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**RUSH TRANSCRIPT: MAYOR DE BLASIO HOLDS MEDIA AVAILABILITY WITH
COMMISSIONER BRATTON**

Police Commissioner William Bratton, NYPD: Thank you. Thank you all for joining us this afternoon. What we would like to do is provide you with an update on the ongoing investigation into the murder of our police officer, Randolph Holder, last evening up on the FDR Drive.

Funeral arrangements are still uncertain at this time, and we hope by later today that we might be able to give you more specifics on that. But at this time our attention is to update you on the criminal investigation that has been very extensive – is ongoing. And I would emphasize that information that we are presenting to you in the public interest is preliminary at this stage. Some things we have been able to nail down, but others are still in motion as the investigation goes forward.

You will be briefed on that criminal investigation by Bill Aubrey, chief of detectives for Manhattan, who's been leading that investigation. We have a parallel investigation by our Force Investigation Division in that one of our officers did discharge his firearm during the course of this event last evening. So that investigation parallels, but is separate from the criminal investigation being conducted by Chief Aubrey.

I'm joined at the podium by Mayor de Blasio, who will speak in just a moment. And also, I have Chief O'Neill, Chief of Department; Dermot Shea, who is our CompStat deputy commissioner; First Deputy Commissioner Ben Tucker; and they will make remarks based on some of the questions that we may receive from you during the course of this press briefing.

I want to thank the public at this time for the significant outpouring of sympathy and condolences that we have been receiving not only from New York, but literally from around the country, including from many of my colleagues that – who are recently well aware of this latest incident here in New York City.

With that, let me introduce the mayor to you, and immediately after his remarks I'll bring up Chief Aubrey to give you an overview of the investigation up until this point in time.

Mr. Mayor?

Mayor Bill de Blasio: Thank you, Commissioner.

Well, the city is feeling so much right now. We are feeling a deep sense of loss and mourning. The loss of Officer Holder is hitting us all, and there's something particularly powerful about that fact that he followed in the footsteps of his father and grandfather, devoting his life to protecting others. And he represented the best of our society. He represented our immigrant tradition. He represented our tradition of trying to make this place better for everyone, and made the ultimate sacrifice.

So many people, as the commissioner said, have been reaching out, offering their condolences, their prayers for his family. And we feel deeply for his second family, the NYPD, and particularly the members of PSA 5, who are feeling this tragedy so personally and so deeply right now. I also want to thank our elected officials with us

in solidarity. I want to thank Speaker Melissa Mark-Viverito and Public Advocate Tish James, who were also with us last night at the hospital.

This is a reminder of all that has to be done to keep our city safe. It's a reminder of our constant focus on keeping our officers safe as well. And the NYPD works every day to achieve both those goals.

There are a small number of people in this city – they number in the thousands – who perpetrate so much of the violence, and the NYPD every day is pursuing them relentlessly, more – and with more tools and better tools than every before. And we will not stop in that relentless pursuit of these violent few.

There's several things that just need to be said quickly. The first is, our officers do so much every day to protect us, and yet they grapple every day with an unrelenting flow of firearms into this city from outside. There's a disconnect in our society that somehow people who say they believe in law and order still support the notion of the free flow of weapons, and so often it is our officers who pay the price. We pray that this tragedy sheds a little more light on that reality so that we can protect our residents and officers alike.

Second, there's something we have to address in our criminal justice system because the perpetrator involved here was obviously a hardened, violent criminal, and should not have been on the streets. So there's more we have to do and more our criminal justice system has to do, because that's one of the ways we will protect our communities and our officers alike – is to ensure that individuals like this are just not on our streets.

And finally, this tragedy is being felt so deeply, but it's being felt in the wake of other tragedies – tragedies that have touched every corner of this city. The officers we've lost represent the best of us, and they also represent every element of us – they come from all the communities that make up this city. Each one of them was different, but they had a common, strong bond – they believed in protecting others, and they were willing to put their lives on the line. We have felt pain in so many different neighborhoods and so many different families, so it's a moment for us to show solidarity, and to understand the bond we need to have between all of us and our police. We need to understand that the police are us – they are made up of every community, every type of New Yorker. It's a moment to dig deeper and find that solidarity that we need.

