

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Floyd v. City of New York

PL 1206 TRACK 1

*February, 2013*

1 MAN ON MIC: Okay.

2 MAN: All right. [UNINTEL PHRASE] to  
3 appeal the evaluate [UNINTEL PHRASE]. All right.  
4 [UNINTEL] All right. You're appealing [UNINTEL  
5 PHRASE] evaluate which is 2012. All right? Any--  
6 We got to know what the reason is for your  
7 appeal.

8 MAN ON MIC: Factual. I was instructed  
9 by Captain [MADARASO?] that when I--I appealed it  
10 last year. I walked in and I told him, why am I  
11 getting a 3.0? I told about the 20-something  
12 points, and I expressed myself on each one of  
13 them. And she basically said that my activity was  
14 half of that score and that I have to get my  
15 activity up.

16 So what I did is, as you can see, I  
17 doubled my arrests, doubled my C summonses. She  
18 specifically said to raise my arrests, 250s, my  
19 C's and my B's. She didn't really go into A's. So  
20 I did so. All of them were raised. And this is  
21 why I think it was just unfair because I did  
22 exactly what she said and I raised everything.

23 Now, the 250s are wrong, because they  
24 were--well, two things were wrong there that I  
25 believe. The arrests, I have eight arrests, not

1 nine. I checked [MEMO?] books. And my two--

2 MAN: You didn't get signed ones.

3 [UNINTEL PHRASE] put your name down as [UNINTEL  
4 PHRASE].

5 MAN ON MIC: Okay. Well, the other one--

6 And the 250s, I gave about five or six, not two.

7 So, in the 250s, I think it was around the same

8 number and everything else went up. There was

9 also something written by somebody saying that I

10 need supervision. And never was expressed to me

11 in what way or manner. Every time I go out there,

12 I'm--

13 MAN 2: I'm sorry. Just real quick, the

14 250s, just so I know to form analysis, you have

15 that document in your [MEMO?] book [UNINTEL

16 PHRASE]? Do you have them all down?

17 MAN ON MIC: Yes, yes. I'm going to get

18 the--I have a--I just got--I went through them

19 one by one. They're there. And I made sure that I

20 had it that day.

21 MAN 2: [UNINTEL PHRASE] anything

22 [UNINTEL PHRASE] two logs, a hand-written log and

23 a computerized log that have to be--I just want

24 to make sure that we have the right number

25 [UNINTEL PHRASE].

1                   MAN ON MIC: Okay. But it's in [MEMO?]  
2 book. It's there. And I know it's more than, I  
3 think, two or three. I don't know what the number  
4 is. Well, I did exactly what she said. I improved  
5 my activity. I did everything she wanted to. And  
6 I don't understand why it's still a 3.0.

7                   And then there was a comment there.  
8 Last year, it said the ability to be a leader,  
9 and now it says that I need supervision. I don't  
10 understand. I never request sergeants to the  
11 scene unless they have to be.

12                   I know my job to the point where all I  
13 need is a nudge in a direction. I do exactly what  
14 I have to do when I have to do it, and I don't  
15 understand why I'm being picked on here.

16                   MAN 2: Okay. Inspector, do you have any  
17 other questions [UNINTEL PHRASE]?

18                   INSPECTOR: Yeah. Well, first of all, I  
19 believe, because I spoke to the [SO?] about this,  
20 about like Sgt. [McCORMACK?], Lt. [PATELLI?],  
21 [UNINTEL PHRASE]. I know the [SO/XO?] spoke to  
22 you about handling your conditions, not about  
23 activity.

24                   MAN ON MIC: Okay.

25                   INSPECTOR: Okay? Off the bat, you said

1 you had eight arrests last year, which is  
2 fantastic. You know, I mean, you've got eight  
3 arrests. You didn't double it.

4 MAN ON MIC: I had four.

5 INSPECTOR: You went from--you went from  
6 five to eight.

7 MAN ON MIC: Okay. Approximately double.

8 INSPECTOR: All right. You did pretty  
9 good. You know, you definitely picked up on the C  
10 summonses, and the 250s are what you handed in.  
11 If you failed to hand in something or you have  
12 documentation that somebody handed it to, it's  
13 only two.

14 MAN ON MIC: What--

15 INSPECTOR: That was in the computer.  
16 Now, the problem that we see here is that, you  
17 know, on your 4-12 tour, what's your biggest  
18 condition crime-wise?

19 MAN ON MIC: Well, are you talking about  
20 the entire precinct? It's basically a lot of  
21 shootings--

22 INSPECTOR: Yeah. [UNINTEL PHRASE]

23 MAN ON MIC: --shootings and robberies.

24 INSPECTOR: Shootings and robberies.

25 You're right on the money there.

1 MAN ON MIC: Right. I go in--I go to--

2 INSPECTOR: And sometimes grand

3 larcenies.

