has come up. We expect to put those mechanisms in these plans as is appropriate, and this is one of the reasons that PD has to lead in this area. Their procedures are the things that have to be changed, and they're the only ones who actually implement their procedures, just like any other agency. You know, if we were reforming Sanitation, we'd have to have them at the table telling us how they do what they do, and then making decisions with them. So, I think there's a difficulty here because there are a lot of detail that we're going to have to talk about as we often talk about this reimagining plan that was placed in a time table. Let's understand, even if we had started working our best on day one, we're not reforming 175-year-old problem in this year framework. What we can do is get an orientation to approach the problems hopefully differently than we've done and create structures that don't look like the old way, but

nobody should have thought that we were going to come up with a plan that would have us have a new Police Department by April or shortly after April. That doesn't make-- look at the problem. Everybody who started speaking has talked about 30-year, 40-year, 50-year problem. It's not a possibility to do everything in that time frame. We are trying to do our best, and I absolutely do not want to make it sound as if I'm running away from the criticism of the deficiencies we've already experienced in the process. Those are still real, but to the extent people are expressing disappointment that we don't have the full plan to finish off reforming the NYPD, that's just not-- that's not an issue [sic].

COUNCIL MEMBER ROSENTHAL: Yeah. I appreciate that. Are you being listened to? Are your suggestions, and remember, you're under oath here--

THOMAS GIOVANNI: [laughter]

COUNCIL MEMBER ROSENTHAL: No, I'm quite serious.

THOMAS GIOVANNI: Alright, I'm sorry. I don't mean to laugh. I'm a lawyer by trade. I'm

always under oath, that's why [inaudible] my people.

I'm not going to lie to you. There's no--

COUNCIL MEMBER ROSENTHAL: [interposing]

Right, so, are your--

THOMAS GIOVANNI: Let me ask you a

question.

COUNCIL MEMBER ROSENTHAL: What your--

you hold the kernel [sic] of so much information when you talk about risk management, and what you're saying makes so much sense to me as a lay person.

What I'm asking is, is your-- are your

recommendations from the things you've learned from risk management being considered as part of the plan here.

THOMAS GIOVANNI: So, the answer to that is a straight yes. That's easy. We are being collaborative in our conversations. Like everybody at the table, I think I could fix the whole world if people would just listen to me, and if every time somebody doesn't, I feel like, oh, that's a shame and that's a loss. But no, everybody's contributing here. The risk management discussion that I just had with you is not original to me. I've learned it and I've noticed it, and I think almost everybody who's on our

collaborative would say the same things to you. It just happened that I have--

COUNCIL MEMBER ROSENTHAL: [interposing]

Well, the--

THOMAS GIOVANNI: [interposing] the answer this way [sic].

COUNCIL MEMBER ROSENTHAL: Here's going to be the difference. You've looked at actual having to settle cases ever since the new top and frisk, you know--

THOMAS GIOVANNI: Sure.

COUNCIL MEMBER ROSENTHAL: the new Community Safety Act [sic] has been implemented.

THOMAS GIOVANNI: Sure.

COUNCIL MEMBER ROSENTHAL: Have you-- has the risk for those cases diminished appreciably?

THOMAS GIOVANNI: In one sense it has and one sense it hasn't, and you'll hear from the advocates. Certainly the raw numbers are remarkably down just in terms of the scope of the program and how many human beings are touched by street encounters by police, since the beginning of the program 'til today. We know the raw numbers are incredibly down, but if you've been reading the

monitor's report and listening to the advocate groups, you know that there are still genuine complaints about physical force, the proportion of stops, and how we have to continue to look at that aspect of it. So, have we listened? Yes. Have we finished listening? No.

COUNCIL MEMBER ROSENTHAL: Great. Thank you so much. Thank you, Chair.

THOMAS GIOVANNI: Thank you.

COMMITTEE COUNSEL: Seeing no other Council Members with hands raised. Chair, do you have any more questions or comments before we turn to the next panel?

CHAIRPERSON ADAMS: I do not. We can excuse this panel. Thank you very much for your testimony today.

THOMAS GIOVANNI: Thank you all.

UNIDENTIFIED: Thank you.

COMMITTEE COUNSEL: Thank you, Chair. We will now turn to the Civilian Complaint Review Board, and can we just confirm that we have them ready to go? Giving testimony for the CCRB will be Chairman of the Board, Frederick Davie, and also with him will be Executive Director Jonathan Darche. I will

administer the oath to each of you in turn. Do you swear to tell the truth, the whole truth, and nothing but the truth and answer all questions honestly and to the best of your ability before this committee today? Chair Davie?

FREDERICK DAVIE: I do.

COMMITTEE COUNSEL: And Executive Director Darche?

JONATHAN DARCHE: I do.

COMMITTEE COUNSEL: Thank you very much. You may now begin with your testimony when the Sergeant at Arms gives you the signal.

SERGEANT AT ARMS: Time starts now.

FREDERICK DAVIE: So, thank you Chair Adams and members of the Public Safety Committee for having us here today. Much of what I'm going to say we've already heard in various ways, so just let me take a couple of minutes to put it all together systematically from CCRB's point of view, and then we'll be happy to answer any questions at the end. So, I want to thank you for inviting me to testify today on behalf of the Civilian Complaint Review Board. In response Executive Order 203, the CCRB found it important to engage in our own process and



engage with several stakeholders to make sure civilian oversight was included in the conversation around reform. The CCRB met with the New York Police Department, held a conversation with CCRB's Youth Advisory Council and the NYPD; and hosted an oversight a panel with the Office of the Inspector General and the Commission to Combat Police Corruption. In all three conversations, the CCRB focused on concrete recommendations that would improve the role of oversight in New York City. When speaking with the NYPD, the Board and I shared our recommendations for changes the Department could make to improve policing, better serve the public, and strengthen the work of the Agency. First, the Department should provide the CCRB with greater access to evidence including direct body-worn camera footage, un-redacted police paperwork, and access to officers' entire disciplinary histories. Secondly, the Department should give more deference to CCRB's discipline recommendations by not downgrading final discipline recommendations, refraining from changing plea agreements, and by upholding verdicts. Finally, the Department should focus on improving interactions with the public. Particularly in light of the summer

Black Lives Matter protests in response to the killing of George Floyd, and the NYPD response which resulted in hundreds of complaints being filed with our Agency, which we continue to investigate. We believe the NYPD needs to look closely at the way officers interact with members of the public including protestors, individuals with mental health crises, and youth. The Department should ensure all officers, not just Youth Coordination Officers, get trained on the difference between interacting with adults and youth, and finally ensuring that civilians don't face any retaliation for filing complaints with the CCRB. In order to make sure our young leaders, including those who have been victims of police misconduct were involved in the conversation, the CCRB staff organized a conversation with the CCRB's Youth Advisory Council and community youth leaders, and they were able to share their ideas with the Department. The youth, including individuals from the Rockaway Youth Task Force, Crew Count, Sikh Coalition, and Muslim Community Network shared recommendations they believed would improve police interactions with the public. First, they would like the Department to make an effort to engage with the

community proactively, before enforcement. Second, these young people asked the Department to make efforts to reach out to communities of faith and other young people by providing cultural sensitivity training, training on youth for all officers, and the incorporation of critical race theory in the Academy. Finally, the Youth Advisory Council and those youth leaders asked for a reallocation of NYPD resources to community programs including more guidance counselors, educators, and social workers as well as increased funding for after school opportunities for youth including sports and the arts. Finally, the CCRB convened a panel to ensure the importance of oversight in public safety remained a key part of the conversation. During the oversight panel, which was joined by over 45 oversight, non-profit, and advocacy groups around the nation, the three Agency heads shared some similar goals including better funding for oversight, greater transparency into police discipline, and for greater deference to be given to the recommendations of the oversight bodies. The Agency heads focused on issues like removing final discipline from the Police Commissioner, creating a more independent OIG/NYPD, and ensuring the

Department respond to the Commission to Combat Police Corruption's recommendations. The panel also discussed the lack of transparency from the Department and the need for better access by the oversight agencies, the public, and the press to NYPD documents, footage, and discipline files. In order to address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust, the CCRB believes that there needs to be a civilian-centered approach that is transparent, effective, and equitable. Part of that solution will be a real investment in and reimagining of strong civilian oversight. To that end, the Agency's final recommendations focus on concrete solutions to accomplish that goal. First, strengthening civilian oversight, by examining the final discipline authority held by the police commissioner, including the removal of final disciplinary authority for CCRB adjudicated cases. Second, making the police disciplinary process more transparent including the CCRB with direct body-worn camera access-- I'm sorry, direct access to body-worn camera footage. And third, investing in the community and community-led solutions, and ensuring

appropriate funding for those community-led solutions. These changes would support the NYPD and any police department in ensuring that all of its citizens are treated fairly and justly by the officers sworn to protect them in line with the Governor's "Say Their Name Agenda" and would guarantee that oversight remains an integral part of the public safety conversations. I thank you for this time, and I'm willing--along with Executive Director Jonathan Darche, to answer any questions you might have.

CHAIRPERSON ADAMS: Thank you very much, Chair Davie. I just have a couple of questions. Thank you for being here today. You mentioned the interaction with the Youth Advisory Council, which I also believe was a great success. My question, though, is that-- is that enough engagement for you and for CCRB to feel comfortable right now in what that engagement will mean potentially to reform?

FREDERICK DAVIE: The answer is no. I mean, we engage within the context of this Executive Order to make sure that we have the perspectives of the youth within the timeframe that this Executive Order sets out for getting information and then

making those recommendations, I assume that would be to the Governor's office. But we will continue to engage with the Youth Advisory Council and those other youth agencies that were a part of that discussion. As you-- you know, statistics will show that engagement with youth by police officers, particularly young youth of color, is a significant issue here in this city, and so you know, part of CCRB's mission is to improve community police relations, and that starts with young people and trying to improve that trust between the two, but that's an ongoing process, and we have a community engagement and intergovernmental relations unit that will continue to reach out to those young people. We have a good staff that works on doing that. So this is a start, and I did have a conversation with Deputy Commissioner Chauncey Parker, and I think Chief of Community Affairs, if I have his title right, I think it's Jeff Madry [sp?], about ongoing conversations between police officers and our young people, so structured, engaged conversation. So, that's a start. It was done in the context of this Executive Order, the recommendations for them, but we'll

continue to engage young people. It's very crucial and important to work [inaudible].

CHAIRPERSON ADAMS: Okay, great. I don't know if you were listening last month when former Council Member Torres and I did the oversight when it came to racial bias, and within the NYPD. Now, my question has to do with violations of 203-32. Do you conduct investigations of violations of 203-32 that fall under offensive language?

FREDERICK DAVIE: John, do you want to grab this, is that racial profiling?

CHAIRPERSON ADAMS: Yes, or hate speech.

FREDERICK DAVIE: Well, speech we do. Language, we do. Yes. So, if it's hate speech by officers directed at civilians and we get complaints of that, yes, we-- the Agency investigates.

CHAIRPERSON ADAMS: Do you have any idea how often that happens?