I know Commissioner Bratton has devoted his entire career to fostering that bond and creating that sense of solidarity. I urge all New Yorkers today to reflect upon this moment and do something simple – thank the police officers you come across today, because they're in pain – every single one of them is in pain. They have a lost a member of the family. That's another step towards creating the bond between police and community that will make us a better city and make us safer.

We will never forget Officer Holder – everything he represented, everything he did for us – we will keep his memory alive. God bless him and his family.

Commissioner Bratton: Thank you, Mr. Mayor. I'm going to ask detective – Chief of Manhattan William Aubrey to give you an update of the situation as we understand it as of this time.

William Aubrey, Chief of Manhattan Detectives, NYPD: I just want to remind everybody, we're at the preliminary stages of this investigation – we're 17 hours into it. We've been working with the Force Investigation Division and we've been working with the Manhattan District Attorney's Office.

I'm going to take you through 13 minutes, which led up to the death of Police Officer Holder.

So, at 8:30 last night, at 420 East 102nd Street and the FDR Driver, there were two housing police officers on the roof of one of the locations. They hear and they see individuals firing weapons at each other. We know from the evidence that we recovered at the scene that there were at least three firearms that were used during this shooting that transpired on the street. These officers called over a radio transmission, they asked for assistance, and there were numerous police officers that responded.

One of the individuals, Tyrone Howard, ends up fleeing towards the FDR Drive. He goes towards the FDR promenade and he flees northbound. When he approaches 106th Street and the promenade, he encounters an individual that was sitting there, enjoying a nice night, and he produces a firearm and takes his bicycle. He uses that bicycle to continue northbound, along the promenade, when additional officers see him and they radio transmission over.

Police Officer Holder and Police Officer Wallace were at the 120th Street walkway that would lead you onto the promenade. So they're on the street side, they hear this transmission come over, they hear the description, and what they do is they see three individuals walking over the walkway. They follow these three individuals, and when they realize that these three individuals have nothing to with the original shots fired, they're on the ramp heading down towards the promenade when Tyrone approaches them on the bicycle.

When he approaches them on the bicycle, he puts the bike down, he pulls out his weapon, and he fires one time, striking the officer in the front of the head. Police Officer Wallace is now currently next to Police Officer Holder, and the individual, Tyrone, continues to proceed towards Officer Wallace. Officer Wallace discharges his firearm, and that's when Tyrone proceeds northbound on the promenade.

There are additional officers that were in the area and they apprehended Tyrone on the FDR Drive at 124th Street – between 124th Street and 125th Street where he was apprehended.

And once again, we're 17 hours into this investigation. There's numerous video evidence, witnesses, physical evidence, DNA evidence that we're combing through to establish a case with the Manhattan District Attorney's Office. We currently have Tyrone Howard in the 2-5 Detective Squad, and he's going to be standing lineups later today for the robbery of the bicycle, in addition to the shots fired, and we'll work with the Manhattan District Attorney's Office as far as the charges for murder of Police Officer Randolph Holder. Thank you.

Commissioner Bratton: Excuse me. Questions?

Unknown: On-topic questions.

Question: Do you know if the shooter – he was being sought – did he have any outstanding warrants? We also heard that some people might have been [inaudible]

Commissioner Bratton: Chief O'Neill can speak to the efforts we've been making based on the warrants outstanding for him to apprehend him over these last several weeks. Jimmy?

James O'Neill, Chief of Department, NYPD: Good afternoon, everyone. Tyrone Howard was wanted for a shooting on September 1st. The Manhattan Violent Felony Squad had the case, made numerous apprehension attempts, obviously negative results. I think the last effort was on the 16th. They visited numerous locations. He had a couple of court appearances. They went to court – he was a no-show at court. I think he also had an active warrant. So, we were hunting him, but obviously unsuccessful.