4 MAN ON MIC: Yeah. I mean, it's--to be  
5 honest, it's just crime in general. There's so  
6 many--so much crime.

7 INSPECTOR: So what do you do to help  
8 prevent that?

9 MAN ON MIC: Well, I do verticals. I do  
10 directives. And I interact with the public. I do--  
11 -you know, if there's a crowd, I ask them to  
12 move. There's--

13 INSPECTOR: Why are you asking crowds to  
14 move?

15 MAN ON MIC: Because if it's too--if  
16 they're blocking the entrance or if there's too  
17 many of them, right, I believe that--I ask them.

18 MAN 2: How's that indicative of a  
19 robbery or crime?

20 MAN ON MIC: Excuse me?

21 MAN 2: How is that indicative of a  
22 robbery or a crime, a crowd blocking an entrance?

23 MAN ON MIC: Well, it's not. It's a C  
24 summons. But it could lead into something. It  
25 could lead into--

1                   MAN 2: Whoa. Why is it a C summons?

2                   MAN ON MIC: Well, they're blocking  
3 pedestrian traffic going in and out of a  
4 [UNINTEL]. Or some old lady wants to go up or  
5 down the stairs and they're blocking the stairs.  
6 Now, my first thing is to speak to people like  
7 human beings. I talk to them.

8                   I say excuse me, I need you to move.  
9 Then I do a couple laps around. Then I come back  
10 to see if they actually did move. And then I  
11 summonsed them. I actually did this in front of  
12 [MONROE?] once who were witnessed where I went  
13 into a domestic issue.

14                   Some guy was acting belligerent with  
15 his people and they were blocking the pedestrian  
16 traffic. And I asked him, hey, I need you to  
17 move. I walked back across the street, and they  
18 continued. I went back across the street and then  
19 I summonsed that individual for doing such a  
20 thing.

21                   I believe to first ask someone to move  
22 and then summons only because that's just  
23 something I like to do.

24                   INSPECTOR: No. We got robberies. We're  
25 up 23 percent in robberies. Last year, we were up

1 12 percent [UNINTEL PHRASE] last year. Shootings,  
2 we knocked down, thank God. It was [UNINTEL] but  
3 we're still one of the most violent commands in  
4 the city.

5 MAN ON MIC: Yes.

6 INSPECTOR: And to stop two people, you  
7 know, to see only two things going on, that's  
8 almost like you're purposely not doing your job  
9 at all.

10 MAN ON MIC: Well, again--

11 INSPECTOR: [UNINTEL PHRASE] point here  
12 is that 99 percent of these people in this  
13 community are great, hardworking people who  
14 deserve to walk to the train stop, walk to their  
15 car, walk to the store [UNINTEL].

16 You know, in the [UNINTEL], they had a  
17 little kid shot in the head in the playground.  
18 You know, thank God the [UNINTEL] last year  
19 didn't have that. We had that a couple years ago,  
20 you know, innocent people getting shot.

21 We had a couple innocent people shot  
22 last year. But thank God, they weren't little  
23 kids. We had a 66 or 68-year-old lady who got  
24 shot coming out of an elevator from the church at  
25 10:00 in the morning. It's a very violent

1 location, and I just don't see anything that  
2 you're doing. It seems like you are purposely not  
3 doing anything to help prevent the shootings, the  
4 robberies and the grand larcenies.

5 And the way to prevent that stuff is to  
6 be proactive and go places in your sector that  
7 you're assigned that are having problems and  
8 doing something about it, you know.

9 So said you brought about [UNINTEL] the  
10 way you move some people off the street. That's  
11 fantastic. But unfortunately, sometimes with  
12 these kids, you need to go out and be a proactive  
13 approach.

14 And, you know, two 250s for a year and  
15 handling such a violent place, violent shootings,  
16 violent robberies, violent grand larcenies, it's  
17 not fair to the public that you're not doing your  
18 job.

19 MAN ON MIC: I believe I am doing my  
20 job, but continue.

21 INSPECTOR: It's just, you know, for the  
22 4-12s in the 4-0, you know, I could see in  
23 Central Park maybe that would be fine, but this  
24 ain't Central Park. And it's not fair for these  
25 people that you're not doing--you're not going

1 out there and being proactive in helping these  
2 people try to better their lives.

3 We need to do this. That's something  
4 that we need to do. And we get everybody here to  
5 help out and work and definitely be something  
6 that we can hopefully establish this community  
7 into a better, non-violent place and hope that no  
8 kids will get shot, no [UNINTEL PHRASE] 68-year-  
9 old going to, you know, church, 10:00 on a Sunday  
10 morning.