FREDERICK DAVIE: We have lots of abusive language complaints. We can get you numbers on what those look like, and generally it has to do-- they have to do with race, sex, gender, gender identity, and perceived mental health conditions.

CHAIRPERSON ADAMS: So, you are--

JONATHAN DARCHE: [interposing] Chair--

CHAIRPERSON ADAMS: [interposing] I'm  
sorry, Executive Director, go ahead.

JONATHAN DARCHE: If you give me one  
minute, I can pull the numbers--

CHAIRPERSON ADAMS: [interposing] Sure.

JONATHAN DARCHE: of allegations of  
offensive language for you from 2020. So, we  
received 277 allegations of offensive language  
allegations in 2020, which is down from 310 in 2019.

CHAIRPERSON ADAMS: Okay, thank you.  
I'll turn the table just a little bit on that  
question. Do you know of any instances, same  
instances, actually being reported by an officer on  
behalf of a member of the public?

FREDERICK DAVIE: So, officers who have,  
sorry, filed a complaint on behalf of a member of the  
public against another officer for using offensive  
language?

CHAIRPERSON ADAMS: Correct.

FREDERICK DAVIE: I don't recall any.  
John?

JONATHAN DARCHE: I don't know if it was  
for offensive language, but I believe I know of one



complaint by a member of service on behalf of a civilian.

CHAIRPERSON ADAMS: Okay.

JONATHAN DARCHE: We can clearly check and have the answer for you by the end of the week.

CHAIRPERSON ADAMS: Great, great. I'd be curious to know that answer. And just to kind of wrap this, this will be my final question and just the bottom line. Are you, as leadership of CCRB, confident or do you have faith in the reform that's due under this Executive Order?

FREDERICK DAVIE: I'm not-- so, I'm willing to work with, and I think I can speak for my fellow board members, and I think I can speak of the Executive Staff of CCRB, we want to work with the Mayor, the Governor, Commissioner, the City Council, the State Legislature, anyone who is pushing for progressive reform. And so what I'm hopeful for that we'll get a very robust reform agenda coming out of this process and that we will all commit together to seeing to its implementation.

CHAIRPERSON ADAMS: Thank you very much for your testimony. Thank you.

FREDERICK DAVIE: Thank you.

CHAIRPERSON ADAMS: Counsel?

COMMITTEE COUNSEL: Okay, I'm going to ask if any other Council Members questions for the CCRB before we turn it over to the public. Thank you very much Mr. Davie and Mr. Darche.

FREDERICK DAVIE: Thank you.

JONATHAN DARCHE: Madam Chair, can I just say one thing?

CHAIRPERSON ADAMS: Yes.

JONATHAN DARCHE: So, I was listening earlier and there was a lot of conversation about consolidating the three entities into one, and I think while that is an interesting idea if some of the root problems that the Chair discussed in his testimony are also addressed, the consolidation won't be a meaningful improvement.

CHAIRPERSON ADAMS: Thank you very much, Executive Director, appreciate that. Thank you.

COMMITTEE COUNSEL: Okay. We will now turn to public testimony. I would like to remind everyone that unlike our typical council hearings, we will be calling individuals one by one to testify. Each panelist will be given three minutes to speak. Please begin your testimony once the Sergeant has

1 started the timer. Council Members who have  
2 questions for a particular panelist use the Zoom  
3 raise hand function, and I will call on you in the  
4 order your raised your hand after the panelist has  
5 completed their testimony. Council Members, you have  
6 a total of three minutes to ask your question and  
7 receive an answer from the panelist. For panelists,  
8 once your name-- once you're called to testify, a  
9 member of our staff will unmute you and a Sergeant of  
10 Arms will set the timer then give you the go-ahead to  
11 being. Please wait for the Sergeant to announce that  
12 you may begin before delivering your testimony. I'll  
13 just read the names of the first few panelists so you  
14 can get ready. First up will be Kadiata Kaba, from  
15 Make the Road New York, followed by Michael Sisitzky  
16 from the New York Civil Liberties Union, and Melissa  
17 Moore from the Drug Policy Alliance. Kadiata Kaba?

18  
19 SERGEANT AT ARMS: Time starts now.

20 KADIATA KABA: Hi, good afternoon. My  
21 name is Kadiata and I am a member of the Youth Power  
22 Project at Make the Road New York. For me, this is  
23 personal. I grew up watching people who look like me  
24 experience and resist violent actions and abuse at  
25 the hands of police. Our city has over-invested in

policing instead of investing in things that can actually save our lives and help us thrive, so health care, schools, community centers, housing, mental health supports, food justice, the list goes on. So, amidst the ongoing cases of police violence throughout the country, police reform has been a salient issue. But those of us who reside in these communities directly impacted by policing know that this is our everyday lived experiences. We are sick. We are tired. We are exhausted. We have had enough. So, when having conversations about police reform, those who are directly impacted must spearhead the conversations about policy advocacy efforts. Police Reform must include removing police from public institutions that are supposed to be supporting Black and Latinx youth and communities. We know our history and understand police have been in New York City public schools to criminalize, surveil, and restrict freedoms of Black and Latinx youth. There is no evidence that police or metal detectors create safer communities. But there is evidence it further criminalized Black and Latinx youth. Black and Latinx youth are over 90 percent of all students arrested and receiving summons in schools. Research

shows policing students in schools doesn't do anything to make schools safer, but it leads to the pathway to prison. We have a vision for creating nurturing, supportive, and inclusive schools for all young people. The way to truly create safe and supportive learning environments is by investing in creating stronger relationships between students and supportive school staff, teachers, and guidance counselors and using more just and fair approaches to discipline that uses community building practices, not policing school children. By redirecting over \$320,000,000 million we send from the DOE to the NYPD for School Safety Agents, we could hire more guidance counselors, social workers, school nurses, and restorative justice coordinators. And the city of Oakland recently announced the complete removal of police officers in schools. So, my question is, what are you waiting for New York City? Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Michael Sisitzky followed by Melissa Moore and Charlotte Pope.

SERGEANT AT ARMS: Your time starts now.

MICHAEL SISITZKY: Thank you. Good afternoon. My name is Michael Sisitzky. I'm Senior

Policy Counsel with the New York Civil Liberties Union. For this reform and reinvention process to work, it needs to be informed and led by those whose safety is directly impacted by police violence, and that's not what we've seen so far. In October, the NYPD held a series of listening sessions announced with no real notice with limited opportunity for real public engagement, and since then there's not been a good faith effort to develop a plan in consultation with directly impacted communities. And so we're deeply skeptical that any city-run or facilitated process can produce a plan that rises to the current moment. The amount of work that's needed is far beyond what can realistically be accomplished by the April 1<sup>st</sup> deadline, or even by the July 1<sup>st</sup> city budget deadline where this body has the opportunity to make up for last year's failure to reduce the size, scope, and power of the NYPD. But moving forward, defunding the NYPD and reinvesting in black and brown communities must be the goal that guides this council's work. That should be what guides the council's budget deliberations this summer, and it should serve as the framework for analyzing any reforms due by April 1<sup>st</sup>. This framework means

ending the role of police responding to situations like mental health crisis and homeless outreach, and recognizing that we cannot substitute police for a fully-functioning and fully-funded social safety net. It means a full removal of School Safety Agents from schools. Former Mayor Giuliani's decisions to give cops free reign over school discipline has hurt a generation of black and brown students, and it must come to an end, and merely moving these officers to DOE is not sufficient. This framework also means being-- banning expensive, invasive, and racist surveillance technologies like face recognition, which we've learned that the NYPD has been using irresponsibly for years. And it also means rejecting proposals for reform that merely entrench the role of policing or that seeks to promote better policing. Although often pursued with good intentions, reforms consisting of more training or the role out of community policing models only legitimized the role of police in areas where alternative social intervention can better address and meet people's needs. And lastly, and perhaps most critically for this process it can only succeed if we clearly acknowledge and account for the complete lack of

credibility from the NYPD and this Administration in any conversation on reform. Under this Administration, the NYPD has loudly objected to basic transparency measures and has sought to delay or water down nearly every bill that city legislators have put forward. Under this Administration, the NYPD pushed for and won a dramatic expansion of Section 50A which was only undone due to the unprecedented mobilization of thousands of New Yorkers last summer demanding the law's repeal. Under this Administration, NYPD officers have misrepresented crime data and broken rules against political messaging while in uniform to advocate for roll-backs and historic bail reform measures. And under this Administration we have seen a complete unwillingness to hold officers accountable for egregious misconduct. In the five years that it took to fire the officer who killed Eric Garner, to the repeated failures to take responsibility for the unprecedented violence directed at protestors last summer, the Council can--

SERGEANT AT ARMS: [interposing] Time expired.



MICHAEL SISITZKY: The Council can and must serve as a counter-weight to this abdication of leadership and work directly with the communities impacted by policing to identify real solutions and not give undeserved credit to whatever reform proposals emerge from the NYPD and this Administration. The people with the credibility here are the ones who have been harmed, not the ones who have caused it. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. We will now turn to-- I believe we have Maryanne Kaishian, if you're available, we're going to turn to you.

SERGEANT AT ARMS: Time starts now.

MARRYANNE KAISHIAN: Thank you. As Senior Policy Counsel with Brooklyn Defender Services, I want to thank the Committee on Public Safety, particularly Chair Adams, for holding this important discussion on police reform and for prioritizing the testimony of family members first. Reforming the NYPD has been attempted many times in the past, but the Department only makes a mockery of intersection and change. They amend their Patrol Guide and conduct trainings to reflect changes

demanded by the public, only to fail to discipline officers who break the rules. As now, the NYPD cuts impacted people, critical voices and defenders out of discussions about police practices while touting so-called efforts at reform. Proposed police reforms across the country, including federal standards advocated by Governor Cuomo would bring other Departments into line with the NYPD such as on body-worn cameras and chokehold bans, but these rules do not curb abuse perpetrated by the NYPD in times of mass protest or otherwise. Ultimately, the NYPD refuses to discipline or fire officers such as Wayne Isaacs, or Kobel Clouseau, and they reject any and all attempts at oversight. The real transformative change New Yorkers need requires taking power, money, and headcount away from the NYPD and investing in the people of this city. I refer this committee to my written testimony for more information, but in my limited time I'd like to make the following recommendation: the Council controls NYPD funding and must divest from policing. There are many ways the NYPD budget could be significantly and quickly reduced, namely firing officers credibly accused of misconduct, including the murders of family members

of people on this call, eliminating the NYPD gang database, and abolishing abusive specialized units. Officers engaged in misconduct knowing the Department will not hold them accountable, and the Commissioner retains veto power over any disciplinary recommendations. The Council must take away the NYPD's final say in the employment of abusive cops who are continually funded at the expense of communities. Massive resources are also spent on surveillance in gang policing without measurable safety improvements. Ninety-nine percent of all people on the NYPD's rogue gang database are non-white. There are no clear guidelines for designation and it can't be challenged. About a third of people added are children, some as young as 12. The database in my experience representing young New Yorkers is riddled with errors, but even when the police correctly identify someone as a gang member, the abuse, harassment, and cataloging of young people by police does not enhance community safety. The NYPD surveils children and young adults sometimes for years without alerting parents that their children are in trouble or providing meaningful interventions. They build cases in backrooms to warehouse people for

complex and racist prosecutions of incoed [sic] crime. The Council should move to eliminate the gang database and to reign in abusive NYPD practices and it should look to fund community initiatives such as Cure Violence, housing, and mental health programs instead. In addition to the gang squad, the vice unit and other specialized units operate with impunity. While the abuses by Vice covered in recent reporting are not unique to specialized units, these groups exemplify the most destructive tendencies of policing. BDS addressed the City Council in a letter calling for the abolition of ICE. We've been sounding the alarm on this unit and others alongside community members for years while the NYPD protected these officers. In short, implementing reforms, specifically NYPD-approved reforms, and expecting the Department to fundamentally change is a folly. The City Council should exercise its power to significantly reduce the power and funding of the NYPD. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. We'll now return to the list I read earlier. Next up will be Melissa Moore followed by

Charlotte Pope, and Manchu Yankan [sp?]. Melissa Moore?