Question: [inaudible]

Chief O'Neill: That was – Billy could probably do a little bit of a better job at that, but that was on September 1st. It was a shooting towards an East Army gang member, and he was ID'd, and we've been hunting him since then.

Question: Commissioner, and also mayor [inaudible] this is the fourth officer who's [inaudible] killed on duty in the last 11 months. I can't remember [inaudible]. Is there something going on? Is there something unique as to why we're seeing so many officers [inaudible] short period of time shot and killed?

Commissioner Bratton: No. The nature of policing, the nature of law enforcement, there is always an element of randomness to it. These four incidents, while occurring in a close period of time, are different. As you recall,

Ramos and Liu – Detectives Ramos and Liu were assassinated. In terms of Officer Brian Moore – was engaged in attempting to do a stop of a suspect who immediately turned and fired, killing Officer Moore. The event last evening – two plainclothes anti-crime officers were responding to a shots-fired call and were attempting to stop the suspect, who pulled out a firearm and shot at them before they had an opportunity to return fire. So, the four incidents, while in close proximity – very different – different areas of the city. It is unfortunately a part of American life today that even though crime has been reduced dramatically in our country, and no more so than here in New York City – overall crime in the city – through the hard work largely of the men and women of the New York City Police Department is down 80 percent, including homicides, shootings – but there is still crime that remains, and the officers in this city are working very hard, as the officers last night in every instance that Chief Aubrey spoke about – officers running toward the danger. A lot of police officers in the area – so we had a lot of police in the area very quickly. But we are dealing, as the mayor referenced, with a core element in our population that is still involved in carrying firearms, still willing to use those firearms. So it is a very vivid and very tragic reminder of the need that, even as we in this country are attempting to reduce the number of people in prison, that there are some people that have to be in prison. And we need to work harder to ensure that they get to prison, and more importantly that they stay there. And this individual that we believe murdered our police officer last night – your police officer – he was a New York City police officer – he was mine, he was ours, but he was your also – that he's a prime example of what we're talking about – people that engage constantly in violence, but we seem to have the hardest time trying to keep them in jail or prison. So that's an area of focus, even as we, in a well-intended way, are attempting to deal with those who don't necessarily need to be in prison – need to be in treatment, need to be doing other things so as to free up space for those who must be put into prison. And we're working very hard to do that.

Question: [inaudible]

Commissioner Bratton: I think we have – among the criminal element, there has always been hostility toward the police, and a reaction to any type of police enforcement action. I would point out that overall crime in the country, in the city is down dramatically, and that includes assaults against our personnel, but that from time to time those incidents do spike. There is no denying that in this country over the last several years there has been an anti-police attitude that has grown, and that's unfortunate because while we do have problematic officers in our ranks among our 800,000, the vast majority of the 800,000, like the officers last night, continually, on behalf of the citizens of this city and this country, go toward the danger – put their lives on the line – and last night, as we saw, lost a life trying to protect everybody else. So this is an issue that we need to be mindful of – that we need to try to find some balance in the national debate that's underway at this time so that we don't foster or encourage those that think that they are being supported when they exhibit anti-police behavior or attitudes.

Question: [inaudible]

Commissioner Bratton: You've made the case – he's been in and out of jail. You'll probably have to talk to the district attorney's office relative to why he's out. He was arrested as a part of a major operation in that housing development last year that we took a lot of pride in because a lot of work went into the arrest of about 19 individuals, including him. And our understanding is that he may have been out on a diversion program – that if ever there was a candidate not to have been diverted, it would be this guy. He's a poster boy for not being diverted. So the district attorney's office will look into the circumstances of that diversion. And it's the point I'm making that even as we're attempting to try to find balance, it's unfortunate that there are people in our city, in our society that despite our best efforts that are going to – they're criminals. And many of them are violent criminals and we need to separate them from the rest of us. And this individual, I think, is one of those.

