

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY 1

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

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON WOMEN AND GENDER
EQUITY JOINTLY WITH THE
COMMITTEE ON PUBLIC SAFETY

----- X

October 18, 2021
Start: 10:07 a.m.
Recess: 2:46 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 1

B E F O R E: Darma V. Diaz,
Chairperson for Committee on Women
and Gender Equity

Adrienne Adams,
Chairperson for Committee on
Public Safety

COUNCIL MEMBERS:

Laurie A. Cumbo
James F. Gennaro
Ben Kallos
Brad S. Lander
Farah N. Louis
Helen K. Rosenthal
Fernando Cabrera
Justin Brannan
Keith Powers
Kevin C. Riley
Deborah Rose

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY 2

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

COUNCIL MEMBERS: (CONT.)

Robert F. Holden
I. Daneek Miller
Vanessa L. Gibson
Carlos Menchaca

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY

3

A P P E A R A N C E S

Christine
Survivor of Sexual Assault

Michael King
Inspector, Commanding Officer of the Special
Victims Division for the New York City Police
Department

Oleg Chernyavsky
Assistant Deputy Commissioner of Legal Matters

Krista Ashbery
Director of Policy and Planning for the
Facilities Management Division

Michael Clarke
Director of Legislative Affairs Michael Clarke

Leslie McFadden
Survivor of Sexual Assault

Meghan
Survivor of Sexual Assault

Allison Turkos
Survivor of Sexual Assault

Jane Manning
Director of the Women's Equal Justice Project and
I'm an Advocate for Survivors of Sexual Assault

Tamika Stukes
Mother of a Survivor of Sexual Assault

Fatima Perkins
Mother of a Survivor of Sexual Assault

Jennifer Welch Demski
Survivor of Sexual Assault

Murray Schane
Retired Psychiatrist

Sonia Osario
Survivor of Sexual Assault

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY

4

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

Rachel Izzo
Survivor of Sexual Assault

Shamara
Survivor and Domestic Violence Advocate and
Community Organizer at Voices of Women

Karen
Survivor of Cyber Stalking

Kelly Dwyer
Survivor of Sexual Assault

Gina Tron
Survivor of Sexual Assault

Kelly Grace Price
Survivor of Sexual Assault

Angelina Rosado
Domestic Violence Survivor as well as the Founder
and Executive Director of a nonprofit domestic
violence organization here in New York City

Dorchen Leidholdt
Director of Sanctuary for Families Center for
Battered Women's Legal Services

Robert Malek
I'm a New York State Notary Public, a New York
City License Process Server. New York State
License Guard. Three years New York City
Auxiliary Police and a Licensed Mississippi
Private Investigator

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY 5

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

SERGEANT MARTINEZ: Recording to PC.

SERGEANT HOPE: Recording to Cloud.

SERGEANT PEREZ: Backup is rolling.

SERGEANT BRADLEY: Thank you. Sergeant Hope, you may begin the opening.

SERGEANT HOPE: Thank you. Good morning and welcome to today's New York City Council Remote Hearing on Public Safety jointly with the Committee on Women and Gender Equity. At this time, would all panelists please turn on your videos. I repeat, all panelists please turn on your videos. Thank you.

To minimize disruption, please place all electronic devices to vibrate or silent mode. If you wish to submit testimony, you may do so at testimony@council.nyc.gov. I repeat, testimony@council.nyc.gov. Chairs we are ready to begin.

CHAIRPERSON DIAZ: Good morning and thank you. Good morning, welcome to today's very important hearing on Oversight and NYPD Special Victims or as we know it as SVD. I am Council Member Darma V. Diaz. My pronouns are he, she and hers. I am the Chair of the Committee on Women and Gender Equity. We are also joined by Committee on Public Safety,

1
2 which is Chaired by my colleague Council Member
3 Adrienne Adams.

4 The Committee last met for hearing on SVD in
5 2018. At the hearing, Committee review a DOI report
6 that found SVD to be unsatisfied, under resourced for
7 at least nine years. And revealed internal NYPD
8 documents that acknowledge that many sexual assault
9 cases were not properly investigated as a result.
10 Among the findings was that stranger rape and high
11 profile cases were given priority for limited
12 resources over acquaintance rape. And that victims
13 were at times retraumatized and inexperienced
14 investigators during questioning.

15 In response NYPD refuted the DOI report and
16 swiftly added another 20 detectives to SVD, bringing
17 the division up to detectives investigating 5,600
18 crimes annually. This is why I am very concerned and
19 saddened to hear that many of these issues persist.

20 A group of sexual survivors recently called on
21 the U.S. Department of Justice to open investigation
22 into SVD for mismanagement, including a lack of
23 experienced investigators. Again, lack of
24 experience, inexperience should not be in 2021. Key
25 evidence being overlooked and the treatment of

1
2 victims as if they did something wrong.

3 Additionally, that victims like that LGBTQI because
4 definitely labeled individuals are treated less
5 fairly by investigators, impossible.

6 In the three years since our last hearing, SVD
7 has added staff and installed a new commander. We
8 have also mostly weathered the pandemic today. I'm
9 looking forward to hearing about how NYPD responses
10 to these claims and how COVID has impacted SVD. I am
11 also very much looking forward to hearing from the
12 advocates and survivors. Thank you advocates for
13 stepping forward.

14 For whom we are very grateful for sharing their
15 personal experiences with us in this policy and form
16 a better policy rather. This is a public safety
17 crisis and victims and survivors deserve much better.

18 Before we turn to testimony, I'd like to thank
19 [INAUDIBLE 3:46], my Communications and Legislative
20 Director, Sergeant of Arms and who are working very
21 hard to bring this Committee Hearing possible.
22 Chloe, the Committee Senior Policy Analyst and Eisha
23 Wright the Finance Unit Head.

24 Finally, I'd like to acknowledge my colleagues
25 that are here today. Okay, Kenneth, Brannon, Holden.

COMMITTEE ON WOMEN AND GENDER EQUITY JOINTLY
WITH THE COMMITTEE ON PUBLIC SAFETY 8

1
2 Thank you for being here today. I am going to look a
3 little further and see who I see. Of course Chair
4 Adams. Where are the rest of my colleagues? I will
5 come back and inform who of my colleagues have joined
6 as I can see them on my screen. Thank you. Turning
7 it over to Chair Adams for her statement, opening
8 statement. Thank you.

9 CHAIRPERSON ADAMS: Thank you very Chair Diaz and
10 good morning to everyone who is here this morning.
11 I'm Council Member Adrienne Adams of the 28th
12 District in Queens and I am the Chair of the Public
13 Safety Committee. I want to thank the members of the
14 Public Safety Committee who are here. I believe
15 Chair Diaz named some. We also have Council Member
16 Riley, Cabrera, Powers, Rose, and Rosenthal.

17 I also want to thank the sponsors of the bills.
18 Council Member Rose, Council Member Rosenthal and
19 Council Member Chin. The hearing we are holding
20 today is of paramount importance. Survivors of
21 sexual assault deserve to feel supported and
22 respected by the people responsible for solving crime
23 in New York City.

24 In 2018, the City Council enacted laws aimed at
25 addressing just this. Local Laws 189, 192, 193, and

1
2 194 of 2018 increase training for Special Victims
3 Division Investigators and Patrol Officers. Codified
4 secure case management systems within the SVD. And
5 increased oversight of staffing and caseloads.

6 Today, we seek to gauge the NYPD's implementation
7 and level of compliance with these laws.

8 Additionally, we will hear new bills, which aim to
9 increase transparency and the outcomes of NYPD
10 Special Victims cases and ensure that all law
11 enforcement officers receive appropriate training on
12 responding to incidents of sexual crime, domestic
13 violence and human trafficking.

14 Together, this legislation serves as testament
15 that we and the NYPD take sexual assault very, very
16 seriously, and are committed to doing all within our
17 power to support survivors.

18 I will now allow for the sponsors of today's
19 bills to deliver their remark. Council Members
20 Rosenthal and Council Member Rose. Thank you.

21 COMMITTEE COUNSEL: Council Member Rosenthal or
22 Rose, whoever wants to go first.

23 COUNCIL MEMBER ROSENTHAL: There we go, sorry. I
24 was waiting, I didn't see the unmute. Thank you very
25 much. I appreciate you and boy do I appreciate

1
2 Council Members Adams and Diaz for holding this
3 hearing and giving us an opportunity to see how the
4 NYPD has done. It's progress to improving outcomes
5 for sexual assault survivors.

6 And before I get started, I do just want to note
7 that the DOI Report was focused on the adult cases in
8 the SVD. And in those units, unfortunately staff has
9 not changed over the years. Although I do appreciate
10 the fact that staffing for the entire division SVD
11 has increased by roughly 20 people.

12 I want to focus for a minute today on Council
13 Member Cumbo's terrific bill 189, which required all
14 new recruits to get sensitivity training for
15 responding to survivors of harassment and sexual
16 assault. And ongoing training for all uniformed
17 members whose responsibilities include routinely
18 interacting with victims of crime. Specifically,
19 getting interactive training on a biannual basis to
20 assist them in responding to survivors of harassment
21 and sexual assault.

22 And the reason I draw our eye there is because
23 uhm, it is all officers who often find themselves
24 responding to domestic violence cases in particular.
25 And I want to start by saying that responding to

1 sexual assault cases is a daunting responsibility.

2 We ask a lot of our uniformed officers, whether they
3 be neighborhood coordinating officers or a detective
4 in the SVD, or a domestic violence officer. Uhm,
5 they have to deeply understand trauma informed
6 survivor centric techniques as they come face to face
7 with domestic violence or sexual assault survivors,
8 or those who are trafficked for sex.

9 Specifically, focusing on the DV calls, you know
10 every year the NYPD responds to around 230,000 DV
11 call, about 600 every day. Uhm, but the officers
12 responding are not necessarily trained to recognize
13 the complexity of a situation and the critical
14 importance of follow-up.

15 A month ago, on September 9, 2021, we lost one-
16 year-old Legacy Beauford and according to news
17 reports, the police had been to the home multiple
18 times and an SVD Detective had visited the home as
19 well. Responding officers reported that they
20 observed the children in the apartment to be in good
21 health with no visible marks or injuries.

22 When SVD got involved, it was to investigate a
23 possible case of sexual abuse of Legacy's older
24 brother. But again, according to the news, the
25

1
2 police investigation was closed and no children were
3 examined or interviewed.

4 Just a few days later, on September 12th, we lost
5 four-year-old Jaycee Eubanks. The police had been
6 called repeatedly by neighbors concerned about
7 domestic violence. Even Jaycee's daycare called the
8 police after noticing bruises on Jaycee and his
9 sibling. And while Safe Horizon did come in to
10 interview them, SVD Officers were present but did not
11 follow the protocols which require follow-up visits
12 with the family, a forensic pediatrician examination,
13 talking to neighbors. And most importantly,
14 submitting a domestic incidents report, which would
15 have triggered a domestic violence officer visiting
16 the home.

17 My bill would seek to improve the NYPD's response
18 to DV sexual assault and human trafficking victims.
19 First, it would bring experts together to develop an
20 appropriate training curriculum. I think this is so
21 important to have representatives from many different
22 agencies in the city. Uhm, and within the NYPD, the
23 Sex Crimes Unit, collaborative policing and the DV
24 department, as well as providers who are working in
25

1
2 these areas. Hopefully with an eye toward including
3 survivors of sexual assault, DV or human trafficking.

4 I love that they would come together to develop a
5 training program but then come back together again
6 and again to think about how better to improve the
7 system. So, each police officer would be required to
8 take the three hour training that this interagency
9 group came up with. It would have to be supplemented
10 by additional trainings including at least monthly at
11 roll call on topics to enhance the police response to
12 domestic violence, sexual assault and human
13 trafficking.

14 The accountability component would require the
15 NYPD to report on the number of officers trained.
16 The dates of the training and the curriculum for each
17 training session specifically for DV accountability.
18 We would further enhance the system by creation of a
19 DV Fatality Committee, which similarly would be made
20 up of a truly interdisciplinary set of people. They
21 would review an anonymized cases four times a year to
22 develop recommendations regarding the coordination
23 and improvement of services for victims of domestic
24 violence. Provided by all city agencies and the
25 nonprofit organizations that serve survivors.

1
2 By working together in this collaborative way, I
3 am hopeful we can prevent the next fatality and treat
4 survivors with dignity and trauma informed support.
5 Thank you.

6 COMMITTEE COUNSEL: Thank you Council Member
7 Rosenthal.

8 CHAIRPERSON ADAMS: Council Member Rose.

9 COMMITTEE COUNSEL: Yes, go ahead.

10 COUNCIL MEMBER ROSENTHAL: Uhm, and I was just
11 going to say if Council Member Rose wants to give her
12 testimony a little later, I think that would be
13 helpful to. But Council Member Rose.

14 COUNCIL MEMBER ROSE: So, uhm, I probably will
15 have much more to add at the end but I want to thank
16 Council Members Adams and Diaz and everyone who
17 thought it important enough to be in attendance at
18 this meeting today.

19 My name is Council Member Debi Rose and I am one
20 of the prime sponsors of 1488. And this law would
21 amend the Administrative Code of the City of New York
22 to require the Police Department to obtain
23 information about the disposition of sex offense
24 cases and require the Mayor's Office of Sex Offense
25 uhm and require the Mayor's Office of Criminal

1
2 Justice to report on the outcomes of sex offense
3 cases.

4 The NYPD Special Victims Division, maintains
5 records of the number of sex related complaints it
6 receives and the subsequent arrests that are made.
7 However, the SVD lacks the information about the
8 number of convictions that are achieved relative to
9 these sex arrests.

10 Information and data about convictions in sex
11 related cases as necessary to both the NYPD and the
12 City Council in terms of assessing the efficacy of
13 policing and prosecuting these offenses.

14 Uhm, and as everyone stated already, in 2018, we
15 enacted a package of bills that were designed to
16 raise the bar relative to the performance of NYPD and
17 policing adult sex crimes. The bills address the
18 issues raised by the Department of Investigation's
19 Office of Inspector General, specifically in areas of
20 SVD staffing, training and case management systems.

21 I would just like to add that the bills that are
22 attached to today's hearing are really necessary to
23 improve the spirit of transparency that we've been
24 trying to increase. And the spirit will improve the
25 dynamic in the relationship between Law Enforcement

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

and the community it serves and to make sure that victims get the best service that they could possibly get.

I would like to end my remarks by thanking all of my staff who helped in preparing for this hearing and I'll probably say something at the end of the hearing. Thank you so much. Thank you Chairs.

CHAIRPERSON DIAZ: Thank you my colleagues for participating in today's hearing and for your testimony. I would like to acknowledge Council Member Powers and Councilwoman Louis as well that have joined us. Thank you and I'll turn it over to the Moderator, Committee Counsel please.

COMMITTEE COUNSEL: Thank you Chair. Thank you. I'm Josh Kingsley, Counsel to the Committee on Public Safety. Before we begin testimony, I want to remind everyone that you will be on mute until you are called on to testify. After which, you will be unmuted by the host. I will be calling on panelists to testify. Please listen for your name to be called and I will periodically be announcing who the next panelist will be.

During the hearing, if Council Members would like to ask questions of the Administration or any

1
2 specific panelists, please use the Zoom raise hand
3 function and I will call on you in order. All
4 hearing participants should submit written testimony
5 to testimony@council.nyc.gov.

6 Our first panelist to give testimony today will
7 be a member of the public named Christine and she
8 will followed by the NYPD. So, we will begin now.
9 Thank you.

10 CHAIRPERSON DIAZ: Thank you Christine for your
11 willingness to share your story with us.

12 CHRISTINE: Thank you. Hello, my name is
13 Christine. Last September of 2020, I was sexually
14 assaulted. In this short time, I cannot detail the
15 extent of my experience with multiple levels of the
16 NYPD and Special Victims Unit, investigative and
17 procedural callousness, incompetence and negligence.

18 I plan to submit a detailed, comprehensive
19 written testimony within 72 hours of this meetings
20 adjournment.

21 Beginning with my botched rape investigation, it
22 has been difficult to experience firsthand the
23 systemic incompetency and lack of investigative
24 effort. Despite personally preparing a comprehensive
25 13 page document detailing the incident with

1
2 supplementary documents including related images,
3 screenshots, phone numbers and a blueprint I designed
4 myself of the perpetrators home. The first detective
5 failed to conduct a basic investigation, let alone a
6 thorough one.

7 The detective did not interview viable witnesses
8 or retrieve now lost footage from the bar I was last
9 seen publicly. Instead, he insisted I partake in a
10 traumatizing controlled phone call with the man who
11 raped me. After no updates in the month following my
12 report, I called the Detective myself only to find
13 out my case had been closed. Had I not called, I
14 never would have found out.

15 Seeking to understand how my case could up and
16 close, I was met with the NYPD and Special Victims
17 Units lack of transparency. My experience
18 aggressively self-advocating for basic information
19 about my rape case. An endeavor that took nearly six
20 months after my case was closed, reflect badly on the
21 NYPD and Special Victims Unit.

22 To see the values of courtesy, professionalism
23 and respect on every NYPD police car, is an insult to
24 my experience. I am proud to say that I successfully
25 reopened my rape case via Zoom in late March 2021.

1
2 Unfortunately, the second detective, considered one
3 of the best in the field proved just as unhelpful.
4 She not only lacked follow through to complete a
5 thorough investigation but also failed to advocate
6 for GHB hair testing after Special Victims Unit
7 collected hair samples.

8 I would have needed to pay over \$1,000 out of
9 pocket for this procedure. As I speak, my hair
10 samples remain untested in a lab. Why am I paying
11 for a crime committed against me?

12 Less than a month ago, my case was closed for a
13 second time without a thorough investigation and
14 without the courtesy of letting me know. The
15 problems within the NYPD and Special Victims Unit
16 have not been addressed, identified or remedied. One
17 of the glaring issues is the quality, not solely
18 quantity of detectives within Special Victims Unit.

19 Detectives must exhibit exemplary critical
20 thinking and strategizing skills. Trauma conscious
21 care and psychological and sociological awareness of
22 an ongoing continuously updated training education on
23 the complexities of rape and rape culture.

24 Despite my initial faith in the NYPD's ability to
25 arrest the man who raped me. The only arrest that

1
2 has been made is on my ability to move on with my
3 life. As the burden of the case continues to fall on
4 me.

5 As a survivor, I have advocated, investigated,
6 and strategized for my case, all while managing the
7 emotional, psychological and physiological impact of
8 my traumatic experience. Meanwhile, the detectives
9 receiving salaries to investigate my case failed to
10 do the minimum. Thank you.

11 CHAIRPERSON DIAZ: Thank you again Christine for
12 sharing your horrific experience with us all today.

13 CHRISTINE: Thank you for having me. I'm open to
14 any questions any members of the Council or the NYPD
15 have for me as I'm happy to further expand or explain
16 anything that I spoke about today.

17 CHAIRPERSON DIAZ: I see Chair Rosenthal has a
18 question. Can we unmute Council Member Rosenthal
19 please?

20 COUNCIL MEMBER ROSENTHAL: Thank you. I
21 appreciate that Chair Diaz.

22 SERGEANT AT ARMS: Starting time.

23 COUNCIL MEMBER ROSENTHAL: Thank you. Christine,
24 thank you for coming forward. Uhm, thank you for
25 coming forward and sharing your story with us. I

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

happen to know that you're getting some counseling services and I'm really - I can see that in your testimony. You are a strong, strong person. It's a hell of a story. Uhm, and I'm a little bit gobsmacked. It's hard to uhm, know where to begin. Uhm, uh, so, uhm, so one of the things, it was our understanding that would happen is that when survivors came into the SVU, they would be given a sheet of paper that just allowed them to understand uhm, what to expect when they were visiting with their detective that day and how to access more resources, counseling services. Did you ever receive a piece of paper like that?

CHRISTINE: I did not receive a paper like that. I will say I received a lot of paperwork, overloaded with paperwork at the hospital that I went to. And I will say as a survivor, that paperwork is not very helpful. It does not begin to make the process easier. And I also want to mention that I was not told my victims rights and in that six month process of me advocating for myself did I find out that I was entitled to an advocate present during any part of the procedure.

1
2 I was not told by the first detective and the
3 first detective quite frankly felt like he had more
4 important things to do. When I was in SVU, he kept
5 looking at the clock and the – you know I heard you
6 say that officers receive sensitivity training and
7 I'm wondering if it resonates with them as my
8 experience proves otherwise.

9 COUNCIL MEMBER ROSENTHAL: Yeah, I mean if you –
10 you know, one of the bills required the NYPD to
11 report on that sensitivity training and the
12 attendance. And unfortunately the reports document
13 themselves that for each of the classes, you know at
14 most, maybe eight detectives attended one of the
15 classes.

16 So, thank you for bringing attention to that
17 imperative. Uhm, would it be possible – I would be
18 interested in seeing the paperwork that you got from
19 the hospital and perhaps meeting offline to
20 understand that better as well. Did you know there's
21 a sheet of paper that the detective is supposed to go
22 through when they're speaking with you at the unit?
23 Where they are asking about certain things and uhm,
24 uhm, you know, did they ask you if there was – if you
25 thought there might be video available?

1
2 And do you know if they ever, I know what you
3 said, I heard you but I just am so gobsmacked, I want
4 to sort of hear it again. Did they ever follow up on
5 trying to find that video?

6 CHRISTINE: Uhm, no, that was something that we
7 further investigated after I advocated for my case to
8 be reopened. And the fact that it took so much
9 longer after my case was closed, I feel really
10 botched the investigation and you know really closed
11 on any hopes of real justice you know.

12 COUNCIL MEMBER ROSENTHAL: Yeah. So, the video
13 was gone by the time anyone looked for it?

14 CHRISTINE: Yes and the restaurant or the bar,
15 let the second detective know that video is regularly
16 deleted after about a week. And so, it was very
17 disappointing you know.

18 COUNCIL MEMBER ROSENTHAL: If they had responded
19 within a week, they could have seen it?

20 CHRISTINE: Yes, yes.

21 COUNCIL MEMBER ROSENTHAL: And I'm sure that's
22 sort of common practice.

23 SERGEANT AT ARMS: Time expired.

24 COUNCIL MEMBER ROSENTHAL: Uhm, I'm going to stop
25 in deference to other people but Christine, I uhm,

1
2 admire you. I'm humbled by you. Thank you for
3 coming before the Council today. Your testimony is
4 going to have an impact and uhm, you know, what I
5 hear from you is that the system let you down. And I
6 think you're right, it's the whole system. It's not
7 just one officer or another or one department, the
8 whole system let you down and uhm, and uh, I hope
9 everyone listening, I certainly have taken that all
10 to heart. Thank you Christine.

11 CHRISTINE: Thank you.

12 COMMITTEE COUNSEL: Thank you Council Member
13 Rosenthal and thank you Christine as well. If any
14 other Council Members have any questions – oh, I see
15 Council Member Rose's hand is raised. Go ahead
16 Council Member Rose.

17 SERGEANT AT ARMS: Starting time.

18 COUNCIL MEMBER ROSE: Thank you. First, I want
19 to thank you Christine for your courage to come
20 forth. Uhm, and the fact that you were revictimized
21 is something that's not lost on us. Uh, the purpose
22 of all of these bills has been that women continue to
23 be revictimized by – even when they have the courage
24 to come forward to tell their stories, they are not
25 given the help that they deserve or the justice.

1
2 I just have one question. You mentioned that
3 you're case was not only closed once but twice. Was
4 there any - did they tell you why your case was
5 closed? Uhm, and what was it based on?

6 CHRISTINE: It always falls on the lack of
7 finding probable cause to warrant an arrest. And the
8 second time it was closed, I actually kept it open as
9 the second detective tried to close it multiple
10 times. And I remember being on a phone call with
11 said detective and strategizing with her, bringing up
12 multiple avenues of social media investigations.
13 Bringing up multiple avenues of triangulation and
14 narrowing down on people who were either present at
15 the scene of the crime or outside of it. And I even
16 tried very hard to help her connect me with someone
17 that could get me tested for the GHB, the hair
18 testing.

19 And no matter how many times I provided all those
20 different avenues, it always came down to lacking
21 probable cause and before - I mean, then after a
22 while, because the second detective probably got
23 tired of me continuing to fight for my case to be
24 reopened, this detective eventually didn't have the

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

courage herself to let me know that the case was closed until like less than a month ago.

So, my case was closed, actually, my case was closed actually three months ago. So, by the time I called her, the case was closed for two months after that.

COUNCIL MEMBER ROSE: How will they uhm, I'm not quite sure how you determine lack of probable cause if you don't examine the evidence. It just, it boggles my mind that you know that that could be the reason. And so, what would you say might have attributed to them sort of - that type of dismissive attitude? Do you think it was apathy? Is it a lack of training? Uhm, the fact that uhm, their techniques in gathering criminal you know, uhm, evidence? Is it that it wasn't a high profile case? Do you have sort of - were you given any kind of indication why this dismissive attitude?

CHRISTINE: I can only speak on my experience and I can actually give two answers. One with the first detective and one with the second detective.

With the first detective, it felt as if there was an apathy. I felt that with him, considering that I gave him all the information, 13 pages worth and this

1
2 isn't just any document. I actually formatted,
3 landscaped, made a table and it was organized by
4 date, time, event, if there was penetration or not
5 and what was going on in my head as to what was -
6 it's so comprehensive. And I even made sure that I
7 did it right after I reported the rape. So, he had
8 everything.

9 And also to mention, he noted how thorough it
10 was. So, I'm guessing with the first detective, it
11 was apathy or just plain laziness. With the second
12 detective, she definitely had a lot more empathy.
13 However, because she was made to pick up the pieces
14 of an investigation, I mean, a crime that happened so
15 long ago by the time she had gotten me. It became
16 hard for her to really -

17 COUNCIL MEMBER ROSE: It was cold. It looks like
18 a cold case.

19 CHRISTINE: Not only that, you know, she I think
20 was at her own wits end.

21 SERGEANT AT ARMS: Time expired.

22 CHRISTINE: So she wasn't able to go - and the
23 fact that you know as much as I'm upset that I had to
24 help her strategize, you know I come from the digital
25 age where as she comes from a different generation

1
2 and so, there is definitely a generational gap and
3 now that perpetrators, I'm sure are using a lot of
4 technology and a lot of uhm, harsher drugs out there.

5 I do empathize with the second detective but not
6 too much because of the fact that she didn't advocate
7 for my hair testing.

8 COUNCIL MEMBER ROSE: I just want to ask, did you
9 think that uhm, there use of technology was used to
10 uhm, their best ability? Or did they even put for
11 the effort?

12 CHRISTINE: They didn't perform the effort based
13 on the fact that I had to go back and unblock the
14 people that led to my assault and I had to go back
15 myself, watch their videos and link her the exact
16 videos. And one phone call, she actually made me,
17 held me responsible for that duty. She goes well,
18 you didn't give me the video, so what am I supposed
19 to do?

20 And that's the tone she was taking with me on the
21 phone call. And made it feel like it was up to me to
22 figure things out, which is why in my testimony, I
23 said I was tasked with investigating, advocating and
24 strategizing for my own case. Which is why, I don't
25 have a lot of sympathy for the caseload of things.

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

Because this had happened to me and I was still fighting for it.

COUNCIL MEMBER ROSE: I want to thank you. My time is up. I want to thank you again for having the courage and I hope through this – your testimony here today, we are able to get you some other result to this heinous crime.

CHRISTINE: Thank you.

