

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

FOR IMMEDIATE RELEASE: December 18, 2020, 11:05 AM
CONTACT: pressoffice@cityhall.nyc.gov, (212) 788-2958

**TRANSCRIPT: MAYOR DE BLASIO APPEARS LIVE ON
THE BRIAN LEHRER SHOW**

Brian Lehrer: So, a lot to talk to Mayor de Blasio about as he joins us now. Mr. Mayor, welcome back to WNYC.

Mayor Bill de Blasio: Thank you, Brian. How are you doing today?

Lehrer: I'm doing all right. And I was just going over some of the breaking news regarding restaurants, regarding police, regarding the schools with the listeners. So, let's jump right in on the policing story. You've defended the department – well, let me ask you it this way, I'm sorry. The last I saw, that Department of Investigation report had not been publicly released. And, you know, I'd been asking you all year about these multiple videos showing kettling and violent arrests, Human Rights Watch called for Commissioner Shea to be fired or disciplined because it looks like policy, not rogue officers. And your response frequently, has been let's wait for the Department of Investigation report. So, what can you tell us?

Mayor: Thank you, Brian. And the Department of Investigation did a very powerful report. It was tough. It was objective. It's quite clear to me that they really did the tough research to figure out exactly what happened. And it lays out, I think it in the clearest form I've seen since those protests, exactly what happened. I also did a video in response to it. I'd ask anyone who cares about this issue, they both read the DOI report and look at my video, which is on our City social media. Look, the report says we made mistakes on a structural level, not just individual officers. Clearly individual officers, you know, not the vast majority, but some individual officers did things that were wrong and must be held accountable and are being disciplined. But they made the point, there were structural problems. There were strategic problems. I own those problems. That's my responsibility, that's the Commissioner's responsibility. He and I, both, we evaluated reports together. We agreed with its assessment. We agreed with his conclusions and his recommendations. We will implement them, I want to be really clear. Kettling shouldn't have happened, will not happen in the future, was never in the NYPD patrol guide. It was never something that was supposed to happen, cannot, will not. The rest of journalists cannot, will not happen. The arrest of legal observers cannot and will not happen. These protests were unprecedented in so many ways. There were ever-changing realities. There was unfortunately violence mixed in in some places. There was looting, but it does not forgive the mistakes. Deeply complex, but that again means we have to learn to do things better on changing times. So I accept the report and I'm going to act on it.

Lehrer: Why wouldn't acting on it, given the number of incidents that got caught on video and what I think is – well, you tell me, is this a structural critique or not? I think you just said not. But it's making broad recommendations about changing existing policy and creating a protest

response unit, which makes it sound structural. Why isn't this a firing offense for the Commissioner who allowed this to happen repeatedly?

Mayor: Look, that's why I'm asking people to both look at the report, read it, actually read it. It takes a little time, but it's very clearly written, very well documented. And look at my video response because then I think the truth comes out. We were confronted with a truly unprecedented situation, protests that we had not seen before with no organization or leaders, you know, spontaneous social media driven, ever moving, ever-changing. Intermixed with a small group of people are meant to do violence, but unfortunately, truly intermixed. And then overlaid with several nights of systematic looting. It was an unbelievable, perfect storm within the perfect storm of COVID. And the report lays out how difficult it was to deal with those circumstances and how the most fundamental mission for all of us was to stop anyone from dying. I mean, that really is what shines through. We were trying to avoid what was happening in other cities. In other cities protesters were killed, horrible injuries to officers, National Guard on the streets, looting much more extensively, police precincts burned. You know, we were trying to stop all of that from happening and in the main did. That was really my responsibility and the Commissioner's responsibility. More than any other consideration was to keep people safe. And we had to do it better is what this report says. Maybe those core missions were achieved, but they needed to be done better. And there were mistakes in thinking and strategy and some things that were just not aligned properly to allow us to get to what we needed for protests that were about such a profound issue as the problems of policing and sparked by the profound injustice of the murder of George Floyd. So, it doesn't say fire people. I mean, DOI has done reports before where they say fire people, or say people deserve criminal charges. It doesn't say that. And I think they're right not to say that. It's not that people did quote unquote fireable offenses. It's that they were trying to keep horrible things from happening and still respect people's rights, but we didn't do it as well as we needed to. And we have to do it better going forward. And we will. And everyone in the police leadership accepts this report and takes the criticism and agrees to the changes. Which is what you want oversight to achieve honestly.