11 So again, we don't want to talk about  
12 activity. We don't, you know, unfortunately--and  
13 I probably use this example at roll calls and  
14 stuff like that. I was born and raised in the  
15 Bronx. You know, if somebody drove up the street  
16 and saw my dad drinking a beer, fixing a car and  
17 you went out and hammered him with a summons, I  
18 guarantee you corrected that condition.

19 My father would never have a beer out  
20 in the car sitting there, you know, fixing the  
21 car again. But unfortunately, you know, just take  
22 example [UNINTEL PHRASE] because that was where  
23 he struggled dramatically last year.

24 I mean, they were killing us. And in  
25 robberies. Not even that. In shootings, but

1 robberies and grand larcenies, and one summons or  
2 one 250 at that location doesn't do it. The  
3 [UNINTEL] community, the violence calmed down  
4 after the takedown.

5 That was tremendous. That was a year's  
6 worth of work that they did to knock it out. And  
7 it helped out. And we have to go out there and  
8 maintain it to make sure that these kids aren't  
9 coming out here to have a chance to go out and  
10 think they can just rob and steal like it's free.

11 We need to go out there and--I don't  
12 know what it is. I don't know if it's 20, 100,  
13 200, whatever it is to make sure that the kids--  
14 and it's the right kids in the right place at the  
15 right time.

16 Again, it's not walking into Mott Haven  
17 and giving a 65-year-old person playing chess in  
18 a park where you're probably not supposed to have  
19 adults in it or something like that, some stupid  
20 parks rule or something like that. It's the right  
21 people in the right place at the right location  
22 who's doing it.

23 And whatever group that is, the black,  
24 Hispanic, whatever it is. This whole precinct  
25 moves around in different spots of who's doing

1 crimes. So we got to make sure we stay on top of  
2 that.

3 Take a quick look at your summonses.  
4 You did write more B's last year in 2012 than you  
5 did in '11, which is great. But what kind of B's  
6 are you writing, because we looked it up. Are you  
7 aware of what the hazardous ones are?

8 MAN ON MIC: I have a pretty good idea  
9 of what hazards are.

10 INSPECTOR: I mean, I don't know all of  
11 them off the top of my head either. So, I mean,  
12 can you draw a couple of simple ones out of  
13 there?

14 MAN ON MIC: I think they moved--maybe  
15 cell phone, maybe [UNINTEL] signs or lights,  
16 etcetera.

17 INSPECTOR: [UNINTEL] lights, cell  
18 phones, you know--

19 MAN 2: Brake lights.

20 INSPECTOR: What's that?

21 MAN 2: Brake lights.

22 INSPECTOR: No, no. They're not--brake  
23 lights are not that.

24 MAN 2: Okay. Headlights.

25 MAN ON MIC: Right.

1 INSPECTOR: But, you know, [UNINTEL]  
2 stuff that--how many of those did you write? Do  
3 you have any idea?

4 MAN ON MIC: Probably most of mine were--  
5 -may I address what you said before?

6 INSPECTOR: Sure.

7 MAN ON MIC: Because you addressed a  
8 whole bunch of stuff. I'll get back to that if  
9 you don't mind. You saying that I'm not doing  
10 anything to address--besides [UNINTEL] the jobs,  
11 which are very busy 4-12's, I pass by and I  
12 reserve the right to [UNINTEL] everybody. So I  
13 walk up to people--

14 INSPECTOR: Well, when you say  
15 [UNINTEL], what do you mean by [UNINTEL]?

16 MAN ON MIC: Well, again, there are  
17 people standing there, and they're blocking the  
18 pedestrian traffic. And I explained it.

19 INSPECTOR: Are you stopping them?

20 MAN ON MIC: I'm not stopping them. I'm  
21 walking up to them and I'm saying, excuse me,  
22 you're blocking this. I need you to disperse.

23 INSPECTOR: [UNINTEL PHRASE] stop?  
24 [UNINTEL PHRASE] to stop--stop, question, frisk.  
25 It's a stop, question, frisk.

1                   MAN ON MIC: Okay, I'm--

2                   INSPECTOR: So you're stopping them.

3                   MAN ON MIC: I don't believe I am.

4                   INSPECTOR: [UNINTEL PHRASE].

5                   MAN ON MIC: I just--I'm addressing

6           them.

7                   INSPECTOR: Listen to me. Listen to me.

8           It's called stop, question, frisk. If you stop

9           someone, you have to put it on paper.

