

December 4, 2020



THE NYPD FILES

It Wasn't the First Time the NYPD Killed Someone in Crisis. For Kawaski Trawick, It Only Took 112 Seconds.

Trawick was alone in his apartment when an officer pushed open the door. He was holding a bread knife and a stick. "Why are you in my home?" he asked. He never got an answer.



Ellen Trawick had long been skeptical of the New York Police Department's account of how her firstborn son was killed by an officer last year in the Bronx.

The NYPD had announced on April 15, 2019, that there had been a "Police Involved Shooting" the night before. It said Kawaski Trawick, 32 years old and Black, had been fatally shot when he charged at officers with a knife and a stick. "It escalated quickly," one of the NYPD's top officials told reporters, saying the shooting "appears to be justified."

There was video of what happened from both a hallway security camera and one of the officers' body-worn cameras, but the NYPD wouldn't disclose any of it, citing, for more than a year, its ongoing investigation.

When Ellen Trawick finally got to see the footage, it confirmed her suspicions about the killing of her son, a personal trainer and aspiring dancer who had struggled with addiction and other mental

health issues. The NYPD's account was far from the full story.

In the footage, Kawaski Trawick is walking through the hallway of his apartment building in his underwear, a fitted sleeveless jacket and cowboy boots. He is holding a bread knife and a long stick. He arrives at his apartment door, pats his pockets looking for his keys, which weren't there, then walks off.

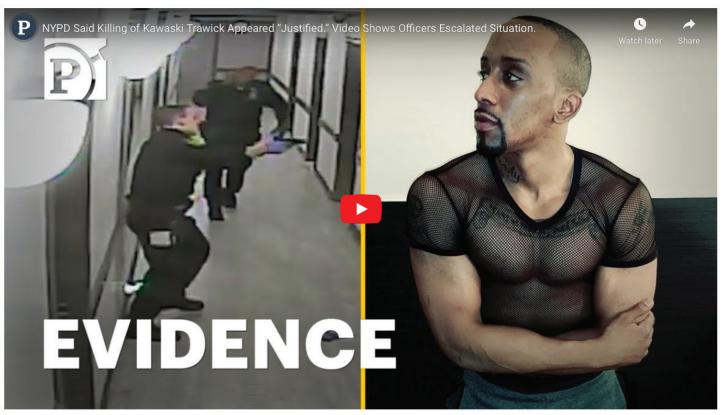
About 15 minutes later, Trawick comes back down the hall, leading four firefighters to his door. One of the firefighters uses a long metal hook to pry open the door. Trawick walks into his apartment, then waves at the firefighters as they amble away.

A few minutes later, two NYPD officers arrive. After knocking, one of the officers pushes on the door, which opens a bit. Then the officer presses on it, dislodging a chain lock, and the door swings open.

Standing near his stove, Trawick is holding the bread knife in one hand and the stick in the other.

Watch Our Analysis of the Shooting

ProPublica scrutinized footage of the shooting and found that the officers escalated the situation.



Lucas Waldron and Maya Eliahou/ProPublica

"Why are you in my home?" he demands to know.

The NYPD has long known that police encounters with people in crisis can be unpredictable and dangerous. The two officers who arrived at Trawick's door that night had both received the latest iteration of the department's training in how to handle such situations.

But instead of trying to ease the confrontation, the officers escalated it. They ordered Trawick to drop the knife. They ignored his repeated questions about why they were there. And then one of the officers took it further. First he used his Taser on Trawick, despite his more-experienced partner telling him not to. When Trawick became enraged, the younger officer, who is white, fired his gun, despite his partner, who is Black, again trying to stop him.