Lehrer: I haven't gotten to see it myself since it just came out. But our news department is reporting to me that some of the quotes in it are that the NYPD quote, lacked a clear strategy tailored to respond to the large-scale protests, and that NYPD's quote, use of force and certain crowd control tactics produced excessive enforcement that heightened tensions unquote. And one other one, the report states that the Community Affairs Bureau was not part of the NYPD response to the Floyd protests. And I want to ask you about that one. Because you've been talking for years about how your community policing, our neighborhood policing initiative is changing policing in New York City. So how could that happen under these circumstances? Why weren't Community Affairs officers involved with response to the protests over policing affairs?

Mayor: They were, and I said that the report I accept, and I agree with the recommendations. But I've also said publicly, it doesn't mean I agree with every sentence in it. I think that that is not the full characterization. Community Affairs was being utilized to try and work with protest leaders and members and try and coordinate things and communicate. But it needed to be done in a much more systematic fashion. Now look we had different leadership at that time in Community Affairs. We had different leadership as Chief of Patrol. Both those jobs have changed. We now have Chief Juanita Holmes, highest ranking Black woman in the history of NYPD as Chief of Patrol. Anytime there's protests in the future, she will be commanding all of our officers at protests. We have Chief Jeff Maddrey as Chief of Community Affairs. He did an

outstanding job in Brooklyn North at the time where he was chief, working with protestors and really trying to hear them and trying to have a dialogue. He is now bringing that approach citywide. So even before this report, the personnel had changed in a way that I think allows us to implement this report's recommendations very readily. So right now, I think it's clear if we are confronted with something like this in the future, the NYPD has to have a different approach to dialogue, a gentler presence, and less presence in many cases, needs to really understand that the vast majority of people are peaceful, even if there's some violent people intermixed. And that was real. That was very real and very systematic. And it happened all over the country. There were people who came there to do violence. They were, you know, a small number, but unfortunately, they had a real outsized impact. But we still have to take a different approach. And some of the things that at the time people said were exacerbating the tensions, this report confirms that. Sometimes the police's actions, even if it was meant to try and stop violence and stop looting and things that none of us want, did unfortunately, further frustrate the protestors who were there for an honest and peaceful purpose. And that we have to do better on.

Lehrer: All right, before we get to some calls, I also want to turn to the education policy announcement that you made this morning. And again, quoting from Gothamist to give listeners just the headline, and then you can elaborate. In a massive shakeup of how the City handles admissions to its middle and high schools, the Department of Education will remove all screens for middle schools for the next academic year. And eliminate district priority for high schools altogether. What does it mean?

Mayor: It means we're moving to a more equitable system. Look, the reality of this city has been too many exclusionary realities in our schools, too many ways that kids were not given opportunity. The most egregious and something I've been fighting on for years, specialized high schools that do not reflect the diversity of our city, where there's very little presence from Black and Latino kids that has to change, but that unfortunately takes the legislature. The screened schools in too many cases do not reflect the kind of fairness, the kind of diversity we want, and so what we're doing is taking a step and there will be others in the future to say, let's create a system where there's maximum choice, where kids can apply to more places, not be shut out because of geography, not be shut out because of artificial screens, and every time we do that we're going to be able to show a new model that works. But we're going to do it in stages and we're going to do it with a lot of involvement with parents and educators and at the community level, because this is a big change but clearly also because of COVID, it would have been irresponsible to have middle-school screens to begin with when there weren't even state tests this year, when grading has been thrown off, it didn't make sense for many reasons.

Lehrer: The specialized high schools, which have gotten most of the press on screens unchanged, right?