COUNCIL MEMBER ROSE: Thank you. Thank you Chairs.

COMMITTEE COUNSEL: Thank you Council Member. We'll now turn to Council Member Diaz followed by Council Member Adams for additional questions. Go ahead Chair Diaz.

CHAIRPERSON DIAZ: Christine, again, thank you for sharing your horrific story with us today and I know my question to you, is the least of your worries but I'm interested in knowing. You indicated personal income that you provided to your case \$1,000. I'm curious to know, did the Crime Victims Board reimburse you for the \$1,000 or has anyone had a similar conversation with you?

CHRISTINE: No, I've actually asked multiple times to the second detective if there was anyone

1
2 that she could refer me to in order to advocate for
3 my hair testing. She repeatedly said, it's not my
4 department. I've never had to hair test before, so
5 it's out of my hands. Not only that, I also reached
6 to the men who also took my hair samples, as they
7 gave me their numbers in case I had any questions. I
8 texted them, as they said I could. I never heard
9 back from them.

10 In addition to that, I was you know like I said,
11 tasked to pay over \$1,000 for my hair testing and -
12 oh, and then also by the fact that I even asked her.
13 Because I went so deep and I said look, I'm trying to
14 help you. Just tell me, and I'm not trying to put
15 you on the spot. This is me talking to the
16 detectives. Like, I'm not trying to put you on the
17 spot. Are the departments so disjointed and so
18 isolated from each other that's it's difficult for
19 you to contact anyone that could help me find an
20 advocate for a hair test? And like, I even when that
21 far and that thorough in my questioning.

22 And she said, no, it's not that it's disjointed.
23 It's not that it's disorganized. It's just that I've
24 never done this before. I don't have - this is where
25 my part ends. And so, just even in my inquiries, I

1
2 put a lot of attention and just like, just like, the
3 trajectory, the force, everything and it didn't
4 matter. All I got was a no and that I had to pay for
5 over \$1,000 for my hair to be tested. Which is basic
6 testing procedure to you know - and this is after I
7 told her, you can't find probable cause? She goes, I
8 can't find probable cause. And I said, what about
9 hair testing?

10 If there's GHB, there's your ticket. There is
11 your in and then we have probable cause. To which
12 she said, it's out of my hands. That's not my
13 department. That's not my department. I've heard
14 that so many times.

15 CHAIRPERSON DIAZ: I'm sorry to hear of your
16 experience. It's her department, it was her case, it
17 was her responsibility as far as I'm concerned for
18 her to figure it out and turn you on to someone -
19 that's why we have supervisors, commanders,
20 lieutenants. That should be the answer if she had no
21 answer.

22 I'm going to turn it over back to Counsel. I'm
23 not sure who else of the members have further
24 questions as we are doing a second round. I do want
25 to acknowledge Council Member Menchaca, Council

1
2 Member Gennaro, Council Member Gibson and Council
3 Member Miller. Thank you.

4 COMMITTEE COUNSEL: Thank you Chair Diaz. I will
5 also acknowledge Council Member Lander who joined us.
6 I'm going to Chair Adams now for a question. Go
7 ahead Ma'am.

8 CHAIRPERSON ADAMS: Thank you very much Counsel.
9 Christine, I'm just sitting here so frustrated for
10 you. I am so sorry that you are going through this
11 still as we here this morning. It sounds to me like
12 you for the most part, have been your detective in
13 your own case. And for me, that is extremely
14 unacceptable and it's appalling to me.

15 It is appalling to me that we have mandated
16 training for this division and it doesn't seem that
17 training has taken place. It doesn't seem like
18 training has taken and it doesn't seem like anybody
19 even cares about what's going on in this division.

20 So, you know, I'm not going to vent on you. I
21 apologize for that. I just want to know, how many
22 calls would you say were actually initiated by
23 detectives to you in your behalf compared to how many
24 calls you actually initiated in your own behalf on
25 this case?

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

CHRISTINE: I would say for every five phone calls I made; it was like one. Uhm, and that I think that's like the minimum. I also emailed the first detective when the case was closed. I also texted the second detective and I actually had to be a bit adamant and a little aggressive in my tone before she had the courage to even let me know that the case was closed two months ago. That the case was closed two months ago, which this phone call happening less than a month ago.

And she even told me about a different case she was working on and details of that case. Like, I don't need to know that there is a man on a red motorcycle going around grabbing girls. But she goes, I'm dealing with that, so I can't deal with yours right now.

And I'm just sitting here going, what? I'm giving you guys everything, everything and I'm calling so diligently and so promptly. Showing up to things very promptly. Making sure I have everything that I feel is important to this case and it just lands on nothing. And so, yeah. Short answer to your question, like five to one definitely.

1
2 CHAIRPERSON ADAMS: Well, truly that's
3 unacceptable. Uhm, just to share unprofessionalism
4 one, and insensitivity to this matter two, is just so
5 disheartening to me. And again, I'm just so sorry
6 that you have been victimized twice. And I thank you
7 for your testimony.

8 CHRISTINE: Thank you.

9 COMMITTEE COUNSEL: Thank you Chair Adams. We're
10 going to turn for a second question from Council
11 Member Rosenthal before passing it back to the
12 Administration for their testimony.

13 If any other Council Members would like to ask a
14 question for Christine before we do so, use the Zoom
15 raise hand function. If not, Chair Rosenthal, please
16 go ahead.

17 SERGEANT AT ARMS: Starting time.

18 COUNCIL MEMBER ROSENTHAL: Thank you so much.
19 Christine, I don't want to belabor this, but I just
20 want to get this on the record. Uhm, because uhm, we
21 - I really have appreciated that the NYPD has
22 continued to meet with the advocates and you know
23 take their ideas and put them into practice.

24 So, we worked really hard. They worked really
25 hard on a piece of paper called, For the Survivors,

1
2 sort of what to expect. Could you just — and on that
3 paper you have an opportunity to write down the name
4 of the detective and some of the details of what's
5 going on. Did you receive that piece of paper?

6 CHRISTINE: No.

7 COUNCIL MEMBER ROSENTHAL: And secondly, uhm,
8 there's a report called, a Discontinuance of
9 Participation form. Did you ever consent to — were
10 you ever asked if you wanted to discontinue your case
11 and consent to signing that form?

12 CHRISTINE: No.

13 COUNCIL MEMBER ROSENTHAL: And lastly, you
14 mentioned you were required, you were asked to do a
15 controlled call?

16 CHRISTINE: It was the only option given to me as
17 to try to move forward with the investigation. Uhm,
18 I even, when I first started, I even asked like,
19 look, if he did it once he'll do it again. You know,
20 I'm willing to do something about it. And he goes,
21 no, no, no, just a controlled phone call.

22 And in this controlled phone call, I was called
23 stupid, crazy.

24 COUNCIL MEMBER ROSENTHAL: By whom?
25

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

CHRISTINE: By the rapist during that phone call. And he was shouting at me. And the entire time the detective is you know, recording all that. And I just don't know how any rapist is going to admit what they did and if they - and then, if you look at my report, you can tell that there was a plan. I mean, after I was assaulted, there was a clean out man who came by the house and cleaned the entire house, the entire house.

COUNCIL MEMBER ROSENTHAL: Who?

CHRISTINE: There is a cleaner, there is a man that the rapist hired who came in, washed all the clothes, cleaned all the pillows, replaced all the blankets. And I urged the first detective to find this cleaner and ask him questions. Like, how many times has he come to the house?

Things like that. It's all in the document and for him to say that the controlled phone call was the only way to move forward just makes no sense to me. Because it was all in the documentation that I gave him. Like the cleaner - I remember when I was leaving the bathroom, the cleaner instructed, put your clothes in this pile and I said okay. And then he washed all my clothes. Like, everything was

1
2 washed by the time I left the scene of the crime.
3 And I just don't know how as a detective he could
4 overlook that detail when I so blatantly wrote it,
5 you know.

6 COUNCIL MEMBER ROSENTHAL: Yeah, yeah, Christine,
7 my heart is with you and I want you to know how
8 powerful your testimony is and uhm, I really thank
9 you for coming forward and thank the Chairs again for
10 holding this hearing and giving you this opportunity.
11 Thank you so much.

12 CHRISTINE: Thank you.

13 COMMITTEE COUNSEL: Thank you Council Member
14 Rosenthal and thank you Christine. We will now be
15 moving onto the testimony from the Administration.
16 We will hear from representatives from the New York
17 Police Department. Testifying for the NYPD will be
18 Inspector Michael King, Krista Ashbery who is the
19 Director of Policy and Planning for the department,
20 Oleg Chernyavsky who is the Assistant Deputy
21 Commissioner for Legal Matters and Michael Clarke who
22 is the Director of Legislative Affairs for the unit.

23 We will be now calling on the Administration to
24 testify. Before we begin, I will administer the oath
25 to the members of the Administration. I will call on

1
2 each of you individually to respond. Please raise
3 your right hands.

4 Do you affirm to tell the truth, the whole truth
5 and nothing but the truth before these Committees and
6 to respond honestly to Council Member questions.

7 Inspector King?

8 MICHAEL KING: I do.

9 COMMITTEE COUNSEL: Director Ashbery?

10 KRISTA ASHBERY: I do.

11 COMMITTEE COUNSEL: Assistant Deputy Commissioner
12 Chernyavsky?

13 OLEG CHERNYAVSKY: I do.

14 COMMITTEE COUNSEL: And Director Clarke?

15 MICHAEL CLARKE: I do.

16 COMMITTEE COUNSEL: Thank you all. You may
17 begin.

18 MICHAEL KING: Good morning. First I would like
19 to acknowledge the testimony of survivor Christine.
20 Your testimony was distressing. I think, I believe I
21 did speak with an advocate regarding this case
22 recently and uh, moving forward after today, I will
23 take another look at this case personally and reach
24 out to the advocate with findings.

1
2 Again, good morning Chair Adams, Chair Diaz and
3 members of the Council. I'm Inspector Michael King,
4 Commanding Officer of the Special Victims Division
5 for the New York City Police Department. I am joined
6 by Assistant Deputy Commissioner of Legal Matters
7 Oleg Chernyavsky, Director of Policy and Planning for
8 the Facilities Management Division Krista Ashbery and
9 Director of Legislative Affairs Michael Clarke.

10 On behalf of Police Commissioner Dermot Shea, I
11 would like to thank you for this opportunity to
12 discuss the New York City Police Department's
13 investigative strategies, facilities and division
14 structure concerning sex crimes and to provide an
15 update on our Special Victims Division to the
16 Council. While it is indeed traumatizing to be a
17 victim of any crime, survivors of sexual assault face
18 a unique trauma that requires a specialized
19 investigative process be conducted by those who
20 investigate and prosecute these assaults.

21 The investigators who decide to enter this field,
22 must possess unique qualities and a heightened sense
23 of empathy that will allow them to interact with
24 those who have suffered the indignity of sexual
25 assault. It is our responsibility to ensure that

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

every survivor is treated with respect and compassion. I have been the Commanding Officer of the Special Victims Division for 13 months and it is my specialized background as a forensic nurse, coupled with my diverse investigative background that led to my appointment to this position by Police Commissioner Shea and Chief of Department Rodney Harrison.

The Special Victims Division is responsible for investigating sex crimes and cases of child abuse. The division works in partnership with victim advocates, the five district attorney's offices citywide, nonprofits and other city agencies to carry out its mission.

Four of the city's five boroughs have a separate squad devoted solely to the investigation sex crimes against adult victims and a separate squad dedicated to the investigation of abuse against children. In our Staten Island squad, investigators are trained to do both. In addition, the division had separate units to investigate cases that occur in the transit system. Investigate cold cases, monitor registered sex offenders and also has an analytical team

1
2 dedicated to investigating drug and alcohol
3 facilitated sexual assaults.

4 There are currently 250 investigators assigned to
5 the Special Victims Division including 122
6 investigators to the adult squads in the Bronx,
7 Brooklyn, Queens, Manhattan and a squad located in
8 Staten Island that investigates both child abuse and
9 adult crimes. An additional 77 investigators are
10 assigned to our dedicated child abuse section in the
11 Bronx, Brooklyn, Queens and Manhattan. Moreover 18
12 investigators are assigned to solely investigate sex
13 crimes that occur in the transit system.

14 The remainder of the personnel are assigned to
15 investigate cold cases, monitor registered sex
16 offenders, and analytical teams. In March of 2018,
17 the New York City Department of Investigation
18 reported that the Department had 67 investigators
19 assigned to the adult squads. Meaning that they have
20 increased staffing by 82 percent since that report
21 was published.

22 Investigators in the Special Victims Division are
23 typically assigned approximately 46 cases per year,
24 as opposed to investigators in precinct-based
25 detective squads. Who are assigned upwards of 180

1
2 cases per investigator annually. This is a 50
3 percent decrease from the levels reported in 2017 by
4 DOI. Approximately 92 cases for investigator per
5 year.

6 On average, investigators in a Special Victims
7 squad may carry approximately six to eight active
8 cases. No other Police Department in the country has
9 a Sex Crimes unit that is comparable to the NYPD's
10 Special Victims Division in terms of size, scope, and
11 mostly expertise.

12 Since 2017, the department initiated repairs and
13 renovations within Special Victims Division
14 facilities in all five boroughs to make the
15 environments more welcoming and survivor focused. In
16 addition, members of our facilities team met with
17 advocates and toured facilities in other
18 jurisdictions to determine the correct model for what
19 a Special Victims Division office should look like.
20 Including colocation of the District Attorney's
21 office staff and victims advocates.

22 It was determined that the Staten Island office
23 would immediately be converted to fit this model and
24 the location was found at 137 Center Street to
25 relocate the Manhattan adult squad. With the work

1 ongoing to expand and enhance that new space.

2 However, these types of renovations were not possible
3 at the existing locations in the Bronx, Queens and
4 Brooklyn.
5

6 I am pleased to report that new locations have
7 been identified in these boroughs, and our facilities
8 management division is working to ensure we can
9 relocate as quickly as possible. These facilities
10 will be carefully designed to align with the
11 departments mission to uphold and strengthen the
12 NYPD's commitment to survivors of sexual assault. In
13 the meantime, each of the existing facilities in
14 these three boroughs have been upgraded to the extent
15 possible to comport with these principles.

16 The NYPD is committed to ensuring that every
17 detective in the Special Victims Division has the
18 best training to support survivors of sexual assault.
19 We have contracted with a company called Certified
20 FETI to provide trauma informed training to all of
21 our Special Victims investigators. However, an
22 agreement could not be reached with the vendor to
23 renew their contract. So, the department was forced
24 to seek a new provider. I am pleased to report that
25 we have obtained a new provider and we will be

1
2 resuming our in-person trauma informed training next
3 month.

4 In addition, as promised during the police reform
5 and reinvention collaborative, we will begin
6 conducting an annual trauma informed refresher course
7 for all members of the Special Victims division.
8 This course will begin in the spring and will ensure
9 that Special Victims investigators continually
10 improve their trauma informed interviewing technique.

11 In addition to this training, all members of the
12 Special Victims Division are required to complete in
13 advance a two week criminal investigation course,
14 which provides investigators with comprehensive, high
15 quality instruction regarding fundamental
16 investigative process, tactics and the importance of
17 both physical and digital forensics. Furthermore,
18 for all new members of the Special Victims Division
19 must complete a one week course specifically tailored
20 to skills that will be required for a Special Victims
21 Division investigator.

22 A tremendous value derived from the use of trauma
23 informed techniques has now led to being incorporated
24 into the training of all NYPD recruits and in-service
25 training has been and will continue to be provided to

1
2 existing Police Officers on patrol. I am currently
3 working with the Training Bureau on the next round of
4 in-service training that must be provided biannually.

5 While I know many improvements have been made to
6 the division over the past few years, our work is not
7 done. I have successfully increased communication
8 between supervisors in the Special Victims division,
9 subunits and borough units. Special Victims Division
10 executives now hold daily case management meetings
11 with investigators and supervisors at all Special
12 Victims Division investigative squads to discuss
13 cases and keep everyone informed of the great work
14 being done throughout the division.

15 This helps prevent information silos within the
16 Special Victims Division and improves our ability to
17 collaborate more effectively and share information
18 more efficiently. Moreover, squads now learn from
19 each other and benefit from successful case
20 resolutions conducted by other members of the
21 division.

22 During my 21 years of service in the Police
23 Department, and to the people of this city, I have
24 heard the distressing accounts in sexual assault
25 survivors who felt they were failed by the Criminal

1
2 Justice System. Many of these complaints centered on
3 criticism that Police Officers, Assistant District
4 Attorneys and others did not make them feel like they
5 were believed. Which unfortunately discouraged them
6 from continuing with their case.

7 It is our shared and collective goal to ensure
8 that no survivor feels that way moving forward.
9 These stories tend to highlight that no matter how
10 much work we have done, there is much work that needs
11 to be done.

12 To that end, we continue to improve our symbiotic
13 relationship with advocates who are currently or will
14 be embedded in our investigative squads. Prior to
15 the onset of the COVID-19 pandemic, we worked with
16 advocates to review Special Victims cases as they
17 were able to provide valuable feedback on how we can
18 improve our service to and relationships of survivors
19 of sexual assault.

20 We look forward to not only continuum but also
21 extending this extremely valuable partnership in the
22 near future. Even in the absence of this review,
23 communication with the advocates is key. One of the
24 biggest complaints that we have received is that
25 survivors go too long without getting an update on

1
2 the status of their case. That is why I have
3 enforced the divisions policy that requires
4 investigators to reach out to survivors every 21
5 days. Even if there is no substandard update, it is
6 important to make sure survivors understand what is
7 going on and be given the opportunity to be an active
8 participant in their investigation.

9 We have dedicated significant resources to
10 support survivors so that they feel believed,
11 empowered and encouraged to move forward with their
12 investigation. However, we recognize there are many
13 reasons a survivor may wish to not participate given
14 the level of trauma involved.

15 We don't mandate that a supervisor speak to a
16 survivor who has made the complicated decision to not
17 continue pursuit of a criminal prosecution. This
18 additional oversight serves to ensure that cases are
19 not prematurely closed, as survivors do not feel
20 pressured to make a decision to discontinue an
21 investigation. And are aware they may come back and
22 restart the case in the future. Should their
23 feelings and circumstances change.

24 In addition, we provide survivors with access to
25 an advocate to discuss their options prior to making

1
2 a decision to no longer move forward with the case.
3 There are also other notable improvements that have
4 been made to the division, which I look forward to
5 discussing later today.

6 While I am confident that we put many changes in
7 place that have vastly improved the Special Victim's
8 Division, I know that there is more to do. To that
9 end, as promised during the [INAUDIBLE 58:58] forum
10 and reinvention collaborative, the department has
11 commissioned the RTI group to conduct a gap analysis
12 of the Special Victims Division to make
13 recommendations for improvement. When that report is
14 completed, the department will make it public. Thank
15 you for this opportunity to speak with you today and
16 I look forward to answering any questions that you
17 may have.

18 COMMITTEE COUNSEL: Thank you so much. We will
19 begin with Chair Diaz for questions. Go ahead Ma'am.

20 CHAIRPERSON DIAZ: Yeah, I thank you for
21 recognizing me. I was considering waiting to hear
22 all testimony in hopes that I was going to hear
23 questions or answers to the questions that I have
24 before me but unfortunately not.
25

1
2 I want to thank you for your efforts in trying to
3 uhm, speed up the training and I know you've only
4 been in your seat for a limited amount of months and
5 COVID has probably stalled a lot of what seems to be
6 thoughtful processes in moving the system along. But
7 nonetheless, I'm faced with a few questions, so I
8 will begin my questioning.

9 I'd like to know what is different in the process
10 from when you began to today? What have you
11 specifically targeted that you can highlight for me
12 that have been the most impactful change?

13 MICHAEL KING: Thank you for that question. So,
14 I've been here for 13 months and I have put some
15 changes in effect when I first became Commander of
16 Special Victims Division. There are some aspects
17 that I looked at. I tried to see exactly what was
18 being done across the division and I made a few
19 changes.

20 First of all, what I realized was that the
21 squads, child, adult alike citywide. Really were
22 kind of standalone. They didn't speak to each other.
23 There wasn't enough communication. So, I immediately
24 implemented a daily 10 a.m. citywide conference call.
25 Monday to Friday 10 a.m. all Special Victims units,

1
2 the adult squads, the child squads the specialized
3 squad, their commanders are all on this call. We
4 discuss all the important cases that are ongoing at
5 that time, moment and time during that call.

6 Also, updates are given and training dates etc..
7 When I got here I realized that investigators were
8 really only updating their cases once every 30 days.
9 I changed that to once every five days. In my
10 opinion, this would allow the case investigators to
11 be more in touch with their survivors and also, just
12 with the case, information documentation itself.

13 Supervisors were also only required to look at
14 cases once every 30 days. I changed that also to
15 once every five days. This way, supervisors can sit
16 with each investigator in their squad, go over the
17 cases that they currently have open. They can get
18 ideas from each other, make notes in the case and go
19 onto next steps.

20 The 21 day contact rule was already here before I
21 got here. What I did was I enforced that and the way
22 it was before I got here was the case investigators
23 were supposed to reach out to complainants once every
24 21 days to apprise them of what was going on with the
25 case. So, what I did was I found that that could be

1
2 improved. So what I added was that not only will
3 they reach out every 21 days but they should also
4 have a supervisor on the line with them when they
5 speak to a complainant to ensure that if that
6 complainant has an issue, a supervisor can mitigate
7 it immediately rather than waiting five, six months
8 down the road.

9 If the supervisor cannot mitigate the problem,
10 then it will have to be sent up a chain to myself or
11 my Executive Officer Deputy Inspector Vicki
12 McDermott.

13 We streamlined how our squads conducted canvases
14 to suspects. We found that to be lacking and
15 deficient when we got here. We built a quality
16 assurance program that focus on case review by
17 pulling random cases citywide from both the child and
18 adult squads. Making no restraints on witnesses
19 found in a case and sharing these findings with
20 investigators and supervisors division-wide to
21 encourage best practices.

22 We also built a daily executive case management
23 review process, which mandates that our zone captains
24 pick two squads daily and review the cases of every
25 detective working in the squad during a particular

1
2 tour via teams. So, this was not being done before.
3 I think zone captains were really reading cases once
4 a month. We have them out doing this daily. Two
5 squads a day with every detective that is working.

6 We also changed the way the division handles I
7 cards and instead of immediately submitting our I
8 cards based on reports, we want to make sure we
9 speak to our complainants to make sure we have all
10 the facts relevant to the case before we begin our
11 pursuit of any one, any particular person. We
12 obtained a new vendor to continue to provide trauma
13 informed training to our investigators. We developed
14 an internal trauma informed course for all Police
15 Academy recruits, so its enabled them to actually
16 graduate the Police Academy already trauma informed.
17 In hope that their training will transcend to
18 survivors of all crimes they encounter but especially
19 victims of sexual assault.

20 We created an investigative case checklist for
21 our investigators in both the child and adult squads
22 respectively to dive into their active investigations
23 and to also be used by supervisors part of sign off
24 of those cases. We're hoping this will make our
25

1
2 investigators more uniform in terms of everyone being
3 on the same page.

4 We also changed the way our C3 closings are
5 processed. Prior to my appointment to Special
6 Victims, C3 closings are handled solely by detectives
7 and C3 closings are when our complainants want to
8 withdraw a complaint. Detectives would speak to the
9 complainants and then they would document that they
10 don't want to go forward and the case will be closed.

11 What we have done now is, we changed that to now
12 to include a squad supervisor. Must be mandated to
13 speak to anyone who wants to close a case and apprise
14 them of their options. Their availability for an
15 advocate and just to make sure they know if they want
16 to reopen a case at any point and time, that is their
17 options to do so.

18 CHAIRPERSON DIAZ: Thank you. Before I go onto
19 my next question, could you break down to me what it
20 - you used the term ID Card and that's not one that
21 I'm familiar with. Can you explain that to me?

22 MICHAEL KING: Yes. It's basically just a wanted
23 card. It's a card that we use if we are looking for
24 a person in regard to a crime. It's a card that we
25 establish and we send out job wide to let everyone in

1
2 the NYPD know we are looking for someone in regard to
3 an investigation. It may just be to speak to them,
4 maybe a witness but it's just a way for us to reach
5 out to all our patrol officers and to let them know
6 if you meet up with this person, we stop this person.
7 This is someone we're interested in speaking to.

8 CHAIRPERSON DIAZ: Okay, then I'd like to hear a
9 little bit about your intake process between a
10 stranger rape to versus acquaintance raped when
11 someone comes in and reports. Is there indeed a
12 difference in how you process your cases or ID them?

13 MICHAEL KING: So, stranger case compared to an
14 acquaintance, very different variables because
15 obviously the acquaintance is known, so that is a
16 different ID process. In a stranger case, we need
17 some more leg work in terms of going out to get
18 video, canvassing, speaking to people, businesses,
19 neighbors, etc. Uhm, that does take a lot more
20 investigations - boots on the ground as compared to
21 someone who the complainant already knows.

22 CHAIRPERSON DIAZ: Okay, I definitely see some
23 faces among my colleagues are puzzled. I see a lot
24 of puzzle, so I'm sure we're going to have some deep
25 questions for you moving forward.

1
2 I'd like to speed up in reference to your
3 training of your officers. What if, if you can share
4 to this. How is someone selected to be part of your
5 unit?

6 MICHAEL KING: So, anyone who is interested in
7 becoming a part of the Special Victims Division, they
8 would have to fill out our application that is
9 specific to SVD. That application would then be
10 taken in by our internal staff. It is reviewed and
11 an interview will be set up for that person and that
12 person will be interviewed by an executive in Special
13 Victims and we would look at their history in the
14 department, their disciplinary history. We also look
15 at what they did prior to becoming a New York City
16 Police Officer. We look at their activity. Doing
17 our interview, we do a writing sample. We also have
18 them speak on what they believe the mission of SVD is
19 and we kind of get a feel for the temperament of this
20 person to see if they would be a good fit for the
21 mission that we're trying to accomplish here.

22 CHAIRPERSON DIAZ: Okay, then in reference to you
23 training, other than detectives, who else receives
24 training on how to deal with a sexual assault case?

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

MICHAEL KING: That is everyone assigned to the Special Victims Division, whether they are a white shield Police Officer or they are a regular detective, supervisors, we all - executives, everyone in Special Victims has to take the same training.

CHAIRPERSON DIAZ: Okay, so I, Darma Diaz, walk in to report a case. I walk into the report room, is there anyone there at the moment I mention I've been raped, I've been assaulted, can easily identify what could be my triggers and move me into a place where I could be confined and not be exposed to say 30 people in the vicinity that would have no idea how to treat me?

MICHAEL KING: So, if a complainant walks into a precinct or any other police facility and they would like to report that they are a victim of sexual assault, then as soon as the report taker comprehends that, they would reach out to Special Victims and if we do not have an office in that particular command, such as the one a precinct would have, Queens Special Victims upstairs, then they would reach out to us and we would send Special Victims investigators to pick that person up and bring them back to our survivor friendly location.

1
2 CHAIRPERSON DIAZ: Okay, so I want to understand
3 that there is no uniform conversation throughout the
4 department that would address this? If someone walk
5 in, you would have to be either a senior officer or
6 would have to be part of the unit to be able to
7 identify on how to treat an individual?