SERGEANT AT ARMS: Time starts now.

MELISSA MOORE: Thank you very much for the opportunity to speak at today's much-needed hearing. For decades, we've seen the harms of over-policing up close in our work to end the marijuana arrest crusade in New York. We've watched as policing has played a pivotal role in the racist drug war and how resources have been funneled into law enforcement instead of vital services that make our communities safer. In too many cases, drugs have been used by the NYPD, the largest and most militarized police force in the United States, as an excuse to target, harass, assault and kill Black New Yorkers. New York City must act in this historic moment to fundamentally change the paradigm around policing in New York, cut the NYPD's budget, and reallocate those resources to the more relevant city agencies, harm reduction programs, and community-based organizations who are better trained and equipped to actually keep our communities safe. On drugs in particular, New York City criminalizes drugs and low-level broken windows offenses at a startling rate, with

enforcement in these areas accounting for a vast proportion of the NYPD's policing activities and the city's budget. It is inappropriate and ineffective to use law enforcement as front-line healthcare providers. Those resources should instead be allocated to health-serving agencies and entities immediately. As we heard earlier this morning from families who have lost loved ones at the hands of NYPD, interactions between PD and communities go horrifically wrong far too often and it's time to end this contact. In 2019, there were more than 21,000 drug enforcement arrests and violations in New York City with two-thirds being for only possession of marijuana, a controlled substance, or paraphernalia. Further, nearly 15,000 summonses were issued by the NYPD for marijuana in 2019, accounting for 17 percent of all criminal summonses issued citywide that year. There's stark racial disparities among these drug arrests and violations as well, despite data showing similar rates of use across populations. In 2019 alone, more than 45 percent of people arrested or cited for drug offenses in New York City were black, despite black New Yorkers making up under 25 percent of the City's total population. A further 38 percent

were Latinx, with Latinx people making up less than 30 percent of the city's total population. Only 11 percent of people arrested or cited for drug violations were white, yet white people comprise 47 percent of the city's population. The trends in drug enforcement in New York City mirror enforcement of other low-level offenses, often referred to as broken windows policing. Because broken windows focuses on the lowest level offenses to theoretically prevent more serious offenses, an assumption that has been repeatedly disproven. Low-level marijuana possession and sale are consistently among the most common offenses charged under broken windows as well. In 2019 the arrest and violations for low-level broken windows offenses accounted for 28 percent of all NYPD arrests and violations issued for the year, resulting in a tremendous negative impact on individuals in communities and wasting vast city resources. I'll just direct the Council to our further recommendations that'll be included in my written testimony. But top level and the arrest and violation level enforcement for drugs, drugs paraphernalia and related petty offenses often used to criminalize drug use and enacting non-enforcement policies to

effectively de-criminalize drugs in New York City, eliminate nuisance complaints, and remove the odor of marijuana as a justification for a stop and a search. Prohibit sweeps of homeless encampments and shift calls for service relating to encampment "nuisance violations," principally to civilian agencies, establish overdose prevention centers and safer consumption sites, and allow drug tracking services, and eliminate the narcotics unit of the NYPD and reinvest that funding harm reduction services. We have to stop the use of confidential informants for narcotics by prohibiting the use of known drug users as buyers and informants, and with that, I will close out, and thank you very much for this opportunity and for the work that you're doing.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will Charlotte Pope followed by Joo-Hyun Kang followed by Keith Fuller.

SERGEANT AT ARMS: Time starts now.

CHARLOTTE POPE: Thank you and good afternoon Chair Adams and members and staff of the Committee. My name is Charlotte Pope, speaking on behalf of Girls for Gender Equity. We've submitted detailed written testimony with recommendations for



the Council's consideration, but we'll share now some abbreviated concerns with school policing and the youth policing strategy. To start, while every public school students in New York City attends a school with a School Safety Agent, over 87,000 students attend a school without a fulltime counselor or 300,000 without a fulltime social worker, over 286,000 with class sizes above 34 students, and the list goes on. The Governor's guidance book on the Executive Order only goes as far as to suggest considering the deployment of police in schools and revising memorandums of understanding. New York City's newest 2019 Memorandum of Understanding was a result of multiple years of stalling and negotiations that ultimately undermined its potential impact and left school policing to the discretion of the NYPD through the inclusion of language like use alternatives when possible, where appropriate, and on a case-by-case basis. In the year that followed the adoption of that MOU total reported police interventions in schools did not budge from the prior year. So we're calling on the Council to advocate for immediately reducing the power and presence of school policing and move a vision that healthy,

equitable schools are police-free schools rather than continuing to tinker around the edges or building up new policing infrastructure or policing by another name. We're also calling for the end of the NYPD's Youth Strategy and attempts to further entrench law enforcement in the day-to-day lives of young people. With the incorporation of the new Youth Coordination Officer in the Patrol Guide at the end of June, we were disturbed to read many of the written responsibilities such as developing youth programs. We're asking the city invest in meeting the needs of young people rather than packing resources into precincts. We have served each of the nine public-facing community engagement sessions and were alarmed by the Department's insistence on growing and expanding NYPD youth programs. This comes, for example, after the city funded DYCD and chopped SYEP in more than half. We urge the Council to block any attempt to expand the reach of NYPD youth programs and join again in calling for a divestment from youth policing and an investment in meeting the real material needs of young people. Thank you again for this time.

COMMITTEE COUNSEL: Thank you for your testimony. Joo-Hyun Kang followed by Keith Fuller.

SERGEANT AT ARMS: Time starts now.

JOO-HYUN KANG: Thanks so much Chair Adams for having this hearing and also, certainly, for having families speak first. So appreciated so uncommon, unfortunately. Communities United for Police Reform is a largest coalition in New York City around police reform. We run coalitions of over 200 organizations on various campaigns, specifically around police reform and reducing reliance on police for safety. I did have prepared remarks which I am not going to use, because the-- I'm using my time instead to respond to what I believe are misleading and false statements by the Administration this morning. Specifically, as you pointed out, the City's process really has been NYPD-led. It actually does not matter that the First Deputy Mayor's Office's name is there and staff are there. The NYPD has been driving the entire City's reform process, which basically makes it illegitimate, and the moment that we're in right now is that what will happen, as you know, is that the city is requiring to send a plan to Governor Cuomo by April 1<sup>st</sup>, which means the

1 City Council needs to act by March, and we are in the  
2 middle of January, which means that there is no time  
3 actually for significant direction or guidance in  
4 such a plan and it's a catch-22 the council has been  
5 set up in, I think. Where had the Council been  
6 engaged earlier, had community organizations,  
7 especially those with long-standing history around  
8 police reform been able to help guide some of this  
9 process, we would not be in the position where in  
10 March you'll have the choice of either accepting or  
11 rejecting the Mayor's plan and having not only the  
12 NYPD potentially lose budget monies but other  
13 agencies in the City potentially lose budget money.  
14 And so, I just want to name that this actually in  
15 this moment a set-up regardless. Second thing is  
16 that there is really no meaningful engagement that's  
17 happened with families, as you've heard from families  
18 today. And the question actually isn't fundamentally  
19 about engagement. It's a question of power. When we  
20 think about past processes, Thomas Giovanni talked  
21 about Floyd and Daniels, CTR organizations where  
22 actually the plaintiffs in Floyd or Daniels- we have  
23 a 20+ year history on those-- on the stop and frisk  
24 litigation and the Black, Latino, Asian Caucus was  
25

1 the key supporter of the Floyd litigation. So when  
2 we talk but engagement, there were thousands of New  
3 Yorkers who were engaged in the Floyd joint remedies  
4 process. There were focus groups. There were town  
5 halls, and there were hundreds of pages produced of  
6 recommendations, and yet the NYPD has really not  
7 moved any of the priority recommendations, nor has  
8 the Mayor. The second-- the next thing I want to  
9 just say is that fundamentally, again, this is truly  
10 about power more than it is about policy. The NYPD  
11 and police unions have outsized [sic] power in New  
12 York and too often unilaterally react or block  
13 discipline. They reject or block policy changes and  
14 take control of the media narrative, and too often  
15 not only mislead, but actually just lie. There's  
16 three examples I want to raise that are relevant to  
17 the ad--

18  
19 SERGEANT AT ARMS: [interposing] Time  
20 expired.

21 JOO-HYUN KANG: [interposing] One is--  
22 sorry, did you say that's time?

23 CHAIRPERSON ADAMS: Continue.

24 JOO-HYUN KANG: Sorry. One is  
25 specifically around 50A. They claim that there's a

1 TRO currently. Actually, CPR is an intervener in  
2 that litigation. It's not so much that there's a  
3 TRO, but the police unions have all sued on this, and  
4 we actually won and did not have a TRO in the  
5 district court, so the police unions went to the  
6 second circuit. There's going to be actually a  
7 hearing in second circuit next week on this, but in  
8 spite of that, whether or not we call it a TRO or  
9 not, they're not prohibited from releasing individual  
10 information. For example, to families or even for  
11 that matter, to the public. So, in the next month, I  
12 really hope that the Council does not accept if they  
13 come back and say we can't tell you what's happening  
14 what's happening with the officer [inaudible], we  
15 can't tell you what's happening with the officer with  
16 [inaudible]. We can't tell you about Delrawn Small  
17 or Trey Wick [sp?], or Garner because of supposed 50A  
18 restrictions. That is not actually true. Second  
19 example is just the cosmetic changes around the  
20 matrix. They mentioned the matrix this morning, and  
21 what I want to emphasize is that there is a way in  
22 legislation can be very important, and there's a way  
23 in which the NYPD has become expert at abusing  
24 legislation. And so, yes, there is a matrix that's

1                   been mandated; however, what goes into that matrix is  
2                   completely unilaterally determined by the NYPD. So  
3                   for example, we sent a letter signed by dozens of  
4                   organizations demanding changes to the matrix,  
5                   because abusive actions like not wearing your mask,  
6                   like racial profiling, like other kinds of abusive  
7                   actions are not necessarily automatically fireable  
8                   offenses. That's already a problem when you consider  
9                   the fact that racial profiling complaints in a span  
10                  of five years from 2014 to 2019. There are close to  
11                  3,000 racial and discriminatory profiling complaints.  
12                  Zero were substantiated by the NYPD, zero. And so if  
13                  the NYPD itself is not going to substantiate these  
14                  complaints, it will never result in firing. The  
15                  third example is around the monitorship that Thomas  
16                  Giovanni talked about. Yes, many of us have been  
17                  involved the Floyd Monitorship, in fact, many of our  
18                  organizations including those members of [inaudible]  
19                  grassroots movement and the Justice Committee were  
20                  lead plaintiffs, not only in Floyd, but also in B.  
21                  Daniels [sic] lawsuit after [inaudible] was killed.  
22                  However, in that monitorship what's being contested  
23                  right now is that we have 20 years of litigation with  
24                  almost no remedy. There's been no-- there have been  
25

zero disciplinary reforms that have been ordered.