Mayor: That can only be changed through State law. We're going to continue to have a conversation with legislature and look, I'm the first to say, since it's a season of reflection that I wish I had approached that whole issue differently. I think what I tried to do, what the Chancellor tried to do was entirely right, if the question is morality and education and fairness, but we did it in a way that left too many people uncomfortable and too many people oppositional and we didn't find the right way to work with the legislature. That's something we need to try to resolve going forward. That's [inaudible] just can't be left alone. That's a broken status quo. But

that can only happen to legislature. What we can do on screens is something the city controls itself.

Lehrer: Let's take a call, Trey in Brooklyn. You're on WNYC with the Mayor. Hello, Trey.

Question: Hi Brian. Thank you for this outlet. Good morning, Mr. Mayor.

Mayor: Good morning, Trey.

Question: My name is Trey. I'm a general manager of a restaurant in Brooklyn. Normally I staff about 80 people and can seat over a hundred people at a time. This week I have no dining customers and a staff of maybe 10 that I have shifts for. I would like to say a big thank you for the street feeding and making it permanent. Although, the real reason I'm calling is if there's an actual plan for this winter to provide security for the workers, many of whom we all know are immigrants and to help keep us open and working. Given that you've just shut down indoor dining, which by your own records, accounting for a whopping 1.43 percent of COVID tracked cases and was the fifth – the fifth leading place yet can't be bothered to tell us two, three, and four, and considering number one is house gatherings. We're in the middle of holiday season, and now you've taken away, the only semi-safe space to get together with friends and family and will only drive more people to each other's houses. What is the plan? You seem to just be holding us as leverage against the federal government that really isn't inclined to do any major changes?

Mayor: Trey, thank you for the question. I know it's heartfelt. I know not – no one is holding you as leverage against the federal government. The federal government is not doing their job right now by giving us the kind of stimulus they deserve - we deserve – we are not getting a stimulus from them that we deserve, but it has nothing to do with the choices around indoor dining. That's been determined by our health care leadership yet. Look, the State of New York makes these decisions and the State of New York, it refers to when you did the, you know, number one, number five, et cetera, that's based on a state analysis. City has a different assessment and our health care leadership has been absolutely consistent in saying, when you start to see this kind of increase in the level of infection in this city, which has been skyrocketing, hospitalizations have been skyrocketing that you have to put restrictions in place if you want to stop it from becoming something that becomes out of control. And unfortunately all over the world, indoor dining where people are together inside with masks off is one of the most sensitive and problematic realities. It doesn't always show up in the contact tracing. That's true, but it doesn't, on one level – that doesn't take away the facts that have been determined by research worldwide, that it is one of the drivers of exposure. And so, we don't want to see you suffer.

But we need to do this for a brief period of time and now we have the vaccine. I think the simple way to look at is, particularly if we can do larger restrictions, which we're talking to the State about right now, to stop this horrible momentum in terms of increase in infections. Do that for a certain number of weeks, which traditionally has been somewhere in the two to four-week range, and then come out of that with now the vaccine starting to be distributed out in communities -- that could be there once and for all. So, it is not a big, open-ended thing where you have to keep suffering. It is let's stop this infection increase and get the vaccine out there and then we take the big turn to the post-COVID era. I want to see you guys get back with indoor dining as quickly as possible and we have made – you're right – and thank you for saying, we have made the outdoor

dining permanent. That's going to help a lot of restaurants. Takeout and delivery is going to keep going no matter what, but we just got to get you guys and all of us through the next month or two and then I really think it's a new reality.

Lehrer: Logan in Brooklyn, you are on WNYC with the Mayor. Hello.

Question: Hi. Good morning. My name is Logan. I'm just calling because on October 14th, the Civilian Complaint Review Board substantiated charges against NYPD officer Wayne Issacs for use of excessive force in the murder of Delrawn Small. Delrawn Small was murdered in 2016, earlier in the segment, Mr. Mayor, you were talking about the DOI report that supposedly didn't recommend anything specific. This is a real clear case where the CCRB did recommend firing. So, my question is why haven't you served the disciplinary charges and scheduled the trial to fire Wayne Isaacs?