"This case is a lesson in how you don't do one of these encounters," Jonathan Smith, who during the Obama administration oversaw many of the Justice Department's most significant investigations into police abuse, told me after reviewing the footage. "They should teach it in the academy." The NYPD has long billed itself as a leader in modern policing, including what it calls "a best practices approach" to de-escalation and handling people in crisis. But while officers' use of deadly force has generally trended downward, mental health advocates from the nonprofit Community Access said that since the NYPD started its current de-escalation training five years ago, at least 16 people who were experiencing a mental health crisis, including Trawick, have been killed by the police. That's twice as many killings as in the preceding five years. Fourteen have been people of color.

There has been increasing recognition in New York and elsewhere that police shouldn't be the default response to mental health calls. But even if alternatives are more widely implemented, officers will inevitably interact with people in crisis. Yet officers who helped craft the NYPD's de-escalation training told ProPublica the department has never really committed to making it work.

When situations do escalate and people get hurt, the NYPD resists scrutiny. Citing its internal investigations, which often drag on, the department withholds crucial details. When the investigations are finally done, rarely are there consequences for officers, commanders or the department itself.

"It's baked into the culture of the NYPD to make excuses before you make change," said one NYPD commander who helped craft the training.

In Trawick's case, the NYPD said both officers remain on active duty. The department said that its investigation is finally complete but still needs to be presented to senior officials, who will weigh whether the officers violated any NYPD rules.

The footage from the hallway and body-worn camera shows the officers did not follow crucial elements of the training that the NYPD is counting on to keep people in crisis from being killed.

When the two officers get to the door, Officer Herbert Davis, who is Black and had been on the force for 16 years, knocks. Standing next to him is Officer Brendan Thompson, who had been with the NYPD for three years and is white. (Davis declined our request for comment and Thompson did not respond to multiple requests for comment.)

The NYPD's de-escalation training teaches officers to not simply give orders. Instead officers should, as the department describes it, establish a connection with someone in crisis "through active listening, developing empathy and rapport."

But the officers don't answer when Trawick asks repeatedly why they're at his door. Davis urges him to put the knife down. Thompson takes out his Taser.

At that point, Davis gives his less-experienced partner the first of three warnings not to use force. "We ain't gonna tase him," says Davis, who briefly wields his Taser, too, but puts it away.

Thompson swaps his Taser for his gun.

Less than a minute passes as Trawick and the officers go back and forth. "I just called the Fire Department because I was locked out of my home," Trawick says.

"Do me a favor, put the knife down, put the knife down, please," Davis says.

Ellen Trawick told me she was struck by Davis' tone when she watched the video: "Davis was calm. He was just looking."

Davis had forgotten his body-worn camera at the station and cautions his partner, "I don't have my camera on so be careful."

Thompson's tone was more forceful. He repeats a command four times slowly: "Drop. The. Knife."

If someone appears to be confused or agitated and is not doing what police tell them to, the NYPD's Patrol Guide gives clear, underlined guidance on what to do: Officers "will attempt to isolate and contain the suspect."

In the officers' encounter with Kawaski Trawick, "They could have just closed the door," said Charles Lieberman, a retired NYPD detective who helped create the department's current training for handling people in crisis.

Instead, Thompson takes out his Taser again, holding it in his left hand and his gun in his right. As Trawick mutters to himself — "the center, the center of the brain..." — Thompson fires his Taser, sending two electrically charged barbs into Trawick.

Trawick had been standing about 7 feet from the officers, holding the knife and stick in one hand. Thompson hadn't given him a verbal warning before using the Taser, though the NYPD encourages one.

"Thompson just tased him," Ellen Trawick said, recalling the moment. "Lord have mercy."

Kawaski Trawick screams and falls to the ground. Thompson drops his Taser on the ground and enters the apartment with Davis. Three seconds later, before the officers could handcuff him, Trawick stands up and yells, "Get away!" He first leaps backward away from the officers and then, holding the knife, he rushes toward them, screaming, "Get out, bitch!"

As Thompson has his gun pointed at Trawick, Davis tries to stop him a third time. He briefly pushes the gun down and says to Thompson, "No, no — don't, don't, don't, don't, don't."

Trawick yells: "I'm gonna kill you all! Get out!" Thompson fires four times, hitting him twice.