Question: [inaudible]

Commissioner Bratton: That's a constant discussion we have with our district attorneys on the issue of who should, in fact, be kept in jail or put back in jail. My own perspective on it – if you use a firearm and shoot another individual that you should be in jail; you shouldn't be diverted. And you should receive the stiffest sentence possible and serve that sentence. As we seek to let people out of jail, we need to be very careful who

we're letting out, and we also need to be much more assertive on who we put in. And we are currently dealing at this time – and Dermot Shea has reported on this the last several months, and indeed when we have our crime briefing with you in early November – we are continuing to see growth in parolees committing crimes and being victims of crimes when they come out of prison, and that's an issue of concern as we're letting people out. But the issue is really that we need to find some common ground in this time of national debate that there is a core element in the criminal community that – I'm sorry, that you go out and shoot somebody, you go out and murder somebody, we're going to put you away. We've got to get you away from the rest of us.

Question: [inaudible]

Commissioner Bratton: I can't speak to the diversion. You'll have to speak to the district attorney's office on the particulars of that.

Question: [inaudible]

Commissioner Bratton: In some instances, that is the case. In many others, that it works – that there are many people in jail that are there appropriately. The effort that we made last year with the district attorney in which there were 19 arrests, including this individual – that some of those individuals are, in fact, serving prison time, if I understand it correctly. And – so this is the constant balance that we're working on, but this event of last evening is a reinforcement that even in this climate of letting people out of jail, we need to be selective of who comes out, but we also must not step back from the understanding and appreciation that some people have to be in jail, and that's the balance.

Question: [inaudible]

Commissioner Bratton: I'll speak for myself. My understanding of this individual's track record – he would have been the last person New York City – I would've wanted to see in the diversion program. He has shown no propensity, with the number of arrests over many period of time, for changing his ways. And as we saw recently, his whole life has been about an escalation of crime – criminal activity – including what we allege occurred on September 1st, and that's what we were seeking him for was the September 1st shooting. And now a month later, we have the murder of a New York City police officer. So, again, diversion programs that while well-intended if not used in an appropriate way are inappropriate for some people in our criminal justice system.

Mr. Mayor?

Mayor: Thank you. Let me contextualize this for a moment. Under Commissioner Bratton, the focus has been more and more on those thousands – and they are in the thousands only – of truly hardened, violent criminals who cause a disproportionate amount of the violence. And that is part of the reason why you have seen an increase this year compared to last in gun arrests – I think it's 164 more gun arrests this year than last year, because the energies of the NYPD are being focused on the truly bad guys. When you think about it, there's a real imbalance in the discussion. The commissioner rightfully says how do you strike that balance point? We know that tens of thousands, hundreds of thousands of people who committed non-violent crimes ended up with serious time in jail or prison, but meanwhile we also know that some people who have a very clear history of violence never ended up in prison. That's a world out of balance. That's something we have to fix. So I agree entirely with the commissioner. While it's absolutely appropriate to address the inappropriate mass incarceration that's pervaded this nation for decades – we have to make that reform – and that revolves around drug offenses and other non-violent offenses first and foremost – when it comes to truly hardened, violent criminals, it's appropriate that they be in prison. And when you look at the offenses that this individual committed, they were consistent and they were violent. I don't know the details of how his case was handled by the judge, but I do know that someone like this shouldn't have been on the streets. By the way, the individual who killed Officer Moore, who had a long history of violence and a documented history of mental health problems, shouldn't have been on the streets either. We can't say clearly enough whether he should have been in a secure mental health facility or whether he should have been in a prison, but he sure as hell shouldn't have

been on the streets. So we've got to have the ability to say that ending mass incarceration is right, because that speaks largely, overwhelmingly to non-violent crimes, but when it comes to consistent pattern of violence, people cannot be left loose to hurt their fellow New Yorkers and hurt our police officers. It's as simple as that. What the NYPD is doing right, despite that ridiculous flow of guns into the city, is they're more and more focused on the true perpetrators of violent crime. They're more and more focused on where the guns are. They're getting better and better results. But it would be fair to the men and women of the NYPD and the people of this city to see a more consistent approach to prosecuting those who are consistently violent.

