

Roosevelt Island Residents Association

Minutes of Common Council Meeting, Wednesday, February 6, 2013 Submitted for March 6, 2013 Meeting

Call to Order

A special meeting of the RIRA Common Council was held at the Church of the Good Shepherd Sanctuary on February 6, 2013. The meeting was convened at 8:20 pm. President Ellen Polivy presiding, Barbara Allen - Secretary.

1. Public Session

More than three dozen non Common Council residents of Roosevelt Island attended this meeting - many of them intending to speak in the Public Session. The Public Session lasted for 50 minutes.

- **Deputy Inspector Stephen Cirabisi 114th Precinct** began by introducing himself and giving statistics about the 114th Precinct. It includes Astoria, Long Island City, Woodside, Jackson Heights and Roosevelt Island.

Crime statistics – Index crimes rose in the both NYC and the 114th precinct a little more than 3% in 2012. There are seven major crimes that are classified as index crimes: murder, rape, robbery, burglary, felony assault, grand larceny, and grand larceny auto. Roosevelt Island had a decrease in index crimes last year. In 2011, there were 34 index crimes on RI. In 2012, there were 27. Robberies – 3; Assaults – 7; Grand Larcenies (mostly credit card fraud) – 10; Burglaries – 5; and Rapes (victim and perpetrator were known to each other) – 2.

Officer Sitaris is on the island unless he has to be pulled for another assignment or something comes up. He is usually here every night in conjunction with Public Safety. The 114th Precinct has a good relationship with Public Safety.

Discussion highlights are as follows (Q – question by audience member; E – question/comment by Erin Feely-Nahem; A – answer by Deputy Inspector Cirabisi; C – comment by audience member.)

E: The Public Safety Committee is looking into alternate ways to police Roosevelt Island (RI) because there has been a history of dissatisfaction with the Public Safety Department (PSD). RI residents pay \$1.7 million out of their rent to fund the PSD. We are looking into hiring off duty police officers. We would need 17 – 21 officers across the three shifts.

A: Spoke to commanding officers about this. It was tried at Co-op City in the Bronx and it did not work. The issue is paid details: The officers are assigned to fixed posts. These positions are not put in place to do vertical patrols or patrols around the area. Co-op City wanted the officers to do more than they were allowed to do. This would be the same situation on RI. The commanders do not think it is feasible on RI.

E: Is there another program that is feasible? Some people would like a satellite NYPD site here. What can we do? What are our alternatives? There is no Citizen Complaint Review Board (CCRB) policing the PSD. They need more over site.

A: There are not any other alternatives at this time. The PSD officers get extensive training but not sure of the level of training. He will check to see if they can get more training. PSD officers do a lot of the things that regular police officers do accept they do not have

Roosevelt Island Residents Association

fire arms. He believes that PSD is effective. The 114th precinct does respond to 911 calls. There are no other programs where RI can get more police officers.

Q: A lot of events happen in the city where police are there and are doing more than stationary patrols. Can you research this and get back to us about alternatives? The police have extensive training and a CCRB. We are looking at quality of life issues.

A: Will look into that but does not believe that it can happen. Crime is analyzed along with population and other issues to assign officers to precincts.

Q: Can NYPD take management of PSD?

A: No, they are run by a private company.

Q: What if you call police to report crime against PSD. What do we do if PSD is committing a crime? Will you respond?

A: No, we would not respond to that. It is not considered a crime. What you can do is call 911 or 311 instead of calling PSD. We will respond to the call.

Q: Can citizens complain about PSD Safety to NYPD?

A: No if you feel there is a criminal complaint you can report to Attorney General's Office or State DA's office. It is a private organization that falls under the realm of the state not the city. We have no power over what they do.

C: **Tony Borensi, NYS Assembly Member Micah Kellner's Office.** There is no CCRB and no comparable reporting agency. Senator Micah Kellner has issued a Legislative Complaint Review - a proposal to Inspector General to create a CCRB for peace officers and state police that is comparable to what the city has. A.956 creates the New York State Civilian Complaint Review Board to investigate alleged misconduct by police and peace officers. The only thing that can be done right now with the complaints is to refer them to the Inspector General which is what RIOC did.

Q: Confused about statement concerning rape that victim and perpetrator knew each other. Since sexual assaults usually happen between two people who know each other, why did you characterize that victims knew their attacker?

A: Just trying to make a point that there was no person going around RI sexually assaulting women. There are different categories of rape 1st degree, 2nd degree, and 3rd degree. I was not trying to down play the rapes that occurred on RI. Acquaintance rape is still a crime.

Several people in the audience made comments and asked Deputy Inspector Cirabisi about PSD. He commented that he was not here to address PSD because it has nothing to do with NYPD. He was just here to talk about the NYPD. The President attempted to get the meeting back on track.

Q: Does RI have a low crime rate in reference to the city?

A: It is hard to compare it to other neighborhoods. NYC does not break down crime rates by neighborhoods. It is done by precincts then by sectors.

