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COMMITTEE ON CIVIL AND HUMAN RIGHTS

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL AND HUMAN RIGHTS  
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March 25, 2021  
Start: 11:50 a.m.  
Recess: 12:04 p.m.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Mathieu Eugene,  
Chairperson

COUNCIL MEMBERS:  
Inez D. Barron  
Daniel Dromm  
Brad S. Lander  
Bill Perkins  
Helen Rosenthal  
Vanessa L Gibson

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SERGEANT AT ARMS: Cloud is up.

SERGEANT PEREZ: Back up is rolling.

SERGEANT AT ARMS: Thank you, Sergeant Polite, you may begin the opening.

SERGEANT POLITE: Thank you. Good morning and welcome to the Remote Hearing on Civil and Human Rights. Will Council Members and staff please turn on your video at this time. Thank you. To minimize disruptions, please place all cellphones and electronics to vibrate.

Chair, we are ready to begin.

CHAIRPERSON Eugene: Thank you very much. I apologize we had technical difficulties and thank you for the staff working together to make it happen. And to you know, the public hearing possible.

Welcome to today's hearing of the Council Committee on Civil and Human Right. I am Mathieu Eugene the Chair of the Committee. Let me first recognize my colleagues who are here with us. I see Council Member Dromm, thank you very much. I saw also Council Member Barron, Perkins and Council Member Gibson and to all of you staff from the City Council and the Speaker. Thank you very much for your work.

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2 Today the Committee will vote on a very important  
3 piece of legislation Proposed Intro. 2212. It would  
4 empower the Civilian Complaint Review Board to  
5 investigate bias-based policing complaint made by the  
6 public and to investigate the past professional  
7 conduct of police officials found to have engaged in  
8 acts of bias. It would also require the police  
9 department to solicit an independent review of  
10 NYPD's equal employment opportunities division  
11 cases.

12 Hate and bias have no place in our society and  
13 especially in our police department. This bill will  
14 add a much needed layer of oversight and opportunity  
15 to ensure that our Police Force upholds the highest  
16 level of respect and integrity.

17 Now I would like to invite the sponsor of the  
18 Proposed Intro. 2212-A Council Member Gibson to  
19 deliver an opening statement. Council Member Gibson  
20 please.

21 COUNCIL MEMBER GIBSON: Thank you Chair Mathieu  
22 Eugene and good afternoon to all of my colleagues on  
23 the Committee. Thank you so much. I am proud to  
24 speak in support of Proposed Intro. 2212-A. As many  
25 of you know in my new capacity as Chair of the

1  
2 Committee on Oversight and Investigations, our  
3 Committee has conducted important work in the last  
4 several months with regards to racism, hate and bias  
5 in the NYPD. The revelations that we uncovered about  
6 former Deputy Inspector and the EEO Commanding  
7 Officer James Kobel's grossly offensive online post  
8 were not only disturbing in and of themselves but  
9 also raised serious questions about the NYPD's  
10 ability to police itself when it comes to instances  
11 of troubling racist and other hateful words and  
12 behavior.

13 The testimony that was provided at our oversight  
14 hearing in last December and at this Committee's  
15 hearing just last month on this legislation,  
16 unfortunately was not very reassuring. Making the  
17 need for the reforms delivered by this legislation  
18 today abundantly clear.

19 As the Chair mentioned, this bill would empower  
20 the Civilian Complaint Review Board to investigate  
21 bias-based policing and racial profiling complaints.  
22 And to investigate the past, professional conduct of  
23 police officers who are found to have engaged in acts  
24 of bias. This will be a very significant and  
25 impactful reform measure put forth today.

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2           When a police officer is found to have engaged in  
3 hateful conduct, not only must he or she be held  
4 accountable, as former Deputy Inspector Kobel was  
5 when he was terminated by the NYPD but every effort  
6 must be made to ensure that the officers bias views  
7 and beliefs did not unfairly impact their past work.

8           And in that vein, the bill also requires the  
9 police department to solicit an independent review of  
10 cases that are handled by the NYPD's equal employment  
11 opportunity division while it was led by this former  
12 Deputy Inspector Kobel.