Commissioner Bratton: If I may – two follow-on comments. One – in 2009, I think it was, as part of the trying to – the reformation of the Rockefeller drug laws, the power to divert was taken away from the district attorneys as far as approval, and given to the judges. And so the issue of who controls diversion changed dramatically in 2009 as part of the reformation of the Rockefeller drug laws. So details of this particular diversion that – I don't have intimacy – so discussion certainly with district attorney's office would be appropriate for the details. But my understanding of diversion – it is now controlled by the judges with some potential influence by the district attorney. And to the rest of my understanding, we don't have a role in it, and I believe that we, the police, because we're the ones that are encountering these individuals, should have a role.

Secondly, and ironically, I was scheduled to be in Washington today and tomorrow – today for a conference on the issue of people coming out of prison, and very specifically speaking to the federal release soon to be of 40,000 or 50,000 individuals; and tomorrow a meeting was going to be held with President Obama on that issue. The points I was going to bring into that discussion – while I'm supportive of the idea, as you've seen clearly during my time as police commissioner – of efforts to reduce arrests, reduce summonses, reduce some of our activity as it relates particularly to minor drug types of crimes, marijuana and other issues – that what is missing in this effort, and it is a big miss, is that currently at the federal level, oftentimes at the state and local level, as people are coming out of jail, they are coming out into an environment in which there is nothing there for them.

The concern I have with the federal release of prisoners at this time is that – all well and good if they're deemed to be non-violent, many of them are serving long prison terms, but they'll be coming back into communities in which there are no jobs, there are no services, there is no housing. Oftentimes the families have dissolved during their time in jail. So there is not a safety net, and the expectation, the concern, the warning, if you will, the red flag that I'm raising and some of my colleagues are raising in the law enforcement community is that we can expect to see those individuals reverting back to a life of crime, some of them even when they're given opportunities will go back to that life of crime, because that's what they are is criminals.

But in this national debate we're having at this juncture, with many in law enforcement such as myself supporting the idea that a lot of people in jail don't have to be there – they should be in treatment, they should be in other types of environments where they're monitored, where they're mentored – that is not happening with the current infusion of prisoners coming out of the jail, certainly not happening with the 50,000 or 60,000 federal prisoners, not happening to a great degree of the prisoners coming out of our state prison, and to a degree not happening in some instances coming out of our jails. So that's something that we're going to have to deal with, otherwise we're going to see so many of these people become like the suspect in this event last night – they're going right back to their lives of crime.

Question: Commissioner –

Commissioner Bratton: Yes?

Question: Any death would be difficult, but in the past less-than-year we've seen four officers killed in the city, including two assassinated. Can you just give us some idea of how this affects the morale of the officers and of their families?

Commissioner Bratton: There's an irony here that there is nothing that brings police officers closer together than the death of a police officer, and particularly in circumstances like we've seen for the four officers who've

been murdered in the city this past year. That – it brings officers together in the sense of the things that bind them together – the oath of office, the sense of camaraderie, the need to be there to support each other – because of every one of them – the 800,000 in this country, the 35,000 here – understand it could be them the next time, and they want to, in a sense, show support for each other, show support to their families, that if something were to happen we'll be there for the families.

And it also brings out a great compassion and caring on the part of the public. I referenced in the beginning of my remarks the outpouring of support, condolence, affection, offers of assistance. Once again this morning JetBlue, for example, stepped up and said, "We will fly officers from all over the country to this funeral – we will make every arrangement we can for that." We've had any number of our support groups immediately step up to offer financial assistance. So, out of this tragedy, the irony is it does bring us all together, and it does remind the public once again of the importance and the essence of police and what they do.