The community prioritized recommendations that the

Floyd facilitator recommended in his official report

before his term was over. Those have not been moved

on, including the creation of a specific Community

Board. And then lastly, I guess I just want to say

that Chair Adams, your question earlier in the

hearing questing the point about how this is a

leadership issues and there's a refusal to admit

wrongdoing is a bottom line in this process as the

lack of action for families, I would say really means

that there can't be any faith in any plan that comes

out of this without significant City Council

intervention and without significant leadership, not

only for the families involved, but also communities

who have been fighting this for decades, not just

the-- sorry, the last point I just want to make is

just community engagement is not the same as

community power, and what we are looking for is a

shift in power. That's why so many people are

calling for a reduction in the budget of the NYPD,

because that represents a reduction in the unchecked

power of the NYPD. Thank you so much. I really

apologize for going over.



CHAIRPERSON ADAMS: No apology necessary.  
Thank you so much for your testimony. Thank you.

COMMITTEE COUNSEL: Thank you for your  
testimony. I'll just remind any Council Members if  
you have questions for any of the panelists, please  
use the Zoom hand raise function. And the next few  
witnesses will be Keith Fuller, followed by Justine  
Olderman, followed by Corey Stoughton, and Albert Fox  
Kahn [sp?]. The next panelist will be Keith Fuller.

SERGEANT AT ARMS: Time starts--

KEITH FULLER: [interposing] Good after--  
good afternoon. My name is Keith and I'm a member of  
Make the Road New York Youth Power Project, and  
lately I've been doing a lot of personal reflection,  
so I really want to start this off by emphasizing  
that the reality for many people that look like me is  
we live in two Americas, one in which people are  
propped up by the policing infrastructure and another  
America where people are weighed down by the very  
same infrastructure. And there's no coincidence that  
the groups that are oppressed come from black and  
Latinx communities. That's why it's so crucial that  
our elected [sic] wake up and acknowledge that the  
only way we can effectively reimagine policing is by

reducing their budget, power, and reach into our lives. The insurrection at the Capitol building on Wednesday should have put everyone on notice. The core functions of the NYPD and law enforcement across this country is maintaining inequality and upholding white supremacy. The Mayor is not willing to address that directly, making the city's process a hollow one, one that we can't trust to bring us justice. Compare what we saw to the Black Lives Matter protests across the city this summer that were outraged that a black or brown person cannot sleep in their own beds at night without the fear of being woken up and murdered by the police. They were-- we were beaten, sprayed, and drove down on by police cars. That is why I call it two Americas, because police are here to control us and to aid them. So let's address this directly, not by using our imagination but by addressing the reality. We can start by significantly reducing the NYPD budget by removing them from all forms of social services, public institutions, homeless outreach, and mental health responses. Police have been embedded in social services largely serving Black and Latinx communities, not to improve them, but because we are

seen as dangerous and criminal even when we are trying to access support. In short, immediately remove police from our social services, end their relationships with social service agencies, and reinvest that same money that went to the NYPD back into the communities that need them the most. That is how we keep our communities safe and just. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Justine Olderman followed by Corey Stoughton.

SERGEANT AT ARMS: Time starts now.

JUSTINE OLDERMAN: Chairperson Adams and committee members, I know I'm not just speaking for myself when I thank you for having this hearing and for your opening remarks. It is a relief in many ways to hear reflected back by Council the concerns that we have been raising with the Mayor and with the Police Department since October. I'm the Executive Director at the Bronx Defenders, and at the Bronx Defenders we represent over 15,000 people charged with criminal cases every year. Every single one of the people that we encounter before we meet them has had some interaction with the NYPD. When I try to

wrap my head around how monumental the task of reinventing the role of police in New Yorker's lives, what I think about is if we took every single one of those stories, if we wrote them down, if we put them in books, and we bound those books and stacked them one on top of each of other and put them down in front of One Police Plaza, it would be a physical monument to what is essential City-sanctioned brutality, and it would be a stunning indictment not only of the brutality of the NYPD, but sadly a city that has really stood by for a very long time and done nothing about it. So, it's not surprising that this summer, as you referenced in your opening remarks, in the aftermath of George Floyd's murder, the decades of pain and trauma that New Yorkers, especially black and brown New Yorkers, have experienced. It's spilled over into the streets, and what we all stood by and heard and experienced and participated in were the cries of anguish and of urgency for transformation. And when confronted with that mounting critique of the role of NYPD and the violence they perpetuate against low income black and brown communities, what did they do? What they did, Chairperson, is they did what they do best, they

1 responded with militarized force and more violence.  
2  
3 Nowhere was that more on display than in the south  
4 Bronx where the people we serve live. Our clients,  
5 our staff, our community members, they were there in  
6 Mott Haven on June 4<sup>th</sup>. They not only witnessed the  
7 brutality, they experienced it. One of our senior  
8 attorneys and a Bronx resident reported this: "I was  
9 hit on the head with a shield and indirectly sprayed  
10 with pepper spray. I tried to use my body to get out  
11 of the way of officers who were hitting people with  
12 batons and shields and I was pushed into crushed  
13 bodies and could not move." I'd love to sit here and  
14 tell you that the stories we heard in the aftermath  
15 of the Mott Haven protests were surprising to us, but  
16 having worked in the south Bronx for 20 years and  
17 serving this community, there was nothing surprising  
18 about it. For years, the NYPD has targeted the people  
19 of the Bronx. The Bronx, which has the highest  
20 proportion of people of color. We have been  
21 disproportionately targeted for arrests [inaudible]  
22 and rates we just don't--

23 SERGEANT AT ARMS: [interposing] Time  
24 expired.  
25

JUSTINE OLDERMAN: Now, as you noted, despite this predictable pattern, there was a glimmer of hope that we all had when the Governor issued his Executive Order. It could have been a catalyst for change. It could have been a structured way to reimagine the role of the NYPD in the lives of New Yorkers. However, despite what you heard today, neither the Mayor, nor the Commissioner have had a show of any interest in addressing these long-standing patterns of violence and brutality. If, Chairperson, and Council Members, if what they said today was true, they would have launched a truly collaborative process, noted the guidelines that the Governor put out, a collaborative process that mirrors something like the Council's own Rikers Commission that had not only a cross-section of advocates and stakeholders who participated, but they built that plan together. They didn't just passively listen to what people had to say and then go off in a process that was shrouded in secrecy and come up with their own plan. They could have done that, but they didn't. Instead, the Mayor handed over the reins to the NYPD, which has shown itself-- we all know this-- time and again to have one goal over all others, and

it is not public safety. It is self-preservation. I want to highlight one thing that I heard today from the Mayor's Office of Criminal Justice's claim that they've engaged with stakeholders including the defenders. Like Joo-Hyun, I also want to highlight that that is not true. The only role the Defenders have played in this is to highlight for them the same concerns you raised at the beginning of this hearing, in letters, in meetings, etcetera. And what was the response? All of our suggestions for how to make this process meaningful were completely rebuffed. And so are we willing to be simply a check-box so they can come before you and say that they engaged with us. We are not, because as Joo-Hyun said, this isn't just about listening, this is about power. And I would ask you to inquire not only about where are the voices of impacted communities in this process, but where are the nonprofit leaders that you cited that you respect, that we respect? Where were they today? Why aren't we hearing from them? They should be called upon to speak to your committee as well. If, in fact, the things that they said today were true, they also would have created a transparent process. That process would have included the sharing of data

1 with the public. All these meetings they trotted out  
2 to make it seem like they had done so much, why  
3 weren't those made public? And why didn't they  
4 engage in the community in a meaningful way? You  
5 heard that these were rushed and rolled out. They  
6 were shrouded in secrecy. People didn't have enough  
7 advanced notice. Many of us who testified today  
8 attended those. They were PR campaigns. They  
9 weren't real engagement sessions, and they could have  
10 created a system of accountability, but there is no  
11 way for us to hold this Mayor or the Commissioner  
12 accountable to the feedback from those meetings. The  
13 processes they have set up, as I think you alluded to  
14 early on, it is all smoke and mirrors. It gives the  
15 illusion of something real when in reality it is  
16 designed to reinforce the status quo. I was so taken  
17 by Iris Baez's comment this morning. I think she sort  
18 of summed it up best. She said decades ago that the  
19 NYPD came and said everything that the community  
20 wanted to hear, and they did the same thing to you  
21 today. They said the right words. They had the  
22 right intention, but we know when you pull back the  
23 veil, this is not a process we can trust, and it's  
24 not even a process worth having. And I apologize, it  
25



1 leaves me with this moment where I want to say to you  
2 this is the answer, this is what you can do, but the  
3 truth is I'm not entirely sure what the Council can  
4 do at this point. In many ways, it is too late for a  
5 real process, and in many ways, sadly, it's a missed  
6 opportunity for real change. But the one thing  
7 Council could do that at least will be a step in the  
8 right direction, is to reject any plan this Mayor  
9 brings to you that does not-- as many other people  
10 have said, and as the impacted members of the  
11 families said this morning-- that does not have a  
12 radical divestment from the NYPD and a corollary  
13 massive investment in impacted communities. This is  
14 a civil rights issue of our time, and at this point,  
15 it is up to the Council to make sure that what comes  
16 out of this process isn't just another fake reform  
17 effort that we can all pat ourselves on the back on  
18 and go away and pretend like nothing happened. Thank  
19 you.

21 CHAIRPERSON ADAMS: Thank you very much  
22 for that informed testimony. I was about to put my  
23 thumb up, but I figured I'd just take my mic and just  
24 say whoop whoop. So, I really just want to ask you  
25 and Ms. Kang if she's still on-- we're talking about,

1                   you know, and you all are some of the most, you know,  
2                   learned individuals through this whole process,  
3                   right? What do you think are some of the  
4                   responsibilities that can be transferred from NYPD to  
5                   non-law enforcement, in addition to homeless  
6                   outreach, in addition to mental health? What are  
7                   your thoughts on that?

8                   JUSTINE OLDERMAN: Joo-Hyun, I'm going to  
9                   let you take that first. Then I'm happy to chime in.