13           Truly we believe and we are optimistic that these  
14 reforms will reassure New Yorkers that we have robust  
15 procedures in place to ensure that the police  
16 department is protecting them and enforcing our laws  
17 fairly, always free from hate and bias and with the  
18 courtesy professionalism and respect that all New  
19 Yorkers deserve. These measures will also benefit  
20 the thousands of officers who go to work every day  
21 wanting nothing more than to protect their fellow New  
22 Yorkers and look out for everyone no matter the  
23 background or identity.

24           Every officer deserves to work in an environment  
25 that is free of corrosive and dangerous elements,

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2 such as hateful ideologies and what we have seen with  
3 this former Deputy Inspector. I would like to thank  
4 Ed Atkin and the team at the ONI Committee, my  
5 Director of Legislation and Policy Jeffrey Velasquez  
6 and everyone who worked really hard on this bill and  
7 certainly, I want to recognize our former colleague  
8 and former Chair of this Committee, now congress  
9 member Ritchie Torres for really starting this  
10 process and leading the way on this investigation and  
11 allowing this legislation to come forward.

12 I hope my colleagues on the Committee will  
13 support this bill. We believe it moves us forward  
14 and continuously having the conversation around bias  
15 policing and racism in our department and we truly  
16 hope that you can support this legislation. Thank  
17 you so much Chair Eugene and thank you to the members  
18 on the Committee.

19 CHAIRPERSON EUGENE: Thank you very much Council  
20 Member Gibson. Thank you. Now, I would like to ask  
21 the Committee Clerk to conduct a roll call vote on  
22 this very important bill.

23 SERGEANT AT ARMS: Billy?

24 COMMITTEE CLERK: Hmm, hmm.

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2 SERGEANT AT ARMS: Council Member Perkins will be  
3 voting from my screen. So, just give me a couple of  
4 minutes when you call him to unmute.

5 COMMITTEE CLERK: Sure, absolutely.

6 SERGEANT AT ARMS: Thank you.

7 COMMITTEE CLERK: William Martin, Committee Clerk  
8 roll call vote Committee on Civil and Human Rights  
9 Proposed Introduction 2212-A. Chair Eugene?

10 CHAIRPERSON EUGENE: Before I vote, I want to  
11 acknowledge that Council Member Brad Lander has  
12 joined us. Thank you Council Member Lander. I vote  
13 aye.

14 COMMITTEE CLERK: Thank you. Council Member  
15 Barron?

16 COUNCIL MEMBER BARRON: Permission to explain my  
17 vote.

18 CHAIRPERSON EUGENE: Yes.

19 COUNCIL MEMBER BARRON: Thank you Mr. Chair. I  
20 want to thank my colleagues for this opportunity to  
21 talk about this bill and I think that the intent of  
22 the bill is commendable but there is scripture that  
23 says, you don't put new wine into old wine flasks.

24 The CCRB is inadequate, incompetent, ineffective  
25 and just not able to do the task that it is appointed

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2 to do. So, we are adding another component expecting  
3 that an entity that has not proven its ability to  
4 address the issues either in discriminating, either  
5 in selecting the paces that they pursue or in coming  
6 to the results that are necessary and there are many  
7 factors that inhibit them getting to that conclusion.

8 But they are inadequate and just to let you know,  
9 finally after more than a year in drafting, I will be  
10 introducing legislation today that calls for an  
11 Elected Civilian Review Board. We are calling that  
12 the Community Power Act, standing for police  
13 oversight with elected review. And that's what we  
14 need, not the CCRB which is not giving us the results  
15 that we need. We shouldn't be pouring this new wine  
16 into an old wine flask. But with the intent of what  
17 this bill is doing, I will be voting yes. It's a  
18 stop gap until we get to the real thing, the Elected  
19 Civilian Review Board. Thank you Mr. Chair.

20 CHAIRPERSON EUGENE: You are welcome Council  
21 Member Barron.

22 COMMITTEE CLERK: Council Member Dromm?

23 COUNCIL MEMBER DROMM: I vote aye. Thank you.

24 COMMITTEE CLERK: Thank you. Lander?  
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2 COUNCIL MEMBER LANDER: Uh sorry, request  
3 permission to explain my vote.

4 CHAIRPERSON EUGENE: Permission granted.

5 COUNCIL MEMBER LANDER: Thank you very much.  
6 Uhm, I am going to be abstaining today for the  
7 reasons both that Council Member Barron spoke to. I  
8 mean, this is a critical issue. I appreciate the  
9 work of the Chair, rooting out bias in the NYPD and  
10 what we learned about Officer Kobel requires you  
11 know, a very strong response but first, this bill  
12 further affirms the NYPD Commissioner's sole  
13 responsibility over discipline.

