

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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June 12, 2016
Start: 12:01 p.m.
Recess: 12:30 p.m.

HELD AT: 250 Broadway - Committee Room
14th Fl

B E F O R E: VANESSA L. GIBSON
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile
James Vacca
Julissa Ferreras-Copeland
Jumaane D. Williams
Robert E. Cornegy, Jr.
Chaim M. Deutsch
Rafael Espinal, Jr.
Rory I. Lancman
Ritchey J. Torres
Steven Matteo

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

2 [sound check, pause]

3 CHAIRPERSON GIBSON: Good morning, ladies
4 and gentlemen. Welcome to the City Council's
5 Committee on Public Safety. I am Council Member
6 Vanessa Gibson, Chair of the Committee on Public
7 Safety. I welcome each and every one of you. I'd
8 like to announce that we have joined with us members
9 of the Public Safety Committee, Council Member Rory
10 Lancman, Council Member Chaim Deutsch and Minority
11 Leader Council Member Steve Matteo. We will be
12 proceeding with the hearing in just a few moments.
13 Thank you colleagues for joining us today. [pause]
14 Welcome once again to the City Council's Committee on
15 Public Safety hearing. I am Council Member Vanessa
16 proud to chair this committee. I want to thank all
17 of my colleagues and all of the members of the public
18 for being here today to vote on these very important
19 bills. I also want to recognize and thank the
20 sponsors of this legislation that we're voting on
21 today, including Council Members Rory Lancman,
22 Council Member Jumaane Williams, and Council Member
23 Debbie Rose. I'd like to acknowledge that we have
24 with us Council Member Rory Lancman, Chaim Deutsch,
25 Jimmy Vacca, Vincent Gentile, Robert Cornegy and

2 Jumaane Williams. Thank you all, colleagues for
3 being there. This afternoon we're voting on three
4 pieces of legislation regarding police reform. The
5 first bill is sponsored by Council Member Lancman,
6 Proposed Intro 539-A, which will require the NYPD to
7 publish reports relating to the use of force
8 incidents. More particularly, the bill will require
9 the NYPD to provide a quarterly report on the number
10 of use of force incidents disaggregated by the type
11 of force used, the precinct or unit of the officer
12 that used force, and whether the officer was on or
13 off duty when the force was used. In addition, the
14 bill will require the NYPD to report on the number of
15 injuries to an officer or civilian resulting from a
16 police and civilian interaction involving a use of
17 force incident, and the severity of those injuries.
18 Finally, this bill will require the NYPD to provide
19 an annual report on the uses of force found to be
20 excessive by the department. These excessive uses of
21 force will be disaggregated by the type of force
22 used, including whether a firearm was used, the
23 precinct to which such officer was assigned, whether
24 such officer was on duty, and the outcome of any
25 departmental charges brought against such officer.

2 The second bill, Proposed Intro No. 605-
3 B, sponsored by Council Member Williams, will require
4 the NYPD to issue quarterly use of force and Council
5 report based upon any encounter between an officers
6 and a civilian that resulted in a use of force. The
7 NYPD will be required to report all uses of force
8 disaggregated by the conduct, offense or reason that
9 formed the basis for the initial approach by an
10 officer.

11 The third bill, Proposed Intro No. 824-A,
12 sponsored by Council Member Rose, will require the
13 NYPD to report in relation to police officer
14 deployment. This bill will require the NYPD to post
15 an annual report of the total number and percentage
16 of officers in each precinct that have two or more
17 substantiated CCRB complaints in the last three
18 calendar years, have been the subject of an IAB
19 investigation that resulted in the suspension in the
20 last five years, and used excessive force in the last
21 three years, or have been arrested in the last ten
22 years for police related behavior.

23 I recommend a yes vote on these three
24 bills, but before we vote, I certainly want to allow
25 the prime sponsors of these bills to make opening

2 remarks, and we will be with prime sponsor of
3 Intro 606-B, Council Member Williams.