It had been 112 seconds since the officers arrived at Trawick's apartment.

"The officers escalated the situation," said Lieberman, who served almost 20 years in the NYPD and earned a doctorate in criminal justice, "by opening the door without permission or authorization of the resident, when the resident expressed that they were not wanted and without any other criminal behavior being observed."

The commanding officer who also helped craft the de-escalation training agreed. "What was the exigency?" said the officer, who was struck by the fact that firefighters had had an unremarkable interaction with Trawick just a few minutes before. "The officers created exigency."

Ellen Trawick was first shown the footage this August, in a video conference with lawyers from the Bronx District's Attorney's Office. During the meeting, they told Trawick that the district attorney, Darcel D. Clark, had decided not to pursue criminal charges against the officers.

In a report released last month that included much of the footage, Clark's office said prosecutors had concluded that the shooting was legally justified,



Ellen Trawick with her son at his graduation from Atlanta Technical College in 2013. (Facebook)

or at least they couldn't prove it wasn't. To convict an officer, prosecutors need to establish that a "reasonable person" in the officer's shoes would not have concluded their life was in danger. The Bronx DA said she could not do that.

Meanwhile, the NYPD is fighting a lawsuit demanding that it release the full, unredacted body-worn camera footage, saying doing so would "interfere" with the department's investigation and be an "unwarranted invasion of personal privacy." Kawaski Trawick's relatives say the police never asked them about their preference.

"I just want to talk to the talk officers. And I want to know, 'Why, why,'" Trawick's sister, Asmita Trawick, told me. "My brother taught me, If you don't understand something, just ask why," she said. "And that's one thing when I heard the video, he kept asking, 'Why?' I honestly feel like if they had an answer for him, he might have calmed down. But they didn't answer. And no one can give answers."

In 1984, an NYPD officer killed Eleanor Bumpurs. She was 66, Black, mentally ill and had tried to slash officers with a knife after she refused to be evicted from her apartment. An officer fired his shotgun once, shattering the hand in which she was holding the knife. Several seconds later, he fired again, hitting Bumpurs in the chest. The confrontation took place less than a half-mile from where Trawick was killed.

The police commissioner at the time, Benjamin Ward, defended the shooting. "I don't know if anything actually went wrong," Ward said. "They did what the Patrol Guide said." The officer who shot Bumpurs was charged with manslaughter, acquitted and then restored to full duty.

Bumpurs' killing became infamous — the director Spike Lee cited it as one of his inspirations for "Do the Right Thing" — and prompted promises of changes.

Two years later, Trawick was born. His family lived in Milledgeville, Georgia, about two hours southeast of Atlanta. When he was a child, his mother would leave early for her job as a state prison guard, so Trawick often prepared his three younger siblings for school.

"He cooked. He did laundry. He just spoiled them," Ellen Trawick told me.

Kawaski Trawick was particularly close to Asmita, who is three years younger. "He was my best friend, my super hero," she said. "He'd dress me, comb my hair — saying, 'You're gonna have the prettiest hair' — and he'd say to his friends, 'This is my sister, y'all treat her just like you do me."

Trawick loved to dance. "When we were kids, I'd turn on the stereo, he'd dance allll day," his sister said. When they were older, they'd go to clubs in Atlanta. "He could flip. Literally, he'd flip in the club. The DJ would be like, 'Here comes the flipping man!"

Ellen Trawick said that after her own father died, she sensed a change in Kawaski. The first grandchild, Kawaski Trawick had been close to her father. Trawick "never said what was wrong. But I could feel it and hear it." When Trawick called his mom once crying, she recalls, she told him, "I don't know what's going on but you need to come home."

Trawick moved back to Milledgeville for a bit. But he was a gay man who dreamed of starting a dance studio. "He decided Milledgeville was too boring," his mom said. In 2016, he moved to New York City.