8 MICHAEL KING: No, no, not at all. Uhm, they -
9 every police officer is trained on how to take a
10 report from a special victim in the field. Yes, what
11 I'm saying is after that initial interview by that
12 officer -

13 CHAIRPERSON DIAZ: Oh, okay.

14 MICHAEL KING: They would reach out to us and
15 have us conduct an in-depth interview.

16 CHAIRPERSON DIAZ: Okay, then my final question
17 before I turn it over to my colleagues, uhm, gender
18 based training? Do you have gender specific
19 training, buzz words, what to look for, one gender
20 verse another gender? Are we sensitive in the
21 training process?

22 MICHAEL KING: Yes. So, that is addressed in our
23 Special Victims course which is built just for
24 special victims investigators. And then, we also
25 carry that over further into our trauma informed

1
2 course, which again, is mainly for our Special
3 Victims Investigators.

4 CHAIRPERSON DIAZ: Okay, thank you for answering
5 my questions. If I have more, I'll come back. Thank
6 you.

7 MICHAEL KING: Thank you.

8 CHAIRPERSON DIAZ: Turn it back over to Counsel
9 for any members that have questions at this time.

10 COMMITTEE COUNSEL: Thank you Chair Diaz. We'll
11 now turn to Chair Adams followed by Council Member
12 Rose. Any other Council Members who would like to
13 ask a question, please use the Zoom raise hand
14 function. Thank you.

15 CHAIRPERSON ADAMS: Thank you Counsel. Good
16 morning Inspector. Thank you for your testimony thus
17 far. I've got a couple of questions for you. You
18 mentioned that Special Victims Division training
19 ceased because the vendor terminated the contract.
20 When exactly did that happen?

21 MICHAEL KING: Good morning. I was appointed in
22 August of last year and when I came in to this
23 position, this was already ongoing. I don't know at
24 what time the vendor had tried to relocate the
25 contract but when I got here in August of last year,

1
2 this was already ongoing with our Management and
3 Budget team. And at that time, I was informed that
4 the vendor could not come to terms with the city's
5 Appendix A and at that point, we were forced to then
6 find a new vendor.

7 MICHAEL CLARKE: It was sometime early last year
8 when this happened.

9 CHAIRPERSON ADAMS: Alright, early 2019?

10 MICHAEL CLARKE: I think Chair - I'll find out
11 the exact date but I thought it was late 2019, early
12 2020.

13 CHAIRPERSON ADAMS: Okay.

14 MICHAEL CLARKE: But it is ongoing.

15 CHAIRPERSON ADAMS: And that was a termination.
16 So, when was a new vendor agreed upon and uh, a new
17 contract enacted?

18 MICHAEL KING: So, uhm, I, myself being a
19 forensic nurse, I had already taught trauma informed.
20 I immediately identified a vender but because of the
21 new onboarding process, it took a few months to get
22 them onboard.

23 So, I would say in this past summer, everything
24 was completed and we had the courses starting next
25 month. We have 104 investigators who are left to be

1
2 trauma informed. So, they will all be trained
3 between mid-November to early December.

4 CHAIRPERSON ADAMS: So, that's an extreme lapse
5 in training. How many did you say 104?

6 MICHAEL KING: Right, there were 213 already
7 trained under the old contract and we had 104
8 remaining and those 104 are now going to be trained
9 by the new vendor.

10 CHAIRPERSON ADAMS: How long had those 104 been
11 operating without this training?

12 MICHAEL KING: There were 56 I guess operating
13 for I guess about a year and we have the remainder of
14 fairly new to Special Victims. Maybe three, three to
15 four months that they have been here.

16 So, they have never been allowed to interview
17 complainants by themselves. They are always with
18 someone who has previous trauma informed training.

19 CHAIRPERSON ADAMS: Alright, so it's pretty much
20 the buddy system when it comes to interviewing
21 traumatize raped victims and such, so okay. Uhm, the
22 report actually indicated that training stopped
23 because of COVID. Are you aware of that?

24 MICHAEL KING: That is what I was told, yes.
25

1
2 CHAIRPERSON ADAMS: Why is that? Why would the
3 reports say that it was because of COVID, yet we know
4 that it was because of vendor termination?

5 MICHAEL CLARKE: Again, in March of 2020 because
6 of COVID, the in-person training had been suspended
7 throughout the department during the height of the
8 COVID epidemic. It was during this time that the
9 contract issues began as well. Uhm, and so, the
10 training had ceased because of COVID and then the
11 contract – we had contract issues which we had now
12 replaced the vendor and we will continue it later
13 this year.

14 CHAIRPERSON ADAMS: That raises a red flag for me
15 as well. Let's go back to Christine's testimony,
16 very disturbing testimony. It's distressing for me
17 to know that it took her to testify here this morning
18 with us for you to say something that you are going
19 to personally pick this case up. That's distressing
20 to me also. So, we've got a list here of just
21 problematic behavior, problematic interaction,
22 problematic relationship between this division and
23 the survivors.

24 Uhm, I said when I spoke with her that she was in
25 essence, her own detective. How in heaven's name can

1
2 we allow a survivor to pick up her own case, track
3 her own case, offer her own evidence, spend her own
4 money and then this division comes back and pretty
5 much slaps her back in the face again? Sorry,
6 Christine for saying that but – but traumatizes her
7 even more and victimizes her even more by closing her
8 case without ever informing her of anything. It
9 seems to me that she – this case upon herself after
10 her rape and then had to take herself through steps
11 to try to remedy this situation that should have been
12 remedied by the folks that were sworn to protect her.
13 She testified that she had to push her own case
14 forward. Why is this acceptable for this division?
15 Is there no follow-up for survivors?

16 I just want to know the procedure for interacting
17 with survivors when complaints result in an arrest.

18 MICHAEL KING: When complaints result in arrest,
19 the case inves-

20 CHAIRPERSON ADAMS: When they don't result in an
21 arrest, what are the procedures? She's her own
22 detective right now? What are your procedures when a
23 case like this does not result in an arrest?

24 MICHAEL KING: The case is closed due to certain
25 variables that we're not able to establish a probable

1
2 cause case. We sit down with our Assistant District
3 Attorney's who are also partners in the case. We
4 discuss the case with the supervisor and the ADA and
5 the Case Investigator, and if it is determined that
6 an arrest cannot be made, then the complainant is
7 informed as to why and then the case is closed.

8 CHAIRPERSON ADAMS: It didn't happen in this case
9 though.

10 MICHAEL KING: This case Council Member, I would
11 have to personally sit down and look at it because I
12 do not know all of the variables that are attached to
13 this case.

14 CHAIRPERSON ADAMS: Great, I'm giving you a
15 heavy, heavy exhale right now. I got to regroup
16 myself right now. Okay, so let's talk a little bit
17 about compliance with the law. The package of
18 legislation brought forth by this Council in 2018,
19 regarding all of this really. Local Law 189, which
20 my colleague Council Member Rosenthal referenced at
21 the top of her remarks this morning that have to do
22 with sensitivity training.

23 Uhm, it seems right now that we have a number of
24 detectives who have been trained including - I'd like
25 to know, including the detectives that worked

1
2 Christine's case. Were they trained in sensitivity
3 training in compliance with Local Law 189?

4 MICHAEL CLARKE: Council Member, your broke up a
5 little bit there can you -

6 CHAIRPERSON ADAMS: I'm sorry, yeah, I apologize.
7 I was asking whether or not the detectives involved
8 in Christine's case were - received sensitivity
9 training in compliance with Local Law 189?

10 MICHAEL CLARKE: So, I think there are two
11 training laws that were passed as the Law 189, which
12 is sensitivity training. And that was sort of
13 departmentwide and then there's specific SVD uhm,
14 training that was you know more intensive.

15 Uhm, in terms of the Local 189, the
16 departmentwide training, that involved for in-person
17 training for recruits. Since that law passed, we've
18 had several modules that address it from various
19 aspects, including a module that's dedicated
20 specifically to the LBGTQ IA community. Uhm, but
21 then there is also requires biannual training of all
22 officers on the job on sensitivity training. And to
23 that end, we did do a command level training in the
24 first biannual training and then we did an NYPD you
25

1
2 video with a required quiz, that all officers were
3 required to take.

4 We are now in the second biannual uhm, cycle. It
5 began in May of 2019. Inspector King is actually
6 working with our training bureau on creating a new
7 trainings for all in-service detectives and upgrading
8 the training for our RN crew trainers. That's
9 separate from the sort of SVD trauma informed
10 training, which all SVD detectives have gotten some
11 training. They've gotten the two weeks CIC course
12 and the one week SVD course but on top of that, there
13 was trauma informed training. That's subject to the
14 contract.

15 I'm not sure, I don't know if Inspector King
16 knows without seeing which detectives, whether they
17 have had it but it's certainly something I believe he
18 will look into.

19 MICHAEL KING: Yes.

20 CHAIRPERSON ADAMS: I hope that's the case
21 because my question was whether or not her detectives
22 actually did receive this training. If they did, it
23 doesn't sound like it took. Or that they really,
24 yeah, I'll just leave it there. It doesn't sound
25 like it took at all. Especially the second detective

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

you know more troubling that it was a woman who pretty much just said, I don't know what to do with this. That's what I heard. I don't know what you heard but I heard a detective tell a survivor that I don't know what to do right now. So, pretty much, I'm just you know, giving you no more thought. That is unacceptable and cannot happen. Cannot, cannot.

Uhm, now, uh, Inspector King, you told me that you didn't know the details of Christine's case but you did say that you spoke with an advocate on the case. Which one is it?

MICHAEL KING: Uh, meaning Council Member that I have not read the case. I spoke with an advocate regarding the overall information but I have not read the case itself.

CHAIRPERSON ADAMS: Okay, alright, thank you. Okay, uhm, I think I'm going to let it go to my colleagues at this point. Just to again give myself a chance to breath through my frustration in this hearing. So, thank you very much for your testimony. I will reserve the right to come back for another round.

COMMITTEE COUNSEL: Thank you Chair Adams. Bear with me for a second. We'd like to acknowledge

1
2 Majority Leader Cumbo has joined us. For questions,
3 we will now turn to Council Member Rose followed by
4 Rosenthal followed by Council Member Holden. Council
5 Member Rose, you may begin.

6 SERGEANT AT ARMS: Starting time.

7 COUNCIL MEMBER ROSE: Thank you. Inspector King,
8 based on your remarks, your statement, it seems that
9 there is some training and efforts that are made to
10 encourage a victim to pursue a case and not close it.
11 It sounds as if there are efforts made to give them
12 all the support they need if in fact, they are
13 leaning toward not pursuing a case. But what happens
14 when uhm, they do? What is your standard operating
15 procedure for a victim that wants to pursue a case?
16 And what level of evidentiary information is needed
17 to proceed with an active investigation? And what
18 standard needs to be met for a case to move forward?

19 MICHAEL KING: Thank you for your question. Once
20 we have a complainant and we conduct an interview and
21 we establish the parameters of the crime that has
22 been committed, then the investigative process will
23 move forward with - if it is a stranger case, trying
24 to identify the person responsible. If it is an
25 acquaintance, they go into a background check. We

1
2 may do a controlled phone call. We will speak to a -
3 we will provide services to an open clinic with
4 survivor, uhm which involves an advocate. We will
5 also speak to the Assistant District Attorney in
6 whatever Borough that this case is in. If probable
7 cause is obtained, then we would move forward with
8 making an arrest.

9 COUNCIL MEMBER ROSE: And that's - my question
10 really is, is probable cause. You know what level of
11 evidentiary information do you have to have to
12 proceed forward, as in Christine's case. Uhm, it
13 seems as if you know she made available as much
14 information as she could. And it did not move
15 forward.

16 So, what is the standard that has to be met for a
17 case to move forward before you close a case? You
18 know, what precipitates closing a case?

19 MICHAEL KING: Again, every case is different and
20 every case is unique, no two cases are alike. In
21 terms of the probable cause, a lot of our cases are
22 difficult. We have a very - again that is why we are
23 a Special Victims Division. Our cases compared to
24 other units are very different.
25

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

In terms of sexual assault and trying to get our information for probable cause. A lot of cases come down to we a complainant and we have a person of interest with different degrees – explanations of what happened. In terms of forensic evidence, let us say you have a burglary and you get DNA fingerprints, so a foreign person being at home. That is very different than getting the same forensic evidence in a Special Victims case.

So, and I just want to say, I don't want to pornographic. If we have a complainant saying she/he is assaulted by another person, in a room, now we find forensics in the room or we find semen on a bedsheet etc. Is this enough for probable cause?

Really, finding that evidence will indicate that sexual activity occurred. It does not indicate force was used. So, we have to dive further into the investigation. Yes, we speak to or complainants, we conduct an in-depth trauma informed interview. The controlled call is very, very important because again, having forensic evidence in a burglary or a robbery is very different in a sexual assault case.

So, let's say this is not a stranger case, these are people who are known to each other. Again, in a

1
2 closed room with no witnesses, no video, we have
3 party A saying something happened and party B may be
4 disputing that.

5 The controlled call is what we depend on in
6 something like that because we're hoping party B may
7 make a disclosure that yes, force was used. Yes, I
8 did hear you say no. Something to that effect.

9 COUNCIL MEMBER ROSE: Okay, I'm sorry, my time is
10 about ready to run out and I have - I just want to
11 ask you this, why are there so many closed unsolved
12 SV cases? What is - what do you attribute to that?

13 SERGEANT AT ARMS: Time expired.

14 COUNCIL MEMBER ROSE: What do you attribute that
15 to? Why we have so many closed, unsolved SV cases?

16 MICHAEL KING: Many of our cases are closed due
17 to either uh, a complainant maybe not want to go
18 forward or us not being able to prove that force was
19 used in the case. Again, it comes down to a lot of
20 different variables with the cases. It is very
21 difficult to pinpoint just one reason why so many
22 cases go unsolved.

23 We also have cases where our persons of interest
24 have fled the country or fled the jurisdiction.
25 We're unable to apprehend them. The case is not

1
2 close permanently but closed until we maybe have
3 found that person.

4 So, again, there are a lot of different variables
5 that go into our cases closed but again, being that
6 no two cases are alike, is very difficult just to
7 pinpoint one but those are a few of the reasons why.

8 COUNCIL MEMBER GIBSON: Uhm, my times is up.
9 Thank you.

10 COMMITTEE COUNSEL: Thank you Council Member
11 Rose. We'll now turn to Council Member Rosenthal
12 followed by Council Member Holden.

13 SERGEANT AT ARMS: Starting time.

14 COUNCIL MEMBER ROSENTHAL: Uh, thank you so much.
15 Thank you so much Chairs. Thank you to the Committee
16 Counsel for their help. Deputy Inspector King, thank
17 you so much. Thank you so much for your efforts over
18 the last 13 months.

19 You know, it's interesting, I'm reading her
20 testimony, I'm hearing you. The systems you're
21 describing sound amazing but how do you explain what
22 went wrong in Christine's case? And further, from my
23 understanding in speaking with the advocates who work
24 with survivors every day, Christine's case is not an
25 outlier. So, where's the disconnect?

1
2 MICHAEL KING: Thank you Council Member
3 Rosenthal, great question. Uhm, you know it is
4 difficult to pinpoint again, with the cases, the
5 interaction with investigators and complainants,
6 survivors uhm to give you one reason why there is a
7 disconnect. Uhm, everyone receives a trauma-informed
8 training and it is used by each investigator
9 differently.

10 Again, it comes down to their understanding of
11 it. It comes down to their use of the training when
12 they interact with a survivor. So, to say some are
13 more successful than others using the technique.
14 That is true. As to why some members may not, may
15 not be as successful as others. That will take a
16 whole different analysis that I really would not have
17 at this point. The trauma informed does – does work.

18 COUNCIL MEMBER ROSENTHAL: [INAUDIBLE 1:30:55]
19 into that. Is that one of the things RTI is
20 studying?

21 MICHAEL KING: I do believe so.

22 COUNCIL MEMBER ROSENTHAL: I'm sorry I
23 interrupted you. What were you saying?

24 MICHAEL KING: Yes, I do believe RTI, that is one
25 aspect that they are looking at but as I was saying

1
2 before, in terms of trauma informed, all
3 investigators are. In terms of how they, each
4 individual uses it, again it just comes down the
5 person and how they are able to convey that training
6 into a real life scenario.

7 MICHAEL CLARKE: And I do think some of the
8 increased oversight you know is relatively, recently
9 added by Inspector King and you know the hope and the
10 goal is that that increased oversight will limit you
11 know survivors who feel this way, who have been
12 treated this way. Uhm, and that we can be better on
13 top of it.

14 So, some of these more recent innovations
15 hopefully will bear fruit going forward, which may
16 not have had the same effect going backwards.

17 MICHAEL KING: I do, I do -

18 COUNCIL MEMBER ROSENTHAL: You know -

19 MICHAEL KING: Please, sorry.

20 MICHAEL KING: The refresher trauma informed
21 course that was not happening, that will be happening
22 annually, because now, if we have an investigator who
23 goes through trauma informed let's say four years
24 ago, that was just one initial course. He took the
25 basic course.

1
2 Now, what we believe will reinforce that is
3 having every Special Victims investigator go through
4 a refresher trauma informed course every year to
5 reinforce that basic training.

6 COUNCIL MEMBER ROSENTHAL: Yeah, that sounds
7 great. I'm looking at the report online about uhm,
8 the training that occurred in 2020. It looks like in
9 total there was attendance uhm, by uh some people.
10 There were eight attendees at the Criminal
11 Investigations Course. None at the Special Victims
12 Investigators Course. Eight at the Trauma Informed
13 Interviewing and it actually shows 49 for attendance
14 at the FETI.

15 And then, when I look at the specific courses,
16 which I appreciate so much your laying out. The
17 courses themselves, for example, I'm just looking at
18 the Criminal Investigators Course, it looks like for
19 all of them, and there are about 47. Each one is
20 about an hour or two. That the course itself is -
21 and there are details about what the objectives are
22 for each course. But the course is a power point
23 presentation, a lecture, and it does say interactive
24 participation, discussions, question and answer. Why
25

1
2 would it not be possible to do that over Zoom? We're
3 doing a lot in our lives over Zoom.

4 SERGEANT AT ARMS: Time expired.

5 COUNCIL MEMBER ROSENTHAL: May I continue Chairs?

6 CHAIRPERSON DIAZ: Yes.

7 MICHAEL KING: Uh, so to your question, uhm, I
8 cannot speak as to why the Training Bureau did not do
9 that. When I got here in uh -

10 COUNCIL MEMBER ROSENTHAL: No, this is the 2020
11 report.

12 MICHAEL KING: The 2020 right. And you're
13 referring to our Criminal Investigations Course, as
14 to why that could not be done over Zoom?

15 COUNCIL MEMBER ROSENTHAL: Look it, frankly, that
16 was one I just set out loud. I mean, the SVD uh, the
17 SVD Investigators Course, similarly all power point
18 lecture, discussion, question and answer. Uh, FETI
19 course, uh, same, same. All power point, trauma
20 informed interview course, power point presentation
21 lecture, interactive discussion. I've read one of
22 the manuals on trauma informed interviewing and you
23 know, it's pretty uh, you know you have to read it
24 but it's fairly straightforward and I'm just not
25 hearing that any of that has sunk in. Nor am I

1
2 seeing on the attendance page that very many of your
3 226 uh, staff attend the courses.

4 And I'm just thinking well, COVID yes but gosh,
5 uh, so much is done by Zoom, I don't understand why
6 this wouldn't be done over Zoom. These are - that's
7 - I'm having trouble squaring that.

8 MICHAEL KING: So, that is a great point to bring
9 up Council Member Rosenthal. Uhm, I think the
10 problem here for me to answer that is that, uh, the
11 training - when training occurs, we are notified.
12 Even the Special Victim Course does not belong to us.
13 It is the Detective Bureau Training Unit, uhm so I do
14 not know why they don't do certain trainings over
15 Zoom. That is something I would have to get that
16 answer and reach to you.

17 COUNCIL MEMBER ROSENTHAL: So, I'm sorry and I
18 appreciate you so much. Do you get a report from
19 that unit about how many of the White Shields Police
20 Officers, Detectives in your unit get training? Do
21 you know whether or not -

22 MICHAEL KING: I'd have to get that report.

23 COUNCIL MEMBER ROSENTHAL: So, you do know
24 whether or not they get training?

1
2 MICHAEL KING: Uh, when they - yes, whenever
3 training is given, we are advised and we send the
4 names of who would attend.

5 COUNCIL MEMBER ROSENTHAL: Uh, huh, great and so,
6 I would be - so, how - so, do you realize that of
7 your 226 staff that, that very few get - are you - do
8 you look at that? Like over a course of the year, do
9 you have some sort of dashboard that tells you these
10 many - here are the names of the people who got
11 trained. Here are all the names of the people in
12 your division. They have not received this training.
13 I mean, this was required under law to be annual.
14 Although one of the lawyers on the team here can tell
15 me if I'm wrong but this is annual training.

16 MICHAEL KING: What I, what I can tell you
17 Council Member Rosenthal is that when I got here in
18 August, there were 213 members who were already
19 trauma informed training. And there were -

20 COUNCIL MEMBER ROSENTHAL: You told that or you
21 now that?

22 MICHAEL KING: I'm sorry, it is documented in the
23 Special Victims Division that 213 member worked FETI
24 trained and when the contract ended, there were 104
25 that were left over. And they were in limbo until we

1
2 were now able to get this new vendor and they will
3 all be trained by the first week in December.

4 MICHAEL CLARKE: And I believe that the law was -
5 it was a training requirement prior to interviewing
6 survivors on their own. So, the eight that we're
7 seeing is it doesn't include the people who had been
8 trained in prior years to it. But it doesn't mean
9 that the annual training isn't worth it and you're
10 right, we should do an annual training, which is why
11 we're now adding it in. And it was part of the -

12 COUNCIL MEMBER ROSENTHAL: Let me hear what you
13 said again. This will now be annual?

14 MICHAEL CLARKE: It will now be an annual
15 training. It won't be the same as the introductory
16 training the investors get, investigators get. It
17 will be a refresher and sort of more of an advanced
18 training. Introductory is the wrong word but like,
19 it will be different before they get in but it will
20 be annual training.

21 COUNCIL MEMBER ROSENTHAL: Thank you and that
22 only replies, refers to FETI. How about the Trauma
23 Informed Interviewing Course?

24 MICHAEL KING: No, that is what uh we're trying
25 to say Council Member Rosenthal. That we are going

1
2 to be doing, starting next year, an annual trauma
3 informed refresher course. So, our members who
4 already did FETI or trauma informed from a year or
5 two or three years ago, every year they will be
6 required to go through the trauma informed refresher
7 course.

8 COUNCIL MEMBER ROSENTHAL: Right and of course
9 they're different right?

10 MICHAEL KING: Well, we have the initial trauma
11 informed course and the refresher will go over the
12 points that were made in that trauma training.

13 COUNCIL MEMBER ROSENTHAL: Well, of course one
14 has to do with evidence, forensic evidence. And the
15 other has to do with the interaction, right?

16 MICHAEL KING: Correct.

17 COUNCIL MEMBER ROSENTHAL: Okay, so they are two
18 separate sets. I mean, they are listed on the NYPD
19 report as two separate sets of course work, separate
20 from SVD. Investigators course separate from
21 criminal investigation course. They are all
22 separate, so will, and I think in total, there might
23 be something like - I would be making it up, 60
24 courses all together combined. So, are you saying
25 each of the 60 will be annual?

1
2 MICHAEL CLARKE: So, the criminal investigator
3 course is part of the training that all investigators
4 receive but that is, that CIC course is also, it's
5 broader than SVD. So, you know there are topics
6 there that aren't necessarily into an SVD investor.
7 Well, there's topics to every detective.

8 COUNCIL MEMBER ROSENTHAL: How about the SVD
9 investigator course. Will that be done annually?

10 MICHAEL KING: Yes, we already had an SVD
11 investigative course earlier this year and we have
12 one starting today for five days. That is separate
13 from the trauma informed.

14 COUNCIL MEMBER ROSENTHAL: Yeah, yes, that's
15 right. So, will that be done annually going forward?

16 MICHAEL KING: Yes, yes, that should be done
17 annually and today starts the second one for this
18 year.

19 COUNCIL MEMBER ROSENTHAL: Okay, the second
20 because you stagger people attending?

21 MICHAEL KING: Right.

22 COUNCIL MEMBER ROSENTHAL: Right but, so, so that
23 course just sort of to be clear, that was not offered
24 in 2020 but yes, in 2021?

1
2 MICHAEL KING: So, in 2021, today makes the
3 second offering of that course. 2020, I got there in
4 August, I don't know what happened before that.

5 MICHAEL CLARKE: For the most part, it was other
6 - I mean other maybe - it said zero then it wasn't
7 uhm, but it would have been - it would have been
8 offered later in the year. It just - in March when
9 we shut down in-person training for COVID - I
10 understand the Zoom question, we can reach out to the
11 training. I think a lot of these trainings are
12 better in person. Uhm, if you can safely do it but
13 we can look into why we didn't have a Zoom version of
14 course.

15 COUNCIL MEMBER ROSENTHAL: Okay, I'm going to
16 move on just very quickly. Uh, for all the new staff
17 brought onboard to SVD, do all of them intentionally
18 apply or is it ever the case that someone's
19 transferred over with no application? You know, sort
20 of like hey, could you take this person. Does that
21 ever happen?

22 MICHAEL KING: So, very good question. We submit
23 a list of people that we would like to bring to the
24 division and of course, uh, others who are not on the
25 list. Sometimes they are transferred in, yes.

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

COUNCIL MEMBER ROSENTHAL: And why would somebody be transferred in?

MICHAEL KING: That -

COUNCIL MEMBER ROSENTHAL: You sort of like - someone who is transferred in, given as you said the SVD being so unique and challenging and nuanced, do you give them special - you know do you want - make sure that they want to be there? Because it's so hard.

MICHAEL KING: Uh, so, the transfer process usually is at the discretion at a level above Special Victims Division.

COUNCIL MEMBER ROSENTHAL: Okay, alright.

MICHAEL KING: So, that is why that happens.

COUNCIL MEMBER ROSENTHAL: Great. What changes have you made so that getting video evidence is happening within week? And how are you tracking that?

MICHAEL KING: So, whenever a case is brought into the division, our investigators are told to immediately respond to the video. Because video is such as fragile and fleeting aspect of the investigation. So, that is something that has to be tracked legally.

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

COUNCIL MEMBER ROSENTHAL: I mean given that it didn't happen with Christine, how you track that to know that it's happening?

MICHAEL KING: Again, that is why I created the checklist to make sure our investigators are being guided by that list. To make sure that they can see; when they pick up the checklist, video is one of the immediate things they have to go for.

In Christine's case, I would have to look at the case to see what happened regarding that, if that was a deficiency. I'd have to look into that.

COUNCIL MEMBER ROSENTHAL: Wow, I mean, that sounds like really an important thing to do given that strikes me that the emphasis seems to be on the controlled call. Not necessarily on the video evidence and the controlled call and the controlled call, almost sounds like I don't know. It sounds very traumatic for the survivor while getting a video seems pretty straight forward and easy.

It sounds like bars keep this information for a week so, gosh if a survivor heads into the hospital, an SVD is there onsite when the forensic exam is happening, why wouldn't you get that video within 24

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

hours, right? Do you track how many times the video is gotten?

MICHAEL KING: We don't have a tracking sheet per say. Our spot commanders are the ones who are making sure that is done and also video. Let's say video of a bar, showing a complainant with a person of interest. The video will show us that yes, they were both present. If the attack didn't happen in the bar, then the only thing that - the only probative value of the video is to show us that both people are present at one location.