10                  JOO-HYUN KANG: Sorry, I was having some  
11                  technical difficulties around this. I mean, I think  
12                  anything I say is just representing the brilliance of  
13                  our members, and for me, I don't really have any  
14                  original ideas myself, but our members have said for  
15                  a very long time that a number of places, not only  
16                  homeless outreach, but homeless services. So, all  
17                  homeless engagement. When we talk about mental  
18                  health it's not only about mental health response for  
19                  emergency crisis, but when people are perceived to be  
20                  a mental health crisis, which may not be a mental  
21                  health crisis. It might be drug use. It might be  
22                  any-- it might be somebody got fired that day, but  
23                  all those kinds of instances of emotional distress  
24                  that get perceived as emotional stress, or it might  
25

be somebody that has cognitive disability or some other kind of disability that they misread. We need to really reduce the amount of police engagement. Many of our youth organizations, all of them have said the police have to be out of schools. I know the Chair Adams, you were in New York when there was a time when police were not in schools, and there are many reasons for why people will say police are now in schools. There's no reason we can't actually come up with a comprehensive safety plan in schools that centers young people, that centers youth of color who are daily facing punitive impacts in the school-to-prison pipeline. And if we can listen to groups like Make the Road New York, like Girls for Equity, and really follow their lead in terms of all the work they had thought through around Restorative Justice, around how to make sure that the purpose of school is not punishment, but the purpose of school is learning. Melissa talked about drug enforcement as another area. Traffic enforcement is another area. There's a number of areas we can go through, but really, this is moment to rethink and imagine what does public safety look like for us as a city and not assume that every part or any part of public safety

1 has to require police [inaudible]. Many of our  
2 organizations who have members who are regularly  
3 survivors of hate violence have said that police  
4 should be taken out of hate violence enfor-- hate  
5 violence investigations. There's other ways to do  
6 hate violence investigation, hate violence prevention  
7 that is not purely about police. So there is a long  
8 list, and I would say that that's only the beginning  
9 of a list, that we could actually have a citywide  
10 conversation on how to redefine safety and how to  
11 rethink how we keep all of our communities safe all  
12 the time.  
13

14 JUSTINE OLDERMAN: And I'll just-- I  
15 mean, that's such a great list. Some things that I  
16 will just, you know, add to that-- you know, one of  
17 the things is domestic violence and seeing other  
18 places where we can actually intervene in ways that  
19 actually help people instead of harm people. It's  
20 like a one-size-fits-all approach to it. The other  
21 issue is even just the interpersonal, the number of  
22 cases we see that involve tenants who have conflict  
23 with one another, who have disputes with one another.  
24 It's like, again, it's like if you look at every  
25 interaction that happened, from all the ones that

1 Joo-Hyun cited to all the way through to the way we  
2 deal with, you know, the Vice Squad and drugs and  
3 gangs, it's like we have to ask ourselves-- we're  
4 such-- the city is filled with brilliant people. We  
5 are smart enough to come up with alternative  
6 solutions and not keep going through the same failed  
7 strategies. Think about HRA centers, the places  
8 where people go to seek help and assistance, and yet,  
9 those are spaces that are policed. So, I think, you  
10 know, just to echo what Joo-Hyun said, if we really  
11 need to being to take a very expansive look and ask  
12 ourselves are we smart enough, are we creative  
13 enough, do we care enough to come up with a different  
14 strategy? Because certainly what we've been doing in  
15 all of the areas that you just heard from, it's not  
16 working.

18 CHAIRPERSON ADAMS: Thank you so much.

19 COMMITTEE COUNSEL: It looks like Ms.  
20 Kang has some follow-up. Can we unmute her?

21 JOO-HYUN KANG: I'm so sorry, just two  
22 things that I will get yelled at for not naming. One  
23 is press credentialing. There's no reason that press  
24 credentialing should be happening through the NYPD.  
25 That can be moved to another government agency

1 easily. It's an administrative function, shouldn't  
2 be a police function. Secondly, it's also policing  
3 of protests. Strategic Response Group, which is  
4 Counterterrorism Unit, has no business policing  
5 protests, but we would actually go farther and say  
6 that community members actually can secure our own  
7 protests. In fact, we train people all the time to  
8 actually secure their own protests, because often  
9 times what police are doing at protests is stopping  
10 traffic, and that's something that community members  
11 can be trained to do. It's Marshalls in their own  
12 safety formation, especially when there's no risk--  
13 no threats of violence or risks. Sorry about that  
14 [inaudible]. Thanks.

16 COMMITTEE COUNSEL: We have-- Council  
17 Member Rosenthal has some questions. Chair, did you  
18 want to follow up before we turned to her?

19 CHAIRPERSON ADAMS: Nope, let's go to  
20 Council Member Rosenthal.

21 COUNCIL MEMBER ROSENTHAL: Well, I just  
22 want to thank-- Justine, you know that-- you know how  
23 I feel about you. I really appreciate your coming to  
24 testify today and the Defenders, all the Defenders'  
25 input. I'm wondering two things. One, just out of

1 pure ignorance, has your coalition put together a  
2 response, a formal response that the Council should  
3 be looking at? I want to make sure the Council has  
4 that. And secondly, if you could pick-- I like how  
5 the Chair zeroed in on, you know, what functions  
6 should not be in the PD. You gave this wonderful long  
7 list that I agree with. If they're-- one other  
8 thing, example, you want to give of something where  
9 you sat in those stakeholder meetings, and trust me--  
10 the same thing happens on many issues. They have the  
11 meeting and they listened, but it doesn't mean they  
12 do anything about the suggestions. So, is there one  
13 other suggestion that you would like to highlight  
14 that you think the PD, you know, listened to but did  
15 not hear?

17 JUSTINE OLDERMAN: Councilperson  
18 Rosenthal, just so that I'm sure that I am responding  
19 to your question. In terms of the process or in  
20 terms of what we think a re-imagined role for  
21 policing should or would be?

22 COUNCIL MEMBER ROSENTHAL: I mean, the  
23 way you articulated the process I think spoke for  
24 itself, not transparent and not meaningful. I sat in  
25 on some of those Zooms as well and heard the same old

defensive reactions, you know, an attempt not to, but the same old defensive reactions to community's suggestions. But specifically, suggestions that you would have to reforming, to re-imagining to be thinking about the police as neighborhood safety instead of what they are now. Is there a suggestion that you made that you wished the-- you know, in one of those stakeholder meetings that you wished they really would do?

JUSTINE OLDERMAN: To be honest, we didn't even get to any substantive engagement on recommendations or what we think should be included in the plan, because it became very clear very early on, and to be honest, just to give you probably more history than you want-- in the beginning we were told it was going to be a collaborative process, much the way that the Riker's Commission was. That we would not only be part of the collaborative, but we would part of the process of drafting the plan and, obviously, any input we had we would want, you know, to also be informed by the people we serve, the people of the Bronx. That didn't happen, and so as soon as it became clear that that wasn't going to happen and our engagement was only to sort of check



the box and be able to come before a body like yours  
and say we--

SERGEANT AT ARMS: [interposing] Time  
expired.

JUSTINE OLDERMAN: We indicated that we  
were not interested in [inaudible]. What we're going  
to be doing and what I think many of us have really  
no choice but to be doing is to create sort of an  
external process to get you the information that you  
need about how you should think about any plan that  
comes out, and once the plan does come out, you know,  
hopefully it'll come out with enough time for  
impacted communities to have their voices raised and  
heard about what they actually think of what's in  
that document or whatever comes before you. I do  
think that if there is any one, you know, sort of  
area that we would really push for, and this was  
referenced by a speaker earlier today-- it is a real  
divestment, not a divestment in that name only, not a  
shell game that moves some departments under a  
different heading, but does not radically re-imagine  
the role of policing. And there is-- I'm glad that,  
you know, you asked the question, and I appreciate  
the opportunity to talk to you directly, because one

1                   thing you talked about earlier was sort of this  
2                   policing social work model, and I do want the  
3                   opportunity to lift up that-- and I think somebody  
4                   responded to this in kind and I want to reiterate it,  
5                   is that we do not see social work policing  
6                   collaboration as the answer. Having police officers  
7                   show up in these venues that Joo-Hyun and I just sort  
8                   of outlined in having a social worker in tandem or a  
9                   social worker who works for the NYPD. That is still  
10                  approaching societal issue, a human problem, a human  
11                  interaction from a punitive standpoint. There are no  
12                  number of social workers, no matter how well trained  
13                  they are, accompanied by a police officer is going to  
14                  create the kind of the culture shift that we've been  
15                  talking about. We need to divest. We need to shrink  
16                  radically, and we need to build alternate for  
17                  addressing the issues that we have always had this  
18                  one-size-fits-all approach to deal with.

19                               COUNCIL MEMBER ROSENTHAL: Yeah, I agree  
20                               with you completely on that. And but just to be  
21                               clear, what they do in Finland for the Corrections  
22                               Officers is, in order to get the Corrections training  
23                               to become an officer, before you go into that  
24                               academy, you have to spend two years in social work  
25

1 school. so they are trained in being-- having the  
2 mindset of a social worker first before they can even  
3 learn about-- just to be clear, I wasn't saying both,  
4 because in the domestic violence, you know, for  
5 example, there are the [inaudible] that exist in each  
6 of the precincts, but they don't have the power that  
7 the other police have. So for them to be able to  
8 say, you know, gee guys, you're really not responding  
9 to people who walk in the door in a trauma-informed  
10 way, they'd be laughed out of the precinct. So,  
11 yeah, just a meaningful shift in how people-- yeah.

12 JUSTINE OLDERMAN: I appreciate that. I  
13 think my only-- the only red flag I would have on it  
14 is to make sure that any effort that is made to  
15 ensure that the people who come into this line of  
16 work are coming with sort of like that human-oriented  
17 lens.

18 COUNCIL MEMBER ROSENTHAL: Exactly.

19 JUSTINE OLDERMAN: Not instead of a  
20 radical re-imagining of the role of police in all the  
21 areas we just talked about. So--

22 COUNCIL MEMBER ROSENTHAL: [interposing]  
23 It's in addition to.

24 JUSTINE OLDERMAN: Exactly.

COUNCIL MEMBER ROSENTHAL: Agreed. Thank you so much. Really appreciate that and look forward to your response to the plan.

JUSTINE OLDERMAN: Thank you.

COUNCIL MEMBER ROSENTHAL: Thank you, Chair.

COMMITTEE COUNSEL: Thank you, Council Member Rosenthal. We will now turn back to our panelists. Next up will be Corey Stoughton followed by Albert Fox Cahn, followed by Marinda Van Dalen.

