



HEARING NOTES

Bill: LO23-0039

Oversight Brooklyn Mass Shooting

Committee: Public Safety and Government Operations

Chaired by: Mark Conway

Hearing Date: September 13, 2023

Time (Beginning): 1:10 PM

Time (Ending): 3:30 PM

Location: Du Burns Council Chamber / Webex Virtual Hearing

Total Attendance: Approximately 110 people

Committee Members in Attendance:

- Mark Conway (Chairman)
Phylicia Porter (Committee member)
Antonio Glover (Committee member)
Eric Costello (Committee member)
Kristerfer Burnett (Committee member)
Zeke Cohen (Committee member)
Odette Ramos (Committee member)
James Torrence
Nick Mosby

Bill Synopsis in the file? [X] YES [] NO [] N/A
Attendance sheet in the file? [X] YES [] NO [] N/A
Agency reports read? [X] YES [] NO [] N/A
Hearing televised or audio-digitally recorded? [X] YES [] NO [] N/A
Certification of advertising/posting notices in the file? [] YES [] NO [X] N/A
Evidence of notification to property owners? [] YES [] NO [X] N/A
Final vote taken at this hearing? [] YES [X] NO [] N/A
Motioned by:
Seconded by:
Final Vote:

Major Speakers

(This is not an attendance record.)

- Faith Leech - Chief Administrative Officer
Eric Melancon BPD Deputy Commissioner Compliance Bureau
Richard Worley Acting Police Commissioner

Major Issues Discussed

1. Chairman Conway called the hearing to order and introduced the committee members in attendance.
2. Chairman Conway made brief opening remarks.
3. CAO Faith Leech began an interagency presentation.
4. Acting Commissioner Worley began a BPD presentation.
5. Deputy Commissioner Melancon presented a presentation of the BPD After Action Report.
 - a. During the Deputy Commissioner's presentation several stops were made for questions from Council Members.
6. Questions from the Council Members included:
 - a. How many officers have been referred to the Public Integrity Bureau from this incident?
 - i. BPD was not able to comment on this because of ongoing investigations.
 - b. What staff changes have been made?
 - i. Thus far only the Major in the district has been reassigned.
 - c. Questions about discrepancy in the first call of the timeline.
 - i. Clarified as regarding the report timeline.
 - d. Did the BPD office of Equity have conversations with residents about Brooklyn Day?
 - i. They did – but that information did not make it to leadership.
 - e. Was the only intelligence the social media post from June 28th.
 - i. Yes – but prior experience should have also served as intelligence. This highlights an overreliance on the Open-Source Unit and formal structures for intelligence.
 - f. How many devices were checked for text messages?
 - i. While formal communications means were checked such as the Evertell system phone text messages were not due to concerns about the Public Integrity Unit's investigations. Some text messages were volunteered.
 - g. Deep dive into officer performance outside of Brooklyn day – how are they serving the community?
 - h. Where SWAT teams on call on Brooklyn Day?
 - i. No but other resources were available.
 - i. Why was the department not on high alert?
 - i. The department was – but the information about Brooklyn day not escalated up. This may speak to officer indifference.
 - j. Lack of specificity regarding why there was no follow-up on the June 28th social media post.
 - i. Lack of coordination between Intelligence and Patrol. Patrol has not engaged yet on who this was and why it did not happen. It is a part of the Public Integrity Unit's investigation.
 - k. When dispatch attempted to dispatch officers and received a no – what happens?
 - i. The call was that no police services were required – this was an error in judgment. This is evidence potentially of indifference on the part of the BPD in the district serving Brooklyn.
 - ii. Review of 2022 shows fewer calls being coded for service, fewer reports being written and a different level of service being offered to Brooklyn residents than in other parts of the city. This is also potentially evidence of indifference.

- l. Who monitors social media – sworn officers or civilians? Has there been an increase in resources in the unit that monitors since Brooklyn day?
 - i. A mix of both, Yes and trying to hire more.
 - m. Do we have a comparison of this from before Brooklyn Day and After?
 - i. BPD will need to follow up.
 - n. What are the current protocols for information sharing?
 - i. Majors will produce a transition document for their districts and start a living body of knowledge on communities in the city.
 - o. Have there been issues with processing the crime scene – there have been media reports of mishandling the Brooklyn Homes crime scene.
 - i. Commissioner Worley says that this is a misreport in the press – the crime scene was properly documented.
7. Director Blither of the BPD Equity office continued the presentation.
8. Council Members began a new series of questions which included:
- a. Staffing in the BPD.
 - i. BPD is working to address issues around staffing as a part of the redistricting plan, and recruitment efforts. They are also reaching out to recently retired officers to ask them back and working with other local law enforcement agencies such as the transit police, sheriff’s office, university police, and state police. There are also MOUs with agencies outside of the City but the fact that when entering city limits those units need to abide by the consent decree has presented some challenges.
 - b. Did BPD work with the Office of Equity and Civil Rights on the report?
 - i. Yes, they were consulted.
 - ii. The Office of Equity and Civil Rights is also working on its own equity assessment.
 - c. How are NCO’s trained?
 - i. At the academy – BPD noted that there is work to be done in NCO training.
9. The Chair recognized the public testimony of Mrs. Crystal Gonzalez
- a. The Chair called for a five-minute recess following the testimony of Mrs. Gonzalez.
 - b. The Chair called for a recess to the hearing after this.

Further Study

Was further study requested?

Yes **No**

If yes, describe.

A review of resources in the Open-Source Intelligence Unit Pre and Post Brooklyn Day.

Report recommendation 6 – developing SOP on large events – BPD says this should be ready by the end of the month – Committee is requesting this forwarded to the Committee.

Committee Vote:

M. Conway:

K. Burnett:
Z. Cohen:
E. Costello:
A. Glover:
P. Porter:
O. Ramos:

Tony Leva,
Committee Staff

Date: September 14, 2023

Cc: Bill File
OCS Chrono File