COUNCIL MEMBER ROSENTHAL: Sure, I mean, it's something, right? You don't want to not get it, right?

MICHAEL KING: No, it is, it is, absolutely.

CHAIRPERSON DIAZ: Council Member Rosenthal, question, we know you can go on but we have other members and I'm told we have -

COUNCIL MEMBER ROSENTHAL: Thank you. I'll get them on. Thank you Council Member, I'll get them on the second round.

CHAIRPERSON DIAZ: Thank you. Thank you very much. I'm sure we'll do a third round. I'm not sure who's up next.

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

COMMITTEE COUNSEL: Yeah, thank you Chair Diaz.
Next, is Council Member Holden followed by Council
Member Miller. Go ahead Council Member Holden.
Thank you.

SERGEANT AT ARMS: Starting time.

COUNCIL MEMBER HOLDEN: Well, what a very, very
important hearing this is and I thank the Chairs and
I thank certainly the Inspector for his testimony and
also Christine.

By the way, I apologize if I ask a question that
was asked or that was stated because I was at another
hearing and I got kind of the tail end of Christine's
testimony, which was very disturbing. Uhm, so let me
ask Inspector, there are 236 detectives or slash
investigators in the SVD?

MICHAEL KING: Uhm, approximately 255.

COUNCIL MEMBER HOLDEN: 255, okay. Good you give
me a breakdown of male detectives and investigators
versus female detectives and investigators?

MICHAEL KING: Give me a second, I think I may
have that information. At this time, we have 113
females and 172 males.

COUNCIL MEMBER HOLDEN: Yeah, that's problem
number one. There should be many more female

1
2 detectives obviously and there should be active
3 recruiting. I suppose you are recruiting female
4 detectives for the unit?

5 MICHAEL KING: That is correct.

6 COUNCIL MEMBER HOLDEN: I mean, I would you know
7 just to tell you flat out, that that number should
8 be, there should be 200 female detectives in that
9 unit or more because they can obviously, they can
10 empathize with the victim. They are more sensitive
11 to the issues, I would think. It's not automatic all
12 the time but I would say that's a good place to start
13 and I would identify even recruits in the academy.
14 People that you feel have the ability in that unit.

15 So, I would identify detectives or investigators
16 very early on. And other thing that was kind of
17 disturbing and I hear this, I hear this even in the
18 precinct level. I hear this from Police Officers
19 that should never say this to a victim or should
20 never say this to a complainant, that I'm working on
21 another case or something. I'm too busy working on
22 another case, you know that's more important than
23 yours or it's a big case. You should never say that.
24 And any detective that said that, should not be
25 working in that unit or should not be working as a

1
2 detective. If they are going to say to any victim
3 that this is more important. That's what's taking my
4 time. Would you agree?

5 MICHAEL KING: I agree wholeheartedly sir.

6 COUNCIL MEMBER HOLDEN: So, there is a lack - so,
7 we get a lack of training, a lack of empathy here and
8 I see this, by the way, not only in the SVD I see it
9 but like I said, I've been working with the Police
10 Department you know for over 35 years in my local
11 precinct. And I've seen and again, detectives and
12 police officers are human beings and they make
13 mistakes.

14 But there's got to be a level on the job that you
15 just don't say certain things and that you show that
16 you care and that you have to do your job. Just the
17 idea with the video, I had the same exact experience
18 in a local precinct where a senior was hit by a car.
19 The police reported that he wasn't hit. The family
20 was saying he was hit by a car. I said let's get the
21 video and nobody got the video in the precinct and
22 they just closed the case and said he wasn't hit by a
23 car.

24 Well, guess what? My staff had to go get the
25 video and the video showed plain and simple that he

1
2 was hit by the car. And this is the case that I'm
3 seeing over and over again. So, I believe Christine.
4 I believe that this can happen because it's happened
5 to us.

6 So, let me just ask you Inspector, you recorded a
7 news article of an exchange with Chief Harrison early
8 this month and according to the article, you said it
9 is hard to get these detectives, meaning in the
10 Special Victims unit to document properly and write
11 down what they should. You found that out, is that
12 true? Is that article true?

13 MICHAEL KING: Uh, so, the article did not
14 display the dynamic exchange I think correctly. What
15 I was trying to state and I want say that these
16 detectives, not meaning Special Victims, meaning
17 detectives job wide and not every detective. There
18 is a small percentage of investigators who we feel
19 may not document cases to the extent that we would
20 like. But again, like you said, that could be
21 anywhere and anyone but I was not referring to
22 Special Victim detectives only. I meant to say that
23 job wide in both private sector and public sector, we
24 have documentation issues that you know traverse to
25 the entire spectrum of -

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

SERGEANT AT ARMS: Time expired.

COUNCIL MEMBER HOLDEN: So, it's not necessarily or the Special Victims division uhm, does document properly or they're also -

MICHAEL KING: Yes, I want to say to you sir that that conversation was regarding one worksheet in one case out of 10,000. So, I don't want it to seem that the Special Victims division has a problem that spans into our division. That was one worksheet in one case.

COUNCIL MEMBER HOLDEN: Okay, listen, you listened to Christine's testimony. Her story, I mean is what - that should not happen and you know if again, when you investigate you know her issue obviously, her ordeal, uhm, I think you might find that some detectives dropped the ball here and on many levels.

So, I think we need to have some oversight within the department to make sure that we're getting the right people for the right job and they document everything and they follow through on - like you said, you have a checklist. And then somebody has to check that list to make sure that they've looked at it.

1
2 So, there supervisors should be looking at the
3 checklist and then also interviewing or calling the
4 victim to make sure that everything was done
5 properly. So, what happened to Christine does not
6 happen again. Thank you. Thank you Chairs. I
7 guess the Inspector doesn't have an answer for that
8 one. Thank you.

9 CHAIRPERSON DIAZ: I, I - before we go over -
10 thank you Council Member Holden for bringing that up
11 and I don't want to lose my thought in the process
12 and ask a final question. Is it okay for me to
13 understand that the detectives dealing with special
14 victims are on point. Documentation is in order.
15 You do not have a communication issue with those
16 under you. It's a clear slate, everything is in
17 order. The media caption was no where near the
18 truth?

19 MICHAEL KING: Like I said before, am I saying
20 every detective in every case is perfect? No, that's
21 not what I'm saying. In regard to the CompStat
22 exchange, what we were speaking about was uh, one
23 case and one report. Basically, one sheet of paper.
24 Again, the Special Victims division generates
25 thousands of worksheets we call DD5's every day.

1
2 This was one worksheet out of thousands that one
3 Chief found deficient and we spoke about that issue.
4 But it was not indicative of the documentation that
5 is going on across the Special Victims division.

6 CHAIRPERSON DIAZ: So, to this one particular
7 case, which me being a survivor of domestic violence,
8 one is one too many. To that point, what have you
9 done to rectify this particular case to assure that
10 the victims indeed was identified and dealt with
11 based on the needs? Was an arrest made? Were you
12 able to fix the situation?

13 MICHAEL KING: So, that's a great question and
14 let me explain exactly what would happen here. We
15 had a complainant who stated someone in her building
16 who was known to her touched her inappropriately.
17 Uhm, she came in, she gave her statement. The person
18 was identified. We wanted to proceed with the case
19 but the complainant stated that the person who
20 committed the crime was moving out of the building
21 and she did not feel the need to go forward with the
22 case.

23 Uhm, at that point, she stated she wanted to not
24 go forward. So, we gave her our C3 form, which she
25 signed. So, the complainant in this case had no

1
2 problem with Special Victim. What happened was the
3 way that the worksheet was documented in terms of,
4 the statement was taken from the complainant and then
5 right after that, she was given the C3 form. Only
6 because she had stated at the end of her initial
7 statement, she said, this is what happened. But
8 because he is moving out, I don't want to go forward
9 and the detective then gave her the form. What
10 CompStat, once she had a problem was, he felt that
11 the documentation did not show that the complainant
12 of her own volition said, hey, I don't want to go
13 forward. They said the way the sheet was written,
14 the DD5 was written, make it appear that maybe we
15 gave her the form too quickly. Which is not true.
16 She gave a statement, at the end of the statement,
17 she said, I don't want to go forward. He is moving
18 out and it's my right not to go forward. The
19 supervisor was advised, again, my new C3 process, the
20 supervisor was advised immediately. He sat and spoke
21 with her at length. At which time, she said, I still
22 don't want to go forward. I still want to sign the
23 form, which she did and she left.

24 But again, the only issue with that case, was the
25 Chief felt that it should have been documented to say

1
2 the complainant of her own volition, said I don't
3 want to go forward. That's what happened with that
4 one case.

5 MICHAEL CLARKE: And I would like say that in
6 response to that, we are also having everyone in the
7 Special Victims division you know just redo a
8 training on documentation. You know, as everyone
9 like Inspector King said, obviously we can't say that
10 everyone is perfect and no one could use a refresher.
11 So, we're going to have everyone retrained on proper
12 documentation in addition to the checklists and
13 [INAUDIBLE 1:57:25]. Extra supervision that
14 inspector King has instituted in the division.

15 CHAIRPERSON DIAZ: And in essence of time, I'll
16 be courtesy to the members that are going to speak
17 and the 24, 25 others that we have listed, I will my
18 close my statement right now with just saying the
19 words maybe and feeling don't fall right in the
20 process. You're professionals, you've chosen this
21 line of work. Chosen to be part of this department,
22 is that I feel I should have done this. If there's a
23 manual, that's part of the manual, it's maybe we
24 could have closed it differently. No.

1
2 Moving forward, I would kindly ask you to strike
3 from using those words because it's someone insulting
4 to think, we have to feel to do this. It should be
5 it is, it is, it's black and white.

6 Thank you. Turning it over to Counsel. Thank
7 you.

8 COMMITTEE COUNSEL: Uh, thank you Chair Diaz.
9 Uhm, we'll move on to Council Member Miller and after
10 that, we'll follow back up to Chair Adams for a
11 second round of questions. Go ahead Council Member
12 Miller.

13 SERGEANT AT ARMS: Starting time.

14 COUNCIL MEMBER MILLER: Thank you. Good morning
15 uh, to the Chairs on the important hearing here. And
16 also, I'm so very grateful to see that my colleagues
17 are on the same page when it comes to oversight and
18 accountability here.

19 Council Member Holden is on fire and also in sync
20 with the members of the Women's Caucus and all. We
21 see that uh, accountability is vitally important and
22 I would just ask that you know, we all pick up the
23 phone and hear that this call is being recorded for
24 training purposes.
25

1
2 And so, we should be reviewing these cases,
3 including any discourse or dialogue that has occurred
4 to make sure that it is properly adherent to whatever
5 those regulations that are currently in place. So,
6 that would be a question to ensure that this, this
7 review of the discourse is consistent with the
8 policy, number one.

9 And then secondly, uhm, are we finding that there
10 are particularly or maybe disproportionate reporting
11 or managing of cases by the unit when it comes to
12 communities of color. Considering the relationships
13 with communities of color and the department. Does
14 the data support that they are under reported or
15 reported at the same level of communities of color as
16 well?

17 MICHAEL KING: So, if I'm understanding your
18 question correctly, I'm sorry you toned out there in
19 the end. In regard to the demographics of our
20 complainants, uhm is that something I track? I do
21 not have that information in front of me. We take
22 reports from anyone who believes they were a victim
23 of sexual assault, regardless of demographic.

24 So, that is not something that I feel we have any
25 of these efficiencies in. Like I said, anyone who

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

reports a sexual assault is treated the same. The investigation will be carried out. So, but in regard to the demographics, I do not have that in front of me.

OLEG CHERNYAVSKY: Yeah, I think Council Member, if you take a look, we have a report that we post that newly on our website, that both talks about the demographics of the individual arrested for particular crimes and the demographics of victims. When you take a look at sex crimes, whether it be felony or misdemeanor, no matter what the overall number of reported crimes are in a given year, the constant is, is that about three quarters of victims are Black and Hispanic.

COUNCIL MEMBER MILLER: And that is obviously important data when we look at that. And uhm, is that based on your experiences? Is that representative of - are those reported cases representative of the actual differences that they occur within those communities of color. And then we find that there is some form of historic disconnect based on relationships with the department?

1
2 OLEG CHERNYAVSKY: Hey Council Member, I'm sorry,
3 I'm sorry to interrupt but your mic is going in and
4 out, so it's a little hard to hear the question.

5 COUNCIL MEMBER MILLER: And has there - does the
6 data support, does the data support based on the fact
7 that three quarters, 74 percent of the victims are
8 Black or Latino or can come from communities of
9 color? Obviously that would mean that there should
10 be further resources or uh, uh, made available to
11 ensure that we're doing something to either keep
12 communities safe, to ensure that reporting, that
13 we're not missing something. Within that, there are
14 gaps that within the cracks that these crimes that
15 are obviously prevalent within these communities are
16 now being under reported. Based on some of the
17 training that was stated Council Member Holden
18 expressed, who is in attendance? But is there a
19 particular outreach for these communities.

20 So, not just that we're reporting and that that
21 the unit is responding correctly and aggressively but
22 that when working towards mitigation and prevention
23 particularly based on the day to day that we've uh
24 gathered from these communities.

1
2 MICHAEL KING: I am going to address those. It
3 was very difficult to hear you Council Member. Uhm,
4 I just wanted to let you know that the Special
5 Victims division does have a liaison unit that prior
6 to COVID, did a lot of in-person outreach.

7 SERGEANT AT ARMS: Time expired.

8 MICHAEL KING: Citywide uhm in every borough.
9 They went to clinics, they went to hospitals, they
10 went to schools and colleagues to let everyone know
11 regarding the reporting. Opportunities that we have
12 set forth in Special Victims, in the department to
13 report Special Victims. No matter what community you
14 may reside in, that is something that we are hoping
15 to again, move forward into the community doing that
16 again, but prior to COVID and the restrictions that
17 we in place, we were doing that citywide in every
18 borough.

19 COUNCIL MEMBER MILLER: And are they working with
20 CBO's and organizations within these communities of
21 color specifically to get to work for now and a
22 partnership?

23 MICHAEL KING: Did you say are they working with?

24 OLEG CHERNYAVSKY: CBO's?

25 COUNCIL MEMBER MILLER: [INAUDIBLE 2:04:37].

1
2 MICHAEL KING: Oh, yes, yes, I have a training
3 sergeant [NAME?]. She is always speaking with
4 community partnerships in regarding to getting the
5 word out yes.

6 COUNCIL MEMBER MILLER: Okay, thank you very
7 much. Thank you Chairs.

8 COMMITTEE COUNSEL: Thank you Council Member
9 Miller. We will now turn to Council Member Adams to
10 do a second round followed by Chair Diaz as well and
11 then back to Council Member Rosenthal. Go ahead
12 Chair Adams.

13 CHAIRPERSON ADAMS: Thank you Council. I'm going
14 to be brief. Inspector, you're providing sensitivity
15 training to recruits at the academy but in too many
16 cases it doesn't seem to be sticking. Uhm, do you
17 review complaints by survivors regarding poor
18 treatment by detectives. Is there some kind of
19 eternal evaluation in place to track whether certain
20 detectives get more complaints or others? And if so,
21 how do those complaints stack up against other
22 divisions?

23 MICHAEL KING: My Integrity Control Officer
24 tracks complaints. I have to say since I've been
25 here in since August of last year, I've only had

1
2 maybe, maybe three or four complaints that were
3 brought to me directly that were reported through our
4 internal affairs or through CCRB in terms of
5 treatment. Advocates have also brought to my
6 attention certain issues, but I always address them
7 immediately.

8 CHAIRPERSON ADAMS: Okay, that was my question.
9 Thank you very much. Thank you Chair.

10 COMMITTEE COUNSEL: Chair Diaz.

11 CHAIRPERSON DIAZ: I am going to allow my three
12 minutes to go over to Council Member Rosenthal and
13 I'm doing so specifically because unfortunately often
14 panelists will move and advocates, which advocates
15 actually mean survivors will not get to address the
16 administration directly.

17 Council Rosenthal, you have three minutes.

18 COUNCIL MEMBER ROSENTHAL: Great, thank you so
19 much Council Member Diaz. Just real quickly, uhm,
20 I'm wondering who is responsible for distributing the
21 survivor rights information sheet that I asked about?
22 And what support is given to a survivor both for and
23 after a controlled call as an advocate with the
24 survivor when a controlled call is being made? And
25

1
2 along those lines, when a case is closed, is the
3 survivor given other options, not legal ones?

4 MICHAEL KING: So, we issue a bill of rights to
5 every complainant when the case starts. Uhm, we also
6 give information regarding how to contact an advocate
7 and that is in the squads where we don't have an
8 advocate embedded at this time. Resources pamphlets
9 are given out as well for rape crisis centers and
10 counseling. They receive the what to expect form
11 regarding the investigation and they are also given a
12 form if they would like to discontinue their
13 investigation at any time, they know that a part of
14 Bill of Rights that states that, so that the form is
15 made available if needed.

16 During the controlled phone calls, there are
17 times that we have advocates present and there are
18 times that we may not. It depends on if we were able
19 to - if you are in a squad that has an advocate
20 working there, if there is no advocate working in the
21 squad, then we can reach out to an advocate but we if
22 an advocate cannot respond, they may speak to the
23 survivor and set up a time when they can speak again
24 but they are not always present for the controlled
25 call.

1
2 COUNCIL MEMBER ROSENTHAL: Wow. Uh, a lot to
3 unpack there and for the purposes of time, uh, you
4 know I'm going to - again, you paint a beautiful
5 story. I think if you stay and listen to the
6 survivors who are going to testify today, you are
7 going to hear situations where that did not occur.
8 But isn't there supposed to be an advocate onsite at
9 the each of the five SVD's every day?

10 MICHAEL KING: So, uh, we had the space built out
11 for that. When I got here, I spoke to Safe Horizon.
12 Uhm, and because of COVID they were not at the time
13 coming into the spots to sit there daily. They gave
14 us contact information regarding the phone numbers
15 and emails that we could pass on to survivors but I
16 think in Manhattan and the Bronx, we have advocates
17 that are physically present but uhm, as what Safe
18 Horizon told me, they have not yet been able to
19 identify their members to actually sit in the squads
20 -

21 SERGEANT AT ARMS: Time expired.

22 COUNCIL MEMBER ROSENTHAL: Okay, thank you.
23 Thank you all very much. Thank you for the extra
24 time.

1
2 COMMITTEE COUNSEL: Thank you Council Member
3 Rosenthal. Uhm, if any other Council Members have
4 any questions to ask of the administration, please
5 use the Zoom raise hand function now. If not, we
6 will be moving onto public testimony. It looks like,
7 go ahead Chair Diaz.

8 CHAIRPERSON DIAZ: I apologize but it's just I'm
9 feeding off of my members here. Thank you all for
10 being so involved and engaged. Did I hear correctly
11 the Safe Horizon, the lead agency has not been able
12 to give you a link to where you can actually speak to
13 an advocate? This is the world of virtualism.

14 MICHAEL KING: They give us contact information
15 that we pass on to uh, complainant's and also, not
16 every complainant will request to speak to advocate,
17 even when we give them the information. But we do
18 make it available.

19 MICHAEL CLARKE: I think Inspector King was
20 talking about the idea of uh collocated facilities.
21 But Safe Horizon hasn't had everyone in their
22 collocated facilities where we have the space at the
23 moment. But they have people available to speak to
24 the survivors.

1
2 CHAIRPERSON DIAZ: Okay, thank you for the
3 clarity because that was definitely upsetting. Thank
4 you. Back to Committee Counsel.

5 COMMITTEE COUNSEL: Thank you Chair Diaz. Do any
6 other Council Members have any question for the NYPD
7 before we move onto public testimony?

8 Okay, seeing no Council Members as well, we will
9 now move onto the public testimony section of this
10 hearing. Thank you Administration for testifying and
11 uhm, we appreciate your testimony.

12 MICHAEL KING: Sir, may I just speak to Chair
13 Adams, Chair Diaz a little bit about my background.
14 I just want you to know, I've been a nurse for 15
15 years and I volunteered to be a forensic examiner,
16 which is as a nurse, that is a special training we
17 take outside of your nursing program and degree. I
18 took that, I volunteered to take that because it as
19 my passion to help victims of sexual assault. When I
20 took this training, this is something that no one at
21 my hospital wanted to do. I took it upon myself. I
22 worked in Staten Island. I worked in Brooklyn. I
23 worked in various hospital emergency rooms. On call,
24 at night, I would respond and I would examine victims
25 and survivors of sexual assault and when this job

1
2 became available, and Council Member Rosenthal asked
3 me, why do you want this job?

4 Again, I was not just given this assignment, I
5 requested it because I believe it is the most
6 challenging and the most rewarding position within
7 the New York City Police Department. It is a tough
8 job. I do try to identify the right people to do
9 this job. I have transferred at least 12 people out
10 of the Special Victims who I believe were not the
11 right fit. I've moved around 18 other people just to
12 make sure they have a good balance but I wanted you
13 to know, I'm not someone who was just a patrol cop
14 and I walked into this position. I have done years
15 of examining survivors of sexual assault. And again,
16 that was a job that nobody wanted to do and I
17 volunteered and I am hoping that background will
18 continue to help me, help survivors as I remain in
19 this role.

20 CHAIRPERSON ADAMS: And I'm going to thank you
21 for that Inspector King, for those remarks and I am
22 going to personally request that you remain for this
23 entire hearing, so that you can hear the testimony of
24 these survivors that will be providing testimony. I
25 know it's customary for Admin to leave these hearings

1
2 but due to what you just said particularly, I think
3 that it's important that you hear the testimony of
4 these survivors. Thank you.

5 MICHAEL KING: Thank you.

6 COMMITTEE COUNSEL: Thank you Chair Adams and
7 Chair Diaz. We will now move to public testimony.
8 I'd like to remind everyone that unlike in our
9 typical Council hearings, we will be calling on
10 individuals one by one to testify. Council Members
11 who have questions for a particular panelist should
12 use the Zoom raise hand function and I will call on
13 the panelist - I will call on you after the panelist
14 has completed their testimony.

15 For panelists, once your name is called, a member
16 of our staff will unmute you and you will begin to
17 deliver your testimony. For the public, we are going
18 to put a three minute timer on testimony.

19 To begin, we will ask -

20 CHAIRPERSON DIAZ: Excuse me, I have a question
21 before we begin.

22 COMMITTEE COUNSEL: Sure, go ahead.

23 CHAIRPERSON DIAZ: I would like to thank Chair
24 Adams for asking the question. I did not hear a yes
25 or no for the Administration, will they stay? Deputy

1
2 Inspector, I thank you for standing up for the
3 underserved and choosing your profession but I'd like
4 to know if that was a yes. Will you have the
5 opportunity to stay with us in here on the panelists?

6 MICHAEL KING: Yes, yes, I will remain, yes.

7 CHAIRPERSON DIAZ: Thank you very much. I'll go
8 back to my protocol in my script.

9 COMMITTEE COUNSEL: Thank you Chair Diaz. So,
10 for the first member of the public, uhm, we will be
11 inviting Leslie McFadden followed by Meghan (LAST
12 NAME). Leslie McFadden, you may begin but you are
13 muted.

14 SERGEANT AT ARMS: Starting time.

15 LESLIE MCFADDEN: Good morning and thank you for
16 allowing me to share my story with you today. My
17 name is Leslie McFadden.

18 Six years ago this week, I was drugged and raped
19 by a colleague. My experience with the NYPD,
20 however, was far worse. Earlier this morning,
21 Inspector Michael King mentioned that many victims
22 wind up feeling not believed. Which therefore
23 discourages them from continuing in their cases.

24 I want to stress to you that the NYPD is causing
25 that believe and in fact, is closing their cases

1
2 without their knowledge. I'll give you a personal
3 example. I was foolishly optimistic when a Special
4 Victims detective from Brooklyn, name Scott
5 Greene(SP?) was assigned to my case in October 2015.

6 But the very first question he asked me at the
7 start of his interview was whether this was really a
8 case of sexual assault or just a case of sexual
9 assault or just a case of regret. I had to start our
10 conversation by explaining why I was wasting his time
11 with my rape.

12 He told me the case depended on getting a
13 confession or a positive drug test. At his
14 recommendation, I went to the precinct and made a
15 taped phone call to the perpetrator. Even though I
16 was terrified to do so and poorly coached on what to
17 say. After the call, the detective told me there
18 wasn't much to go on and presented me with a form
19 that he said would put the case on hold, pending a
20 drug test.

21 I was crying so hard I could barely see the form,
22 let alone read it. So, I trusted the detectives
23 explanation and signed it. Once he had me signature
24 on that form, Greene did nothing, literally nothing.
25 He did not pursue proper forensic testing to look for

1
2 a drug. Retrieve surveillance tapes or interview any
3 witnesses. He never even contacted the perpetrator.

4 Had he followed these leads, my case could have
5 been viable. Instead, he secretly closed the case
6 just days later without ever doing anything at all.
7 I would find out years later that this form was a
8 case closure form, that C3 form that was mentioned
9 earlier. Greene had lied to me.

10 In 2018, I met in-person with then Chief of
11 Detectives Dermot Shea and then Detective Chief
12 Judith Harrison and told them both about Gurney's
13 deliberate botching of my case. After that meeting,
14 I later learned Greene was selected for a newly
15 created drug and alcohol facilitated analytical team.

16 So, just to be clear, he was rewarded, not
17 punished after I reported his failures. It was not
18 until I filed a formal complaint in 2020 that Greene
19 was finally transferred out of the SVU. The NYPD
20 never held him accountable, I did. The NYPD refused
21 to give me written proof that he was transferred.
22 And in fact, never responded to my full request that
23 I filed one year ago.

24 It's time that the NYPD be made to care. We need
25 top down changes in how the NYPD investigates sexual

1
2 assault cases. We need better trained detectives who
3 will -

4 SEREANT AT ARMS: Time expired.

5 LESLIE MCFADDEN: Thank you.

6 CHAIRPERSON ADAMS: Can you let her finish her
7 sentence? Leslie, finish your sentence.

8 LESLIE MCFADDEN: Thank you so much. Who will
9 treat traumatized victims with compassion and conduct
10 thorough investigations every single time. It's not
11 too much to ask. Thank you.

12 COMMITTEE COUNSEL: Thank you for your testimony
13 Leslie.

14 LESLIE MCFADDEN: Happy to.

15 COMMITTEE COUNSEL: I will move on to the next
16 uh, panelist. Uhm, we will have uh, Meghan (LAST
17 NAME) followed by Allison Turkos.

18 SERGEANT AT ARMS: Starting time.

19 COMMITTEE COUNSEL: Go ahead Meghan. Sorry about
20 that confusion there. Go ahead.

21 MEGHAN: No worries. Thank you. Uhm, okay. So,
22 thank you very much to the Committee and to the
23 members of City Council for this opportunity.
24 I'm going to try to fit everything into three minutes
25 here.

1
2 So, my name is Meghan, I am 26-years-old right
3 now. Uh, almost six years ago in 2015, in the early
4 morning hours of Halloween, I was raped by a stranger
5 in a Brooklyn park. My rapist then walked me home to
6 my apartment while I bled through my jeans. I don't
7 remember giving him my number at the time but I did.
8 I was scared and I wanted him to leave me alone so
9 that I could go home to my apartment safely.