Mayor: Thank you, Logan, for the question. Just two points on the DOI report, no, I think it's quite specific. I don't want it to be any confusion. People should read the actual report and they 20 recommendations for the NYPD and then further recommendations for intensifying civilian oversight, again, all of which I agree with. On this case, I need to find out the latest on what's going on with the scheduling. I really respect the role of CCRB. I have tried to intensify and strengthen the CCRB over these last seven years. So, I'm going to find out what is going on with that case and what the timing is, and then we'll make that answer public.

Lehrer: Logan, thanks – go ahead, you want follow up, go ahead.

Question: Four years ago. Yes, I'm sorry. I mean, this was four years ago that Delrawn Small was murdered. So I'm just, you know, we've been calling your office for months. I'm just – why do you need more information?

Mayor: I need to know what the CCRB is saying. I'm planning on doing it. I just don't happen to know that. The case went through to – excuse me – a PD process, a police department process, the CCRB has taken it up more recently. I need to hear from them what they intend to do. I just don't have that answer for you.

Lehrer: What - and Logan, thank you. As a follow-up and tying this into the report this morning on policing during the protests, what kind of message does it send to the regular police officers who might be disciplined as individuals for using excessive force that's captured on video when their superiors can make poor decisions documented in this report with little or no consequence?

Mayor: I think that's respectfully a false comparison. The – an individual officer was doing their best to do their job under tough circumstances is being respected for the job they did. Very few officers, you know, we're talking about force of 35,000, very few did the things that show up on those videos as inappropriate. The ones who did are experiencing discipline for it. But what we're saying here is the leadership dealt with an incredibly tough situation, did stop the things I talked about a growth of violence, a growth of looting – the kinds of situations got out of control in so many other parts of America – that was addressed in a way that was effective and it needs to be respected. It cannot be left out of the equation, Brian, that if we were having a conversation right now and the city had had more and more days of looting, including, as I said, in the South Bronx where I was, Fordham Road, Burnside Avenue – immigrant, Latino businesses destroyed

by the looting – you know, you would not look at it and say that was an acceptable outcome. If that had gone farther, I think everyone would rightfully say something horrible happened if police precincts had burned, if people had died. Thank God, no one died in these protests – that took immense work to ensure no one died. But we are saying the leadership didn't have enough of a strategy, didn't use community affairs the way it could have been used, missed an opportunity to have a different kind of communication with the people in New York City – as did I, and we need to fix that. Again, I understand there's sort of a journalistic impulse to want to see people fired or some kind of retribution. I don't look at it this way. I think if people say, we did our job, but we didn't do good enough, we need to do better and agree to it and accept it and embrace it, that's something that I actually feel good about.

Lehrer: Jake, in Brooklyn – a high school teacher. You're on WNYC with the Mayor. Hello, Jake.

Question: Hi. How are you?

Mayor: Hi, Jake. How are you doing?

Question: I'm doing okay. I'm a high school teacher. Right now, I'm working probably two to three times what my normal hours would be pre-pandemic and a lot of that is because I have to call houses for children that aren't coming to Zoom class, students that aren't coming to their Zoom class, or students that are not handing in work. And, right now, I have about 50 percent of my students failing and it's just very difficult to talk to a parent or try to talk to a parent when Zoom classes aren't mandatory. And I understand that we have to give the kids some elbow room, because of everything that's going on. But I mean, Zoom classes aren't mandatory and they can make up the work, because we have a grade [inaudible] we give students that are failing to make up the work later on. It's just very difficult to say to a parent, hey, they can make this up later, but I need it – I would like it now. So, for the kids, a lot of them are failing because of – because there's a little bit too much elbow room. But I understand – I mean, could there be a policy where like, if you guys want the kids to pass, I understand, just tell them that and then we can go in and we can do checkups on the kids, we can make sure that they're doing okay. We can call them for those reasons and possibly get our day down as well, because, at this point in time, by giving an annex and saying you can make things up later on and telling parents that they don't have to come to Zoom, but we would like them to come to Zoom, it's almost like our time is being – is not being respected and that I'm working so many more hours. And like, for example, our time not being respected – sorry, I'm a little nervous – our time not being respected, like we were given a lengthy develop professional development on trauma for children to understand their trauma, and we weren't getting any time to do it – it's like, do it on your own time. Again, which I understand is something we should do, but a lot of the policy seems to be falling on us to try to figure it out. And a lot of it, when it's not working, it's hurting us and the students. Thank you.

