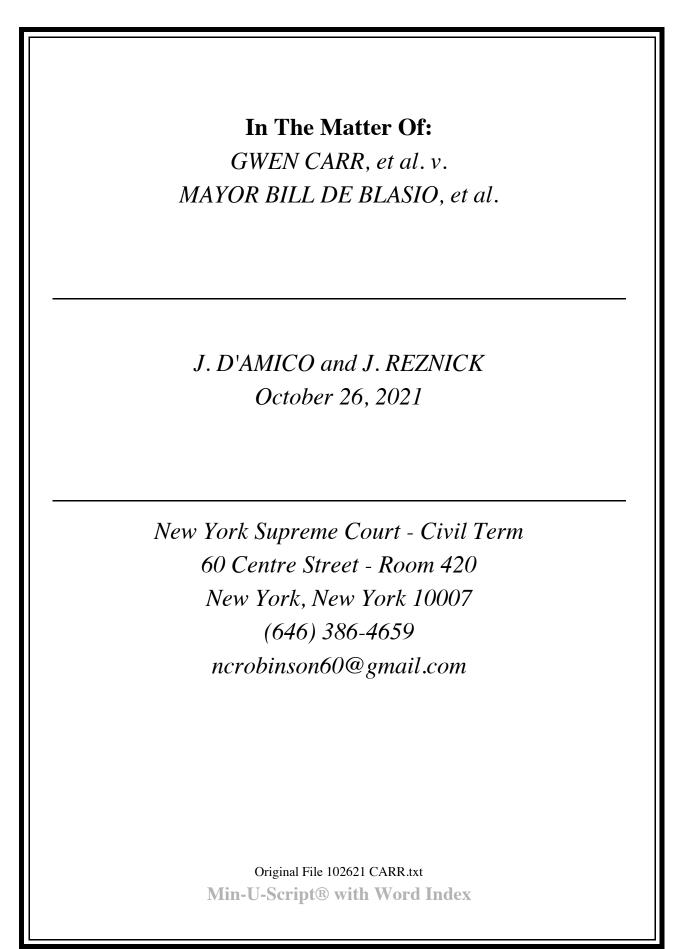
Petitioners' Exhibit 3

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

INDEX NO. 101332/2019 RECEIVED NYSCEF: 10/27/2021



## FILED: NEW YORK COUNTY CLERK 10/27/2021 11:11 PM INDEX NO. 101332/2019

NYSCEF DOC. NO. 103

	278 Reznick - Petitioner - Ms. James
1	degision was I have the ultimate degision
	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

5

INDEX NO. 101332/2019 RECEIVED NYSCEF: 10/27/2021

279

## Reznick - Petitioner - Ms. James

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

A That's correct.

Q And you did not consult with the police commissioner
back in July 2014 regarding the investigation into the killing
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.

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

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

KΜ

INDEX NO. 101332/2019 RECEIVED NYSCEF: 10/27/2021

280

## Reznick - Petitioner - Ms. James

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

A As far as the discipline is concerned, that's up to our department advocate's office to administer the discipline. Very rarely do we comment or suggest what discipline should be for 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 discipline12 throughout the Department.

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

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

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