10 At the time I was 20-years-old and a full-time
11 college student. The rape was my second sexual
12 experience and I was not taking birth control at the
13 time. A week later, I made the difficult decision to
14 report to Brooklyn Special Victims Detectives at the
15 72nd Precinct. A female, SVU Detective, took a
16 statement from me, collected my bloody pants and
17 underwear and collected a swab from the inside of my
18 cheek. I went alone to the precinct, trusting that
19 the NYPD would help and advise me because I had no
20 other advocate there for me.

21 In the course of giving my statement to SVD, I
22 shared that my rapist had been calling and leaving me
23 messages. As a result, I was told that if I wanted
24 to continue to build a case against him, I would need
25 to call him while being recorded by detectives. And

1
2 admit in an attempt to get him to admit that he had
3 raped me while I was intoxicated, which is third
4 degree rape or that he had continued raping me
5 despite me crying, screaming and begging for him to
6 stop, which is first degree rape.

7 I knew I did not want to contact my rapist who
8 was already harassing me after raping me but this was
9 the only option that was presented to me by
10 detectives. When the detective called back a few
11 days later, I declined to proceed with the
12 investigation because of this. And I assumed that
13 nothing would come from my interaction with
14 detectives. I was 20-years-old and I had never had
15 to rely on the police like this before. I had no
16 idea what my rights were as a victim or what power I
17 had, if any, into the investigation of my own rape.

18 Those were - sorry, those were the hardest years
19 of my life. I was angry, suicidal, (CRYING) sorry
20 and I was suffering from post-traumatic stress
21 disorder.

22 That fall, I didn't hear a word from SVU and
23 assumed that they had closed the investigation.
24 After two months of vomiting and missed periods, I
25

1
2 realized that I was pregnant and took a pregnancy
3 test on December 31st of 2015. It was positive.

4 SERGEANT AT ARMS: Time.

5 MEGHAN: I'm going to keep going if that okay?

6 CHAIRPERSON DIAZ: Please allow her to keep
7 going. Thank you for your courage.

8 MEGHAN: Thank you. I cannot explain to you what
9 it feels like to have your body violated so violently
10 and then to learn that your body still does not
11 belong to you because you are carrying your rapists
12 child.

13 The week between realizing I was pregnant and my
14 abortion was so hard. I considered every method I
15 could think of to harm myself or end the pregnancy.
16 I no longer cared what happened to me because I
17 wanted out of my body so badly.

18 On the day of my abortion, as I sat in the
19 waiting room, I received a call from an SVU Detective
20 informing me that they had pulled DNA off my pants.
21 This was the first time I had been contacted by SVU
22 in two months, two months. And this was the first
23 time I had been informed that they were testing the
24 clothing I had given them for DNA.

1
2 I informed the detective that I was pregnant,
3 which is a pretty solid piece of evidence. But then
4 I could not wait any longer to have an abortion.
5 That was the last time I spoke to an SVU Detective.
6 I never had a say in the decision to prosecute my own
7 rapist. It was decided by SVU detectives without me.
8 It was decided when the only option for justice in my
9 case was to contact my own rapist. It was decided
10 when SVU neglected to contact me for months. Leaving
11 me thinking that they had dropped my case entirely
12 instead of informing me that they were testing my kit
13 for DNA.

14 All NYPD had to do was keep me informed with a
15 phone call and they neglected to do that. By the
16 time I was aware that they were actually working to
17 investigate my rape, it was too late for me to
18 provide the evidence of a pregnancy that would have
19 significantly assisted in an investigation.

20 You can't see my face here but I'm White. I
21 presented to SVU what is arguably an easy case by
22 their standards. A young woman violently raped by a
23 stranger. If they couldn't manage to call me once in
24 two months, how do they treat victims that are people
25 of color? If they couldn't manage to investigate a

1
2 stranger rape without an assistance of his victim,
3 how do they investigate cases where there
4 perpetrator, like most rape cases is in an intimate
5 relationship with the victim? What kind of an
6 investigation is it when the victim is asked to do
7 the investigating?

8 A few months after the rape, I did investigating
9 of my own. I searched my rapists number on Facebook
10 and I found his profile in under five minutes. I
11 identified my own rapist, which is something that the
12 NYPD could not or would not do for me. It should
13 never be on the backs of survivors to investigate our
14 own case. We should not be asked to contact the
15 person who violently raped us. Which I am now
16 hearing from previous testimony, it seems to be the
17 investigative MO by NYPD SVU Detectives.

18 All the progress I have made in recovering from
19 my rape including hundreds of hours of therapy at my
20 own expense has been despite the actions of the NYPD.
21 Not because of anything they provided to me. They
22 only contributed more to my trauma. People deserve
23 better, I deserved better. Unfortunately what I'm
24 hearing from previous testimony is that this method
25 of investigation has not changed. I hope in the

1
2 future, this does change so that other people don't
3 go through this as well. Thank you.

4 COMMITTEE COUNSEL: Thank you for your testimony.
5 Council Member Rosenthal, you have your hand raised,
6 you may go ahead.

7 COUNCIL MEMBER ROSENTHAL: Thank you so much.
8 Meghan, thank you for your testimony.

9 MEGHAN: Thank you.

10 COUNCIL MEMBER ROSENTHAL: And I want to send
11 appreciation to the NYPD for staying on. I see all
12 four people in the conference room and uhm, you know
13 it's uhm, I know it's meaningful that you're here
14 listening. And uhm, as people, as we heard, are
15 obviously retraumatized even by coming forth and for
16 the public, uhm, the people on the panel are able to
17 see a gallery with the other people who are coming to
18 testify. And you should know that people are weeping
19 now Meghan hearing your testimony. Because it
20 resonates, it resonates with other survivors who have
21 suffered like you.

22 Uhm, I know this not totally protocol but - and
23 if it's just not and you can't you know it's just not
24 anything you can answer, could I ask the NYPD and I'm
25 going to step away for a moment on adult cases,

1
2 really because this recent testimony is a little
3 overwhelming to me too.

4 Uhm, but in the same vein on follow-up, in my
5 opening statement, I referred to two child deaths
6 within the last month in a half, where there were
7 many opportunities for follow-up where someone could
8 have asked more questions before these children were
9 sexually abused and killed. And I'm wondering if
10 there have been changes since then to require
11 officers do more to determine whether or not there is
12 a plausible explanation for an injury.

13 MICHAEL KING: Sorry, the plausible explanation
14 for what Council Member Rosenthal?

15 COUNCIL MEMBER ROSENTHAL: The child's injury.
16 In other words -

17 MICHAEL KING: Oh, yes, yes.

18 COUNCIL MEMBER ROSENTHAL: Hmm, hmm, have there
19 been changes since we have learned, yeah, thank you.

20 MICHAEL KING: Yes, uhm, so first of all, let me
21 say to the survivors who had the courage to speak
22 here today, that your testimony does not fall on deaf
23 ears. Uhm, since I have been the Commander here, let
24 me say that I have spread the word throughout the
25

1
2 division that laziness and carelessness will not be
3 accepted here.

4 Which is why I have already transferred at least
5 12 people out of Special Victims. I have given
6 people command disciplines which are writeups for bad
7 behavior or bad case management. I review complaints
8 that I get from advocates and from the general public
9 and I call people into the carpet to explain why
10 certain behaviors are done.

11 And there is no excuse for any behavior that will
12 make a survivor feel not believed or not encouraged.
13 So, I just want you to know, I was not here when your
14 cases occurred, except for Christine, which I will
15 look into that. I was not here five years ago. But
16 just to let you know that today, regarding any
17 complaints, is heavy handed. We do not accept anyone
18 working here who does not have the compassion that is
19 needed to be here.

20 In regard to your questions Council Member
21 Rosenthal, those two cases, are very, very
22 unfortunate and before I address that, I just want to
23 say, one philosophy that I try to push through the
24 division and Meghan, she highlighted this. And this
25 is again, from me being a sexual assault forensic

1
2 examiner, and this is something I tell to everyone
3 who come and works here and to everyone who wants to
4 become an investigator in the Special Victims
5 Division. They need to understand that when a woman
6 is sexually assaulted, and I will say the word rape.
7 When a woman is raped, you can't give her back what
8 she lost.

9 So, all cases are different because -

10 SERGEANT AT ARMS: Time.

11 MICHAEL KING: A robbery case, you can give
12 someone back the TV, the car that was stolen, the
13 wallet. When a woman is raped, you can't give her
14 back what was lost. This whole idea of justice and
15 closures, only a myth. But when we show that we
16 attempt, when we show that we even try or are trying
17 and doing everything we can to meet, that means a lot
18 more than putting handcuffs on someone.

19 Because we are showing that not only did we take
20 your complaint seriously but we are moving forward
21 with the investigation. We are trying our best and I
22 have this fight with district attorney's all the
23 time. Just show that you are trying to do the right
24 thing. We may not end up making an arrest. I
25 understand that but how does it look to a survivor

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

that we're not even trying? So, I do not accept anyone here with laziness. Just so you know that. This is the new Special Victims Division.

CHAIRPERSON DIAZ: Thank you for your heartfelt feedback. I'd like to turn it back over to Counsel, as I'm eager to hear from the victims. You know this is mental anguish. Oh, you can't hear me. Can you hear me or not?

MICHAEL KING: Yes.

CHAIRPERSON DIAZ: Okay, again, it seemed to me as I heard, bottom line is - Council Member Rosenthal, we'll come back to you but we have victims that are mortified at this moment. We don't know how long it's been since they've been able to have a proper meal. They have been able to get up this morning and move forward. I am asking Council Members to please; we can go back at the end at a later time and ask questions but our victims need to be heard. Thank you.

MICHAEL KING: Council Member, regarding the two children, Legacy, I believe the case that we had on the household was regarding a child that basically didn't exist. The complaint that we got months ago before Legacy was killed was on - another child was

1
2 named but when the Special Victims Investigators went
3 to her home, there was no complaint regarding Legacy.
4 It was regarding another child that did not live at
5 the location and that case was closed because whoever
6 the anonymous complaint referred to, did not reside
7 with Legacy.

8 And at the time that they went there, Legacy -
9 there was no issue regarding Legacy. Now, with the
10 four-year-old child that was killed recently, a very,
11 very unfortunate case. And in that case, I know I
12 heard Council Members state that there was no follow-
13 up. When that case was received, the ACS workers did
14 go out and they did see a child and they did not I
15 guess see any other injuries to escalate the
16 situation. But the marks that were seen, were
17 photographed and were given to the medical team at
18 the CAC. The CAC then reached out to the mother and
19 told the mother to bring the child in, so that the
20 child could be physically examined.

21 On the day she was supposed to come in, she did
22 not and then two days later, the child was killed.
23 So, there was and yes, a DIR was not done and that
24 was a mistake by the investigator. We have not seen
25 him commit that mistake in prior cases. In this

1
2 case, he neglected to fill that out. But in terms of
3 the child seen, the child was seen prior to death and
4 was not brought back when he was supposed to.

5 So, in regard to what has been done since then, I
6 took a look at how we investigate child abuse. Our
7 relationship with ACS and what I have implemented is
8 in the past, child abuse investigators would get the
9 case and ACS would do the visits. I have now changed
10 that to our child investigators will be doing
11 unannounced visits to families when there are
12 complaints of child abuse against children.

13 So, we will be going out immediately once we get
14 a complaint, prior to the case being closed, we will
15 be conducting another unannounced visit. Also, most
16 importantly, this will be a red flag. Whenever the
17 child squad sends out a request to a parent or a
18 caregiver to bring an alleged abused child into our
19 space and for some reason that parent either calls
20 and says, I can't make it or they are a no show, that
21 will be a red flag and that will be an immediate
22 visit from the Child Abuse Squad to find out, why did
23 you not bring that child in. And to document if
24 there are any further interests.

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

COMMITTEE COUNSEL: Okay, thank you so much for that testimony. We are going to move forward. We're going to have the panelists give their testimony and after each, we have maybe four more people to testify here and then we could turn to Council Members. We could ask the testimony - or providers of testimony specific questions. I see Council Member Holden you put your hand down, so if after we're done with this panel we could come back to you if you have any specific questions for the panelists.

In terms of questions for the Police Department, we will follow-up with addition information to them. So, if we could try to keep the focus on the members of the public at this moment for now.

But Council Member Holden, speak up but we're going to try to move it back to the individuals from the public. But go ahead sir.

COUNCIL MEMBER HOLDEN: Yes, and I appreciate it. I'm sorry, I'll just be very quick. Meghan's testimony was so heartbreaking and so moving that I think, I'd like to hear if the Inspector can look at her case and we get some commitment that she gets some closure? I know it's late but we need to - she knows the perpetrator. She knows her assailant. She

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

knows his name. We have DNA. Can this be investigated Inspector?

MICHAEL KING: [INAUDIBLE 2:38:25].

COUNCIL MEMBER HOLDEN: It was 2015 I guess, right?

MICHAEL KING: Yes, yes. So, I will definitely reach out to the Brooklyn squad. We will pull that case. Myself and the uh, squad commander and his own captain will take a look at it and see what can be done.

COUNCIL MEMBER HOLDEN: Thank you.

MICHAEL KING: Can I just have the last name of Meghan?

MICHAEL CLARKE: It's up there.

COMMITTEE COUNSEL: No, please, let's leave that off of the record for now. Thank you. We will follow-up with the NYPD specifically on that individual.

CHAIRPERSON DIAZ: Thank you Committee. Thank you Counsel for jumping in because I was going to. Thank you.

COMMITTEE COUNSEL: Okay, thank you. Uhm, we'll now turn to the next panelist. Again, Council Members if we could uh, you could use the Zoom raise

1
2 hand functions. We're going to go through some more
3 individuals from the public and then we could turn
4 back for other questions for the members of the
5 public. And again, we're going to - we could do a
6 follow-up letter with the NYPD if there are specific
7 things you want to address additionally.

8 So, for the next testimony, I'm going to invite
9 Allison Turkos to testify followed by Jane Manning.
10 Go ahead.

11 SERGEANT AT ARMS: Thank you.

12 ALLISON TURKOS: Thank you and I appreciate that
13 the Committee Members are allowing survivors to tell
14 our entire stories and not being cut off by time.

15 I want to start by acknowledging that Mr. King
16 said that our testimonies don't fall on deaf ears.
17 Sir, I want to acknowledge that this is for many of
18 us, not our first rodeo. Many of us have been doing
19 this for years and you have heard these words before
20 from people and we have heard these words before from
21 people in your position in power. For many of us
22 here working nothing, because we want to see action.

23 As you know, actions speak louder than words.
24 You are in your position of power right now accepting
25

1
2 this and it's happening under your leadership, so I
3 look forward to seeing actions.

4 Thank you to the Committee and Members of the
5 City Council for this opportunity. My name is
6 Allison Turkos and I am a multiple rape survivor. On
7 Monday, October 17, 2017, I reported to the Brooklyn
8 Special Victims Division after being kidnapped and
9 gun point and gang raped by Lyft driver and at least
10 two other men. I thought I was taking a step towards
11 ending my trauma. I had no idea that in reporting my
12 rape, I was simply entering another chapter of that
13 trauma.

14 The NYPD tells victims of sex crimes that they
15 want us to report. That they are ready with
16 resources to bring us justice, but I am here today as
17 an example of what reporting a rape to the NYPD
18 Special Victims Division really looks like, callous,
19 disregard and retraumatization. Chair Adams
20 highlighted how egregious it is that we as victims
21 and survivors must become our own advocates.

22 I want to highlight some of the ways that I was
23 forced to do so. After reporting my rape to a local
24 Brooklyn Hospital, I received a bill for my kit.
25 Because I also did not know my rights as a victim of

1
2 a sex crime, I paid out of pocket for my own rape
3 kit.

4 It wasn't until later that I had learned that in
5 New York State no victim of a sex should pay for
6 their own kit. I had to contact the New York State
7 Attorney General Office. At that time, who was Eric
8 Schneiderman who we now know is a serial perpetrator
9 of harm and violence. I had to fight tooth and nail
10 to get a refund.

11 A month later, I had to contact OCME, the Office
12 of the Chief Medical Examiner for the results of my
13 own rape kit because Maria Quinones, a detective
14 within Brooklyn Special Victims refused to hand over
15 those results. I had to beg and plead for Brooklyn
16 Special Victims Division, specifically Maria Quinones
17 to return my phone calls, emails and voicemails.

18 To your point Council Member Holden, women are
19 not the answer. Detective Quinones refused to
20 collect video evidence. Refused to bring the driver
21 in for questioning for at least three months. I
22 could go on and on. But that's not what I'm choosing
23 to focus on because you have heard from numerous
24 survivors before me and you will hear from them
25 after.

1
2 We are here today because of survivors. We are
3 here because of the collective power of survivors.
4 We had the courage to report. We had the courage to
5 be here today to speak our truth and yet the New York
6 Police Department Special Victims has never had the
7 courage to show up for us.

8 SERGEANT AT ARMS: Time expired.

9 ALLISON TURKOS: The Special Victims Division
10 cannot simultaneous- I will finish thank you. The
11 Special Victims Division cannot simultaneously be our
12 savior and the people who put us in this position,
13 the people who are actively harming us. Members of
14 the Committee, I hope you hear our stories, our
15 trauma, and turn them into action. I don't want our
16 testimony to become just another data point to be
17 erased or to sit on shelves.

18 I reported in October 2017, it was literally
19 four-years-ago last week. I reported in October 2017
20 and in that time, we have seen three different people
21 at the helm of Special Victims and yet no significant
22 changes. The Special Victims Division has not fixed
23 or adapted anything. Who do these broken systems
24 benefit? We should not even have to be here today.
25 How many time will these survivors like myself have

1
2 to break themselves open to be believed? How many
3 times must you bear witness to our pain, our
4 suffering, our stories in order for the New York
5 Police Department Special Victims to take true
6 action?

7 Victims and survivors refuse to remain silent so
8 that Special Victims can stay comfortable. Who is
9 more important here because I assure you it is not
10 us. It is not victims. It is not survivors. The
11 victims and survivors in front of you today are
12 magic. Our bravery, our courage and our resilience
13 is not finite. The Special Victims has tried for
14 years to exhaust us out of existence. Out of a
15 system that they tout as survivors in trauma centric
16 and supposedly built for us but yet has repeatedly
17 failed every single survivor in front of you.
18 Survivors will not shrink ourselves to fit within the
19 system that has tried to silence us from the very
20 moment that we run to Special Victims to seek
21 justice. Our bodies have been rewritten by the
22 suffering and the harm caused by that New York Police
23 Department Special Victims Division.

24 Members of the Committee, you now have an
25 opportunity to rewrite the script and truly center

1
2 us. Center the survivors and victims in front of
3 you. Sometimes it astonishes me how much violence
4 one body can contain. When a bomb goes off inside a
5 building, the walls fall back from the sheer course
6 of the blast. But survivors and victims stand in
7 front of you fully intact. The power to hurt is a
8 kind of wealth and the New York Police Department has
9 the largest budget. Thank you for witnessing our
10 leadership. I am opening to answering any questions
11 that you might have.

12 COMMITTEE COUNSEL: Thank you for your testimony
13 Allison. We're going to move on to one more person
14 and then we can have Council Member questions as well
15 after that. Uhm, I will now turn to Jane Manning
16 followed by Tamika Stukes. And again, we will have
17 full questions for this panel afterwards. Go ahead,
18 I believe Jane you are unmuted. Go ahead.

19 SERGEANT AT ARMS: Starting time.

20 JANE MANNING: Thank you so much. I am Jane
21 Manning, I'm Director of the Women's Equal Justice
22 Project and I'm an Advocate for Survivors of Sexual
23 Assault. Thank you so much Chair Adams and Chair
24 Diaz and Council Member Rosenthal and members of the
25 City Council. Thank you for your spot on questions

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

today and for your staff who have been so
accommodating to the survivors who are speaking
today.

Most of all, I am grateful to the survivors who
are testifying today. This is not easy to do. And
they are summoning the strength to do it in hopes
that it will lead to change.

What I can offer to you as an advocate is that
that the stories you are hearing today are not
isolated. They are systemic. I see them in case
after case, the effects of the lack of proper
staffing, proper training, proper experience, and
desperately needed culture change.

Just to touch on a few of the themes that
survivor's raised uh, from Christine's story. The
experience of drug facilitated sexual assault. This
is an epidemic in this city and an epidemic that the
NYPD is not on top of and is totally unprepared to
deal with. Detectives who are not trained to
investigate, who don't understand the importance of
hair testing. That's like a burglary unit that
doesn't understand why fingerprints are important.

The understaffing, the stories you are hearing
about detectives looking at the clock or saying,

1
2 well, I have another case to work on, so I can't work
3 on your case. Uhm, I had the same thing said to me
4 by the second in command of Special Victims, uh, then
5 Executive Officer Paul Saraceno. Who said to me,
6 well, we have two stranger rapes right now, so we
7 can't investigate your case where the victim is being
8 stalked by her rapist.

9 Uhm, Council Member Holden was right that should
10 never be said. But let's look at why detectives are
11 saying this. The answer is because it's true. 255
12 investigators in a force of 35,000 police officers,
13 that equates to less than one percent of the police
14 force assigned to investigate all cases of sexual
15 assault. And all cases of child abuse in New York
16 City, though they are some of the most demanding and
17 labor intensive cases.

18 Christine was right, we don't just need the
19 quantity of detectives, we need the right quality and
20 right now, Special Victims is being flooded with
21 White Shields. These are officers who are not even
22 detectives and have no investigative experience. The
23 problems with this are obvious. They are not trauma
24 trained. They don't know how to investigate a simple
25

1
2 case, let alone a rape case. The video footage is
3 one example of that. It is not being retrieved.

4 And finally, the controlled phone calls. I just
5 want to say, uh, this is a really important
6 investigative tool if it is done correctly. But the
7 detectives in Special Victims don't know how to
8 prepare the survivor. How to defer to the wishes of
9 the survivor. Whether or not the survivor wants to
10 participate in this controlled call. How to plan the
11 call based on the facts and the evidentiary needs of
12 that case, and how to support the survivor during and
13 after a procedure that can be intensely stressful.

14 The advocates and the survivors have been crying
15 out for -

16 SERGEANT AT ARMS: Time expired.

17 JANE MANNING: For years about this and nothing
18 has been done to fix it. If the NYPD leadership
19 cared, we would see a Special Victims with topnotch
20 investigators in sufficient numbers with trauma
21 informed training to a person. What we are seeing in
22 reality is the opposite. And so, I beg those of you
23 on the City Council who have access to mayoral
24 candidates, our two mayoral candidates to say to
25 them, the next police commissioner of NYPD needs to

1
2 be someone with a mandate to take sexual assault
3 seriously in New York City. Thank you.

4 COMMITTEE COUNSEL: Thank you for your testimony.
5 Uhm, we will have one more person on this panel
6 followed by Council Member questions. Again, Council
7 Members use the Zoom raise hand function if you have
8 any questions. Uhm, we will now turn to Tamika
9 Stukes I believe. Are you here Tamika? Yes, there
10 you are. Go ahead.

11 SERGEANT AT ARMS: Starting time.

12 TAMIKA STUKES: Good afternoon members of the
13 Council. My name is Tamika Stukes and I am the
14 mother of a sexual abuse victim. Uhm, I'm very
15 emotional, so do forgive me but uhm, I encountered
16 system failure from the top to the bottom, starting
17 with NYPD. Let me first state that I am a retired
18 911 Operator from 17 years of experience.

19 At the time, when I placed the call here in
20 Staten Island for the police to respond to my
21 location, the officers who responded were end of
22 tour. They were tired. They had no empathy. My
23 daughter was then 17 at the time and she did not want
24 to talk to them. I requested a Sergeant to respond
25 to the location because of the mannerism in which

1
2 they were speaking to my daughter. First thing went
3 wrong there, a woman should have responded. That's
4 number one. A victim, I'm a mother of a victim. The
5 victim should never, ever, ever have to feel like
6 they are being rushed, they are being treated cold.
7 So - okay, just give me a second.

8 Moving forward, the Sergeant responded, did the
9 paperwork, we were transferred to - since the
10 incident occurred in Brooklyn, unlike a lot of the
11 victims on this Zoom, my heart goes out to you but
12 uh, when we went to Special Victims, nobody from Safe
13 Horizon was there. Uhm an arrest was made in my
14 daughters case. Uh, the arrest, I don't think the
15 Special Victims Unit did the appropriate
16 investigating because my daughter woke up to her
17 perpetrator on top of her. She was [INAUDIBLE
18 2:50:51]. They charged him with a felony misdemeanor
19 instead of for a felony.

20 I'm not a police officer, I don't know how
21 charges but I do know that that shouldn't have been
22 the charge. Moving forward, Members of the Council,
23 I do want you to understand in regards to how this
24 case was handled, we went all the way. So, I'll
25 start it - I wasn't planning to go further but now I

1
2 am. We started with the Police Department where they
3 failed her with the lack of empathy, they came and
4 when they first responded. Then we go to Special
5 Victims, not appropriately charging the perpetrator.
6 But then if you want to go further, we went all the
7 way to court.

8 We were available to testify and the DA's Office
9 dropped the ball. The perpetrator went 3030 Motion
10 and I received a call from Eric Gonzales apologizing
11 for his office sloppy work. So, tell me for my
12 victim, my daughter, an apology? We were offered
13 therapy and counseling. She has that already.

14 System is flawed. It started from the Police
15 Department. To everybody.

16 SERGEANT AT ARMS: Time.

17 TAMIKA STUKES: I would just like the members of
18 the Council to look from the beginning to the end. I
19 have all types of paperwork. And also Jane Manning,
20 thank you. I found her on News One to be able to
21 help me get to the bottom of this case.

22 Any members of Council want to contact me
23 afterwards, I have envelopes full of information.
24 So, what I'm basically saying after listening to all
25 of these victims and being the mother of a victim, it

1
2 starts with the Police Department. Proper training,
3 first of all, women should be the only, only ones
4 responding to females of sexual abuse. There's a
5 little bit more comfort and a little bit more ease
6 there with a woman. It takes a lot of courage for
7 you victims, Meghan, Christine, all of you guys. We
8 did get a little bit further than you all. We did
9 get an arrest but he walked because the system
10 failed.

11 So, City Council when Ms. Manning said, the
12 Mayor's Office even failed her. Three minutes is not
13 enough for my story but I've been fighting and I have
14 to go and I've been getting compliments about the
15 work I've done. I don't need a compliment. I need
16 justice and change to make sure no other victims feel
17 failed by the city system. That's all I have to say.

18 COMMITTEE COUNSEL: Thank you for your testimony.
19 If any Council Members would like to ask questions of
20 any of the panelist who just spoke, please use the
21 Zoom raise hand function.

22 CHAIRPERSON DIAZ: Councilwoman Diaz. I don't
23 have a question but I will be following up with DA
24 Gonzales and with Safe Horizon. We need to do better
25 and that's the bottom line.

1
2 COMMITTEE COUNSEL: Thank you Chair Diaz. Uhm,
3 it looks like we have questions from two Council
4 Members. Members of the public, we will uh, after
5 the - we are calling on a panel in order, so if you
6 could remove the raise hand function, you will be
7 called on as accordingly. Uh, apologize.

8 Council Member Holden followed by Council Member
9 Rosenthal for this panel. Go ahead Council Member
10 Holden.

11 SERGEANT AT ARMS: Starting time.

12 COUNCIL MEMBER HOLDEN: Yes and let me just
13 assure the you know the people giving testimony, the
14 victims and Tamika, by the way, don't give up. I
15 mean, I think we're going to change this. The fact
16 that the Inspector is listening, the Police
17 Department is listening to this and I think that's a
18 great move to request that they stay on. The
19 Administration did stay on, the NYPD is here.

