

JUSTICE COMMITTEE

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Testimony of Juan Aguirre On Behalf of the Justice Committee

Submitted to the Public Safety Committee of the New York City Council For June 29, 2015 Hearing

Dear Members of the Public Safety Committee,

My name is Juan Aguirre. I am a representative of the Justice Committee, a community-based organization that has been working with victims of police misconduct and brutality and families who have lost loved ones to the NYPD for the last three decades. I am also a native New Yorker who grew up in Elmhurst, Queens and who has witnessed the impact of abusive policing on my community.

Introduction to the Justice Committee: The Justice Committee is a community-based organization that serves poor and low-income Latino/as and other New Yorkers of color who are impacted by the NYPD's discriminatory and abusive policing practices and policies. We focus much of our working on supporting families who have lost loved ones to the police. We also organize teams of neighborhood residents to monitor police misconduct, educate 100s on their rights every year, and are a leading organization of Communities United for Police Reform.

Testimony: These days, we often hear policy makers and NYPD officials talk about "improving police-community relations" and "re-building trust between New Yorkers and the police." These phrases are all too often used to hide the true nature of the problem: the systemic and historic mistreatment and abuse of low-income communities of color by the NYPD.

Before we can begin to have these conversations in a meaningful way, there must be fundamental changes in the way people like myself are treated by the police. It is not enough for changes to happen "on the books," in the NYPD's reported stop-and-frisk statistics or through a cosmetic re-branding of the Department's policing methods. If we do not see and feel change in the streets of our communities, in the level of respect, transparency and accountability in officers' everyday interactions with us, change has not really happened.

I am here today to testify on behalf of the Justice Committee in support of the Right to Know Act, because it directly addresses NYPD officers' everyday interactions with New Yorkers by requiring officers to be clear with us about our rights and about why we are being approached or stopped by the police in the first place. These are common sense reforms that will go a long way towards ensuring that New Yorkers are safe during interactions with the police and that we are all treated fairly and respectfully.

A key part of the Justice Committee's work is to develop Cop Watch teams, which monitor police activity in heavily policed communities throughout the City. One of the main reasons why we organize these teams is that the NYPD's interactions with community members all too often, unnecessarily escalate because officers are not transparent with or respectful of the rights of those they are stopping.

I am a part of the Justice Committee's Cop Watch team in the Jackson Heights/Corona area. There are nights when we witness 4-5 stops in a two-hour period on a single avenue. In the majority of these cases, after the incident has ended, the person who was targeted tells us they have no idea why they were stopped. Additionally, we frequently witness community members being subjected to searches during the course of a stop. Almost no one we speak to after the stop is aware that they had a right not to consent to the search. We believe this new method of interaction between the police and the community will help de-escalate stops and is a proactive approach to community policing.

Another common experience of Cop Watch teams is that officers often go to lengths to hide their identity from the community they are targeting. Every Cop Watch team in the City has, at one point or another, had officers shine flashlights in their eyes and cameras in an attempt to make it impossible to see their badges. We have all seen officers laugh or worse, become hostile, when community members ask for their names or badge numbers.

These experiences leave community members feeling frightened, confused and unsafe, which rightfully contributes to the sense that the NYPD is not in our neighborhood to protect us. The Right to Know Act will help remedy this by requiring officers to identify themselves and explain their reason for subjecting New Yorkers to law enforcement activity. The second part of the act will also help end unconstitutional searches by requiring officers to explain to New Yorkers' their constitutional right to refuse a search when no legal basis exists for it except consent. It will also require officers have proof of consent when a person agrees to a search where there is no probable cause. This in no way would prevent an officer from doing their job. Ultimately, this would be yet another way for the NYPD to act on its commitment to community policing.

The Administration has just come to an agreement to put nearly 1,300 new cops on the streets. Relying exclusively or primarily on increasing the NYPD headcount is a flawed approach to addressing long-term issues of crime and safety in our city. In the context of decades of abusive NYPD practices, this over-policing of communities contributes to the erosion of police-community relations. There have been too many instances where an oversized NYPD presence in low-income communities of color has led to criminalization and police violence, rather than increased safety. To do this, without first making real changes to the level of respect, transparency and accountability police bring into their interactions with New Yorkers is counter-productive, dangerous and frankly an injustice. The Right to Know Act offers many opportunities to safe guard the dignity of community members and police officers alike. I urge you to show that you care about the rights, dignity and safety of our communities by passing the Right to Know Act.

Thank You.