



THE NEW YORK CITY COUNCIL

BLACK, LATINO, AND ASIAN CAUCUS

ROBERT CORNEGY, JR. • Co-Chair
36TH District - Brooklyn
212-788-7354

RITCHIE TORRES • Co-Chair
15TH District - Bronx
212-788-6966

MELISSA MARK-VIVERITO
Council Speaker
8TH District - Manhattan & Bronx

INEZ D. BARRON
Co-Vice Chair
42ND District - Brooklyn

MARGARET S. CHIN
Co-Vice Chair
1ST District - Manhattan

VANESSA L. GIBSON
Secretary
16TH District - Bronx

JULISSA FERRERAS-COPELAND
Treasurer
21ST District - Queens

ANDY KING
Ex Officio Past Chair
12TH District - Bronx

ROSIE MENDEZ
Ex Officio Past Chair
2ND District - Manhattan

LAURIE CUMBO
35TH District - Brooklyn

INEZ E. DICKENS
9TH District - Manhattan

RAFAEL ESPINAL
37TH District - Brooklyn

MATHIEU EUGENE
40TH District - Brooklyn

PETER KOO
20TH District - Queens

DARLENE MEALY
41ST District - Brooklyn

CARLOS MENCHACA
38TH District - Brooklyn

I. DANEEK MILLER
27TH District - Queens

ANNABEL PALMA
18TH District - Bronx

ANTONIO REYNOSO
34TH District - Brooklyn

DONOVAN RICHARDS
31ST District - Queens

YDANIS RODRIGUEZ
10TH District - Manhattan

DEBORAH ROSE
49TH District - Staten Island

RAFAEL SALAMANCA
17TH District - Bronx

RUBEN WILLS
28TH District - Queens

JUMAANE D. WILLIAMS
45TH District - Brooklyn

XUSANA R. DAVIS, ESQ.
Director of BLAC Affairs

January 20, 2017

Mayor Bill de Blasio
City Hall
New York, NY 10007

Commissioner James P. O'Neill
New York City Police Department
One Police Plaza
New York, NY 10038

Dear Mayor de Blasio & Commissioner O'Neill:

We write to express our deep concern about the way the Administration is handling investigations and disciplinary proceedings of the officers who killed 18-year-old Ramarley Graham, abused his family, and engaged in other misconduct related to his killing. We know you share our desire to move this city forward, and to address the deteriorated relations that the NYPD has with NYC communities due to decades of policing abuses and a lack of accountability. To that end, we are sure you will agree that the way in which this case is conducted and ultimately resolved will be a pivotal moment for New Yorkers.

When systemic failures in accountability for police brutality persist, misconduct is perpetuated and New Yorkers remain vulnerable and untrusting. It is not only the killings, but the full range of misconduct surrounding such incidents—including attempts to justify unjust police action and obscure misconduct—that must be rectified. Therefore, it is critical that you ensure full accountability for all of the NYPD officers involved in Ramarley Graham's killing.

We are troubled by the Department's apparent justification of Haste's shooting of the unarmed Graham in its Firearms Discharge Review Board report, and the NYPD's failure to bring charges against Officer Haste for using unnecessary force against Graham's grandmother and then threatening to shoot her in an expletive-laden menace after he shot her grandson. We would like a written explanation as to why accountability for this misconduct by Haste against Ramarley's grandmother has been repeatedly ignored and refused. It is our understanding that the family was told an 18-month statute-of-limitations for bringing charges had expired, but we have learned that if such actions have parallel statute in the penal code that an exemption exists for the NYPD's 18-month limitation. We also request a copy of the previously mentioned Firearms



BLACK, LATINO, AND ASIAN CAUCUS

Discharge Review Board report, as well as the previously submitted version that was referenced in a January 9, 2017 media report in amNY.¹

Equally outrageous is that Officer Haste and other officers involved in this case received increased pay from the NYPD. Haste received \$30,000 more in 2016 than he did in the year he killed Graham.² How can we, as the city's leaders, justify the message that sends to other officers and to our communities? It is also deeply disturbing that two officers who testified on the first day of the trial as equally responsible for profiling Graham—incorrectly claiming he had a gun—have been promoted recently during your tenures. You have spoken about implicit bias training, but unless you hold officers accountable for engaging in such biased behavior, that training will be irrelevant.

We have learned from Ramarley Graham's mother that the NYPD trial of Richard Haste includes significant testimony presented as factual and unchallenged, but is directly contradicted by civilian witnesses. However, it seems that no civilians were interviewed and civilian testimony was not deemed relevant, despite at least 5 civilians being present at the time Ramarley was killed. We request a written explanation of the rationale for not interviewing civilians who were subject and witness to police misconduct related to Ramarley's killing, as part of the investigations and disciplining of the officers involved. This includes:

- The landlord, who was residing in her 3rd floor apartment at the time of the incident, and who states that NYPD officers brandished a gun at her.³
- The landlord's son-in-law and his then-8 year old son. The 8 year old son had a gun brandished at him by officers who gained entry to the 1st floor apartment, which is certainly not consensual entry as described by witnesses in the Haste NYPD trial.⁴
- Ramarley's grandmother and 6-year-old brother, who were present at the time Ramarley was killed.

We also want to convey our disappointment in the treatment of Mr. Graham's family over the past several months by both of your offices. The family has been forced to endure this horrifying tragedy for years, and the lack of courtesy and respect shown to them has only compounded their pain. It is approaching five years since Ramarley was killed, and they have never received adequate communication, including the full extent of the charges faced by Haste

¹ <http://www.amny.com/opinion/columnists/leonard-levitt/slow-justice-in-the-bronx-1.12905461>

² <http://seethroughny.net/payrolls/32568574>

³ <http://nydn.us/1met6UI>

⁴ <http://nydn.us/1met6UI>



THE NEW YORK CITY COUNCIL

BLACK, LATINO, AND ASIAN CAUCUS

and other officers, or a list of which officers are being charged or have been cleared of wrongdoing, despite the fact that Richard Haste's trial has already begun. Mayor de Blasio, you previously communicated to us that you would speak with Ramarley's mother, Constance Malcolm, yet we were perturbed to find out that never occurred. You also publicly claimed this week that your office, corporation counsel, and the NYPD had been keeping the family updated, but Ms. Malcolm denies the veracity of such claims. We request that the full charges against all of the officers involved in Ramarley Graham's killing and related misconduct be provided to us in writing, as well as details of any disciplinary action taken to date against any of the officers.

Ramarley Graham's murder was entirely avoidable and unjustified, and would not have occurred in the absence of misconduct by many officers. Full accountability for those actions is needed to move our city forward. We urge you to move swiftly in dismissing the officers involved in Ramarley's death, and to dropping the Administration's new mis-interpretation of Human Rights Law §50-a that is currently being misused to hide the most basic information about officer accountability, and could ultimately hide final discipline of these officers.

We request that a written responses to the issues and questions we have raised above by Friday, January 27.

Sincerely,

Hon. Robert Cornegy, Jr.
Co-Chair,
Black, Latino, and Asian Caucus

Hon. Ritchie Torres
Co-Chair,
Black, Latino, and Asian Caucus