20 And Jane, you made a great point and I promise as
21 a Council Member in the next Council that I will do
22 everything to increase that number from 255 and we
23 should double it, like you said or more. That's
24 very, very important because in a city of almost nine
25

1 million people I guess, that's so little that
2 obviously these things will happen.

3 So, the detectives are overworked. I mean you
4 see that from police officers every day responding to
5 things in the community. They're kind of burnt out
6 at this point. They are handling so many calls and
7 they see the very worst of New York City residents
8 all the time because they are going to problems.

9 So, they are human beings too. So, we really
10 have to hire more cops and I know that's not popular
11 but I think if you look at you know, the areas that
12 we need them, the Special Victims Unit is - it should
13 be doubled or tripled in the number of officers and
14 detectives.

15 So, Jane made a great point and I thank her and
16 Allison made some great points. I think all this
17 testimony is very valuable. But thank you, thank you
18 all to the panelists that just spoke. You've done a
19 great service to the victims of these crimes. Thank
20 you so much.

21 COMMITTEE COUNSEL: Thank you Council Member
22 Holden. Uhm, next, we'll go to Council Member
23 Rosenthal for questions and if any other Council
24 Members have any questions, please use the Zoom raise
25

1
2 hand function. Thank you. Go ahead Council Member
3 Rosenthal.

4 SERGEANT AT ARMS: Starting time.

5 COUNCIL MEMBER ROSENTHAL: Yeah, first just very
6 simply for all the survivors, you, no question, we
7 don't need to - your testimony raises all of the
8 problems. I don't - I uhm, you know, we need to as
9 Council Member Holden said, double the size of the
10 SVD Detective Squad. I'm not sure, I personally
11 don't think we need to add police officers to do that
12 with 36,000 officers and quite a few detectives. I'm
13 quite sure that you know with the proper training,
14 intense training, that we can find 500 detectives who
15 could really do this work. And again, just making
16 that connection.

17 If you had more detectives doing the work, they
18 would never feel that pressure of oh, I have another
19 case to work on, right? They would - the pressure
20 would be lightened. Right now, there are according
21 you know to the public information, something like 50
22 to 60 cases for each open cases for each, newly
23 opened cases for each detective. Not, not counting
24 the ones that they have from the previous year.
25

1
2 We know from other localities and research, even
3 including inside the NYPD that the better numbers 14
4 to 20 cases per detective. So, that's really the
5 goal when we get to that number and we are training
6 them. We're not - we're going to be in a better
7 place.

8 Uhm, and secondly, when I flip my screen, I know
9 this has been a very triggering event for a lot of
10 people. You are going to see the RAINN hotline
11 number and I would urge you to contact them. I know,
12 I see you shaking your head to me. I'm with you, I'm
13 with you. It's, it's, it is the least I can do is to
14 provide the hotline number. Of course, the real
15 solutions are training and doubling the size of the
16 force and by training you know, this is 40 days of
17 training we're talking about. Real intensive
18 training.

19 I'm sorry, I wish I could do more. My heart is
20 with you Tamika. You are right, there's nothing I
21 can say. So, I agree with that and my hearts
22 breaking. Thank you.

23 COMMITTEE COUNSEL: Thank you Council Member
24 Rosenthal. For our next panel, we will begin with
25

1
2 Fatima Perkins followed by Jennifer Demski. I saw
3 Fatima had her hand raised earlier. Is she back on?

4 FATIMA PERKINS: Yes, I'm here.

5 COMMITTEE COUNSEL: Yes, go ahead, go ahead.

6 FATIMA PERKINS: Good afternoon all. My name is
7 Fatima Perkins and I too am here as a mother of a
8 raped survivor with disabilities.

9 Uhm, after witnessing firsthand the utter
10 maltreatment and blatant disrespect and disregard for
11 my daughters mental capacity, I drafted a bill which
12 is named Deez (SP?) law calling for and demanding
13 reform this states rape laws for people with
14 disabilities.

15 My daughter suffers from what is called receptive
16 language disorder, meaning that she misinterprets
17 things. And that was used against her from beginning
18 to end by the SVU and the Queens District Attorney.

19 My daughter was scrutinized for over 20 plus
20 hours which included her getting a rape kit done,
21 which concluded unequivocally, that she was a virgin
22 who had been brutally raped, yet due to her mental
23 illness, all of that was overlooked because as I
24 heard over and over from both NYPD, SVU and the DA,
25

1
2 are you sure that's what happened? Are you sure she
3 fully understood what occurred?

4 These are absolutely inappropriate questions to
5 ask of a victim or their family members, especially
6 when there's solid evidence proving an assault took
7 place. Also, there are things - pardon me. There
8 needs to be proper timeframe as to when victims are
9 questioned. No person disabled or able bodied should
10 be questioned by a DA after succumbing to such a
11 trauma. Then being drugged by multiple antibiotics,
12 HIV preventative meds, which are given as part of a
13 rape kit. And if they are disabled, their own
14 psychotropic medication, which then on top of that
15 creates fatigue and ultimately confusion.

16 No one under that much stress and that much
17 drugs, could possibly give an accurate statement
18 deemed good enough to fully prosecute a perpetrator.
19 I feel both the NYPD, SVU and the DA as a whole
20 should be better trained in how to deal with cases
21 involving the disabled and there should be special
22 advocates well versed in dealing with disabled
23 people. Who assist them and those other entities in
24 handling such cases.

1
2 And most of all, their needs to be some sympathy
3 shown for all victims across the board. Personally,
4 I feel that their personal feelings and assumptions
5 are not a part of their job descriptions. And
6 therefore need not to rare their ugly heads at the
7 most inopportune times in a persons life.

8 There also needs to be a definitive definition of
9 what the word minor is considered to be. You can not
10 say that a 15-year-old can't sign a legal document
11 because they are a minor, yet they can be questioned
12 by authorities without a parent or guardian because
13 they are not a minor.

14 But again, this is where the word assumption
15 comes into play. Because I was told my 15-year-old
16 was allowed to be questioned without me, because and
17 I quote from the Queens District Attorney, "teenagers
18 don't like talking about things in front of their
19 parents." And according to my understanding, a
20 district attorney is supposed to deal with facts and
21 not that assumption.

22 Hence, my daughter, not being - excuse me, being
23 questioned without me present and without the
24 District Attorney fully understanding the extent of
25 my daughters mental capacity. All in all, there

1
2 needs to be changes made immediately because sexual
3 violence rates have gone up. But the proper
4 treatment of victims diminishes every day with every
5 reporting victim. And that cannot and will not be
6 tolerated by myself as a mother or by millions of
7 victims who are being violated and further violated
8 by the groups of insensitive beings that are put in
9 place to protect and serve.

10 My daughter got absolutely no justice but I am
11 determined to make sure that it doesn't happen to
12 another mothers child by never remaining silent. And
13 to Tamika, I will never, ever remain silent for your
14 child, my child or anyone else. And I thank you the
15 Council Members and everyone listening for their
16 time.

17 COMMITTEE COUNSEL: Thank you so much for your
18 testimony. We are going to continue with public
19 testimony. As a reminder again, if Council Members
20 have questions, we will go to those questions after
21 the panel is completed. We have next is Jennifer
22 Demski followed by Sonia Osorio(SP?). Jennifer, you
23 may begin.

24 SERGEANT AT ARMS: Starting time.
25

1
2 JENNIFER WELCH DEMSKI: Hi, are you able to hear
3 me okay? Okay, great. Uhm, thank you uh, thank you
4 again everybody for the opportunity to testify today.
5 And thank you to everybody who has shared before me.
6 This is not what I have written down but I you know;
7 this is the middle of the day on a Monday. I'm
8 juggling work deadlines as I'm listening to
9 everybody's accounts and it's, I mean just the mental
10 bandwidth that I have given to this issue over the
11 past five years is, I don't have words for it.

12 Uhm, I going to just read what I wrote. Okay, I
13 am currently the plaintiff in a pending lawsuit
14 against the NYPD. That seeks to address the misogyny
15 in sex discrimination that is at the root of the lack
16 of resources in training and efforts to address
17 sexual violence, which is predominantly felt by
18 women.

19 The issues at the NYPD are systemic. I want to
20 speak to the importance of training. Uniformed
21 officers and holding them accountable for how they
22 interact with victims of domestic violence, sexual
23 assault, including their misuse of domestic violence
24 incident reports.

1
2 In January of 2016, I walked into the 78th
3 Precinct to report a partner rape. I knew that
4 reporting would be emotionally difficult but did not
5 expect to be denied the chance to even speak with an
6 SVD detective.

7 I did not expect that I would be giving my report
8 in an open room with the door wide open while random
9 officers were in and out eating meals, etc. I did
10 not expect inappropriate comments on my appearance
11 from a male sergeant. I didn't expect that I'd be
12 told that even though I was asleep when the assault
13 began, it wasn't rape because I didn't fight back.
14 I did not expect to have a sergeant sit across from
15 me and say that he has sex with his wife while she is
16 asleep and she is not reporting him for rape.
17 I walked away with a domestic violence incident
18 report that classified my rape as a dispute, on which
19 the officers written description of my complaint did
20 not match my written account of a clear sexual
21 assault on the same document.

22 In 2018, I filed a complaint to the CCRB
23 regarding my treatment by these officers. I received
24 a letter stating that my complaint was going to be
25

1
2 investigated by IAB and I never heard anything from
3 IAB about the complaint after that.

4 I was now burdened with processing the trauma of
5 my reporting experience in addition to the trauma of
6 the actual rape. I developed PTSD, which resulted in
7 insomnia, panic attacks, agoraphobia and flashbacks.
8 My friendships and working relationships suffered. I
9 obsessed over what I could have done differently. I
10 blamed myself for not bringing an advocate with me.
11 For not being able to remember the perpetrators
12 address, for crying when I reported the assault.

13 Then in March of 2018, I read the Department of
14 Investigations Report on the NYPD's Special Victims
15 Division. I learned the NYPD we've had for many
16 years lacked adequate staff, funding and training to
17 properly investigate the number of adult sex crimes
18 that were reported each year. I learned that the
19 NYPD leadership had ignored all recommendations to
20 resolve these issues. I learned the NYPD policy and
21 practice meant that uniformed precinct officers with
22 little to no appropriate training were often the only
23 law enforcement officers with whom victims of
24 acquaintance, date and partner rapes would ever
25 interact.

1
2 The result was the perpetuation by the NYPD's
3 leaderships of immeasurable harm on victims of rape
4 by a known assailant who are mostly women. The
5 report made me furious because of the NYPD's
6 decisions to do nothing to improve well-documented
7 issues in the Special Victims Division. I walked
8 into a situation on January 6, 2016, that was
9 guaranteed to traumatize me. I walked into a
10 situation where precinct officers with no training
11 and sex crimes were given the sole discretion to
12 judge the merits of my report.

13 And because they were able to use the dispute
14 checkbox on the mandatory DV incident report, which I
15 later learned is only meant to be used when police
16 are called to incidents that are clearly a
17 misunderstanding. They basically ensured that my
18 report would not be included in any statistics
19 regarding reported cases of assault.

20 The NYPD says that it wants to empower victims to
21 report their rapes and then as a policy, it
22 traumatizes us further when we do. Thank you.

23 COMMITTEE COUNSEL: Thank you for your testimony
24 Jennifer. We have one more panelist on this panel.
25 Uhm, we will ask one second, Murray Schane to testify

1
2 and again, Council Members, we will turn to questions
3 to you after this individual speaks and please use
4 the Zoom raise hand function if you'd like to ask any
5 questions of the individuals who just spoke. Thank
6 you.

7 SERGEANT AT ARMS: Starting time.

8 MURRAY SCHANE: Hi, my name is Murray Schane and
9 I am a retired psychiatrist. I worked as a
10 psychiatrist in New York City for 40 some years. I'm
11 also President of a Male Survivor, a non-for-profit
12 organization that advocates and basically provides
13 support services and referral services for men who
14 have been sexually abused. We've been in existence
15 for 25 years and the kind of services we offer – our
16 primary one is a worldwide discussion form which has
17 15,000 registered users and thousands more who are
18 visitors.

19 We also have a moderated and testing moderated
20 chatroom. We provide webinars of training free. We
21 also do training programs for agencies and in fact, I
22 gave a one hour presentation to the crime victims
23 right conference in 2019 here in New York. Basically
24 dealing with male sexual abuse and how to intervene.
25 And we also refer people to other programs such Men

1
2 Healing which offers weekend webinars of intensive
3 healing programs.

4 We support the development of local support
5 groups, including one in New York City OBDI, which is
6 operating in Yonkers. It mainly serves men of color
7 and we also refer people to the Mount Sinai morning
8 site group sponsored by the Police Departments
9 Special Victims Unit for – it's a time limited I
10 think 15 week group for male survivors. And of
11 course we have a massive therapist referral system.

12 But the thing that I wanted to focus on was what
13 I've been hearing and which is that the training, the
14 sensitivity training for people interviewing people
15 who come in to report a sexual abuse is one of the
16 most critically sensitive kinds of interviewing one
17 can do and the important part of that training has to
18 be the persons ability, the interviewers ability to
19 turn off a sense of himself, herself, her regard to
20 anything, any judgements about the person reporting.
21 It's as though if you're – as I a psychiatrist
22 interviewing someone who is actively suicidal and
23 getting anger at them that they are taking my time
24 and that they dare to you know, make this ridiculous
25 effort to try to kill themselves.

1
2 I mean, it's the insensitivity that starts and
3 also, I think what happens is that people who are
4 confronted with really desperately terrible
5 situations get angry at the person who is reporting
6 and inadvertently -

7 SERGEANT AT ARMS: Time expired.

8 MURRAY SCHANE: On the basis we've heard, they
9 actually tri-traumatized and actually accused
10 indirectly the person reporting their own assault as
11 though they are assaulting the interviewer. And
12 everything proceeds from there. And I think what
13 happens, the more people are active in trying to
14 pursue their case, the more anger they engender in
15 the people that they are trying to get help from.
16 And they point out the things that were not, that
17 makes the Police Department or whoever they are
18 reporting to, feel insecure, inadequate that they
19 didn't do it what they were supposed to do and they
20 get angry back at the person.

21 So, it's a horrible, vicious cycle but I think
22 that the things that the - the sensitivity training,
23 40 weeks with all the other information hardly seems
24 enough time for people to get aware of what they are
25

1
2 going to have to be like when they interview people
3 reporting abuse.

4 And I just wanted to read some of the things that
5 male survivors have said about their experience with
6 police. One said, because of the way I was treated
7 as a teenage street kid by police, I would not likely
8 pursue any justice through them.

9 Another one said, I believe most survivors have
10 not gotten justice in any form from the abuser, the
11 institution and many times those around them who deny
12 the abuse. Which is very common with men. That is
13 that they are told that their abuse is denied as it
14 has happened with many of the women testifying today.

15 Another one, the police said the statute of
16 limitations has passed on my story. They said I
17 should try to forget it. Uh, another one, I made a
18 trip to the city where I was abused and filed police
19 reports. Originally, the detective didn't believe my
20 story. He said all the words were there but the
21 emotion wasn't. He told me after the investigation.
22 Maybe I took too many anxiety pills prior to walking
23 in the door.

24 One of the things men tend to do when they are
25 reporting is they feel that they have to present

1
2 themselves considering what they've experienced as
3 intact. As their manhood or their maleness is there,
4 so they will try to appear calm and in charge. And
5 this will make it seem, oh, they're not victims at
6 all.

7 Another one said, I tried to go to the local
8 Police Department and have a report made. I had all
9 the paperwork of my research back then. The cop
10 threw up his hands and said, "there are too many
11 people involved and that he could not make out a
12 report."

13 So, I think that finally, I'll get one more in.
14 I was raped at 13 by a stranger. The policeman said
15 I should have tried harder to escape. He then made
16 some cracks about AIDS that terrified me and in
17 response, this too happened about 30 years. When the
18 police showed up, they said, I should have fought
19 back harder.

20 And so, the issues are really complicated and -
21 but I think it begins with the interviewers and
22 everyone involved in dealing with survivors. They
23 have to an ability to process their own feelings and
24 listen and only use empathy to engage with these
25

1
2 people reporting. And that's very difficult and not
3 something you learn from a power point. Thank you.

4 COMMITTEE COUNSEL: Thank you so much for your
5 testimony. Uhm, we are now going to have Sonia
6 Osorio, who I believe I skipped over before. Uhm,
7 you may testify now following which, we get a break
8 for Council Member questions and then the next panel
9 would be - I'm going to just run off some names so
10 you are aware. Shamara, Karen, Kelly Dwyer.

11 Uhm, but for now Sonia, you may begin and again,
12 Council Members if you have any questions for the
13 folks who just spoke, please use the Zoom raise hand
14 function. Go ahead Sonia.

15 SERGEANT AT ARMS: Starting time.

16 SONIA OSARIO: Thank you so very much and thank
17 you to all of the Speakers uhm, Murray for talking
18 about men in this whole situation and all of the
19 survivors today.

20 I wish that I could say as my colleagues, I'm
21 sure agree, that we wouldn't have to go through this
22 over and over. For those Council people who are on
23 this call for the first time, thank you so much for
24 your interest and I know that you are going to work
25 really, really hard to change this dynamic. And for

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

New York City to become a place that is known for making crimes against women and sex crimes a priority.

But for many of us, we have been doing this over and over, year after year. Of everything that I've heard today from the NYPD, I don't see where the change is going to happen. The DOI report, that was 2018, year long investigation. Understaff division, 67 detectives for 5,000 cases. Too little specialized training, failure to call victims back to keep them informed. You've heard it all. I don't have to go through the list.

The one area that there has been a great deal of improvement is on the facilities. Though there is great progress being made on that and you should get credit for that. But frankly, we're not going to get the movement that we need until we have real leadership from the top.

As one of my colleagues Jane Manning stated it's not going to happen. You know when our current Mayor, his response the DOI report in 2018, was to have somebody else say that it was the best in class in the nation. And if you think that it stings you today to listen to these survivors have to tell their

1
2 stories over and over, that four and five and six
3 years later, they are still fighting for justice.
4 That was a real slap in the face for survivors from
5 the Mayor of the city. And it is going to be on us
6 and that's me as well. I wrote an organization; it's
7 called Women's Justice Now.

8 But I need you to work with us. Everybody that's
9 on this call, to make sure that we spread this
10 message of what's important and what our priorities
11 are going to be and galvanize everybody else in the
12 City Council and the incoming Mayor. We are on a
13 precipice right now. We have that opportunity to
14 finally do it. I don't want to be here next year. I
15 don't want to be here the year after that. Because
16 I'm afraid to tell you, that the women who came
17 before me were also here doing the same thing.

18 We've identified the problems; you've heard from
19 them first hand. We have great detectives, we have
20 great -

21 SERGEANT AT ARMS: TIME.

22 SONIA OSARIO: Incentives within the NYPD to
23 happen. We've got to push forward. Thank you so
24 very much for your time.
25

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

COMMITTEE COUNSEL: Thank you so much Sonia.

Uhm, we're going to do a bit of an Inaudible here, we're going to have Rachel Izzo who is with us at work, who is asking to kind of make a quick testimony. We are going to do her to finish up the panel, then turn to Council Member questions and continue on as I mentioned before. Thank you so much. Rachel, go ahead.

SERGEANT AT ARMS: Starting time.

RACHEL IZZO: Alright, can you guys hear me okay? Okay, uhm first of all, Sonia, I remember you wrote something about my case that came up at one point and I really appreciated that. That was a few years ago, so I wanted to mention that because I remember that very clearly.

Uhm, so I'm going to start trying to get through this quickly. I know you guys are on a time crunch and so am I, I got to go back to work but.

My name is Rachel Izzo and I am an ER Nurse and I'm also a Sexual Assault Nurse Examiner. My experience with the NYPD stated on July 5, 2013. When I first met Detective Lucas Skorzewski and Lieutenant Adam Lamboy in a small room in Seattle

1
2 University, I was impressed by the professionalism.
3 However, that soon evaporated.

4 The next day, what started out as a casual
5 meeting, turned into a ten hour drinking binge in
6 downtown Seattle. After this adding, I pleaded with
7 him that I needed to go back to my home. Lieutenant
8 Lamboy suggested that I lie to my parents and call
9 out of work the next day and that they would take
10 care of me at their hotel room in Bellevue.

11 In my gut, this entire experience felt wrong,
12 loaded with red flags but my trauma brain convinced
13 me otherwise. They were the ones with the badges and
14 in charge and I trusted them. I ended up in a hotel
15 room with Detective Skorzewski that night and he gave
16 me the bed while he slept on the couch.

17 The next morning, Detective Skorzewski climbed
18 into bed with me and started touching me. I
19 completely froze. My heart was pounding in my throat
20 and I thought to myself, how is this happening? The
21 only thing that I could say was I need to leave my
22 clothes on. This was the exact boundary I had set
23 with the person who had sexually assaulted me. And
24 when I told Skorzewski this, he chuckled.

1
2 I laid there frozen feeling his erection pressed
3 against my back, my heart and my throat and then he
4 kissed me. He eventually stood up and went to the
5 shower and I sat there crying, blaming myself,
6 feeling disgusted with myself that I let this happen.
7 I left pretending like nothing had happened.

8 The next day Lieutenant Lamboy said, everything
9 that happened this weekend had to stay between us or
10 my credibility would be shot. I pushed this
11 experience down for many weeks, but the trauma
12 manifested in my body in anxiety attacks and
13 sleepless nights. It reached full havoc on my
14 nervous system and I could barely function.

15 Weeks later, he confessed that he had feelings
16 for me and the trauma of the hotel room came back. I
17 had ignored that feeling deep down because I wanted
18 to trust that they had my best intentions at heart.
19 But at that point, I knew they didn't.

20 In the end, they closed my case without ever
21 speaking to my rapist. When I called the Precinct in
22 November for a follow-up, a female detective answered
23 the phone and said, your case is closed Rachel, don't
24 call here anymore.

1
2 I asked why and she repeated the same response,
3 adding we don't play games here. I'm sorry he gave
4 you an STD but that does not mean anything criminal
5 happened. After this, I had a complete meltdown and
6 was taken to a very dark place. I was left with a
7 tremendous amount of pain and trauma that I did not
8 know how to heal from.

9 I moved to New York in January of 2014 to attend
10 NYU nursing school and started to rebuild my life.
11 In April of 2014, I filed an internal affairs
12 complaint against the SVD. Eight months later, that
13 case closed. Skorzewski was transferred out of the
14 SVD but still kept his badge. And Lieutenant Lamboy
15 retired with his full pension.

16 After years of trauma with the NYPD, I had to
17 leave the city that I loved. It was the only way for
18 me to heal. Because what the NYPD put me through was
19 actually far worse than my actual sexual assault.
20 Let that sink in. It was worse than my sexual
21 assault itself.

22 I am a Registered Nurse, if I had even had just
23 one shred of the interaction that Skorzewski and
24 Lamboy had had with me, I would have been fired and
25 had my license revoked immediately. Their

1
2 punishments were unacceptable. Given that in any
3 other professional organization, the consequences of
4 these actions would have been far more severe.

5 What I experienced with the NYPD was both
6 unnecessary and disgusting and there needs to be
7 drastic change. And in the eight years since this
8 has happened and since I have been advocating for
9 change, I have seen very little. Survivors of
10 gender-based violence deserve better. Thank you.

11 COMMITTEE COUNSEL: Thank you for your testimony.
12 Now that we have completed that panel, we'll have an
13 opportunity for Council Member qu4estoins, so please
14 use the Zoom raise hand function if you have any
15 questions. Afterwards, we'll be turning to a panel,
16 which we'll start with Shamara followed by Karen
17 followed by Kelly Dwyer.

18 So, do any Council Members have any specific
19 questions for the folks who just testified, please
20 speak up now. Okie doke, we will now turn next to
21 Shamara followed by Karen. Let's see, I'm sure that
22 you are unmuted and you may begin.

23 SERGEANT AT ARMS: Starting time.

24 SHAMARA: Thank you. Good afternoon. My name is
25 Shamara Kelly, Survivor and Domestic Violence

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

Advocate and Community Organizer at Voices of Women. During the pandemic, they knew that many government official empathize how DV was increasing. When the reality, DV advocates like myself and others, this was normal. The pandemic just uncovered the truth. Domestic Violence is a pandemic in itself. All city and government officials were closed. They provide an advocate – so victims reached out to grassroots or CBO’s like the one I work for, so we can navigate them through the system.

Systems at the same time, we found issues as well. Domestic incidence reports weren’t filled out right, correctly. Victims worried about [INAUDIBLE 3:26:10]. And advocates on the ground had to relay the message that they were automatically reviewed. Order of protection, are in protection. They actually are a tool that abuses youth that keep track of victims. We need crucial solutions to provide victim safety when victims come into precincts. They should be taken to an office from the DV unit or even sometimes that isn’t effective. So, DV advocates should be implemented and the structure of the way that police report victims. It’s important.

1
2 When victims fill any police report out, it
3 should not lead to an automatic ACS investigation,
4 reached out to the DV Community led org to assist
5 with that victim and its family's needs, so that
6 families can stay together.

7 Reality is that that there is so much more work
8 to be done. If we listen to one another and
9 understand that there are solutions and we can help
10 victims and survivors get the things that they need.

11 We must shift the narrative because you don't see
12 bruises, doesn't mean that the victim isn't telling
13 the truth. We must build a care informed system that
14 cares for the victim as a whole. We got work to do.
15 While training is great but it's not effective, what
16 good is training. It is not effective.

17 Survivors of DV advocates are the experts of
18 their experience and should be implemented if any
19 policy and safety of victims of DV. As a survivor
20 that went through these systems, my abuser got caught
21 and so, didn't caught after 13 months after I was
22 brought in.

23 Instead, I received an order of protection for
24 just two years. He was released even at the - before
25 I even got that order of protection. Because NYPD

1
2 couldn't find him. I gave every known address to
3 NYPD, repeatedly did wellness checks and acted as if
4 I knew where he was at. Not realizing that was
5 victimizing in itself.

6 Why would I know that? It has been a year after
7 I got away from him. I am here as an advocate but
8 also as a thriver and a survivor saying that NYPD has
9 to start handling DV cases with care and compassion
10 and start understanding that victims and survivors
11 aren't really going to fully trust the system because
12 we already are dealing with being in prison.

13 So, have the ones that know how to identify DV
14 implement these policies. Survivors that testify
15 today, my heart goes out to you. But in reality as a
16 Black woman injustice throughout these systems is
17 normal for myself and being victimized by NYPD is
18 nothing new.

19 So, today, I speak to survivors that lost their
20 lives through DV and victims and survivors that are
21 still struggling through the system. NYPD being
22 overworked is an excuse. We have to do better.

23 Thank you.
24
25

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

COMMITTEE COUNSEL: Thank you for your testimony.
Next, we will move onto Karen followed by Kelly Dwyer
and then Gina Tron. Go ahead Karen.

SERGEANT AT ARMS: Starting time.

KAREN: Thank you. Thank you to the City Council
Members for providing this forum and also for the
police leadership advocates and survivors. In 2017,
I met a man through the internet. After one date, he
broke into the dating site where we met, changed the
password to lock me out and deleted messages from my
mailbox. After doing this a dozen times, he fanned
out and hacked into my email and social media
accounts, internet provider account and bank
accounts.