10                  MAN ON MIC: Okay.

11                  INSPECTOR: Where's the documentation?

12                  MAN ON MIC: I did not stop them, in my

13           opinion.

14                  INSPECTOR: It's not your opinion.

15                  MAN ON MIC: Okay.

16                  INSPECTOR: It's what the law is and

17           what the facts are. Are you stopping them?

18                  MAN ON MIC: No, I don't believe I am.

19                  INSPECTOR: You just told me you are

20           stopping them.

21                  MAN ON MIC: I did not. They're

22           standing still,--

23                  INSPECTOR: You told me--

24                  MAN ON MIC: --I clock the car...

25                  INSPECTOR: You just told me you are

1 stopping them and telling them to move.

2 MAN ON MIC: All right. Well, I'm asking  
3 them to move.

4 INSPECTOR: [UNINTEL PHRASE] stop,  
5 question and frisk.

6 MAN ON MIC: I will change that for  
7 tomorrow.

8 INSPECTOR: All right? If you stop  
9 someone--even if you just say, hey, [UNINTEL  
10 PHRASE], come here, that's a stop.

11 MAN ON MIC: I didn't do that. They're  
12 already standing there. I pulled over. I said,  
13 excuse me, gentlemen, I need you to move.

14 INSPECTOR: If you're giving your  
15 attention for a second--hey, how are you doing?  
16 Come here, you have to move--that's a stop.

17 MAN ON MIC: All right. Well, I will  
18 address that next time.

19 INSPECTOR: Stop, question and frisk.  
20 There's all three. If you stop someone just to  
21 stop someone, not questioning them, not searching  
22 them, all right?

23 MAN ON MIC: Okay. At the time, I didn't  
24 believe it. But since you're telling me, I will  
25 change it.

1 INSPECTOR: No, no, no. Listen to me.

2 MAN ON MIC: I will address it.

3 INSPECTOR: Did you go through the  
4 academy?

5 MAN ON MIC: Yes.

6 INSPECTOR: Yes?

7 MAN ON MIC: Yes.

8 INSPECTOR: You did? So you were taught.

9 MAN ON MIC: NO one told me that that  
10 the crowd--

11 INSPECTOR: Nobody told--

12 MAN ON MIC: No, that a crowd--

13 INSPECTOR: Listen to me. Be very  
14 careful in front of your delegate here.

15 MAN ON MIC: Okay.

16 INSPECTOR: You're telling me that  
17 you've never been trained to stop, question and  
18 frisk?

19 MAN ON MIC: I never said that. They  
20 trained me to stop, question and frisk.

21 INSPECTOR: All right. It's stop--

22 MAN ON MIC: Right.

23 INSPECTOR: --question--

24 MAN ON MIC: Right.

25 INSPECTOR: --frisk.

1 MAN ON MIC: Right.

2 MAN 2: Can I interject real quick? If  
3 you don't believe it's a stop, why are you going  
4 up to these people? What's the reason you're  
5 going up to these people?

6 MAN ON MIC: Again, they're blocking  
7 pedestrian traffic.

8 MAN 2: Hold on. Again, [UNINTEL PHRASE]  
9 something wrong.

10 MAN ON MIC: Yes.

11 MAN 2: So they're doing something  
12 wrong. It's leading you and your police training  
13 to go up to them and question in your mind as  
14 well as the person what they're doing there to  
15 alleviate the problem. So you have to talk to  
16 them to figure out what's going--not figure out,  
17 talk, what's going on, why they're blocking. Let  
18 them know they're breaking the law.

19 MAN ON MIC: I understand.

20 MAN 2: And you repeatedly said that you  
21 like to warn [UNINTEL] first, but I'm sure in  
22 your career and in mine and everyone else here,  
23 there are times where you don't have that  
24 opportunity.

25 MAN ON MIC: Right. Sometimes, you have

1 to do it.

2 MAN 2: You have to take action, and  
3 that's it. So you have to understand that if you  
4 are going up to somebody because they are doing  
5 something wrong, you just don't randomly go up  
6 and tell people to move. In your mind, there's an  
7 infraction there. They're committing a crime.

8 MAN ON MIC: Right. Yes.

9 MAN 2: And you're going up to let them  
10 know, listen, you need to move on. I have to  
11 [RIGHT THE WRONG?], but you're stopping. So you--  
12 be clear on that, that you are stopping these  
13 people and addressing them--

14 MAN ON MIC: I will address it.

15 MAN 2: --because they are doing  
16 something wrong.

17 MAN ON MIC: I will address them next  
18 time.

19 MAN 2: Okay.

20 INSPECTOR: Listen, now--

21 MAN ON MIC: You made a lot of points.  
22 Can I cover the points?

23 INSPECTOR: One second. [UNINTEL PHRASE]  
24 how violent it is.

25 MAN ON MIC: Very.

1 INSPECTOR: 2011, we had 71 shootings.  
2 Last year--72 shootings. This year, we had 51  
3 shootings. Do you think [UNINTEL] everybody is  
4 the way to go?