SERGEANT AT ARMS: Time starts--

COREY STOUGHTON: Thank you, Council Members. My name is Corey Stoughton from the Legal Aid Society. The Legal Aid Society is the City's largest and oldest public defense provider, and we also have a Cop Accountability Project in the Civil Rights practice where we represent clients in actions against the police, challenging police misconduct. And I want to join the chorus of thanks to the Chair for her powerful opening statement and for putting the voice of the families up front. This committee has already heard powerfully from the families of people killed by officers this morning. The Mayor and the police leadership entered this process with a

1 real deficit of trust and credibility, and that's  
2 unfortunate, but it is the widely acknowledged  
3 reality. And I can tell you from our work on the  
4 frontlines with our clients and our community  
5 partners that this feeling is really widespread  
6 throughout the City. And rather than taking some  
7 basic confidence building steps to address that  
8 deficit and set this process on the right track, the  
9 City's process has made it worse. As one of the  
10 named stakeholders in the Governor's Executive Order,  
11 Legal Aid and I have been a firsthand witness to that  
12 [inaudible]. Our written testimony provides a run-  
13 through on those failures and I think it's very clear  
14 that in this committee there's widespread  
15 understanding and comprehension of that. But the  
16 committee stakeholders [inaudible] was convened and  
17 then disbanded by the Mayor's Office and that-- and  
18 the listening sessions were turned over to the NYPD  
19 in a process that was really designed to create the  
20 appearance about the reality of community engagement  
21 leading to widespread condemnation of that process  
22 and further erosion of its legitimacy. And I sked  
23 myself as I was listening to the testimony today  
24 about how there could be such a gap, you know, almost  
25

two realities between the Mayor's Office and the NYPD's descriptions of the broad-based community engagement and the community's reactions to that as kind of inadequate and poor. I think there are a couple of reasons for that. The first is that it's very clear from all this testimony that the NYPD is not only leading this process, but treating as an opportunity to take feedback, and while that is laudable, that is not what this process is about. Community should have a direct voice in reform. That is what is contemplated by the Executive Order, and any meaningful police reform plan would center [inaudible] and not have them mediated through NYPD leadership, which unfortunately doesn't hold the trust of the people whose voice is [inaudible] in that process. And I think that's a real strategic or tactical miscalculation by the Mayor's Office and the police to imagine that simply replaying processes of community engagement that they engage in on a normal course of business is going to be sufficient to build back up the trust and to really center those voices of community in a police reform plan. The second reason why I think there's such that disconnect between what you're hearing from advocates and what

you've heard from the Executive and NYPD leadership is that there's a question of quality over quantity, and I have to question the scale of engagement that the NYPD witnesses have characterized this morning, and but more importantly question the quality of it. This morning there was a lot made, for example, of engagement with community Cure Violence partners and Legal Aid is the legal services provider for those Cure Violence partners, and I can tell you that I was engaged in text messages during the Council hearing this morning of bafflement that they process of meeting with those partners would be held up as a sign of a healthy [inaudible]. The feedback that we have from our Cure Violence process is that those meetings need more oriented towards getting engagement and buy-in and [inaudible] process rather than really contributing to [inaudible] police reform. And that echoes the sentiments that we felt, the Defenders felt, that Justine and Joo-Hyun and I felt when we were initially invited to feedback sessions where again, it felt more like a checkbox exercise, as Justine described it, than it felt like a serious engagement. When we try in really good faith to right that ship and suggest a series of

confidence-building measures to really engage community leaders, we were just met with silence, and then ultimately an announcement that the meeting [sic] over [sic]. And that is really damaging to the overall project of building trust and relationships in the police reform bill, and it is a real shame that we have ended up in a place where a process that held out so much promise of delivering on the demands of people took to the street has instead [inaudible]. So, I want to have hope, and we have a lot of work to do, and we have not much time to it. But I think unless there's-- and I appreciate the acknowledgement from some of the Mayor's Office's witnesses that the early stages of this process weren't right and that change was required. But I think, respectfully, the problem is that change has not come, and until it does there will not be progress and there will not be reform. And it is great that we are getting to the conversation here and we will get to it again as this process unfolds, but we're brainstorming ideas about what community center police reform really looks like. But it is a shame that we are once again doing this as advocates, and the voices of community members are having to do that from the outside of



1 this process, talking at the Council and talking at  
2 the NYPD instead of the collaborative process that  
3 was envisioned by the Governor's Executive Order.  
4 And until we find a way to interrupt that endless  
5 cycle of community voices expressing their needs,  
6 expressing their desires, putting forth solutions,  
7 and just being put on the outside of that process  
8 until the NYPD and the Mayor's Office in a process  
9 that we still no nothing about, that the Council has  
10 heard no details about the specifics about at this  
11 stage. Until we break that cycle, we will not get  
12 police reform. And so I think the action has to be  
13 to take few steps back. And yes, we are out of time  
14 for April, but I think there has to be an  
15 acknowledgement that the City is not going to make  
16 that. Because for a police reform plan to be put  
17 before the City Council that lacks legitimacy that it  
18 will have, that will substantively lack legitimacy  
19 and the process-wise [sic] lack legitimacy, isn't  
20 going to serve New Yorkers. so, we need to find a  
21 way to make police reform work, and it really  
22 involves taking a couple steps back and taking those  
23 confidence building measures and ending that cycle.  
24  
25

COMMITTEE COUNSEL: [inaudible] for your testimony. Next up will be Marinda Van Dalen followed by Yasmin Harris [sp?].

SERGEANT AT ARMS: Time begins now.

MARINDA VAN DALEN: Thank you for the opportunity to present testimony today regarding the critical issue of how New York City must respond to people experiencing mental health crises by eliminating police from the equation completely. My name is Marinda Van Dalen. I'm an attorney with New York Lawyers for the Public Interest. Thank you to the Committee and the speakers today, including the families who spoke first. The City must ensure that people who experience mental health crises receive appropriate services which will deescalate the crisis. The most appropriate individuals to respond are, of course, mental health advocates and healthcare providers. The police are not suited to deal with these issues. New York's recent history of 16 individuals, 14 of them people of color, who were killed by the New York City Police Department while experiencing crises is a sad testament to that. Correct Crisis Intervention Today NYC, of which NYLPI has long been a member, has developed the needed

antidote to this problem. CCIT-NYC has drafted a proposal which will provide 24/7 responses to mental healthcare crises by emergency medical technicians and trained peers, people who themselves have experienced mental health crisis, not the police. We encourage the City to adopt this pilot project and not the one that was announced by the City in November. It has greater independence from the New York City Police Department and essential role for our communities and people who themselves have had mental health crises. In closing, I would also like to urge the Committee and Council to do everything within its power to bring the New York City Police Department into compliance with New York's Freedom of Information Law, and in particular to ensure that the public has timely access to body-worn camera footage, which is unedited. New York Lawyers has brought multiple Article 78 proceedings against the Police Department for such footage, and we've been enormously successful, but there should not be the necessity for lawsuit and the [inaudible] delays of the public to have access to footage that they're entitled to by law. The footage e obtained of the police killing of Miguel Richards and Susan Muller

who were experiencing mental health crises in their homes and were killed by the police shows the violent and often fatal results of treating mental health crisis as criminality. Body-worn camera footage must be promptly available as mandated by FOIL and relevant case law. Thank you for your consideration. I again urge the City to implement the proposal made by CCIT-NYC to eliminate police a first responders to individuals experiencing mental health crises. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Albert Fox Cahn followed by Maria Renaldi [sp?].

SERGEANT AT ARMS: Time begins now.

ALBERT FOX CAHN: [inaudible] Thank you so much for inviting me to testify, Chair Adams and the Committee. My name is Albert Fox Cahn and I'm the Executive Director of the Surveillance Technology Oversight Project and fellow at the Engelberg Center at NYU Law School. Our written testimony will detail a number of steps that need to be taken by the City to remedy this historic build-up of policing technology in the NYPD, banning facial recognition, biometric tracking, real-time intelligence sharing

1 with federal agencies such as ICE, but today I want  
2 to direct my oral remarks at a far graver threat,  
3 that here again in this process we see this lost  
4 chance to hold police accountable at a time when we  
5 know that it's so indispensable, and instead we have  
6 let the NYPD take control of this process, a process  
7 that any city agency, even this Council could have  
8 taken command of from the beginning pursuant with the  
9 Governor's Executive Order. Instead, it was the PD  
10 that was allowed to run with this process to derail  
11 it, to prevent meaningful oversight, and prevent  
12 meaningful reforms, and you know, speaking less than  
13 a week after our nation's capital was overthrown and  
14 breached in an attack made possible by police  
15 indifference to white supremacy, and with a mob that  
16 had at least some off-duty police officers, perhaps  
17 police officers from our own NYPD. We have to do  
18 more to hold our Police Department accountable to the  
19 people they serve. This is not just a public safety  
20 matter. This is not just a racial justice matter, as  
21 crucial as those are. This is a threat to the heart  
22 of our democracy when we failed through our  
23 democratically elected institutions to hold police  
24 accountable to the people they serve. And if we do  
25

not have enough time, given the amount of time that has been wasted in this process by the Mayor's Office and by the PD, to do that through this mechanism, then we need something else. We need to take immediate action, because if we do not begin the work today of dismantling the NYPD stranglehold on our city government, not simply defunding them as crucial as that is, not simply banning invasive technologies such as facial recognition as crucial as that is, but reasserting the fundamental role of civilian oversight and the people of New York in holding the NYPD accountable. That is going to take reforms to our Charter. That is going to take reinvigorated and re-empower City Council with the tools to actively oversee the NYPD. That is going to take a wholly independent disciplinary process, and that is going to take a fundamental shift in the mindset we bring to these conversations, because it should not be the NYPD that's setting the agenda for their own reform because they have shown all too often that the NYPD cannot be trusted to police themselves. Thank you for the opportunity to testify.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Mary Renaldi followed by Yasmin Harris and Carla Rabinowitz.

SERGEANT AT ARMS: Time begins now.

MARY RENALDI: Chair Adams and members of the Committee on Public Safety as well as other City Council Members that are in attendance. Thank you for this opportunity to testify. I also want to thank you for putting families first and letting us hear their-- it's difficult to hear, but important for all New Yorkers and for the NYPD and the City Council to hear the stories of the people most effected by the lack of accountability at the NYPD. My name is Mary Renaldi and I'm from GOSO, Getting Out and Staying Out, a nonprofit headquartered in East Harlem that serves justice-involved young men citywide. GOSO is a member of Reform NYPD Now Coalition as well. At GOSO we work with young people impacted by incarceration and arrest. We provide them tools for educational achievement, employment, and financial independence. GOSO also runs Saved [sic], a Cure Violence team working in East Harlem to support culture of non-violence. Preparing for this meeting, we thought about first the young men we work with,

1 their families and their communities and what their  
2 experience with public safety in New York City has  
3 been. Much of what many of the members of the public  
4 have highlighted here. The young people of color,  
5 especially black people, are abused, harassed,  
6 cataloged, and surveilled by the NYPD and have been  
7 for decades and it echoes the experiences of GOSO  
8 participants from school to their homes, to their  
9 play on the streets. For them, public safety is  
10 illusive and this often because of the over-policing  
11 of their communities. We've heard evidence after  
12 evidence today that the NYPD does not serve or  
13 protect black and brown youth, but instead puts them  
14 at risk. And we've also heard today a rebuff of  
15 accountability on the part of the NYPD. Racial  
16 profiling by the NYPD is alive and well with racial  
17 disparities in arrests and summonses widening since  
18 the end of stop and frisk. The Civilian Complaint  
19 Review Board who we heard from today notes that 64  
20 percent of civilian complaints against New York City  
21 police officers are filed on or behalf of young black  
22 people ages eight to 18 who claim to have been  
23 mistreated after being stopped for innocuous  
24 activities like high-fiving and carrying back packs  
25



[sic]. These are not the obvious instances of police brutality, but for young people this kind of abuse and harassment and fear is deeply traumatizing and harmful, and it also harms all of us who live in New York City we are connected to each other fundamentally. The CCRB is responsible for investigating police misconduct, but it is hamstrung by its very structures and rules which are imposed by the NYPD and the City. an analysis by the New York Times which has been mentioned here a few times found that the NYPD has reduced or rejected recommendations from the CCRB for stiff discipline of officers in 71 percent of almost 7,000 serious misconduct charges. This is not acceptable. This is not accountability, and there can be no reform if there's no accountability first. GOSO wants real accountability from the NYPD beginning with eliminating the Police Commissioner review of CCRB decisions and discipline recommendations, removing the requirement for a formal complaint to be filed in order for an investigation of police misconduct to take place, even when evidence of that misconduct is publicly and widely available, and removing the exemption of non-uniformed police officers from

misconduct investigations by the CCRB. We asked City Council to not just acknowledge that public safety for young black and brown men and youth in NYC is severely compromised by the ongoing lack of accountability and change in reform by the NYPD, but to act upon that acknowledgement. Much more work is still needed to address systemic inequity in the justice system in our city, but these reforms would be an important step forward. Thank you for the opportunity to testify.

