

New York's Civilian Complaint Review Board exposed as accomplice of NYPD

Fred Mazelis
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More than nine months after New York City protests in the immediate aftermath of the killing of George Floyd in Minneapolis, Minnesota met with a brutal police response, including scores of injuries and mass arrests, ProPublica reports that the city's Civilian Complaint Review Board (CCRB) has released no reports from investigations into the hundreds of complaints lodged over police abuse in connection with those demonstrations and later ones in the course of the year.

The investigative journalism project begins its report on the lack of response this week by citing the New York Police Department's (NYPD) rampage against peaceful protesters in the Bronx on June 4, reported at that time by the WSW.

"Officers soon waded into the crowd, pepper-spraying, kicking, punching and swinging their batons," as ProPublica describes the scene. "'People were being stampeded, they would try to get up and they'd get hit again,' recalled Conrad Blackburn, a criminal defense lawyer who was there as a legal observer. 'People were bleeding from their heads, with cuts all over their bodies. People couldn't breathe. They couldn't see.'"

The June 4 events were among the most notorious, but by no means the only example of police brutality in the past year. About 60 people were injured on that date, including onlookers as well as demonstrators. The NYPD's top uniformed officer, Chief of Department Terence Monahan, was overseeing the police riot, according to ProPublica.

Despite the numerous complaints submitted to the CCRB about the police conduct under his watch in the Bronx, however, it was not until March 5 of this year that Monahan was scheduled for an interview by the civilian board that supposedly holds the police to account.

It is probably not a coincidence that the scheduled interview was set for just after Monahan announced he was retiring after 39 years as a cop. And "progressive" mayor Bill de Blasio announced that the former Chief of Department, still under investigation, would now be assisting in the city's COVID-19 response.

ProPublica provides many more damning details pointing

to a cover-up of the role of the police through the months of protests that followed the murder of George Floyd. There were a total of about 750 police complaints during the past year, and none have been reported on.

The CCRB, created almost 70 years ago, was at first completely under the jurisdiction of the NYPD itself, but was later granted some nominal independence, even including subpoena powers, about 30 years ago.

With some 200 staff members and a budget of about \$20 million, however, the agency has required the cooperation of the very same department it is investigating. The NYPD has a budget of \$6 billion and, in the words of ProPublica, is "the most powerful agency in city government."

When various staff began to push for more cooperation from the NYPD in connection with last year's protests, including the release of body camera footage and other materials, they were actively discouraged from within the agency itself. The chief of the CCRB's investigative unit, Dane Buchanan, and the head of policy, Nicole Napolitano, were abruptly laid off, along with two other staff, in November. The four staff members had 50 years' experience between them. The grounds given were cost-savings and restructuring. The four who were laid off filed suit last January. As ProPublica reports, they claimed "they were fired in part as retaliation for 'demanding greater accountability and transparency with respect to the handling of complaints of police misconduct against NYPD officers.'"

ProPublica also reports that the CCRB will provide no accounting of where it stands in the ongoing investigations, nor any information on how many officers have been charged with violations of policy in connection with brutality that was witnessed by scores of people, including bystanders as well as peaceful protesters. The role of the CCRB has become so obvious that even its own staff can no longer pretend that it is carrying out its legal responsibilities.

The details of this cover-up of months of brutality were reported in the same week that the NYPD began publishing an online database of police disciplinary records. Last year

the New York state legislature repealed the so-called “50-a provision,” whereby the NYPD was allowed to keep secret the records of charges and punishments against individual cops involved in cases of abuse and brutality.

The police unions went to court to prevent the new rule from being implemented, but a state appeals court ruled against them last week. No longer, it was hoped, would police officers be allowed to go about their business without the broader public being able to check on their behavior.

Here too, however, as in the case of the CCRB, things turned out to be more complicated. According to Gothamist, civil liberties advocates “charge that the database that launched on Monday is aimed at bolstering the NYPD’s reputation, rather than providing the public with useful information about police officers who abuse their position and violate public trust.”

The records indicate an officer’s rank, promotions, training history, departmental commendations and disciplinary history. The public database includes only cases where a police officer was found guilty or pled guilty to charges, however. They do not include any charges brought before 2014, nor do they include cases where a cop was not disciplined, or faced a lesser punishment such as training.

Gothamist gives two notorious examples: Lieutenant Michael Raso, who has had eight complaints substantiated by the CCRB, but has no disciplinary history on the NYPD database; and Sergeant David Grieco, one of the NYPD’s “most-sued cops,” according to Gothamist, and the subject of an investigation stretching over years, but who is also listed as without disciplinary history. The two officers instead are listed as having 169 departmental awards and commendations between them!

“This is a very narrow set of cases that leaves out an enormous amount of important information about officer misconduct,” Chris Dunn, the legal director for the New York Civil Liberties Union, told Gothamist, in a major understatement. “This is a union friendly release.”

Lumumba Bandele, a spokesperson for Communities United for Police Reform, was more blunt. “This isn’t transparency, it’s a PR tool for the NYPD and a gift to racist and toxic police unions,” he said in a statement released Monday. “The de Blasio administration prioritized going back decades to include commendations and arrests by cops while including only a sliver of misconduct and discipline information from a handful of years—all to shield abusive officers and the NYPD from transparency.”

The abusive behavior of the NYPD seen last year is not new. The “kettling” technique, in which peaceful protesters are virtually imprisoned behind police barricades, unable to come and go as the First Amendment right of free assembly guarantees, became very well-known during the mass

protests on the eve of and in the early years after the US invasion of Iraq. These were also the years in which the blatantly illegal “stop-and-frisk” procedure was used to stop hundreds of thousands of workers and youth, especially African American and Hispanic, every year, funneling many into jails and prisons.

In 2004, mass protests at that summer’s Republican National Convention in New York led to hundreds of illegal arrests, under the supervision of the same Terence Monahan who continued his climb up the rungs of the NYPD until his just-announced retirement. These arrests were the object of a lawsuit settled by the city for the sum of \$18 million.

Almost eight years ago, Mayor de Blasio ran for mayor on the basis of ringing denunciations of “stop-and-frisk,” which had just been ruled unconstitutional in Federal District Court. It did not take very long for him to reveal himself as the defender of brutality, as the latest ProPublica revelations prove yet again. Nor do any of the candidates vying to succeed de Blasio in the upcoming Democratic primary in June have anything different to offer. The primary consideration is not even their personal views or any qualms they may have when the police go into action. Any Democratic Party politician who has ever run for or held office has already been tested and made clear that they will uphold the need for capitalist law and order.

Whatever admissions and lawsuit settlements they are obliged to make from time to time, these are just the cost of doing business. The Democrats, like the Republicans, turn to the “bodies of armed men,” in the words of Frederick Engels, to defend their outmoded social order.

The events of the past few months have driven home—especially the participation of active and retired police and military in the attempted coup of January 6—that the long history of police violence in the United States now threatens to quickly escalate into outright dictatorship.

As the WSWS pointed out last June, “it is no more possible to eliminate police brutality than it is to eliminate poverty, inequality and war under the capitalist system.” The existing state machine cannot be reformed or used by the working class. It is necessary to break from the parties of big business and build a revolutionary leadership to fight for a socialist program, putting an end to the system that requires police violence and brutality, and threatening dictatorship and war.



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