5 MAN ON MIC: No, not--

6 INSPECTOR: [UNINTEL PHRASE]

7 MAN ON MIC: Not everybody, no.

8 INSPECTOR: [UNINTEL PHRASE] Is that the  
9 way to go is [UNINTEL] them?

10 MAN ON MIC: Here's the problem. You're  
11 not there with me. While I'm going job to job and  
12 I see a crowd, I don't automatically assume that  
13 everybody in that crowd is bad. No, I don't.

14 INSPECTOR: Oh, no [UNINTEL] not.

15 MAN ON MIC: So what I do is I go--and  
16 again, and I'm going to address it next year.

17 INSPECTOR: Well, listen. When you see a  
18 crowd, it doesn't mean you're allowing to move  
19 people. People are allowed to be together.

20 MAN ON MIC: Well, I told you why I  
21 moved them.

22 INSPECTOR: If they're blocking  
23 pedestrian traffic, [UNINTEL PHRASE] handle that  
24 condition, okay?

25 MAN ON MIC: By moving them, to me, is

1 handling them.

2 INSPECTOR: [UNINTEL PHRASE] we have so  
3 many cruising gangs in this locations that one  
4 [UNINTEL] might not be the best thing in the  
5 world to do.

6 MAN ON MIC: That's my--

7 INSPECTOR: Now it seems like for--

8 MAN ON MIC: At that place and time,  
9 that's my opinion.

10 INSPECTOR: --365 days--well, the  
11 opinion of what's going on here is that people  
12 are not getting the point out here. They're still  
13 shooting people.

14 MAN ON MIC: So you're saying what?  
15 Summons everybody for whatever reason?

16 INSPECTOR: Absol--for whatever reason?

17 MAN ON MIC: Yes.

18 INSPECTOR: No, see, listen to me.  
19 Understand this. All right? I don't summons  
20 people for any other reason, all right? We go out  
21 there and we summons people and we 250 people,  
22 the right people at the right time, the right  
23 location.

24 MAN ON MIC: And obviously, you weren't  
25 there when I made the stop.

1 INSPECTOR: Again, for the right place,  
2 the right time, the right location. And again,  
3 that's not summoning everybody. I don't need--to  
4 give a perfect example of what we have here, we,  
5 you know, [UNINTEL PHRASE].

6 A 40-something-year-old lady, a 48-  
7 year-old lady was walking through St. Mary's Park  
8 when it was closed. [UNINTEL PHRASE] We do a  
9 check about it. She made a complaint about it. We  
10 do a check on it. The lady's never had police  
11 contact in her life ever.

12 She was at 10:00 at night or 10:30 at  
13 night, something to that effect, she was getting  
14 on a train taking a shortcut through St. Mary's  
15 Park to go to work. Is that the right lady we  
16 should be stopping?

17 MAN ON MIC: I wasn't there. I can't  
18 make that call.

19 INSPECTOR: Absolutely--I'm just saying.  
20 Let me ask you, in your opinion, a 48-year-old  
21 lady going to work at 10:30 at night makes a  
22 minor violation through a park, and you think  
23 that's the right people?

24 MAN ON MIC: I can't make the call. I  
25 have to be there. I have to see.

1 INSPECTOR: You cannot make that call?

2 MAN ON MIC: No, I cannot. I have to be  
3 there.

4 INSPECTOR: In your professional  
5 opinion, a lady whose--

6 MAN ON MIC: I can't make the call. Why  
7 are we doing this? I understand the 250s.

8 INSPECTOR: No, no, no. This is very  
9 important.

10 MAN ON MIC: I understand that. I'm  
11 addressing it next year.

12 INSPECTOR: No, no, no. This is very  
13 important to understand, because it's the right  
14 people, the right time, the right location.

15 MAN ON MIC: And who are the right  
16 people?

17 INSPECTOR: The right people--

18 MAN ON MIC: Who are the right people?

19 INSPECTOR: Depends where you are.

20 MAN ON MIC: All right. Then see, so you  
21 have to be there. It depends where I am, what I  
22 see, what I do.

23 INSPECTOR: Okay. Again, Mott Haven--

24 MAN ON MIC: Mott Haven, full of black  
25 and Hispanics. Okay. So who are the right people?

1 Tell me.

2 INSPECTOR: Black and Hispanic [UNINTEL  
3 PHRASE].

4 MAN ON MIC: Yes. They're all black and  
5 Hispanic.

6 INSPECTOR: All [UNINTEL PHRASE].

7 MAN ON MIC: Most of them. Most of them  
8 are.

9 INSPECTOR: This is not--this is not--

10 MAN ON MIC: So what am I supposed to  
11 do? Is it stop every black and Hispanic? I told  
12 you that I have to be there. I must be there.