There were hang up calls and harassing texts
always disguised. There was a key logger and other
malware planted on my computer. After spending
months on my own trying unsuccessfully to stop this,
there was a financial crime and at that point, I
reported all of the harassment to NYPD. My first
shock was when a civilian employee at the station
said, you're lucky someone loves you so much.

The case was assigned to a detective who said, he
really didn't understand computers and he didn't

1
2 understand the internet and later, he finally just
3 said, you know, we don't investigate cyber stalking
4 because it's only a misdemeanor.

5 He ignored the computer tampering, which I
6 believe is a felony. And then, and this really
7 shocked me, he told me it was my job to uncover not
8 just evidence but forensic proof of the perpetrators
9 identity at which point, NYPD would make an arrest.
10 In fact, I did hire a cyber security investigator and
11 an attorney to gather evidence that I gave to NYPD
12 and I'll show it to you.

13 I gave them this notebook but this man was never
14 arrested and they did not want to investigate the
15 crime. Desperate for help, I contacted the SVD
16 through the Sex Crime Hotline, the Cyber Crime Squad
17 and a Domestic Violence Officer all repeated with the
18 Detective had said. They didn't investigate cyber
19 stalking. Either it's too hard. It was hard to get
20 Subpoena's approved by legal. They were too busy or
21 cyber stalking wasn't part of their mission.

22 There is more to my story but because it's hard
23 to understand what it's like to be cyber stalked
24 until you've lived through it. I'm going to briefly
25 tell you the impact of this. First of all, I lost

1
2 three years of my life because trying to regain my
3 privacy and fix my equipment became a part-time and
4 sometimes a full-time job.

5 I had moved to New York to work in media but
6 because of this ongoing crime, I removed my online
7 presence to try to flea from the stalker and my
8 career stalled. I also spent about \$15,000 repairing
9 and replacing my devices, hiring legal and
10 investigative experts to do NYPD's job for them. And
11 moving my household to try to stop the cyber stalking
12 but nothing worked.

13 In the initial phase of this, I didn't know if
14 this man was going to physically harm me or maybe
15 someone I was seeing. So, after months I started
16 suffering panic attacks and they became frequent. In
17 the second year, the panic abated but because I
18 realized he was probably not going to come and
19 assault me or hurt somebody I cared about, but it was
20 also clear that because the NYPD would not
21 investigate this, this harassment would go on
22 unabated. It was my new normal and realizing this, I
23 sunk into a depression.

24 By the third year of being cyber stalked, I just
25 got angry and I decided to speak out to change the

1
2 landscape for other victims and I'll leave you with
3 this, what haunts me still is knowing that because
4 this man was never held accountable by NYPD, he is at
5 liberty to stalk and harass women with impunity. He
6 is free to turn their lives inside out as he did mine
7 and I think that's a crime. Thank you for listening
8 and I'll answer any questions.

9 COMMITTEE COUNSEL: Thank you for your testimony.
10 Next up will be Kelly Dwyer followed by Gina Tron.
11 Kelly, you may begin.

12 SERGEANT AT ARMS: Starting time.

13 KELLY DWYER: Okay, hi, thank you. Uhm, excuse
14 me if I'm like a little bit all over the place. I'm
15 visiting my family and all the notes that I have for
16 my cases are back in California where I live now. I
17 actually left New York because of the way my cases
18 were handled.

19 Uhm, and I do hope, like I wanted to say you know
20 I've heard so much of my own story in uhm, other
21 survivor stories today. It's hard for me to even, I
22 feel like I'm just saying the same thing but that's
23 the point you know. I'm not an exception. It seems
24 like, well you know it's pervasive and I do hope that
25 our bravery and our vulnerability make this a better

1
2 situation. But I honestly do not believe that this
3 is going to make a difference but I'm here and I'm
4 going to try.

5 The quickest side, like I said, I've had two
6 sexual assault cases. Uhm, the first one was very
7 much like Christine's. I ended up having to do my
8 own detective work. I collected all my video
9 evidence and my case was dropped twice. And I don't
10 even want to talk about that case because I will talk
11 about my second case.

12 Uh, in 2017, I was raped on the roof of my
13 apartment building where I lived by a man who I had
14 met walking home. He said he would walk me home. I
15 don't really need to get into the details of that, I
16 don't think. I'd rather speak on how uhm, how much
17 worse I feel the police - how much, I'm sorry. Uhm,
18 I didn't really want to use too many notes because
19 but I'm very emotional, so I will look at my notes.

20 Uhm, I'm here instead to talk about the worst
21 thing that ever happened to me. That was the second
22 worst thing. The worst thing that ever happened to
23 me uhm you know was the way the NYPD handled my case.
24 Uhm, you know it's one thing to say you know rapists,
25

1
2 they are terrible human beings but I got to say, the
3 NYPD beat him on this one for me.

4 You know I was taught I could trust the police.
5 Uhm, they were there to serve. They were there to
6 protect. They were there to catch the bad guy. You
7 know they had badges, they have guns, they have
8 power. And instead, what's obvious to me here today,
9 then is that they need training reform and empathy.

10 Their role, the gaslighting, the condescension,
11 the victim blaming, the insensitivity, the
12 incompetence was more psychologically damaging like I
13 said, than even the rape itself.

14 The cops who were at the scene, continually tried
15 to shape the statement, my statement. Pushed a
16 narrative that did not exist and was not true. The
17 very tone and the questioning made me feel like I was
18 a suspect, I was a criminal and they very much made
19 me feel like I was somehow lying by telling the
20 truth.

21 Uhm, that I was an adulterer, that I had a reason
22 to be ashamed or to hide the reality and I felt, I
23 felt immediate anger. I felt deep sadness. I was in
24 danger and for even having called them. Specifics, I
25 want to say because I think that really helps show

1
2 you what I'm talking about. When I was getting my
3 uh, my, when I was in the hospital getting my rape
4 kit done, the officers were there and a female
5 officer and again, I wish I had all my notes because
6 I have all the names but I don't have them here, I'm
7 sorry about that.

8 A female officer kind of leaned in and aside, and
9 like we were on some kind of team together or
10 something and said, you know, the HIV medication is
11 very, very difficult on your system. So, you know,
12 if you don't have to take it, you know I wouldn't.
13 Insinuating that what had happened, what had occurred
14 was between me and someone I knew or trusted or
15 whatever and that had been caught or something
16 attrist and nefarious situation was going on and that
17 was certainly not the case.

18 Now this is I think, one of the most important
19 things and again, if I get something about this
20 wrong, the name or the wording, I apologize. I don't
21 have my notes here. I was eventually called into the
22 DA's office for what I was very optimistic, I was
23 understandably nervous but I was optimistic they had
24 caught my rapist.

1
2 And uh, I felt like it was time vindication, that
3 we were going to move forward, we were going to bring
4 him to justice. I was going to go to court.

5 Instead, I was shocked and I was heartbroken and I
6 will never recover from what happened in this
7 meeting. Because instead of trying to find my
8 rapist, which there was plenty of video, there was -
9 not of the rape itself but there was of leading up
10 to. You know they have the rape kit. They had all
11 the things they needed instead of putting a case
12 together and finding my rapist, they sat me down and
13 they showed me video of me walking with him. Video
14 of me talking to him. Video of him holding a heavy
15 bag of mine. And said, that this made it look like I
16 knew him and wanted to be with him.

17 So, they were not willing to pursue the case any
18 further. I had my - I had an advocate with me only
19 because I did that on my own. Not because anyone
20 helped me find an advocate. I did bring an advocate.
21 She was shocked, she was horrified at the way I was
22 treated but neither of us knew what to do at that
23 point.

24 And last, I want to say, and she was from the
25 Brooklyn Coalition, I want to say that because if

1
2 anyone else needs an advocate, please look them up.
3 They are amazing. Uhm, I want to reiterate how I had
4 to pay for my own rape. Not only through my taxes to
5 fund the police, to help find my rapist, which they
6 never did. But I had to pay for all my counseling.
7 I had to pay for my husband's counseling. You know
8 this effects other people in your family and people
9 who love you. And uhm, I had to pay for my follow-up
10 OBGYN visits and uhm, I could never get reimbursed
11 for that.

12 So, I'm just going to leave it at that. Uhm, I
13 know a lot of - there's other women that want to
14 speak and I just appreciate being heard but again, I
15 don't believe anything is going to happen and I
16 really hope I'm wrong. Please change the system,
17 please. Thank you for letting me speak.

18 COMMITTEE COUNSEL: Thank you for your testimony
19 Kelly. Next, we have Gina Tron followed by Kelly
20 Grace Price followed by Angelina Rosado.

21 SERGEANT AT ARMS: Starting time.

22 GINA TRON: My name is Gina Tron and I really
23 appreciate the time to be heard. I was kidnapped in
24 Park Slope by a serial rapist in 2010 and then

25

1
2 transported to a second location in Sunset Park where
3 I was raped.

4 I hesitated going to the police because I was
5 using drugs at the time. I assumed that they would
6 treat me poorly for that reason and I was already
7 being very, very hard on myself. Within a few days
8 though I decided to report it because I knew in my
9 heart that this man had done it before and I couldn't
10 live myself if I did nothing to stop him from hurting
11 others.

12 [INAUDIBLE 3:41:18] Predator, this wasn't a
13 crimes of opportunity. He was brazen and violent in
14 his attack and I truly feared that he was going to
15 murder me. When I walked into a Police Station in
16 Brooklyn, I was beyond relieved when the officer I
17 first talked to, a man at that, was respectful and
18 sensitive about my situation. While at the hospital
19 I was told that SVU detectives would be coming in to
20 interview me, my initial reaction was that these guys
21 would be even easier to talk to. That they would at
22 least pretend to care like the SVU detectives on
23 television.

24 But as we all know life is not a TV show. Two
25 men walked in and did the good cop, bad cop routine

1
2 I've long heard of, like I was a suspect. The bad
3 cop made it clear through his body language and
4 demeanor that he didn't want to be there and thought
5 it was a waste of his time. One of the first
6 questions he asked me was, what makes you think you
7 got raped? He asked if I was a party girl. Focused
8 on what I wearing and my intoxication.

9 He told me that this case probably wouldn't go
10 anywhere because I was on drugs. He criticized me
11 for not running away sooner. For the record, I did
12 literally run away and into the streets. He tried to
13 discourage me from going forward but I was determined
14 to keep going. Later at the SVU office, the same
15 officer continued to discourage me as I looked
16 through mugshots, telling me I was wasting his time.

17 He also kept commenting to another officer about
18 how I looked like one of their colleagues. They were
19 eyeing me and looking me up and down as if we were at
20 a bar. I told them to please stop talking about my
21 appearance and that I'd feel more comfortable if I
22 had a friend stop by to be with me. I did not have a
23 victims advocate with me, nor did I understand that I
24 could.

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

He told me that they were doing me a favor by humoring my iffy rape case. He threatened to drop my case completely if I kept giving him attitude was his phrase. After that interaction, I got a call from a new SVU Detective I had never talked to before. He said that they had tracked down my rapist and linked him to two other reports of sexual assault by two other women who reported him independently of each other and months apart from each other.

I was then reassigned to this officer who treated with the basic respect that any human being should receive. Maybe because my claims had been substantiated. While the rapist was indicted on multiple counts of rape, he is still out on the streets to this day because apparently the DA's office made mistakes prosecuting him. It haunts me to this day that they, like some of the people at the SVU didn't find me and others to have much worth as a person.

I had to testify twice in front of the grand jury and the treatment I received from the DA's office was horrific. They showed me pictures of me from the internet that my rapist private investigator gathered as they prepared for trial. Photos of me in bathing

1
2 suits from my Facebook and costumes and weird doodles
3 I made on line, telling me that some of this was
4 damning evidence that hurt my credibility.

5 Even though I testified for them twice, they told
6 me not to contact their office anymore. Very
7 recently, a fourth woman contacted me to let me know
8 that this man also attacked her, in ways that were
9 even more violent and shocking than I ever thought he
10 was capable of. I have reason to believe that he has
11 attacked more than dozen women. Not only was this an
12 injustice for me but for the safety of women of
13 Brooklyn as a whole. And yet, I was encouraged to
14 not even try to get him off the streets by the
15 Special Victims Unit.

16 I can only imagine how many other reports of
17 violent rapists were discouraged over the years by
18 the Special Victims Unit. I've held many jobs in my
19 life and if I treated any of the customers or clients
20 with the distain and disrespect that I was treated
21 with in this situation, I would have been tired or
22 reprimanded severely and I was not a customer. I was
23 a victim of a horrific crime. The way I was treated
24 by the NYPD was more traumatic in many ways than the
25 rape because I didn't expect the rapist to have any

1
2 moral compass but I expected this department to.
3 Please do better. I wouldn't wish how I felt, how I
4 was treated, on my worst enemy. Thank you for the
5 opportunity to speak.

6 COMMITTEE COUNSEL: Thank you for your testimony.
7 Next, we're going to call on Kelly Grace Price
8 followed by Angelina Rosado followed by Dorchen
9 Leidholdt followed by Robert Malek.

10 SERGEANT AT ARMS: Starting time.

11 COMMITTEE COUNSEL: Yes, go ahead Kelly.

12 KELLY GRACE PRICE: Hi, good afternoon. This is
13 Kelly Grace Price. I'd like to address you first
14 uhm, Inspector King. We've met. Remember, you
15 worked on the JTTF with my friend Oscar. You know my
16 story. Most of the people on this call know my story
17 and I don't want to spend a lot of time going over
18 it. I do want to add though, that I finally have
19 proof that my version of my story is true. That I
20 was maliciously pimped by an informant of the
21 District Attorney's Office. They held on to phones
22 that I have given over to prove my narrative in 2001
23 during a Queen for a Day with the Manhattan District
24 Attorney's Office. For nine years after my charges
25

1
2 were dismissed, so I never had proof and I finally
3 got those phones back.

4 And now, speaking of victims still having to pay
5 to prove their innocents, I've had to hire a forensic
6 expert for Cellebrite Software to give proof to the
7 court that my version of the story is true.

8 It never ends and Mr. King, I know that you took
9 this job because you had your choice of all the
10 positions in NYPD to take because of your success on
11 the joint Terrorism Taskforce and I'm looking for you
12 in earnest to do something. Because I've been coming
13 to these hearings since my first experience trying to
14 climb out of trafficking into 2013. And every year
15 in 2015, as Sonia Osario mentioned, the first DOI
16 report came out. In 2018, the second DOI report.
17 We've seen at least four of the Special Victims Unit
18 since 2008 alone. I don't even know the name of the
19 current Special Victims Unit Chief. Where are they
20 today sir? Why aren't they answering questions?

21 I want to focus the rest of my time and I'll
22 really try and keep it quick. On Intro. 1488,
23 because as futile as I believe these hearings have
24 been, we can pass legislation. And Intro. 1488 has
25 been hanging out there since the wake of the last

1
2 Special Victims Unit hearing at City Hall and that is
3 Councilwoman Rose's Intro. demanding that we have
4 transparency in case closures of Special Victims
5 cases in sexual assault and related sexual abuse
6 cases from the NYPD.

7 And this is going to require some work with the
8 District Attorney's Offices in all the boroughs to
9 provide proper closure rates. I've sent around to
10 most of the Council Members on this - my revisions
11 for Intro. 14- [LOST AUDIO 3:48:51]. I suggest that
12 we ask the DA's office to report directly to the City
13 Council. I don't believe that this game of telephone
14 with reporting data is ever efficacious.

15 I've also circulated a brief and I will turn in
16 again in my written testimony, a brief that shows
17 that data currently available from the Mayor's Office
18 to end gender-based violence. By the way, where are
19 they today? The NYPD and the NYC Open Data the scant
20 data on sexual abuses cases is not even matching
21 between those two entities. It hasn't been and I
22 cannot fathom a place where Intro. 1488 could read
23 proper reporting if the DA's Offices all had to
24 report to the NYPD and then the NYPD had to filter
25 all that information back to the City Council.

1
2 We will never get an efficacious reporting
3 through a third party and I think that this is the
4 biggest change that we can make. If we had
5 transparency in reporting, we can keep people
6 accountable.

7 I want to add a couple quick things that I think
8 are really important and no one ever discusses them
9 in the City Council or in the Mayor's Office to End
10 Gender-Based Violence or in the Downstate Coalition
11 Against Sexual Violence. But I would add that there
12 is federal reporting on case closures. That the
13 Bureau of Justice Statistics requires and the NYPD
14 and the City of New York to provide every year in
15 order to get our federal funding. Who keeps these
16 reports? Who keeps this data? I'm talking
17 specifically about the reports that are due under
18 public law 96.157. The 1979 Amendment to the Omnibus
19 Crime Control and Safe Streets Act. And also public
20 law 90-351, that requires assault and harassment data
21 to be reported by state and municipalities to the
22 borough.

23 These reports are not transparent. We don't know
24 who passes on this information and what it says but
25 it would be great to have these reports transparent.

1
2 Uhm, my foil attempts have been very futile. I also
3 haven't heard anyone talk about rape kit processing.

4 I have foiled and I have the data, I'll put it in
5 my testimony but uhm, no one will be surprised the
6 rape kit processing has plummeted to almost ten
7 percent of what it was pre-pandemic. And this is an
8 issue that needs to be flagged, I'll put it in my
9 testimony as well.

10 Uhm, regarding sexual assault reporting. Uhm,
11 the first thing that we can do uhm, is look at the
12 reports that the Special Victims Unit has even
13 provided us. The scant reporting on their website.
14 They say some things are that are very alarming. For
15 instance, uhm, there are, the only data [LOST AUDIO
16 3:51:45] Complaint and Staffing Statistic Systems
17 division and that specific language on that report
18 reflects that the New York City Police Department
19 only is reporting on cases opened. But this is new
20 language. I haven't seen this before, cases opened.
21 Why aren't you reporting on cases that people report
22 to you? Uhm, is there a distinction here? Is there
23 a difference between these two categories or is it
24 purely semantic.

1
2 But when I see these things, the language change
3 suddenly on official reports, I get worried that in
4 fact you're not even reporting on all the people who
5 have given complaints. And I believe from the
6 testimony that we've heard today from various people,
7 that this is a reality. That my fear of looking at
8 your web page and the language on your reporting is
9 definitely a reality. I'd like that to be parsed out
10 Mr. King. Please, I'd really like an answer to that.
11 You can [LOST AUDIO 3:52:46] Coalition. I think if
12 we have transparent reporting, not only if we know
13 what's flowing to the federal government, but we know
14 it's flowing from our city agencies.

15 Often times city agencies do their own
16 investigative reporting on sexual assaults. If you
17 look at New York City open data, that Fire Department
18 from the City of New York has not reported one rape
19 or sexual assault to the NYPD in the last 15 years.
20 Now, we know this isn't true just from news reports.
21 The same with the Department of Correction. The
22 number of rapes and sexual assaults that DOC is
23 reporting to the NYPD to be passed along to the
24 Bureau of Justice Statistics is only 11 percent of
25 what they've even reported publicly.

1
2 So, as long as we have some reporting, we can
3 start to hack away at these issues. But keeping the
4 data hidden and mysterious as Councilwoman Rose
5 referred to at the beginning of this hearing is -
6 [LOST AUDIO 3:53:46]. The city government to
7 perpetuate.

8 So, as long as we have a little modicum of data
9 transparency, I'll be happy if the results of this
10 hearing and everyone that have come forward to
11 testify actually bring the fruit of reporting that is
12 solid and we get continuously on a constant basis.
13 I'm tired of the sound of my voice. Thank you so
14 much for listening to me and I will submit my written
15 testimony.

16 COMMITTEE COUNSEL: Thank you Kelly. Next, we'll
17 move on to Angelina Rosado followed by Dorchen
18 Leidholdt and Robert Malek. Angelina, you may begin.

19 ANGELINA ROSADO: Hi everyone.

20 SERGEANT AT ARMS: Starting time.

21 ANGELINA ROSADO: Hi, thank you for having me.
22 My name is Angelina Rosado, I am a Domestic Violence
23 Survivor as well as the Founder and Executive
24 Director of a nonprofit domestic violence
25 organization here in New York City. I'm quite

1
2 surprised with the lack of presence for domestic
3 violence in this room. Being that you know we know
4 that domestic violence members have only skyrocketed.
5 Uhm, even before the pandemic uhm, you know crime was
6 down before the pandemic and domestic violence was
7 one of the only crimes that actually numbers – they
8 did not see a decrease in. They only see the rise in
9 it, so uhm, I'll get started.

10 My issue, I have a couple of issues. Okay, one,
11 NYPD, I will address the three people that are
12 sitting there. Uhm, when talking about you know
13 police interaction with domestic violence victims, it
14 is absolutely horrendous. Okay, uhm, we have
15 specifically as well as people of color, there is
16 36,000 Police Officers, only 400 are assigned to
17 domestic violence units. And there is not enough to
18 spread out throughout our five different boroughs.

19 You know I worked – we just had a domestic
20 violence march in Harlem, which we worked at the 28th
21 Precinct, where we found out there is only two
22 domestic violence officers in that unit. That makes
23 absolutely no sense being that you know domestic
24 violence in Harlem is extremely high.
25

1
2 So, if you only have two to maybe three or four
3 officers even responding to domestic violence,
4 knowing that not only do they have to respond to the
5 domestic violence calls, the have to do home visits,
6 which takes both of them out of the Precincts. And
7 now, when a victim comes in, there is no one there to
8 actually interact.

9 When we're talking of domestic violence, we have
10 to be extremely uhm, I can't press it enough about
11 you know trauma informed training. I know you guys
12 spoke a lot about this trauma informed training that
13 we keep hearing about yet we have yet to see it
14 actually be implemented.

15 So, I'm just confused to what is this training
16 that we keep hearing about? You know you guys had
17 repeated to yourselves about this trauma informed
18 training a lot. Uhm, as you guys said, it's like
19 what two weeks for officers, one week for new
20 officers. That makes absolutely no sense because
21 when it comes to being trauma informed, is this a one
22 time training? Are we doing this every two months?
23 Every two weeks? Like, what is the process for that?

24 Uhm, NYPD is responding to over 230,000 calls of
25 domestic violence. That is 600 calls a day. There

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

is no way that 400 officers can respond to all that and not be overwhelmed.

You know, uhm, we talked about possibly adding more officers, that is exactly what we do not need. We do not need more officers on who are not trained properly. We need the officers that are already in place to have some serious training. And when we talk about training, make sure who that training includes, right? I don't have no clue whose giving you guys the training. You know, you guys just said that in a year, you know, there was no training happening. Yet there were still officers out responding to these calls.

So, untrained officers are not responding to sexual assault calls as well as domestic violence calls. When we talk about domestic violence victims actually even going in and speaking, a lot of them don't even know that there is a domestic violence unit. I deal with a lot of victims. I train a lot of victims on even how to go into the office, to even speak. Uhm, making sure that they are able to even access domestic violence unit, which now I've learned a lot of them, officers aren't even there. The Domestic Violence Unit Officers are not even there

1
2 because they are out making house calls. So, that is
3 an issue.

4 We talk about victim shaming. You know I've had
5 a lot of victims come to me and state when they go to
6 speak to officers, they are shutdown. You know, I've
7 heard stories where officers are asking them, well,
8 why did it take you this long. Well, why didn't you
9 just leave? And if officers are trauma informed
10 trained as you guys had stated several times, there's
11 no way that an officer would ask that kind of
12 question at all to a victim of domestic violence, as
13 well as I'm sure a victim of sexual assault.

14 Uhm, when we talk about, I'm going to talk about
15 law, like this is what needs to be changed. We need
16 to have laws in domestic violence. As you all know,
17 there's no actual domestic violence crime. Which is
18 a problem, right? Now, when we decide to start
19 talking about domestic violence laws and I'm trying
20 to push you know domestic violence becoming a felony.
21 We have to make sure that the language on this law is
22 correct. Because what we don't need is for victims
23 to now - for the system to be able to turn it and now
24 victims are the people who are arrested for one,

1
2 protect themselves or even speaking up for
3 themselves.

4 Uhm, Connecticut just passed the Jennifer Law,
5 which now allows victims of domestic violence that
6 experience mental and emotional support to be able to
7 get orders of protection. New York City has to back
8 this up. Because unlike physical violence and
9 physical abuse, you can't prove mental and emotional
10 abuse. There's no way for you to prove. It's
11 literally your word against someone else's, so that's
12 another issue.

13 When we speak on wellness checks, that is not
14 mandatory of NYPD. That is an issue. When it comes
15 to domestic violence and unfortunately, there is no
16 law that states that NYPD is mandated to do a
17 wellness check. That's a problem. There is no way
18 that that should even be a thing, right?

19 Now, when it comes to women of color
20 specifically, we have the highest numbers on domestic
21 violence. We are taking the least serious when it
22 comes to domestic violence. Officers have looked at
23 women of color and basically laughed in their faces.
24 Okay, I've had a person of the LGBTQ community, a
25 transwoman come to me and she stated, you know,

1
2 officers laughed at me when I walked into the
3 precinct in Queens. I was mortified from this
4 woman's experience and I'm not sure whether it was
5 due to her being a woman. Whether it was due to her
6 being a member of the LGBTQ community. But as we
7 know, the LGBTQ community has the highest numbers in
8 domestic violence compared to heterosexuals, which is
9 another issue.

10 And I need NYPD to get on board with us. You
11 know, Senator Rose, I applaud you. I looked at your
12 bill. I completely agree with you when it comes to
13 making a Committee to actually hold NYPD not only
14 just accountable but being at this table when we're
15 talking about trainings. What is this training
16 looking like? How long is this training going to
17 take to actually be implemented? And are we making
18 sure that officers are mandated to take this
19 training? That's what needs to happen because if
20 you're times are showing that officers are not doing
21 it and we're going to use COVID as an excuse, Zoom
22 works perfectly fine. Okay, Zoom has been helping us
23 through this pandemic this whole entire time. So,
24 that is not an excuse for domestic violence victims
25

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

to go unheard, unseen, and it's not an excuse to sweep domestic violence under the rug.

Uhm, I thank you guys for you time and if you have any questions, please I'm here to answer anything.

COMMITTEE COUNSEL: Thank you so much for your testimony. We have two individuals to continue. Council Members reminder, if you have any questions, use the Zoom raise hand function. We're going to finish today off with Dorchen Leidholdt followed by Robert Malek. Uhm, please go ahead.

SERGEANT AT ARMS: Starting time.

DORCHEN LEIDHOLDT: Thank you so much and I'd like - oh sorry.

SERGEANT AT ARMS: You may begin.

DORCHEN LEIDHOLDT: Shall I continue?

COMMITTEE COUNSEL: Yeah, go ahead.

DORCHEN LEIDHOLDT: Okay, thank you so much. I'd like to second everything that Angelina Rosado just said. Uhm, so powerful.

Since 1994, I've served as the Director of Sanctuary for Families Center for Battered Women's Legal Services. Like many of you, I was blown away by the story in yesterday's New York Times. Fighting

1
2 Back with Her Own Badge. In 1993, Katrina Brown, was
3 repeatedly denied police protection from her violent
4 boyfriend. A corrections officer at Rikers, who
5 beat, raped, tortured and imprisoned her.

6 Katrina Brown went on to have a successful 20-
7 year career at NYPD, rising to the rank of First
8 Grade Detective. One troubling facet of the story is
9 that Detective Brown had to conceal her history of
10 victimization and her survivorship from her
11 supervisors and fellow officers at NYPD.