And in some respects, it washes away for a period of time so much of the negativism that has dominated the discussion over the last couple of years. So, does it affect morale? It does, but in some respects, in an ironic way, it reinforces the morale – the sense that officers have of the special nature of what they do, the importance of what they do, the dangers of what they voluntarily do and face each and every day. And I believe it means a lot to them when they see that the vast, vast, vast majority of the public do support them; when they see outpouring when this funeral is held, as it was for Liu and Ramos and Moore; when our firefighters basically step out for us and outside every fire station; when people from all over the country express support. So, on the morale issue, it is an odd twist, if you will, that this brings us all much closer together

Unknown: Two more, guys. Two more.

Question: I believe you said there needs to be a more consistent approach to consistently prosecuting those who are violent. Have you tried speaking with Cy Vance or other district attorneys? Is this something you've been thinking about for a while?

Mayor: Yeah, this is a – a source of a lot of concern in the department. It's something we've talked about, both in our regular meetings that we have weekly – the commissioner and I have with his leadership team. It's something we've talked about with the DAs. And look, we understand there are complexities, but the bottom line is simple. I think the commissioner laid it exactly correctly – there are people who simply shouldn't be on the streets. And we've got to figure out what series of changes need to happen in the criminal justice system and in our courts to achieve that reality. The fact is – and this is the area where New Yorkers should take some solace – in a city of almost eight-and-a-half million people, the real perpetrators of violence are in the thousands, the single-digit thousands. That's the core of the problem. I think the commissioner hits the nail on the head – if we can get those people off the streets and keep them in prison or other institutional setting, it's going to fundamentally change the reality for our communities, and it's going to protect our officers as well. So yes, that is something we're working on now. It's a complicated task – a lot of decades of history that we have to address in terms of the criminal justice system – but that's what we're focused on.

Question: Commissioner, [inaudible]? Can you talk personally about how something like this, after 45 years in law enforcement [inaudible] again, how does that affect you?

Commissioner Bratton: My first police funeral was in 1970 – Officer Walter Schroeder. I had already been selected and was scheduled to go into the Boston Police Academy, when – even before I went into the Boston Police Department – one or two weeks before – I attended that first funeral. Walter Schroeder was assassinated while responding to a bank holdup. And over these last 45 years, I've attended – I've lost count – of funerals of my officers, departments I've led, as well as going to funerals of many other officers in sister agencies. And it never gets easier. I'll be very frank with you – it gets worse each time. It gets worse each time.

It was not easy at all last night for the – I don't know how many dozens of times I've stood and told family members that they've lost a son or a daughter, and last night was one of those nights. It was not easy to do. And the irony of it is so often we set out to try and comfort the family, and so often they end up comforting us. That

was the case last night. The father was – he was incredible. And maybe the fact that he was a cop himself in Guyana was behind it, but he was just so – so stoic, so comforting, and also offered to go into the room where we had almost 100 fellow officers from PSA 5 who were there grieving – many crying – the mayor and I had spoken to them earlier – and he wanted to go in and comfort them in their time of grief.

So it doesn't get easier. And we always talk about – and you'll hear me, when I deliver the eulogy for this officer – that we hope it never happens again, but the reality is, in this world we live in, it will happen again, and we try our best to space them out further. In this unfortunate circumstance, the coincidence of four in such a short period – the most I've ever dealt with in a short period of time in my career. But we pointed out just the other day at a news conference that we had – back in the 70's, we had a period of time in this city where we were losing dozens officers every year. The insanity of that time and how far we've come from that insanity – I think the challenge for all of us is, in the midst of all of our well-intended efforts to deal with racial issues, to deal with criminal issues, narcotics issues, that we don't let the insanity once again take hold of us. But believe me, it does not get easier.

Unknown: Thank you very much, Commissioner.

Commissioner Bratton: Thank you, all.

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