4 COUNCIL MEMBER WILLIAMS: Well, thank
5 you, Madam Chair. My name is Jumaane Williams, and I
6 want to thank the Chair again for having a hearing on
7 these bills and voting them out. This piece of
8 legislation is sponsored by--by myself, Council
9 Member Lancman and Rose. My bill, Intro 606-B of
10 2014 introduced shortly after the tragic death of
11 Eric Garner. I wanted more information from the
12 Police Department of the City and the use of force
13 when it comes to incidents such as those alleged to
14 have been committed by Mr. Garner like quality of
15 life offenses. I think that this bill will shed
16 light on the basis for all police officers
17 approaching, and engaging in police interactions New
18 Yorkers. And combined with legislation by Council
19 Members Lancman and Rose, who I'm proud to have
20 worked with on this, we will get further information
21 on the overall use of force along with additional
22 reporting on the locations of officers who have
23 received the highest number of CCRB complaints, the
24 highest number of substantiated CCRB complaints, and
25 the highest incidents of being named as the defendant

2 in a civil action relating to police brutality. It
3 is my hope that as we move toward improved police
4 community relations that the data gleaned from this
5 new reporting will help us understand the overall use
6 of force guidelines including their relation to
7 quality of life offenses and finding ways to de-
8 escalate where at all possible.

9 I want to thank the Speaker, Chair Gibson
10 her staff Dana Wax along with the Speaker's staff
11 including Rob Newman, Rob Pollandra (sp?) and Deepa
12 Ambekar (sp?) for their work on this package, and
13 also my Deputy Chief of Staff Nick Smith. I'd also
14 be remiss if I didn't mention at least the time that
15 we're in right now, how tense it is, and all the
16 emotions that are out there. I am convinced that
17 legislation alone will not fix this. I'm also
18 convinced that focusing solely on policing will not
19 fix this. However, we do have to continue as a
20 Council and legislature of pushing forward
21 legislation to do our best to address this. I'd also
22 like to say that those in leadership [coughs] need to
23 be careful in the words that they use in trying to
24 push these conversations further. Commissioner
25 Bratton has said some direct specific things when it

2 comes to what's happening now that I think is
3 destructive, and I think it's without merit. It's
4 full of privilege, and it's devoid of empathy and any
5 historical context. I would ask him to please stop
6 that. Many of us here could have taken many
7 different routes with the correction that is going on
8 with him hiring men, his people who are corrupt.
9 With him even promoting someone so they can get a
10 high pension before they leave. One of the people
11 who were caught there was in charge of giving gun
12 licenses. We don't know what the impact can be, and
13 for him to assimilate that folks are not concerned
14 about the violence in the communities is something
15 that I think should be apologized for. Be careful if
16 you have a glass house, and you start throwing things
17 around. I would like this conversation to continue
18 constructively, and it's difficult to do that when
19 leaders are making destructive comments that are not
20 based in fact. There is no--not one police reform
21 legislation that was passed out of this Council that
22 has made anyone less safe. In fact, we've seen the
23 data. We are safer. I'd also like to give
24 congratulations to many of the groups that this city
25 funds that has helped make this safe. Those

2 community groups and advocates do not get the credit
3 that they deserve. So I want to give them all in the
4 crisis management system a shout-out. We have to be
5 courageous as we move forward. This city--this city
6 government in particular was elected not peripherally
7 because of these issues, but precisely because of
8 these issues. We have to continue to move forward
9 and be courageous. Thank you for the time, Madam
10 Chair.

11 CHAIRPERSON GIBSON: Thank you very
12 much, Council Member Williams, and I'd also like to
13 thank the staff on the Committee on Public Safety for
14 their tremendous work our Committee Counsel Deepa
15 Ambekar; Legislative Counsel Beth Golub; our Policy
16 Analyst Laurie Wenn; and our Financial Analyst Ellen
17 Eng; and I'd also like to acknowledge for the record
18 that we have received testimony from the Patrolmen's
19 Benevolent Association of the City of New York from
20 the New York City PBA writing in to express their
21 opposition to the above bills that we are passing
22 today, Intro 539, 606 and 824, and we have also
23 received testimony from NYCLU, the New York Civil
24 Liberties Uni--Union writing in support of these
25 bills with suggested changes for enhancement. And

2 I'd also like to acknowledge that we have the support
3 and endorsement of the NYPD of these bills on the
4 agenda, and we would be working with them on the
5 implementation of these bills once they are passed in
6 this committee as well as the full Council. Do any
7 of our colleagues on the committee have any questions
8 or comments to make in reference to today's agenda?