NYPD RI Community Officer Sitaris spoke briefly about programs the NYPD has for young people. He is looking to do a meet and greet with the youth on RI. He also wants to do a second meet and greet in conjunction with PSD and the youth on RI. The 114th Precinct Community Council meetings are held the fourth Tuesday of the month at 7:00 pm. at Ricardo's

Roosevelt Island Residents Association

located at 21-04 24th Ave. Everyone in 114th precinct is invited to attend. Also attending are Community Council President, members from City Council, Community Board, local officials, Assembly Members, Senators, Officer Sitaris, and police officers from the 114th precinct.

Erin Feely-Nahem presented a commendation from RIRA – a plaque to Officer Sitaris.

- **Lynda Jones- Janneh** – Principal Community Affairs Coordinator (Precincts: 9, 13, 17, 19, 114, PSA 4). She is the Community Liaison from the DA's office. She gave an overview of the Trespass Affidavit Program (TAP). She first introduced Denise Leavano (?) who will take over RI. Managing agents for properties on RI have signed affidavits that give 114th narcotic officers, police officers, and PSD the permission and authority to enter buildings to conduct vertical patrols. They have a list of tenants and can stop people who enter who do not live in the building. Original intent was to deal with illegal building activity. What it does is give police officers the authority to make arrests without waiting hours for the DA. Many buildings on RI have been enrolled in the program for more than 16 years. Buildings must have signs posted saying that they are a part of the TAP program. The affidavit expires every six months. The managing agents make the determination of whether or not to renew it. Police officers have the discretion to do as follows: process persons and charge them with a misdemeanor; properly ID them and give them a summons; or give them a warning.

Q: How does DA's office respond to fact that TAP program is unconstitutional?

A: Not true. It has been challenged. Every borough in NYC has some version of this program. There was a problem with the way it was enforced in the Bronx. There is no problem in Manhattan.

Residents on RI have the right to file a complaint with the DA's office. The DA's office has not received any complaint from the incidents talked about tonight. Saying it in a public forum is not the same as reporting to the DA's office. Ms. Jones- Janneh will not take a private statement in a public meeting. It has to be done at the DA's office.

Because of time constraints, Ms. Jones- Janneh will be invited back to discuss this issue.

2. Roll Call

28 members in attendance, 13 members not in attendance. Quorum achieved.

Members not in attendance: Cynthia Ahn, Trevre Andrews, Jim Bates, Eva Bosbach, Arnold Cohen, Ahmad Darwish, Vivian Hines, Julina Hooks, Linda Maynard-Hall, Bryn Bass McCleary, Joyce Mincheff, George Ohring, and Mona Sen.

3. Approval of Agenda

Motion: Aaron Hamburger moved to approve the agenda. The President asked for objection to unanimous approval of agenda; there was none. Motion passes.

4. Approval of Minutes

Minutes from January 2013 meeting not submitted. January minutes will be submitted and approved at March 2013 meeting.

5. Treasurer's Report

Reconciled Bank Statement - \$3,918.36

6. President's Report

Peter Digilio resigned from the Common Council. Bryn Bass McCleary moved from Manhattan Park and is now a member of Rivercross. Joseph Strong has now moved from alternate at Manhattan Park to full member.

Larry Schwartz, Secretary to Governor Cuomo, has agreed to come to Roosevelt Island. This will be a major opportunity to talk to the Governor. The President will inform community when he will be here.

7. Committee Reports

- **Planning – Chair: Frank Farance**

The Planning Committee did not meet. There is a meeting scheduled for Wednesday, February 13 at Island House Community Room. Frank Farance will send announcement.

- **Public Safety – Chair: Erin Feely-Nahem**

In 2008 residents voted for a review board (1,038-67). There has been a pattern of abuse by PSD for more than five years on RI during the arrest process. In October, 2012, Neil Stueber reported to the RIRA meeting about abuse he suffered at the hands of Public Safety. RIRA passed a resolution to ask RIOC to investigate. RIRA sent a letter, but RIOC has not responded. Because of an overwhelming concern from RI residents about the PSD, RIRA had a special session during the Public Safety Committee report. Fifteen residents signed up to speak during this special session. Because of time constraints, all were not able to speak. The list of residents who signed to speak is as follows:

- | | | |
|-------------------|----------------------|---------------------|
| 1. Jenna Stueber | 6. Juyana Armstrong | 11. Mogens Petersen |
| 2. Neal Stueber | 7. Romano T. Reid | 12. Mark Lyon |
| 3. Chris Enock | 8. Laila Amatullah | 13. Mickey Rindler |
| 4. Adib Mansour | 9. Michael Churchill | 14. Helen Chirivas |
| 5. Mimi Ferdinand | 10. Julia Palermo | 15. Makeva Francis |

A 56 minute discussion about abuse and brutality involving the PSD ensued. Brief synopsis of four speakers follows: (See full stories <https://www.facebook.com/RICitizensBlotter>.)