13 INSPECTOR: Listen. A gang--a gang--  
14 Again, you're telling me you're going to stop  
15 everybody? You want to stop all black and  
16 Hispanic? It's not--this is not--

17 MAN ON MIC: I'm not going to do that.  
18 You want to do that. I'm don't want to do that.

19 INSPECTOR: This about stopping the  
20 right people, the right place, the right  
21 location.

22 MAN ON MIC: Okay.

23 INSPECTOR: Again, take Mott Haven where  
24 we had the most problems. And the most problems  
25 we had, they was robberies and grand larcenies.

1                   MAN ON MIC: And who are those people  
2 robbing?

3                   INSPECTOR: The problem was, what, male  
4 blacks. And I told you at roll call, and I have  
5 no problem telling you this, male blacks 14 to  
6 20, 21. I said this at roll call.

7                   MAN ON MIC: So what am I supposed to  
8 do? Male blacks 14 to 20 wearing dark clothing,  
9 what do you want me to do specifically?

10                  INSPECTOR: Wearing dark clothing, who  
11 said that?

12                  MAN ON MIC: What do you want me to do?

13                  INSPECTOR: Again, hold on. Hold on.  
14 Would you just do me a favor and take down

15 [UNINTEL PHRASE]--

16                  MAN ON MIC: Yes.

17                  INSPECTOR: --because this is becoming  
18 insubordination.

19                  MAN ON MIC: Look, I'm--All right.

20                  INSPECTOR: You're very close to having  
21 a problem here.

22                  MAN ON MIC: All right.

23                  INSPECTOR: The problem is that you  
24 don't know who to stop and how to stop. And you  
25 know what? That [UNINTEL PHRASE] obviously

1 [UNINTEL PHRASE] done, okay? This is over with.  
2 You're not--your appeal is done. That's it. Thank  
3 you.

4 MAN ON MIC: I understand.

5 INSPECTOR: [UNINTEL PHRASE], okay?

6 MAN ON MIC: You want me, Sir?

7 INSPECTOR: Yeah. [UNINTEL PHRASE]. I'm  
8 not sure if they're asking you for your  
9 paperwork. They're asking you for your [MEMO?]  
10 book and stuff like that. That's regarding the  
11 lawsuit.

12 So I don't think it's about anything  
13 else. It's about what you alleged, and we have to  
14 pull that paperwork. The lawyers want it. So if  
15 you--I didn't want to say that in front of the  
16 delegate, because I don't know if he knows that  
17 you're suing whatever. Okay?

18 MAN ON MIC: I apologize if I raised my  
19 voice.

20 INSPECTOR: Listen, I just didn't want  
21 you getting loud and [UNINTEL PHRASE] come back.

22 MAN ON MIC: I am sorry.

23 INSPECTOR: If you--no. It's not going  
24 to be a sorry. If you want to get your point  
25 across, and I understand that--

1                   MAN ON MIC: He didn't let me. He just  
2 kept bouncing on top of me every question.

3                   MAN 2: No, no, no. Hold on. It was back  
4 and forth between the two of you. You let him  
5 speak. He's the deputy [UNINTEL].

6                   MAN ON MIC: Yes.

7                   MAN 2: There's a rank structure. You  
8 know that as I do.

9                   MAN ON MIC: I understand.

10                  MAN 2: You let him speak. When he's  
11 done, I'm sure he will, and then you can go on.  
12 Sir, if I can go on, please--

13                  MAN ON MIC: But he didn't let me. I  
14 asked him can I, and then--

15                  MAN 2: You know what I'm sure. I just  
16 want you to know that I didn't want there to be a  
17 problem. [UNINTEL PHRASE] if you want to appeal  
18 it first, come and see me. I'll tell you exactly  
19 how to do that. [UNINTEL PHRASE] it's got to be  
20 factual. You're going to have to state the facts  
21 [UNINTEL PHRASE] and of course [UNINTEL PHRASE]  
22 if you do [UNINTEL PHRASE].

