

Update on November 4th Public Safety Incident at Kingsborough Community College

Surveillance Video of November 4th:

A few weeks ago, the college showed our campus grievance officer and chapter chair surveillance video of the KBCC cafeteria and library on November 4th, 2022. The surveillance video did not have audio. The video shows a brief physical altercation that involved three male students. One of the young men was African American (Student 1), the next White/Caucasian (Student 2) and the third was of indeterminate BIPOC Ethnicity (Student 3). In order to protect their privacy and maintain our commitment to protecting students' privacy, we will not use the students' names. Instead, as already shown, for purposes of identifying them in this document, we will refer to them as described in the fourth sentence hereinafter.

The surveillance video begins with footage of the first floor of the cafeteria where the three students can be seen as part of a larger group of students. They are sitting at a cafeteria table and having a conversation for several minutes. At one point, Student 3 is seen restraining Student 1 who appears to be attempting to physically attack Student 2. There appears to be a heated verbal exchange with little physical interaction (Some pushing and shoving). As this is taking place, a public safety officer can be seen on the second-floor mezzanine running toward the stairs to intervene. A short time later, several public safety officers, including a supervisor lieutenant, arrive and separate the three students with little apparent physical interaction. The three students are calmly escorted to separate areas of the cafeteria and for approximately the next five to ten minutes little is observed other than students and public safety officers speaking.

Student 3 is seen heading out of the cafeteria to an area that is not covered by surveillance. About five to ten minutes later, he is seen walking back into the cafeteria. He starts to run towards Student 2 who has his back turned to him. Before Student 3 can reach Student 2, he is restrained by public safety and briefly held down on the ground. While on the ground he is handcuffed and then taken to the public safety office. Student 2 is also taken to public safety without restraints. Student 1 was not detained.

What transpired in the library, which is located outside the public safety office, can be seen on publicly available cellphone video. The college's surveillance video is consistent with that cellphone footage. We have spoken to members who were present in the library at the time, but not involved in this incident, who reported being concerned for their personal safety.

Conclusion:

1. NYPD was contacted by the director of public safety who is authorized to do so. The NYPD officers arrived and, after a time, escorted Student 3 to the precinct where he was subsequently released later that evening. Video does not show NYPD engaging in any other physical interaction with anyone. Video does not show NYPD wearing riot gear but does show some, but not all, wearing latex gloves. Upon inquiry we learned that latex gloves are optional for NYPD officers since the onset of the COVID Pandemic.

2. Based on what we have learned, it is clear that the public safety officers did not witness either the verbal exchange or initial physical exchange between the three students. Thus, the public safety officers could not have been aware of what was said between the students at that time. There is no evidence that public safety's actions were based on race. In fact, the one African American student who was involved in the physical altercation was the only one of the three students to be released at the scene and not taken to the public safety office and was never detained.

3. After discussions with eye-witnesses at the library, we found that there is disagreement over whether or not the Director of Public Safety's decision to call the NYPD was warranted. Some felt threatened and others felt that there was no danger.

4. The college continues to maintain that no disciplinary charges have been brought against any student involved in this incident.

5. Student 3 was taken to the NYPD precinct and released with a court summons later that evening. It is our understanding that no charges are being pursued against Student 3.

6. We have had conversations with Public Safety about the possibility of them wearing body cameras in order to provide for increased accountability in the future. We will be advocating for this with our administration.

7. The college must improve its communication. Members of the campus community are justly concerned and the college has yet to provide any information to the entire community. This is just one example of a larger problem at KCC and throughout CUNY

where senior leadership holds themselves unaccountable to faculty, staff, and students.