Incident: Thursday July 26, 2012 - Jenna and Neil Stueber spoke about an incident involving a traffic stop. Jenna Stueber was stopped by Public Safety Officer Sgt. Ingrid Veras for attempting to go around a stopped Red Bus. Ms. Stueber was asked for her license and insurance. She did not know where the insurance for the car was and called for her parents to give her the info. Her father came to the car to find the insurance papers and went to the Public Safety Office to give them to the officer. According to the Stuebers, Officer Veras began cursing Mr. Stueber who questioned her behavior. She then told other officers in the office to cuff him. He was beaten, cuffed, arrested, and taken away on a stretcher. Officer Veras has been suspended 11 times – 3 times without pay. She still has a job. Neil Stueber lost his job as a result of this incident.

Incident: July 14 2009 - Kimberly Ferdinand spoke about an incident involving a traffic stop. Ms. Ferdinand was stopped and ticketed by Public Safety Officer Nicholas Sage for talking on a cell phone while driving. Officer Sage walked away from the car to write the ticket. While he was away, her brother Herns walked up to her car to ask about what was happening. According to Ms. Ferdinand, her brother was attacked by several officers and maced. When

she got out of her car to attend to her brother, she was also attacked and handcuffed. They were both arrested and handcuffed until the next morning without food or water.

Incident: October 10, 2010 - Elaine Jackson sent a written account of what happened to her family that was read by Erin Feeley-Neeham. Ms. Jackson's 14 year old twin sons were brutally attacked by several PS officers including Brian Rivera and David Vernet. One of her sons was punched in the face, and knocked on the floor by Brian Rivera. His brother tried to help him, when several of PSD officers came out of the office, and starting to punch, kick, stomp, even tried to throw his brother through the PSD office glass. The twins were beaten up so bad EMS had to be called to take them to the hospital. Both were in handcuffs while receiving treatment from the pediatrician at Elmhurst Hospital.

Incident, January 30, 2013 - Monica Vega, spoke about her son, Anthony Jones, who was beaten near to death by the PSD. She is asking the Manhattan DA to prosecute her son's attackers. He was maced, severely kicked, beaten, and then handcuffed. He was then taken to the department's holding cell in their Main St. headquarters, where he told cops he couldn't breathe. He was eventually taken to Elmhurst Hospital in Queens, where he was handcuffed to a bed and diagnosed with pneumonia. When his condition didn't improve, he was transferred to Mount Sinai Hospital in Manhattan, where doctors found his ribs had been fractured and pierced his lung, filling it with blood. He was hospitalized for seven days, and handcuffed for five — and never charged with a crime. A 56 minute discussion about abuse and brutality involving the Public Safety Department ensued.

Suggestion: by Ilonka Salisbury to take action instead of hearing more stories.

Erin Feely-Nahem brought two resolutions before the Common Council for approval. The President asked for a roll call vote for both resolutions. (See below.)

In favor – 25 Oppose – 0 Total votes - 25. Resolutions pass.

Resolution #1

- Whereas, the residents of RI feel that PSD uses excessive force.
- Whereas, the residents disagree with the "maximum enforcement" and "zero tolerance" policies used under Director Guerra and his leadership.
- Whereas the residents feel that a hostile, abusive, and intimidating atmosphere is created by the Public Safety Department, as directed by its leadership.
- Whereas, the RIRA Public Safety Committee has expressed these concerns and made suggestions for reform for many years
- Whereas there has been virtually no improvement in Public Safety's behavior or its relationship to the community.
- Whereas Director Guerra does not objectively review or investigate the complaints made against his officers.
- Whereas the situation has been worsening significantly in the past year

Therefore, RIRA requests RIOC terminate the services of Director Guerra, Deputy Director Bryan, Lieutenant Yee, and other top PSD leadership as RIOC may deem necessary.

Roosevelt Island Residents Association

Resolution #2

The Public Safety Committee, forwards to the RIRA Common Council, a request that the RIRA Common Council endorse, sponsor and promote a peaceful demonstration, scheduled for February 16, 2013, to be held in the Good Shepherd Plaza, to address Public Safety Concerns.

Erin Feely –Nahem then read two letters by the PSC to send to Governor Cuomo and Senator Serrano. The President asked for objections to unanimous approval; there was none. Letters were approved to be sent.

At the end of the Public Safety Committee section of the meeting most of the residents got up to leave the room. There was a lot of noise and confusion and the President asked that everyone who was leaving do so quickly. At that time, most of the people in the room left including several Common Council members. That left 20 Common Council members in the meeting which is not enough for a quorum.

- **Social, Cultural, & Educational – Chair: Lynne Shinozaki**

SC&E requested \$400 for seed money for an Easter Egg Hunt. By show of hands, the request was approved unanimously. Since there were not enough members present for a quorum, the President decided to send the request via email to the Common Council members for a vote before the March meeting.

8. Adjourn

Motion: Jeff Escobar moved to adjourn the meeting because there was no longer a quorum. The president asked for objection to unanimous approval; there was none. Meeting was adjourned at 10:30 pm.

Agenda items not addressed in meeting:

7. Committee Reports - Island Services, Public Purpose Fund Sub-Committee, Housing Committee, Government Relations, Communications
8. Old Business – motion regarding Robert’s Rules
9. New Business

Submitted by: Barbara Allen
March 1, 2013