9 Okay, and with that, I will ask our Clerk Mr. William
10 Martin to begin calling the roll. Thank you.

11 CLERK: William Martin, Committee Clerk.

12 Roll call vote committee on Public Safety. Chair
13 Gibson.

14 CHAIRPERSON GIBSON: I vote aye.

15 CLERK: Gentile.

16 COUNCIL MEMBER GENTILE: I vote aye.

17 CLERK: Vacca.

18 COUNCIL MEMBER VACCA: I vote aye.

19 CLERK: Williams.

20 COUNCIL MEMBER WILLIAMS: Aye.

21 CLERK: Cornegy.

22 COUNCIL MEMBER CORNEGY: I vote aye.

23 CLERK: Deutsch.

24 COUNCIL MEMBER DEUTSCH: No.

25 CLERK: Lancman.

1 COMMITTEE ON PUBLIC SAFETY

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2 COUNCIL MEMBER LANCMAN: Aye.

3 CLERK: By a vote of 6 in the
4 affirmative, 1 in the negative and no abstentions,
5 all items have been adopted.

6 CHAIRPERSON GIBSON: Thank you very much
7 and we will keep the roll open for the next 15
8 minutes to allow other members to arrive and place
9 their votes. Thank you once again to all of the
10 members of this committee for joining us today.
11 Thank you to our prime sponsors. Thank you Council
12 Member Williams, Lancman and Council Member Rose for
13 your leadership. We know that this process has not
14 been easy getting today's agenda, but I truly thank
15 you for your work, making sure that we strike a
16 necessary needed balance in the conversation. Thank
17 you once again, colleagues, for being here, and we
18 will keep the rolls open for the next 15 minutes.
19 Thank you. [pause]

20 CLERK: Continuation of Roll Call, the
21 Committee on Public Safety. Council Member Ferreras-
22 Copeland.

23 COUNCIL MEMBER FERRERAS-COPELAND: I vote
24 aye.

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2 CLERK: The vote now stands a 7 in the
3 affirmative, 1 in the negative and no abstentions.
4 [pause] Continuation of roll call, the Committee on
5 Public Safety. Council Member Espinal.

6 COUNCIL MEMBER ESPINAL: Thank you so
7 much. Before I vote I'd like to congratulate and
8 thank our colleagues Rory Lancman and Council Member
9 Williams on introducing these two bills that will
10 bring more accountability to our Police Department
11 especially at a time where the nation is trying to
12 heal and find answers to what's happening between the
13 police community and the--and the community of--of
14 men of color. So thanks to my colleagues and thanks
15 to the Chair for holding this hearing, and--and
16 getting these both. Thank you. I vote aye.

17 CLERK: The final vote now for the
18 Committee on Public Safety now stands at 8 in the
19 affirmative, 1 in the negative and no abstentions.
20 Thank you. [pause]

21 CHAIRPERSON GIBSON: Thank you to all of
22 my colleagues for being here. I also want to
23 acknowledge that we were joined earlier at the
24 beginning of the hearing by Minority Leader Council
25 Member Steve Matteo, who unfortunately was not able

2 to stay for the vote. Thank you to all of my
3 colleagues for being here, for the tremendous work
4 derived to get to this point. Many may not
5 understand it took us over a year to get these use of
6 force reporting bills to an agenda where there was an
7 agreement. So I really want to thank the
8 Administration, the Mayor as well as his staff and
9 others for their work collectively, and recognize our
10 Speaker Melissa Mark-Viverito and all of the members
11 of the City Council. Thank you once again and we are
12 hereby adjourned.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 14, 2016