14 We have another Resolution we are passing today,  
15 calling on the state to change that but until we do,  
16 I just don't see a reason to believe that this bill  
17 will make any difference. And in addition, uhm, op  
18 my apologies. [LOST AUDIO 10:09-10:30]

19 SERGEANT AT ARMS: Billy, I think we lost him.  
20 Can we call the next member and then come back to  
21 Council Member Lander.

22 COMMITTEE CLERK: Sure, absolutely.

23 SERGEANT AT ARMS: Thank you.

24 COMMITTEE CLERK: Council Member Perkins?

25 SERGEANT AT ARMS: Council Member Perkins?

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COUNCIL MEMBER PERKINS: Thank you, I vote aye.

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COMMITTEE COUNSEL: Thank you. By a vote of 4 in the affirmative, 0 in the negative and 1 abstention, the item is adopted by the Committee.

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SERGEANT AT ARMS: Just hold while I try to get Council Member Lander. He logged off, uhm, let's keep this open for a minute and see if he logs back on.

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Uh, Council Member Lander has signed back on.

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Council Member Lander?

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COUNCIL MEMBER LANDER: I apologize, can you hear me okay? I am having some trouble with my connection.

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SERGEANT AT ARMS: Yes, can you keep your video off, that should help.

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COUNCIL MEMBER LANDER: Yes, thank you. I will keep my video off. Uhm, so I am abstaining today on the bill for reasons I started to explain and I don't know if it could be heard but do I need to say them again?

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SERGEANT AT ARMS: Yes please.

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COUNCIL MEMBER LANDER: Okay, sorry. So, I am abstaining on the bill today partly for the reasons that Council Member Barron articulated. In

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2 particular three things, first, this bill reaffirms  
3 the commissioners sole authority over discipline,  
4 which obviously is currently a matter of state law  
5 but we are passing a separate Resolution in today's  
6 meeting on the floor calling on the state to change  
7 that. And until we change that, I don't see a reason  
8 to be optimistic that anything real is going to  
9 change here on this extremely important issue.

10 Second, this bill calls for an independent  
11 investigation but to be contracted by the NYPD and I  
12 believe it should be contracted either directly by  
13 the CCRB or by the Department of Investigation but  
14 that the NYPD should not be able to select its own  
15 overseer on a matter where it's demonstrably failed.

16 And third, in some cases individual  
17 investigations will require that the NYPD first come  
18 to its own internal determination before the CCRB  
19 takes up its study.

20 So, this is a critical issue. I respect the work  
21 that's gone into it by Chair Gibson and others who I  
22 know really want to see us make progress here but I  
23 will be abstaining on today's bill.

24 COMMITTEE CLERK: That's it for the voting Mr.  
25 Chair.

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CHAIRPERSON EUGENE: I am sorry?

SERGEANT PEREZ: I believe Council Member Barron has her hand up and wants to say something.

CHAIRPERSON EUGENE: Yes, Council Member Barron.

COUNCIL MEMBER BARRON: Uh, thank you Mr. Sergeant Perez. I am glad you noticed my frantic waving. I have been greatly influenced by the comments of my colleague and I am changing from a yes vote to an abstention. Thank you. For those same reasons that he cited. Thank you.

COMMITTEE COUNSEL: Okay, revised, excuse me, revised vote on Committee on Civil and Human Rights Proposed Introduction 2212-A is now adopted by the Committee, 3 in the affirmative, 0 in the negative and 2 abstentions.

CHAIRPERSON EUGENE: Thank you very much. With that, this hearing is adjourned. [GAVEL]

COUNCIL MEMBER BARRON: Thank you Rafael.

CHAIRPERSON EUGENE: Thank you very much.

COUNCIL MEMBER BARRON: Thank you Mr. Chair.

CHAIRPERSON EUGENE: You are welcome, thank you Council Member Barron.

COUNCIL MEMBER BARRON: Thank you.

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SERGEANT AT ARMS: Thank you all. See you at  
Stated. Bye.

CHAIRPERSON EUGENE: Bye.

SERGEANT AT ARMS: Take care.

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 March 26, 2021