23                  MAN ON MIC: I understand.

24                  MAN 2: But just let me know if you want  
25 to do that so I can--

1                   MAN ON MIC: Deputy Inspector, if I rose  
2 my voice and if I disrespected you, I apologize.

3                   INSPECTOR: You did. But--

4                   MAN ON MIC: I apologize.

5                   INSPECTOR: [UNINTEL PHRASE].

6                   MAN ON MIC: Listen, I apologize.

7                   MAN 3: Both of these gentlemen, in my  
8 opinion, what I objected to, both of these men  
9 feel strongly about their opinion. To suggest  
10 that this was borderline insubordinate, I  
11 disagree.

12                   INSPECTOR: Well, he was adding things  
13 on. He was adding on that I wanted him to stop--

14                   MAN 3: Okay. That's in the past.  
15 That's--

16                   INSPECTOR: No, no, no. He's adding on  
17 that I wanted him to stop every black and  
18 Hispanic. He's adding on that we wanted him to  
19 stop everybody in the street and to summons  
20 everybody in the street. He's adding on that male  
21 blacks and Hispanics wear dark clothes.

22                   MAN 3: I understand.

23                   INSPECTOR: No, no. That's wrong. I got  
24 to go do [UNINTEL].

25                   MAN 2: No, listen. Let me talk here.

1 And I just told him. I said I understand that.

2 And I said I just didn't want it to get heated  
3 between these two guys.

4 MAN 3: I understand that. But I think  
5 because they both became emotional, I don't think  
6 it was about his title, trying to be  
7 disrespectful, not appreciating his command.

8 MAN 2: Let me talk for a second. I  
9 apologized for raising my voice.

10 MAN 3: I understand that. Right.

11 MAN ON MIC: I apologize to the Deputy  
12 Inspector. And, you know, if--he already said  
13 what to do next. I'm just going to follow the  
14 next procedure. It's obviously that we can't--

15 MAN 3: [UNINTEL PHRASE] I understand  
16 that.

17 MAN ON MIC: We cannot work it out.

18 MAN 3: I thought they were both getting  
19 [UNINTEL PHRASE] and I didn't want it to seem  
20 like... I didn't think that he was trying to be  
21 disrespectful of his position. I just think they  
22 don't agree with one another.

23 MAN 2: It did come across as [UNINTEL].

24 MAN 3: Okay.

25 MAN 2: That's what I say.

1                   MAN ON MIC: And immediately when he  
2 said it, I stopped.

3                   MAN 2: I agree. And I told him, and I  
4 told him I didn't want it to get heated like  
5 that. I wanted it to be a civil discussion. And  
6 then, listen, if it was--it could have been  
7 another lieutenant there. It could have been a  
8 sergeant there. That's just the way I'm going to  
9 see it. If you're yelling back and forth,  
10 righting yourself, and it's just that he's the  
11 inspector in command. If it was a sergeant,  
12 listen, you have to sit there. You have to lick  
13 your wounds. You have to take your hits and do a  
14 multitude of things.

15                   MAN 3: I'm glad it ended. I'm glad it  
16 ended.

17                   MAN ON MIC: My only frustration--

18                   MAN 2: That's why I was trying to keep  
19 it that way. And then I spoke to him, I said to  
20 him, I said, listen, that's my intention was to--  
21 I didn't want him to get crazy and then we have a  
22 problem down the road.

23                   MAN 3: I agree. I agree.

24                   MAN 2: You know me. You know me.

25                   MAN ON MIC: You're a fair person. I

1 understand that. But my only thing, I told you  
2 before, he was on the 250 thing and [UNINTEL] let  
3 it go. There's a whole bunch of topics he spoke  
4 about, and I wanted to address each topic. And he  
5 kept me on that 250, and he over and over and  
6 over again.

7           And I told him I understand. I had an  
8 opinion on how to do police work, and I did what  
9 I had to do. And I expressed myself. And all I  
10 was trying to say is that let me get to my next  
11 point and my next point and my next point. And to  
12 be quite honest, all this was was just talk about  
13 the captain who told me specifically what to work  
14 on and I did. And then it wasn't reflected on  
15 the piece of paper. That is it.

16           MAN 2: And you have to understand  
17 [UNINTEL PHRASE]. These things could end bad.  
18 That's why I spoke up and I said--

19           MAN ON MIC: It could have ended with  
20 suspension. I understand that.

21           MAN 2: What you said. [UNINTEL PHRASE]  
22 toned it down. You didn't go any further, and it  
23 stopped. He said all right, it's over, because  
24 it's going to go further. And then whether--and  
25 I'm not saying, you know, we don't know what's

1 going to happen down the road. So I don't want  
2 you to be upset that I interjected in saying  
3 that.

4 MAN 3: No.

5 MAN 2: That was to get my--stop--it  
6 just we have to be careful on how you speak to  
7 him in this department.

8 MAN 3: I absolutely agree.

9 MAN 2: You know, people--

10 MAN 3: And that's my whole point. I  
11 don't think he was trying to intentionally. I do  
12 think it was a heated discussion.