COMMITTEE COUNSEL: Thank you for your testimony. Next up will be Yasmin Harris. Before I turn to the next panelist, I just remind any Council Members if you have any questions to utilize the Zoom hand raise function. Next up will be Yasmin Harris, Carla Rabinowitz signs, and Cal Hedigan. Yasmin Harris?

YASMIN HARRIS: Hello. Good evening, everyone and Chair Adams. My name is Yasmin Harris, and I'm a member of the Anti-Violence Project and the-- and I-- sorry. I use feminine pronouns, and I'm also a member of the New York City Anti-Violence Project and a member of AVPCGNC Leadership Academy. One of the many things we aim to do in my community

is to protect each other from harm. We do this because we know the NYPD have not kept us safe, and a police reform from the City won't change that. My community has been historically criminalized and profiled by the police. Like many other transgender and gender non-conforming folks, I have been consistently mis-gendered by law enforcement, insulted, and harassed. My community has always been a target of stop and frisk, especially those who are involved in survival sex work, and even my Trans siblings who are perceived as sex workers. How can we trust the NYPD to keep us safe when there are laws such as prosecution for loitering for the purpose of prostitution, known as the "walking while trans" [inaudible]. They are systematically oppressive and continue to criminalize my community. NYPD isn't doing anything to alleviate crime and the injustices that are going on, especially now in this time of a pandemic and increased protests. Police seem to be more empowered to enact violence, especially towards members of the TGNC community. I've gone through the criminal justice system. I've gone through Rikers, and if we only could address the root causes of criminalization. I and others like me would not have

gone through the system. The city needs to pay more attention to offering resources instead of spending energy and time on further police reform. That just isn't going to-- that's just going to put more money in the hands of the NYPD and promote this false notion that police equals safety. The truth is that meeting people's needs equals safety, not policing. We need housing, education, trainings, healthcare, and more job opportunities. Instead of focusing on harassing homeless New Yorkers, why are we not combatting homelessness? Programs like the TGNC Leadership Academy at AVP is only one example of how we are creating safety within our communities by building relationships, meeting needs, and taking care of each other. We demand the reallocation of NYPD funds to community-based organizations and to community centers, social services, and public housing [sic]. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. Up next will be Carla Rabinowitz [sp?] followed by Cal Hedigan, followed by Jasmine Boden [sp?]. Carla? Do we have Carla Rabinowitz? Let's go to Cal Hedigan. We'll see if we can--

SERGEANT AT ARMS: [interposing] We don't hear you, Ms. Rabinowitz.

COMMITTEE COUNSEL: Carla, I don't think we can hear you. We are going to turn to Cal Hedigan and we'll circle back, and we can get that issue fixed. Cal Hedigan?

CAL HEDIGAN: Good afternoon, Chair Adams and members of the Committee. My name is Cal Hedigan and I'm the CEO of Community Access, a nonprofit that expands opportunities for people living with mental health concerns to recover from trauma and discrimination through supportive housing, job training, advocacy, and healing focused services. Thank you for convening this hearing. New York City, as a progressive leader, should be a model when it comes to addressing the harms caused by the collision of law enforcement with experiencing mental health crises. Sadly, we are not. For nearly a decade, Community Access through the CCIT-NYC Coalition has been leading an effort to transform the City's police response to people experiencing emotional crises. Systemic change is needed to develop a healthcare response and remove law enforcement as first responders. Over the last five years, as has been

mentioned, 16 New Yorkers experiencing a mental health crisis died in police encounters. All but two of the 16 were people of color. This is more than doubled the number killed during the preceding eight years, despite the fact that more than 15,000 NYPD officers received crisis intervention training to learn how to best respond under these very circumstances. Each year there are close to 200,000 mental health crisis calls to 911. Not counted in the statistics of those killed are the hundreds of people who experience trauma or are otherwise harmed when being confronted by armed law enforcement officers, well-trained in command and control techniques. In too many cases police actions escalate rather than resolve the very crisis that they're being asked to address. People in crisis need human compassion, someone to listen, to understand what is happening from their perspective. This is not the job of law enforcement. New York City must learn from successful non-police models operating in other parts of the country such as the 30-year-old CAHOOTS program in Eugene, Oregon, and any model we adopt must include peers, people with lived experience within the mental health system as

1 part of their response. Peers trained in crisis  
2 response and de-escalation techniques are uniquely  
3 qualified to connect with people experiencing a  
4 crisis and partner with them to get the support they  
5 need. The killing of New Yorkers experiencing mental  
6 health crises must stop. The need to transform this  
7 system is urgent. It is past time for the City to  
8 work expeditiously with advocate, peers, and  
9 community leaders to craft a crisis response system  
10 that relies on mental health teams rather than law  
11 enforcement as first responders. Without system  
12 transformation it is a matter of when, not if, the  
13 next person will die. We can do better and we must.  
14 Lives are at stake.

15  
16 SERGEANT AT ARMS: Time expired.

17 CAL HEDIGAN: Thank you for the  
18 opportunity to testify.

19 COMMITTEE COUNSEL: Thank you for your  
20 testimony. We will-- let's go back to Carla  
21 Rabinowitz, see if we've got that issue resolved,  
22 followed by Jasmine Boden.

23 SERGEANT AT ARMS: Clock is ready.

24 COMMITTEE COUNSEL: Carla, can you try  
25 speaking? Let's see if we can hear you. Okay, let's

move on to Jasmine Boden. We'll try to come back again.

SERGEANT AT ARMS: Clock stands ready.

JASMINE BODEN: Good afternoon, Chair Adams and the Committee on Public Safety. Thank you for the opportunity to testify today. My name is Jasmine. I use he/she pronouns, and I'm a member at the New York City Anti-violence Project and currently in AVP's TGNC Leadership Academy. I want to highlight some of the harms of policing both in the LGBTQ and HIV-affected communities as well as my own personal experience and offer alternatives to the city policing reform procs. AVP is an organization that serves and works to empower lesbian, gay, bisexual, queers, Trans, gender non-conforming, and HIV-affected communities. AVP does this through social services such as counseling and advocacy. As a member of AVP and a TGNC New Yorker, I have seen our community be profiled and targeted by law enforcement, and I believe in a different approach to creating safety, one that doesn't include increased policing. I'm currently staying at a shelter where I am constantly reminded of the racists and classless behavior of the NYPD. I see police almost always



1 surrounding the shelter. Just the other day last  
2 week I was harassed and pepper sprayed by the NYPD  
3 while receiving derogatory language. Is this  
4 protection? I'm constantly seen as a queer Trans  
5 person of color. This is why I'm fearful of the  
6 police. They do not have me-- they do not and have  
7 me-- they have not kept me safe. Instead of assuming  
8 the NYPD can create safety we urge the City to  
9 redirect this energy around police reform to cutting  
10 down NYPD's already bloated budget and invest in our  
11 communities. We need resources and community safety  
12 and not a city-funded police reform program. Locking  
13 people up isn't working. We need mental health  
14 services. We need to address the homeless crisis and  
15 offer resources in the harm reduction programs to  
16 treat drug addiction. I hope that the committee can  
17 continue to listen to voices that are directly  
18 impacted by police violence and take the right  
19 measures to create a plan around safety that is  
20 protecting communities and not rooted in the New York  
21 PD for budget. Thank you again, Jasmine, a member of  
22 the New York Anti-Violence Project Program.  
23

24 COMMITTEE COUNSEL: Thank you for your  
25 testimony. Let's try Carla Rabinowitz one last time,

and I'll just-- while we're getting that set up, Carla, I'll remind you, you can also submit your testimony in writing and we certainly review.

CARLA RABINOWITZ: Can you hear me?

SERGEANT AT ARMS: Yeah.

CARLA RABINOWITZ: So, my name is Carla. I'm the Project Coordinator at CCIT NYC. We're a coalition of 85 organizations and 700 stakeholders whose mission is to transform how the City responds to mental health crisis. I also work at Community Access with the lovely Cal Hedigan. So, CCIT is of the view that resources need to be diverted away from the NYPD to mental health teams to respond to all the 200,000 911 calls the City receives annually. We ask you to carve out 16.5 million, 3.3 million a year for a small project. We developed this project three years ago. It has an EMT, it has a peer, it's 24/7. It's a great project. We believe it's essential that the responses to these 200,000 crisis calls be peer-driven. If you heard of the last shooting on Friday, what the police did was they tried to get him to the hospital. They thought they would be nice, like go to the hospital. A peer would have known that wouldn't work. That just escalated the guy because

1 he had just been in the hospital. He didn't want to  
2 go back to the hospital. That's why we think the  
3 response has to be a peer model. We also believe it  
4 needs to be available to the general public. It does  
5 no good if it goes to a government agency. General  
6 public needs a number like a 988 number to get it.  
7 So, I tell you this, and one of the reasons I co-  
8 started CCIT ten years ago is because I was a person  
9 who was involved with the police a lot. I was sick.  
10 I was doing crazy things. I was involved with the  
11 police. So I wanted to end on a good note today. I  
12 got help. I got help. I got a job, and my life got  
13 back together. But too many mental health recipients  
14 in crisis never get the help, they get killed by the  
15 police. The numbers again, it's actually 20 mental  
16 health recipients have been shot or died, 16 have  
17 died in the last five years, 14 of whom were black,  
18 and compare that to years before the training there  
19 were much less death. We need a new peer-driven  
20 healthcare response. The one the City has is  
21 clinicians. Clinicians may do the same thing for the  
22 guy, you know, go to the hospital. If you're a peer,  
23 you're getting to the underlying cause of what's  
24 going on. You're not just stopping the crisis right  
25

there. The peers are going to go in, and they're going to figure out, you know, how do we get you connected to services. What's the long-term plan? So we urge you to examine our proposal. It's readily available. It's 16.5, five years, and we think it'll pay for itself with the less lawsuits and just get the police out the healthcare job. They're never designed for it. They're not appropriate. Thank you.

