

Petitioners' Exhibit 3

**Excerpts of October 26, 2021 testimony of Deputy
Commissioner Joseph Reznick**

In The Matter Of:
GWEN CARR, et al. v.
MAYOR BILL DE BLASIO, et al.

J. D'AMICO and J. REZNICK
October 26, 2021

New York Supreme Court - Civil Term
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Reznick - Petitioner - Ms. James

1 decision, yes, I have the ultimate decision.

2 Q And in what circumstances is a matter brought --
3 required to be brought to your attention?

4 A The most serious cases are brought to my attention, but
5 not all cases. Like I said, we have 1,000 cases per year. If I
6 learn of 400 decisions of those cases, that's probably the
7 extent of my decision making.

8 Q Would the investigation involving the killing of Eric
9 Garner have been considered one of the most serious cases that
10 would have been brought to your attention?

11 A Yes. The death of Eric Garner was brought to my
12 attention.

13 Q And so you would have had -- within the NYPD IAB, you
14 would have had the ultimate authority over decisions regarding
15 that investigation.

16 A Correct.

17 Q You also mentioned that you report to the police
18 commissioner.

19 Would -- what authority would the police commissioner
20 have over decisions regarding IAB investigations?

21 A I -- you know, since I've been here, he has -- I have
22 worked for police commissioner including Braden back in 2014,
23 Commissioner O'Neill and now Commissioner Shea, not once have
24 they ever told me about a decision that they've made or any type
25 of comment relative to a decision that we make.

KM

Reznick - Petitioner - Ms. James

1 Q So in your -- in the most serious cases that your
2 commanding officer brings to you where you have the ultimate
3 decision, you then don't have to consult with the police
4 commissioner to make final decisions.

5 A That's correct.

6 Q And you did not consult with the police commissioner
7 back in July 2014 regarding the investigation into the killing
8 of Eric Garner.

9 A To the best of my knowledge, the police commissioner
10 was advised of our findings, but by no means or way did he
11 change any of those decisions that we made, and they were left
12 at that.

13 Q Okay. Thanks, Chief Reznick, and I'll get to how the
14 police commissioner was advised of the findings momentarily.

15 But with respect to others within the NYPD or outside
16 the NYPD who may have involvement in developing the scope of an
17 Internal Affairs Bureau investigation, what role, if any, does
18 the mayor's office or other non-NYPD agencies have in IAB
19 investigations?

20 A Ma'am, I just work for the New York City Police
21 Department. I don't work for the mayor. I don't work for City
22 Hall. I answer to two people on this job, and that's the police
23 commissioner and the first deputy commissioner. I take no
24 orders. I take no suggestions. I take nothing from any other
25 person.

KM

Reznick - Petitioner - Ms. James

1 Q Okay. And as part of your role as deputy commissioner
2 of the IAB, does part of that role include decision making
3 related to discipline of officers who are subject of an IAB
4 investigation?

5 A As far as the discipline is concerned, that's up to our
6 department advocate's office to administer the discipline. Very
7 rarely do we comment or suggest what discipline should be for
8 any particular matter.

9 Q So when the IAB conducts -- I'm sorry. What is the
10 department advocate's office?

11 A They are in charge of administering discipline
12 throughout the Department.

13 Q And that's with respect to any discipline -- so let me
14 understand. When IAB commences an investigation and concludes
15 an investigation, any discipline related to that
16 investigation -- any discipline decision rests with the
17 department advocate's office?

18 A Not all. There are occasions -- there's types of
19 discipline that could be administered. Most of our cases --
20 most of our cases, we would request charges and specifications,
21 and that would have to go through the department advocate's
22 office.

23 In less serious matters, we may request that a command
24 discipline be issued, and there are two types of command
25 disciplines. There is a Schedule A that calls for a five-day