Over the years, the NYPD had begun to train some officers to handle what it classifies as EDPs: "Emotionally Disturbed People." The training went by a few names, including, initially, "Verbal Judo."



James Shanahan, a retired NYPD detective and hostage negotiator who helped create the courses, said the department's typical approach to training had been "generally miserable. Check-the-box bullshit."

"They'd teach you everything except what you do 92% of the time: How to deal with people," Shanahan said. He had done side work as an actor and began to use role-playing in trainings that emphasized the need to make a connection with people.

"I told officers, 'Get rid of your ego, honey, and have some empathy," Shanahan said. "Don't ridicule, don't shame. It's common sense, but what do they say about common sense? It's not common."

Shanahan pitched the training as "Tactical Communications." ("I learned a long time ago, when you want to sell something to cops, throw the word 'tactical' in front of it," he noted.)

The training continued in various forms for years, but the full course was limited to some specialized units.

Mayor Bill de Blasio promised to change that. In 2014, his first year in office, he created a task force to rethink how the city approaches behavioral health and criminal justice. In a press release unveiling the task force's report, the city said it would spend \$130 million on "dozens of strategies."

The release listed "Signature Initiatives," the first of which was improving the training for officers: "The City will expand training for police officers that will enable them to better recognize the behaviors and symptoms of mental illness and substance use."

By that time, police departments across the country were schooling their officers in the latest approach to de-escalation, what was called Crisis Intervention Team training, or CIT.

Officers would spend roughly a week learning about mental illnesses and drug addiction, and about pitfalls, like how giving orders can actually exacerbate a situation.

Advocates of CIT have emphasized that training for a few days isn't enough. It needs to be part of



A photo released by the New York Police Department shows the stick and bread knife Kawaski was holding when the officers arrived at his apartment. (NYPD)

a broad commitment to giving those in crisis the help they need. "Training-only approaches do not improve safety," said a lengthy report last year by a nonprofit that helps police adopt CIT.

New York's rollout of a broader approach has been faced with serious questions. The NYPD's role in the effort has been the focus of scrutiny too, including an investigation last year by the nonprofit newsroom The City, which has also closely covered Trawick's killing.

There's been a lack of follow-through, said the retired detective Lieberman and others who helped set up the program. The NYPD didn't track whether officers were even using it, he said. "They did a survey to assess officers' perspectives on the training, but that doesn't tell you whether it works."

The NYPD did not respond to questions about the lack of follow-up; the mayor's office cited the survey of officers as evidence of the program's effectiveness: 98% said they think the training will help them.

Shanahan, who also worked on rolling out the training at the NYPD, said there had been ambitions to do more, like creating teams of officers dedicated to responding to people in crisis. "But nobody picked up the ball," Shanahan said. He suspects part of the problem was that success is hard to count. "You can't quantify, 'Did you care for someone today?' How do you count that?"

A 2017 report by the city inspector general for the NYPD slammed the department's effort. The police had trained only about 4,700 officers on a force of 36,000. It hadn't put anyone in charge of coordinating the program. It wasn't tracking how incidents were being handled. And it hadn't even updated the Patrol Guide to reflect the new thinking. (The department countered with a 28-page response that said the report "overlooks the totality of NYPD's approach.")

The report noted that during the city's investigation, NYPD officers had shot and killed Deborah Danner, a 66-year-old Black woman. A few years before, Danner had written an essay, "Living With Schizophrenia," in which she described her fear that poorly trained police would shoot her: "It has never been lost on me that the old adage, 'There but for the grace of God I go' could apply to me."

In describing Danner's case, the city report noted that the officer who shot Danner "had not yet received the Department's recently implemented CIT training."

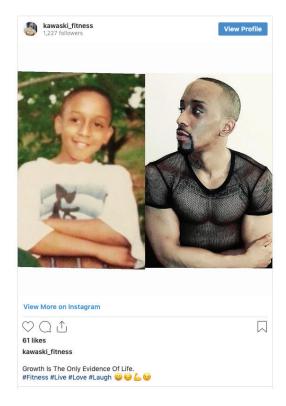
When Trawick first moved to New York, he lived in a few places before moving in mid-2018 to Hill House in the Bronx.