13 MAN ON MIC: And also I don't want to  
14 just say this in some crazy way.

15 MAN 2: Right, but this is the problem.

16 MAN 3: I understand [UNINTEL PHRASE].

17 MAN 2: [UNINTEL PHRASE].

18 MAN 3: Yeah, but I don't think that was  
19 his intention.

20 MAN 2: Well, of course, I know it's  
21 going to get heated. It's like a domestic  
22 incident. You have a--how hot, how crazy do they  
23 get?

24 MAN 3: Right.

25 MAN 2: I just didn't want it getting to

1 that point.

2 MAN 3: No, I'm glad.

3 MAN 2: So I had to--he was getting  
4 loud. He's a cop. He's a deputy inspector.

5 MAN 3: I got it. No, I got it.

6 MAN 2: So that's all. Okay. I call  
7 this--

8 MAN 3: [UNINTEL PHRASE]

9 MAN 2: No, just listen. So if you want  
10 to appeal it further, it's a 49. Come to my  
11 office. I told him to write it down. I'll tell  
12 him how to do it, [UNINTEL] not, who to address  
13 it to, and we can send it over. If you're not  
14 going to do that, I'd appreciate it if you let me  
15 know so I know in the system what I can do.

16 MAN ON MIC: I have to--I want to appeal  
17 it.

18 MAN 2: You're going to appeal it  
19 further?

20 MAN ON MIC: Yes.

21 MAN 2: So when I submit it downtown,  
22 I'm going to say you're appealing it further.  
23 I'll let them know in the bureau. I'm not here  
24 tomorrow. On Monday, and you in Monday?

25 MAN ON MIC: Yes.

1                   MAN 2: I'll be here on Monday. Come  
2 upstairs. Have the 49. Actually, come see me  
3 Monday. I'll tell you how to write the 49, and  
4 we'll get that over there. Okay?

5                   MAN ON MIC: Thank you, Sir. I  
6 appreciate it.

7                   MAN 3: And I agree [UNINTEL PHRASE].

8                   MAN 2: No, no. That's it. I didn't want  
9 to [UNINTEL PHRASE].

10                  MAN: [UNINTEL PHRASE]

11                  MAN ON MIC: You need what?

12                  MAN: [UNINTEL PHRASE]

13                  MAN ON MIC: All my [MEMO?] books from  
14 June--

15                  MAN: And July.

16                  MAN ON MIC: --6, 2012 to what?

17                  MAN: 2010

18                  MAN ON MIC: 2010?

19                  MAN: Yeah.

20                  MAN ON MIC: To?

21                  MAN: And July, 2010.

22                  MAN ON MIC: Oh, you want all of them?

23                  MAN: Yeah. I need the book. Not copies.  
24 I need the book.

25                  MAN ON MIC: You want all of the books,

1 all right. So from six to seven, 2010?

2 MAN: Yeah. And all the 2012, from  
3 January--

4 MAN ON MIC: 2011, nothing?

5 MAN: [UNINTEL PHRASE]

6 MAN ON MIC: Okay. So From 2012, you  
7 said?

8 MAN: Yeah. From January to December.

9 MAN ON MIC: January to December 2012,  
10 all my books. Okay. So that's almost like, what,  
11 like 13 months here. That's a year here. Okay,  
12 will do. I think I already have them already set  
13 up, so I'll give them to you. They're in the  
14 [UNINTEL PHRASE].

15 MAN: Bring them tomorrow.

16 MAN ON MIC: You going to be upstairs in  
17 protocol?

18 MAN: If I'm not here, [UNINTEL PHRASE].

19 MAN ON MIC: If you're not here, what?

20 MAN: If I'm not here, just put them  
21 [UNINTEL PHRASE].

22 MAN ON MIC: All right. Can I please  
23 give them to you instead? Or hand them to the  
24 lieutenant or somebody boss? Because if my books  
25 come in and they get lost, you know, I want a

1 boss responsible, not just anybody. You know what  
2 I mean?

3 MAN: [UNINTEL PHRASE]

4 MAN ON MIC: [UNINTEL PHRASE]. All  
5 right. Thank you. Is that it? All right.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Gotham Transcription states that the preceding  
2 transcript was created by one of its employees  
3 using standard electronic transcription equipment  
4 and is a true and accurate record of the audio on  
5 the provided media to the best of that employee's  
6 ability. The media from which we worked was  
7 provided to us. We can make no statement as to  
8 its authenticity.

9  
10 Attested to by:

11  
12  
13 Sonya Ledanski Hyde  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25