12 She knew that she would be divested of her
13 credibility and worse if she revealed it. NYPD
14 proudly reports that it is the most diverse police
15 department in the country. It is crucially important
16 that NYPD recognize that part of that commitment to
17 diversity entails recruiting, promoting, and honoring
18 officers like Detective Katrina Brown.

19 The article takes us back to a time when police
20 officers responding to a domestic violence 911 call,
21 would tell the abuser to take a walk around the block
22 or tell the victim to go to family court. This is
23 what I saw over and over again when I started at
24 Sanctuary for Families. Fortunately, as a result of
25 laws and policies, past and response to such lawsuits

1
2 and highly publicized tragedies, as well as concerted
3 advocacy, NYPD's response to domestic violence began
4 to improve. Dedicated domestic violence police
5 officers were placed in every precinct. New recruits
6 received training about domestic violence at the
7 Police Academy. Take a walk around the block became
8 history.

9 But NYPD's response to domestic violence still
10 falls far short of what it should be. Let me give
11 you an example. On May 21st of this year, NYPD
12 officers from Manhattan's 25th Precinct, showed up at
13 the Harlem apartment of Hunter College Nursing
14 student Alena Hardy. She had called the police six
15 times before this seventh call, reporting crimes of
16 violence by her abusive boyfriend. Instead of trying
17 to find him or taking steps to protect Alena, the
18 officer simply took another left. Less than an hour
19 later, Alena's batterer broke into her apartment
20 threw the fire escape and stabbed her to death.

21 What is needed to ensure that there are no more
22 victims who report domestic violence, only to be left
23 to die at the hands of their clearly homicidal
24 intimate partners? Clearly, it is training,
25 supervision and accountability.

1
2 While domestic violence prevention officers are
3 intensively trained, they are not patrol officers
4 like those who responded to Alena's seven, seven 911
5 calls. What is urgently needed, is mandatory annual
6 training of domestic violence, sexual assault and
7 human trafficking for all police officers responding
8 to 911 calls and their supervisors.

9 The training must cover a range of relevant
10 topics, including but not limited to the dynamics of
11 domestic violence. Including abuser tactics of power
12 and control. Danger and lethality factors in
13 domestic violence cases. The criminal provisions of
14 the Family Protection Domestic Violence Intervention
15 Act of 1994, which many officers are not appointed
16 with to become clear, techniques of trauma informed
17 policing and resources including shelter and
18 nonresidential services.

19 This training must be supplemented by trainings
20 conducted at least monthly at roll call. The
21 training should be overseen by an interdisciplinary
22 interagency committee that needs at least court
23 includes in addition to representatives from city
24 agencies, representatives of domestic violence
25 services providers.

1
2 Agencies and service providers should be
3 encouraged as representatives through our survivors
4 of domestic violent, sexual assault and human
5 trafficking. NYPD would provide to this Committee
6 annual count on the number of police officers named,
7 the dates of the training and the curriculum used for
8 each training session.

9 An annual report on the status of the training
10 should be sent to the Mayor. The Speaker of New
11 York's Council and Council's Public Safety Committee
12 and Committee on Women's Gender Equity. Domestic
13 Violence policing is demanding, dangerous work that
14 requires that requires officers with state of the art
15 training and supervision.

16 NYPD officers are fully equipped to protect
17 victims and prevent future violence against them.
18 New York City will finally realize through interest
19 protected and lives save the full potential of almost
20 three decades of criminal laws strengthening the
21 protection of domestic violence victims. Thank you
22 very much for the opportunity to testify.

23 COMMITTEE COUNSEL: Thank you for your testimony.
24 Up next is I believe Robert Malek. Uhm, if anyone
25 else, go ahead Robert. If anyone else had anything

1
2 else - I believe everyone else has testified but
3 please uh, use the Zoom raise hand function if I
4 missed anyone who has registered. Go ahead Robert.

5 ROBERT MALEK: Thank you.

6 SERGEANT AT ARMS: Starting time.

7 ROBERT MALEK: My name is Robert Malek, ACS
8 Complaints.com. I'm a New York State Notary Public,
9 a New York City License Process Server. New York
10 State License Guard. Three years New York City
11 Auxiliary Police and a Licensed Mississippi Private
12 Investigator.

13 Uhm, what I would like to say is that if anyone
14 wants to contact me after this is over, not for any
15 services of mine, that's not why I'm here. But
16 anyone that wants to contact me, the Council's more
17 than welcome to provide any of my contact
18 information.

19 Uhm, for one, I'd like to start by saying that
20 what message as a role model does it send to NYPD why
21 the Council, regarding how much effort and time to
22 put into handling victims when you put up a
23 timeclock? You know one thing that we would not want
24 to have happen when we go into police stations to
25 have a timeclock. And I think that what we're asking

1
2 for is, we're asking for people who care and spend
3 the time to investigate our case diligently and with
4 compassion. And by the Council putting up a
5 timeclock on the public when the public is the one
6 that puts you in your position as well as NYPD is
7 contrary to really what's happening in our city.

8 You know, we can talk about, about polishing the
9 Lamborghini as much as we want about lets to this or
10 let's do this or do that but you know, the point is,
11 is that you have to have people that actually care
12 and it's critical that you have people like myself
13 and other people to come forward and report as far as
14 what's truly happening. Because the police are
15 people in power, they can talk about what they do and
16 don't do all day long but I think what we're finding
17 here today is that they are not giving us the basics.
18 Okay, and you don't get to realize that until you
19 speak to people like myself and you realize that wait
20 a minute, maybe you know, maybe we're assuming one
21 fact and then hence assuming all others that we're
22 assuming that Inspector King is not a fraud.

23 Okay, now in my personal opinion and evidence
24 that I feel that I have that I will share with every
25 member of the Council and I have sent emails last

1
2 night and I will be sending a lot more. I will be
3 sending direct evidence on Inspector King that in my
4 personal opinion and the evidence that I have, is
5 that this man directly is a fraud and should be
6 fired.

7 Okay, so he can talk about all he wants about
8 what he does and doesn't do and all this nonsense,
9 but the fact about the matter is that that's not
10 really what he does. Not in my experience it isn't.
11 So, the Council is assuming that we're talking to
12 Inspector, wow. But the fact of the matter is we
13 have to get to the point of, is this Inspector a
14 fraud and a lie?

15 You don't know that unless you spend the time
16 with people like myself. The people, the panelists
17 to come forward because every one person there is of
18 someone like me, there's got to be 10,000 more that's
19 not here today. So, it's critical that we come
20 forward. And uhm, one point I'd like to make is, is
21 that you know we talk about all these different
22 changes with the Police Department, but one thing
23 that I experience consistently and I think everybody
24 else has. Has anyone tried calling the police and
25 notice how fast the police actually say their names

1
2 and how they mumble them? You don't even hear what
3 their name is. They do that intentionally, so that
4 why they are not accountable. And this happens again
5 and again and again.

6 So, the mere basics of what they should be
7 providing, are they really providing it? And uhm, in
8 what I wrote here, I'm here today in representation
9 of course, women's equality and proper treatment and
10 protection for them by the Special Victims Squads of
11 New York City. And before we address needs of women
12 though, we have to ensure needs of women are upheld
13 while they are children.

14 Such of the most defenseless in our society and
15 my wonderful daughter Margaret Malek is one of them.
16 I have a great deal of evidence as to how ACS of New
17 York City and the Child Abuse Squad of Brooklyn and
18 Special Victims of Manhattan are an absolute pathetic
19 disgrace. Provides such evidence of members of
20 Council causes directly. Now, I'll provide some
21 information. I'd like to thank Sergeant Mitchell of
22 the Adult Special Victims of Brooklyn for informing
23 me of a secret investigation fraud taken up by the
24 Brooklyn Child Abuse Special Victims Squad with no
25 knowledge to me.

1
2 I have that investigation fraud and I've shared
3 it by email with the Council Members. And to begin,
4 I'd like to say that Lieutenant Keenan of the Special
5 Victim in Manhattan said to me in a comment in
6 regards to my daughters stepbrother, you're daughters
7 actually with this kid? Thus said, after I provided
8 him with all the evidence of October 11, 2018, a
9 toenail incident of October 2018. He had not one
10 question or comment and allowed misdemeanor statute
11 of limitations to pass. Then didn't ever discuss
12 with me if it could be charges of felony where the
13 statute of limitations would not be passed.

14 Keenan claimed ongoing, well it's ongoing so
15 we're still okay. However, you can't assume further
16 charges until you have investigated them to claim
17 ongoing to begin with. The six weeks Keenan and
18 evidence of these two assaults and more and not one
19 question or comment. My efforts to have Michael King
20 directly take up this matter and I reported Keenan's
21 actions to him and Michael King ignored me.

22 And I have those emails and I'll provide it to
23 the Council. Previous Inspector Row before Michael
24 King came in, at Special Victims said to me that she
25 would have arrested Margaret and Joe, after providing

1
2 her evidence of crimes against my daughter but my
3 daughter was too young to be put on the witness
4 stand.

5 For some reason Detective Row, there is no
6 interrogation of Margaret and Joe, nor does she speak
7 to many potential witnesses to the crimes such as
8 neighbors. She also does not follow-up as my
9 daughter is of age now. And uhm, I have tried to
10 contact Michael King and he has ignored me. We have
11 closed unsolved cases, what about when a child comes
12 of age where a child can speak? What is Special
13 Victims doing about that? As far as I know they
14 haven't done anything regarding my daughter.

15 Now, moving forward, Row confirmed that Detective
16 Sardena(SP?) of Manhattan Special Victims there, did
17 not investigate the matter of when my child's mother
18 was holding down my daughter and a stepbrother whose
19 biting off her toenail with his teeth, causing her to
20 bleed. Sardena has since retired with history of 11
21 lawsuits against him.

22 Of note, Kelly Casey ADA of Brooklyn, has
23 mandated the investigation of the toenail incident.
24 Detective Schiraldi(SP?) of Brooklyn Special Victims
25 have told me, I didn't do that investigation either

1
2 because as he said, "I don't believe it could have
3 even happened." When I informed Kelly Chasey, she
4 got the email correspondence, a total collar of law,
5 cover your bases, make believe I'm doing my job of
6 legal fraud. An investigation that was supposed to
7 have taken place and knowing to everyone, never did.

8 The founders report from Marisa Freeburg (SP?)
9 were coming from ACS themselves. Now, just to hear
10 this. This is going to shock you when you hear this.
11 15-year-old, which is the kid that assaulted my
12 daughter is diagnosed with bipolar disorder and has
13 history of being extremely violent. On or about
14 12/13/2017, the child was arrested after assaulting
15 his father to the point of unconsciousness. The
16 father is now currently deceased. The father died;
17 he killed his father. The subject child was
18 hospitalized in May 2018 of psychiatric reasons. The
19 mother is aware, and this report here came from
20 Marisa Freeburg, Licensed Mental Health Clinician,
21 right out of ACS okay.

22 It says here the mother is aware and has failed
23 to file through with recommended medical and mental
24 health treatment. Subject child has not received his
25 medication or gone to recommended counseling since

1
2 September of 2018. As a result, subject child has
3 been violent towards five-year-old subject child,
4 which is my daughter.

5 Sometime in February of 2019 15-year-old subject
6 threw five-year-old subject child, which is my
7 daughter with excessive force, causing her to bite
8 her tongue which bled as a result. Sometime in March
9 of 2019, five-year-old subject child sustained an
10 unexplained red mark and fracture to her left cheek.
11 On June 17, 2019, five-year-old subject child
12 sustained a one and a half inch laceration on the
13 back of her head.

14 On August 9, 2018, 15-year-old subject child tied
15 subject child into a ball with excessive force
16 resulting in head pain. Five-year-old subject child
17 was hospitalized. On October 11, 2018, after being
18 thrown by 15-year-old subject child. Further details
19 unknow.

20 On October 18, 2018, biological mother held five-
21 year-old subject child down and allowed 15-year-old
22 subject child to bite child's toenail causing it to
23 bleed. Five-year-old subject child has sustained
24 multiple injuries that are inconsistent with the
25 explanation given by the biological mother.

1
2 On October 23, five-year-old subject child
3 sustained unexplained bruising around her neck from
4 being choked. On November 2, 2018, five-year-old
5 subject child sustained unexplained bruising to her
6 left cheek. Biological mother failed to seek medical
7 treatment for one more incidents with five-year-old
8 subject child. Biological mother is aware of the 15-
9 year-old subject child with violent behavior and
10 continues to allow him around my daughter.

11 Biological mother has a history of being verbally
12 abusive to my daughter or five-year-old subject
13 child, due to the ongoing violence and emotional
14 abuse, five-year-old subject child has been
15 exhibiting behavior and acts fearful of the
16 biological mother and 15-year-old subject child.

17 I have provided this evidence over to the
18 Lieutenant Keenan. He doesn't get back to me with
19 any questions at all. I've tried to reach out to
20 Michael King there who claims to be whatever, he has
21 ignored [LOST AUDIO 4:18:36]. People here that have
22 been assaulted but for God sake my daughters abuse is
23 going on for years. It's a nightmare that she can't
24 step out of.

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

And the last time I was at the City Council hearing, I said that the police ought to be blocked in their system where they will not take any police report from me for a period of two years, okay. Because and New York City is doing a CYA on New York City because my daughter is under ACS New York City jurisdiction and New York City doesn't want liability on New York City. Right, I got some very serious problems with a very young little girl who didn't even make it to womanhood yet.

And my God, I don't even know, I could just keep going over here as far as what has happened. I'll just tell you this which will shock your mind. That I sent to everyone of the Council Members here today, I sent my daughters statements of what happened to her. All are recorded on tape. I sent it by email to you guys of her being thrown by her brother and you could hear the ACS worker wanting to take my phone from me. A supervisor take away my phone, so I don't have evidence of my daughters abuse. Alright, and then they go and they go to stop visitation with my daughter because I called 911 and I reported my daughters assault. You know what happened with the judge in court? Because judges are on top of this

1
2 too. The judge wrote an order so I don't have any
3 more evidence of crimes against my daughter but I
4 can't have a witness at visitation. I can't take
5 notes of visitation. I can't record a visitation.

6 If you go on ACS complaints.com on my website,
7 you'll see the pictures of the signs they put up in
8 their facilities of all parents, no recording, no
9 photography, no evidence any parent could have to
10 abuse of crimes committed against their child.

11 There is a hell of a lot that's going on. There
12 is more I could say but I'm going to leave with that.
13 I appreciate the extra time that you gave me. But
14 uhm, it's, it's, you know we talk about how we can
15 make these improvements and stuff but the mere
16 basics, my God. I think we need to have police to
17 come at church so they have a heart or the DA's or
18 Judges to have your immunities - the DA's, the
19 Judges, look, it's a whole mess. The thing is that
20 we need people that just simply care and have a
21 conscience. It's commonsense a lot of this.

22 And uhm, I'll let it go with that. I appreciate
23 all the time that you gave me and I'll provide to all
24 the Council Members all the evidence that I have to
25

1
2 back up what I've said. And uhm, anyone who wants to
3 contact me, they are welcome and I appreciate it all.

4 Sorry, I'm emotional, it's my daughter, you know.
5 It's my daughter, I've suffered with this for years.
6 So, it's very hard for me. And I thank you for this
7 time. I thank you for me being able to speak and say
8 what I needed to say. Thank you. God Bless, thank
9 you. Thank you.

10 COMMITTEE COUNSEL: Thank you for your testimony
11 sir. Uhm, I believe that is all public testimony at
12 this moment. Council Member Rosenthal, you have a
13 question, so you may go ahead, followed by we'll turn
14 to Chair Diaz after that, okay.

15 CHAIRPERSON DIAZ: I have a statement. Can I go
16 before Chair?

17 COMMITTEE COUNSEL: Sure.

18 CHAIRPERSON DIAZ: Thank you. I just want to go
19 back to Mr. Robert Malek, I wondered why you waited
20 for so long for this hearing? I noticed you were
21 sitting in your vehicle. I thank you. I thank you
22 for staying on point and on task. The point of this
23 hearing is to hear from everyone. We're not here to
24 paint the pretty picture for anyone.
25

1
2 Again, we made a conscious decision to extend the
3 time today for the panelists to speak because it's
4 important to us. As Council Members to hear what you
5 are all experiencing. Again, so thank you for not
6 letting what seems the system strip you of your
7 rights.

8 Again, I thank you for your testimony. I thank
9 you for putting yourself out there. I cannot speak
10 to the character of Inspector King or the DA and why
11 its gone on but just know that we are here as Council
12 Members to listen to you and to advocate as much as
13 possible. I'll turn it over to Council Member
14 Rosenthal.

15 COUNCIL MEMBER ROSENTHAL: Uh, thank you so much
16 Chair Diaz and thank you to the Committee Counsel
17 again. Uhm, I really want to thank everyone for
18 testifying and I really appreciate again and again,
19 the NYPD staying here and hearing all of this
20 testimony. I'm not sure I've ever seen that happen
21 before. Uhm, and it's a pretty powerful statement
22 that you're here.

23 I really just have some uhm, sort of concluding
24 thoughts and a question. Uhm, I think the best way
25 that we can thank those who came forward today, is to

1
2 really hear them and make the changes that the DOI
3 report called for. They're so straightforward.
4 Double the number of detectives in SVD. Uhm, have a
5 contract with survivor advocate groups, so they can
6 be present when a victim walks in the door to an SVD.
7 And be there during controlled calls and so on. I
8 really am shocked to hear over and over again that
9 advocates have not been called in to help survivors
10 on site.

11 Uhm, I'd like to know if the NYPD, SVD, plans to
12 put out a statement or some sort of report,
13 documenting the changes that you'll make and
14 following up, tracking those changes? Uhm, and I
15 have to say the - while I appreciate the NYPD members
16 who are here today, you know the DOI, the 2018 DOI
17 report has come up repeatedly today. And the report
18 made it clear that the problems have been ongoing
19 despite repeated pleas from the head of the SVD from
20 2014 onward. And it strikes me and it strikes me
21 that the problem stems from NYPD leadership, not
22 following through on requests for more detectives,
23 more training, making the SVD a desirable unit by
24 increasing the number of first and second grade
25 detectives.

1
2 My goodness, since 2018, the number of first and
3 second grade detectives has decreased by more than
4 half. It's gone from 26 down to 12. I don't know
5 what incentives we're putting in there for detectives
6 to want to join the unit and I mean, you know Mike
7 King, I'm going to put you on the spot and ask you,
8 how much support do you get from leadership above you
9 and can you give an example?

10 MICHAEL KING: Thank you Council Member
11 Rosenthal. Uhm, in regard to promotions and I have
12 to say, I got here in August of last year. My first
13 conversation was with the Police Commissioner
14 regarding that very same topic. And since I have
15 been here in the 13 months, he has given us 15 grade
16 promotions. That is from detectives right up through
17 the ranks of supervisors and uhm, there have never
18 been that many promotions within Special Victims in
19 one calendar year.

20 So, I believe that is an extremely -

21 COUNCIL MEMBER ROSENTHAL: I mean, the reports
22 online don't show that. Perhaps that is a promotion
23 from PO to a Detective status and that's what you're
24 including.

1
2 MICHAEL KING: No, no, not at all. This is only
3 grade. This is only grade. In fact, today we had
4 three promotions today for grade four, our Special
5 Victims.

6 COUNCIL MEMBER ROSENTHAL: Yeah, it's not showing
7 up on the reports but I hear you. I don't think
8 you're up to 26, which is where we started in 2018
9 but I digress. Uhm, you know, okay, there's an
10 example. Can you give me another example of support
11 you've gotten from your leadership?

12 MICHAEL KING: Can you say that one more time
13 Council Member?

14 COUNCIL MEMBER ROSENTHAL: Can you talk about - I
15 mean the example you just gave about uhm, the number
16 of first and second grade detectives, uhm, overall to
17 be clear, uhm, even despite the increases you just
18 got, you're still down.

19 SERGEANT AT ARMS: Time expired.

20 COUNCIL MEMBER ROSENTHAL: The 2018 number. Uhm,
21 and I'm wondering, so is there any other type of
22 support you've gotten? Have you - that you've
23 gotten? Can you give an example?

24 MICHAEL KING: Well, in terms of personnel,
25 whenever we request a personnel, Commissioner Shea

1
2 has made sure we've gotten personnel uhm and in
3 regard to the promotions, every promotion since I've
4 been here, he's given us at least two or three
5 people. So, I think that goes a long with to show
6 the support that he has given me since I got here.

7 Basically, there's really nothing that I have
8 asked him for and he hasn't given me.

9 COUNCIL MEMBER ROSENTHAL: I mean to be clear,
10 the number of detectives uhm, went up in 2019 but
11 came back down in 2020. I don't have the report from
12 '21 but I'm not seeing online the information that
13 you know you're talking about. I guess we'll wait to
14 see the 2021 report.

15 Uhm, I'm going to leave it there but I want to
16 emphasize that the things that the survivors are
17 talking about, the way that we can be responsive is
18 by following through, which hasn't happened so far.
19 But is by following through. Doubling the number of
20 detectives in the unit from 225 to 450 or 500.
21 Giving them the training they need on a regular
22 basis. You know, having a report show that eight
23 people showed up to a training is appalling. Knowing
24 today that you still have 113 detectives who haven't
25

1
2 been FETI trained is heartbreaking. Everyone should
3 be getting that training annually.

4 This isn't, as you heard from the cases, all of
5 these cases are nuanced, complicated, unique to the
6 individuals who come forward. They are hard cases
7 and uhm, you know it's a big responsibility to be in
8 the SVD. But the NYPD has an SVD unit. Uhm, it has
9 the capacity I think to be the best in the nation but
10 that's not happening and that did not change from
11 2018 to now.

12 In fact, you know, as many have said, it possibly
13 has gotten worse because the dismantling of several
14 of the units after the 2018 report came out, was uh,
15 you know very demeaning, demoralizing to people. I'm
16 glad that you decided to reinstate them. They are
17 really the drug you know induced rape division is
18 very important. I'm glad it's reinstated but my
19 gosh, there's so much more work to do. And you know,
20 I'd love to hear from the NYPD that they're going to
21 commit themselves to making these changes. Thank
22 you. And I guess that was the question.

23 MICHAEL KING: I know from my perspective, I
24 heard everyone here today. I've spoken to yourself
25 before and Jane Manning and I will do my best to make

1
2 sure we don't have occurrence of this magnitude.
3 We're definitely still a work in progress. I don't
4 have to say there is no room for improvement. There
5 is always room for improvement but again, going
6 forward, I am trying to make this division as
7 survivor centric as possible.

8 COMMITTEE COUNSEL: Thank you Council Member
9 Rosenthal. We will now turn to Chair Darma Diaz. Go
10 ahead Ma'am.

11 CHAIRPERSON DIAZ: Thank you. I see a hand
12 raised. Karen? I don't know if that's a panelist
13 that -

14 KAREN: Yes, hi, uhm, can you hear me?

15 CHAIRPERSON DIAZ: I just need approval from
16 Counsel. Just give me a second here and I'm sorry.

17 KAREN: Okay.

18 CHAIRPERSON DIAZ: I don't want to be out of
19 order but I want to be able to give you a space. Are
20 we okay to proceed with Karen?

21 COMMITTEE COUNSEL: Go ahead Council Member.

22 CHAIRPERSON DIAZ: Okay, okay, thank you. Move
23 forward Karen.

24 KAREN: Thank you Council Member Diaz. The
25 reason - my question is, I was told so unanimously by

1
2 everyone I spoke with that NYPD does not handle cyber
3 stalking. They don't investigate it and they don't
4 arrest people for it. Like, we don't do this full
5 stop and I wanted to ask, uhm, the leadership, I'm
6 sorry I'm not sure your title Mr. King. But I wanted
7 to ask, is that in fact NYPD policy or was I
8 misinformed or can someone shed light on that for me
9 please?

10 COMMITTEE COUNSEL: Thank you Karen. We will
11 follow-up with the Police Department on those
12 specific questions and I will get back to you on that
13 as well.

14 KAREN: Thank you sir.

15 COMMITTEE COUNSEL: Yeah, no problem. Uhm, we're
16 going to turn back to Chair Diaz as well. Thank you
17 everyone for your patience and Chair Diaz, you can go
18 ahead and close this hearing out. Thank you.

19 CHAIRPERSON DIAZ: I want to begin by thanking
20 all of you. The panelists, the activists, the
21 survivors, and even NYPD for staying on. I know we
22 asked you to think out the box and work with us
23 today. I've Chaired many hearings in the last ten
24 months and often, I've been told Administration has
25 to leave. So, I thank you. As a Chair,

1
2 Committeewoman Gender and Equity, I'm happy to know
3 that our voices were heard. Our concerns were
4 listened to. I look forward to the many unanswered
5 questions and that goes not only to King but also to
6 the DA's that were brought up numerous times and lack
7 of courtesy or response ness. You know, I also uhm,
8 having unfortunately – these are both sides of NYPD.
9 It resonate with me when someone stated earlier about
10 police officers, I think it was Mr. Robert Malek
11 stated, officers give their names really quickly.
12 And that's a fact.

13 So, if we could definitely work on that, I think
14 that's a baby step, a tiny step into correcting the
15 process. Because if we're not able to get our first
16 point of contact straight and together, it makes
17 everything else go in a downhill. As someone that's
18 a survivor of domestic violence, I know what it is to
19 know not to be listened to. And that first person we
20 interact with sets the stage for us.

21 So, again, I want to thank you all for staying on
22 so long. We've been on since ten o'clock. I want to
23 thank Chair Rosenthal for all her questions. Chair
24 Adams had to step away, she had another hearing. I
25 see we have Christine is still on and Chair

1
2 Rosenthal. If it's a question for Administration, I
3 prefer to have questions uhm emailed over. Chair
4 Rosenthal is saying no.

5 So, okay, I'll be professional and keep in line,
6 I'm going to ask if we can allow Christine to please
7 speak first and then we'll close it out with Chair
8 Rosenthal's one or two questions.

9 COMMITTEE COUNSEL: Chair Diaz, we're going to
10 ask that the members of public can direct questions
11 to the Administration through the City Council
12 specifically.

13 CHAIRPERSON DIAZ: That's fine.

14 COMMITTEE COUNSEL: I just think that that's kind
15 of the best path forward at this point.

16 CHAIRPERSON DIAZ: Okay.

17 COMMITTEE COUNSEL: So, if any of the individuals
18 have their raised at this moment and would like to -
19 my email I sent out the Zoom invites, you should have
20 that contact information and we will sure to follow-
21 up with each of you individually as well on those
22 specific questions.

23 CHAIRPERSON DIAZ: Thank you for your guidance.
24 Much appreciated.

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

COMMITTEE COUNSEL: Yeah, no problem. Chair Rosenthal, you may go ahead but I believe the answer is going to be the same thing in terms of following up questions with the -

COUNCIL MEMBER ROSENTHAL: Yeah. No, no, no, it's - I see the Facilities Director sitting, has been sitting through this entire hearing and I would be remiss if I didn't say thank you for all of your help in renovating the SVD facilities. They were in 2018 abysmal, just in abysmal shape and uhm, you know, this - you have made a concerted effort to do this and you know let the record show that your work is very, very much appreciated. I of course have to say that you know, the facilities are too small by half, right? Because we need twice the number of detectives. But uh, thank you. Thank you for that.

CHAIRPERSON DIAZ: On that note, thank you once again. This hearing is closed. [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 October 31, 2021