COMMITTEE COUNSEL: Thank you for your testimony. The next panelists will be representatives from Bro and Sis Soul, I believe there's two that we have. We'll go in order as marked number one and number two, followed by Towaki Komatsu, and Shaylee Severino [sp?]. Number one?

UNIDENTIFIED: Good afternoon. I'm actually here to support the young person, so you can go directly to number two.

SERGEANT AT ARMS: Clock begins now.

NABITU: Okay. Hi. My name is Nabitu [sp?], and I'm speaking on behalf of youths at the Brotherhood Sister Soul. Police reform is one divesting money from the NYPD and investing in things that make our community better and to explicitly

removing both police and policing culture from school. Failure to do so is not at all way our communities have demanded. Our city continues to fail our youth. Today, New York City is far from where it needs to be to ensure student active at our school faces troubling realities. NYC has the most segregated school systems in America. According to the New York City Council in our public schools 74.6 percent of black and Latin students attended schools, it's less than 10 percent white students.

Additionally, 34.3 of white students attend a school with more than 50 percent white students. School segregation leads to chronic underfunding of schools in New York City which have negative and disparate impact for black, Latin, and low-income students given [inaudible] resource disparity. Only 77.3 or 1.1 million children in the DOE system will graduate on time, and only 55 percent of NYC high school graduates will graduate college early. One in 10 NYC public students is houseless. Additionally, in a nation in which 14 million students are in school with police but no counselor, nurse, psychologist, social workers. New York City has more School Safety Agents, SSA, than any other school district in the

US. The presence of police in our schools have disproportionately impacted students where low-income black and Latin who are likely to be subject to exclusionary discipline, police response at schools than their white peers. Everyone in the City Council, however, has the power to change this, beginning meaningfully shifting funds from police reaffirming [sic] their responsibility in reinvesting in our community. Our vision for education in New York City includes safe, restorative, healing environment where all students have the opportunity to learn and grow. To meet this goal, we must pursue policies that value and respect the dignity of students, care-givers in their community. This requires for providing school equitable resources, adopting a culturally responsive curriculum, preventing trauma, repairing harm, and promoting restorative practices. To do so, we at the Brotherhood Sister Soul alongside a number of other youth organizations and organizers demand [inaudible] police-free school, an end to all structure that systematically puts students out of classes as part of policing culture. Fully funding our schools so as [inaudible] students so that-- so as to censor [sic]

students as their social emotional support.

Expanding and transforming [inaudible], cultural

shifts, educators [inaudible] trauma-informed

approaches. City leaders re-imagine, fund, and staff

meaningful student and community safety strategy.

Schools that [inaudible] healing, expanded, evidence-

based training for school team [sic] as to eliminate

the criminalization of marginalized students.

Pedagogical shifts--

COMMITTEE COUNSEL: Continue.

NABITU: school institutionalized and

fund comprehensive sex education and NYC culturally

responsive education and civic education, equitable

distribution of technological resource's to all

students, language access for families and students,

equitable access for students and families with

disabilities [inaudible]. All youth deserve high-

quality, holistic, positively transformative

educational experiences. If we believe in equity and

want to create the future all New York students

deserve, we must build within our school systems

accountability, restorative justice, and behavior

management that we do not include-- that does not

include NYPD. We must close the billion dollar

1 funding gap that exists for our schools so that we  
2 can begin to address the system wide oppression our  
3 students face as a result of a legacy of ignoring the  
4 needs of black, brown, and low-income communities.  
5 We must deconstruct the school to prison pipeline and  
6 broken window policy and truly de-criminalize low-  
7 level offensive [inaudible] to our youth have  
8 negative consequences with the state carceral [sic]  
9 system, and we must do this now. Thank you for  
10 letting me share my testimony.

12 COMMITTEE COUNSEL: Thank you so much for  
13 your testimony. Next up will be Towaki Komatsu  
14 followed by Shaylee Severino.

15 SERGEANT AT ARMS: Time starts now.

16 TOWAKI KOMATSU: Can you hear me?

17 COMMITTEE COUNSEL: Yes.

18 TOWAKI KOMATSU: Yeah, so I'm Towaki  
19 Komatsu. There are a few people in today's public  
20 hearing. I've had a lawsuit against the City.  
21 Juanita Holmes, she testified earlier today. She's  
22 one of my defendants in my lawsuit, so is Sergeant  
23 Bradley [sp?]. There was a public hearing on  
24 November 13<sup>th</sup>, 2019 that Sergeant Bradley illegally  
25 kicked me out of that was conducted by Ritchie



1 Torres. I talked to [inaudible] about that  
2 previously. So, the purpose of today's testimony is  
3 really for the benefit of the public to try to have  
4 them, I guess, tag team with me in my federal lawsuit  
5 to join me as co-plaintiffs to submit amicus jury  
6 briefs to the attention of Federal Judge Edgard Ramos  
7 [sic] as well as Federal Judge Lorna Shoefield [sp?].  
8 The case numbers are 20CV7046. That's for the one  
9 assigned to Judge Ramos. And for the one assigned to  
10 Judge Shoefield that is 18CV3698. My email address  
11 in case you want additional information to help you  
12 to submit filings, I'll say it slowly,  
13 towaki\_komatsu@yahoo.com. I'm going to submit  
14 written material for today's hearing. Also, today's  
15 hearing itself was conducted in violation of New York  
16 State's Open Meetings Law. So, I'm going to ask the  
17 Federal Judge to effectively void today's hearing. I  
18 emailed Mr. Aidis [sp?] during today's hearing. I  
19 didn't get a response. Johana Castro [sp?] made  
20 fraudulent statements to me addressed to Judge Ramos  
21 recently on December 21<sup>st</sup>, so I am going to see if I  
22 can add her as a defendant in my federal lawsuit in  
23 addition to Mr. Bradley who I see on the right side  
24 of the screen. So, that's pretty much all I have to  
25

say, except for one other thing. I recently commenced two new sets of federal litigation in response to the fact that I prevailed against NYPD in litigation that involved an illegal stop and frisk. I won that case pretty much on my own. I'm not pursuing a counter-suit. I was also illegally prevented from testifying March 8<sup>th</sup> of 2018 in a public hearing that the Mayor conducted about NYPD reforms. I testified previously to Ms. Adams. She's totally useless. She sat in the Committee Room while I testified. She didn't do a darn thing in response to my testimony. So, in regards to her status as a Chairman of the Public Safety Committee, there's absolutely no reason whatsoever for her to be a part of the council, not to mention the Committee on Public Safety. Have a good day.

COMMITTEE COUNSEL: Thank you for your testimony. Final witness will be Shaylee Severino.

SERGEANT AT ARMS: Time starts now.

COMMITTEE COUNSEL: I don't believe we can hear you.

SHAYLEE SEVERINO: Are you able to hear me?

COMMITTEE COUNSEL: Yes.

SHAYLEE SEVERINO: Hello?

COMMITTEE COUNSEL: Here we go.

SHAYLEE SEVERINO: Yeah? Okay.

COMMITTEE COUNSEL: Yeah, you may begin.

SHAYLEE SEVERINO: I can't hear you guys.

So thank you so much for the time today and thank you Chair Adams and all leadership on this call. My name is Shaylee Severino and I'm speaking today from District 32 in Queens which is home to the largest population of active duty and retired officers in all of the city. [inaudible] to the NYPD essential to our district. Unfortunately, discrimination, abuse, and systemic racism within our police also central to this district. The two are not mutually exclusive. They're not either/or [inaudible] and the continued vital [sic] and discussed [sic] profits, there's no one. We have to change not only through protocols and practices but to the culture of policing that exists in our city. We need to bring down the blue wall of silence that pervades police departments and finally acknowledge that the changes are definitely needed, are long overdue. The word transparency accountability seems to be taken as a soundbite and the real implementation of what we need to see has

not occurred. Words such as dedicated, changes, reform, are all baseless without action. We are past the time of recommendations and we have been demanding these changes, not just now but for years. Black and Latinx youth, men and women continue to be targeted to [inaudible] system, and qualified immunity continues to allow officers that break the law or abuse their power to hide behind their badges to avoid consequences. We have a current model in police system right now that takes the role of both preventing and reacting to crime, and it's evident that the both cannot be done by the same department. We have overburdened our police force, and if you want to be serious about this, we have to alleviate the work flow and stop expanding their reach into other Department or to the creation of units that are simply not equipped for. we are past the point of talking about reform, but implementing what we already know are gaps within the system that continue to marginalize, target, and murder the people in our community. We cannot expect police relations to be at peace when change has not been resolved. Some of these changes-- and this is very minuscule to the amount of work that we need to-- includes removing

the blue wall of silence by adopting an independent elected board in which officers have the ability to report another without having to go to the same agency that we're trying to hold accountable. Removing qualified immunity and using technologies such as body cameras [inaudible] condemning the conduct of an officer. We have to adopt a holistic approach to policing that looks at the root cause of crime that's poverty, crime, inequality, and systematic racism. Simply putting more cops on the street or increasing the NYPD budget only makes it feel safer without actually making us safer in reality. It's time to stop the narrative that any attempt at reform is somehow an attack on or betrayal of our police. It is the opposite. By building trust, transparency, accountability, we're supporting our officers in [inaudible] communities that have been harassed and attacked and murder countless [sic] times. It's time that we invest in what we know will work, invest in education, mental health resources, youth and community centers, and I think common sense reforms to put us on the path towards healing, trust, and progress. These demands in addition to other [inaudible] my other organizations individuals here

1 today starts with City Council intervention and  
2 ensures that these necessary changes become part of  
3 the discussion and actually implemented throughout as  
4 we move forward in this idea of how we move forward  
5 as a city. Thank you so much.

6  
7 SERGEANT AT ARMS: Time expired.

8 COMMITTEE COUNSEL: Thank you very much  
9 for your testimony. That is all the public-- members  
10 of the public we have registered to testify. Are  
11 there any other members of the public who have not  
12 given testimony and would like to give testimony?  
13 Seeing no hands raised. I will now turn back to  
14 Chair Adams for closing remarks.

15 CHAIRPERSON ADAMS: Thank you, Counsel.  
16 Well, to everyone that has hung in there with us,  
17 this has been just a little over five hours today.  
18 So, you all have been amazing in hanging in there.  
19 As we all see, we've got a lot of work to do. This  
20 hearing has a specific purpose. So, again, for all  
21 of you that were here to testify, I thank you. For  
22 the family members, I thank you. We're going to  
23 continue this work, and we're going to do the work.  
24 So, I would like to thank all of my Committee Counsel  
25 and staff including Daniel Attis [sp?], Kelly Taylor,

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

Lewis Sheldon Brown [sp?], and Ebony Meeks Ladley  
[sp?]. All of my colleagues, all of the witnesses  
from start to finish today, thank you for your  
testimony and thank you for being here today. It is  
now 3:02, and this hearing is now adjourned.

[gavel]

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 17, 2021