Mayor: Well, Jake, thank you. That's powerful and very honest. First, I think, in your question you're exhibiting something that I really want people to pause and feel, which is just how extraordinarily devoted educators are. I mean, it's incredibly tough what we ask you to do all the time, let alone what you're dealing with now. So, you know, I'm feeling just how tough your job is and I'm sad about that. And I would say a couple of things – one, you know, we could have said everyone passes. I don't think that would have been helpful. I think there has to be some

sense of like, there's still consequences and accountability. I think that helps kids stay focused and I think parents want that. We've tried to do that. I do think we've got to tighten up the notion that kids should be attending at the time they should be attending, even though we do give some flexibility. We know there's situations like kids who have to help with the rest of their family and things that requires some more flexibility, because parents aren't home. We try to leave that flexibility, but we've got to tighten up the sense that kid should attend whenever humanly possible at the assigned time. So, your point, I really take to heart, how do we keep improving our reality? But then the other thing I think is really important to say to you is, that the plan that the Chancellor and I discussed last week, the 2021 Student Achievement Plan, which explicitly acknowledges there's going to be a COVID achievement gap and we have to go right at it, we're going to be talking more in the coming weeks about the components of that and the pieces that we can start this year, particularly using digital education to help kids recover ground, especially when we're back in-person. Look with the vaccine now starting to be distributed, this school year – there's a lot to play out in a good way. The majority of the school year is ahead. A year – a high school teacher – you know, there's going to be a day when high school comes back in person and that's going to help. We don't know when yet, but that's going to help you to support your kids in a much better way. And then, in September, you know, everyone's coming back and we have a chance to really start to make up the lost ground. Particularly, if we put additional supports in place, mental health supports, digital education supports, etcetera. So, I don't have a perfect answer for you except to say, please hang on. We need teachers like you. We need teachers who are that devoted. This situation will change in January and February, there was no question in my mind. We will turn around the current spread and the vaccine's going to play a profound role. We'll go into the spring and a different situation that will feel better and September will be night and day compared to what we're dealing with now. So, please hang on, and I'm going to follow up with the Chancellor. Please leave your information on WNYC, because I'd like the Chancellor and some of his team to talk to you about the things we can do to provide more support for teachers like you. So, thank you very much.

Lehrer: Jake, hang on. We'll take your contact off the air. And, Mr. Mayor, as a follow-up to that in our last minute – just as a follow-up to your announcement this morning, that you will pause the use of academic admissions screens for middle schools. We got a press release from a coalition of advocacy groups that says we welcome what they call the initial step. And yeah, it says, we know that the simple removal of screens does not ensure integration and additional action is immediately called for. And the first thing on their list is creating admissions priorities for low-income students, English language learners, and students in temporary housing that are reflective of our city's demographics. Brief comment on that? And then, we're out of time.

Mayor: I hear their concern. I think we're going to do it step-by-step here. There are big changes happening today and more changes coming. We want to really work with parents, work with educators and communities to help people see the virtues of these changes. So, I would say to folks, you know, work with us step-by-step as we start to make this a very, very different approach for the future of New York City.

Lehrer: Mr. Mayor, thanks as always. You know, next Friday is Christmas. The Friday after that is New Years. So, we'll talk again in three weeks, have a very Merry Christmas and a Happy New Year. And, as you were saying to the caller, may 2021 be a very different year for the City of New York and for the world.

Mayor: To you, Brian, and all your listeners, Happy Holidays, Merry Christmas, Happy Kwanzaa, Happy New Year. I look forward – when we meet again in 2021, it will not be 2020, and that will be a great thing unto itself.

Lehrer: At least we can say that. Thanks, Mr. Mayor. Talk to you then.

Mayor: Thank you, take care.

###