"He was excited," Ellen Trawick said. "He was trying to get his dance business going. He would get up early to go to the gym. I would ask him about getting a job. He would say: 'No, I want to be an entrepreneur. I don't want to work for anybody."

Alejandro Ortiz, who met Kawaski Trawick online, told me the first time they met in person, Trawick invited him to a dance class. "I was intimidated and out of shape," Ortiz said. "But he was just so nice and sweet. He never hit on me. He was just trying to help me. I thought, 'You're definitely not a New Yorker."

Trawick struggled with drugs at times. "We talked about it," his sister Asmita said. "I tried to be encouraging. He'd have days where he was good and have days when he was down. When he was going through stuff, I would say, 'You should talk to mom about this."

They did. "We might have had disagreements, but we talked all time," Ellen Trawick said. But then in his final months, her son went from calling three or



four times a week to far less frequently and from numbers she didn't recognize.

Kawaski Trawick's neighbors at Hill House remember him as erratic. He could be sweet and charming, but he would also walk through the hallways at all hours doing martial arts moves with his long stick. He once swung the stick and broke a window.

Trawick clashed with the building's superintendent, William Black. Black once locked him out of the gym after Trawick took weights back to his apartment, according to the DA's report. They argued and Trawick threatened to knock the superintendent's glasses off his face, the report says.

Police responded to Hill House three times for calls about Trawick in the months before he was shot. They echo his final night. Twice he was holding a knife.

But the other police visits ended without injury or violence. In one of them, three months before the shooting, a staffer called 911 in response to complaints that Trawick was wandering the halls with a knife. Two officers came to his door. They found Trawick holding a kitchen knife, but "not in a menacing way," one of the officers told the DA's office. He was "just holding it."

The officer went up to him, took the knife and handcuffed Trawick, who, the DA's report states, "did not resist." The officers called an ambulance and Trawick was taken to a local hospital for an evaluation. The report sums up the previous 911 calls as "examples of disparate outcomes that deserve mention."

The day Trawick was killed, he had been hanging out in his apartment with a friend in the building, Arnold Spinner. "He was a real beautiful person," recalled Spinner, who said he bonded with Trawick despite being decades older. But Spinner said Trawick would smoke crystal meth and then "act real nutty."

On Trawick's final day, Spinner saw that he was about to get high, "So I just left him and went downstairs."

Sometime after Spinner went home, Trawick locked himself out. Three residents told ProPublica that if a resident forgot their keys, Black, the superintendent, wouldn't unlock their door. "He said he wanted to teach them a lesson," one said.

Black declined several requests to share his account. He told ProPublica, "I don't like what happened, and that's all I got to say." The nonprofit that operates Hill House, Services for the UnderServed, declined to answer questions about the shooting and the events leading up to it.

The Human Resources Administration, which oversees many city social service programs, said it reviewed Trawick's death and spoke with Services for the UnderServed. "No deficiencies in the services provided to the client were identified," an HRA spokesman said.

That night, four 911 calls came in about Trawick in quick succession. A bit after 10:40 p.m., the security guard reported that he was "harassing" neighbors. Then the guard let Trawick borrow the front desk phone to call 911 to report that he was locked out. "The super, for some reason, is busy," Trawick said. After the dispatcher didn't seem to share his urgency, Trawick added, falsely, that there was a fire. The superintendent also called 911, saying

Trawick had threatened to punch him. And then the security guard, after admonishing Trawick for the false alarm, called back saying there was no fire.

Each of the four calls went to a different 911 operator, and though they all had come from the same address in a matter of minutes, the calls for the Fire Department and the calls for the Police Department were not readily linked in the dispatch system. The firefighters and police officers arrived not knowing the full picture.

When a police dispatcher sent officers Davis and Thompson to respond, the dispatcher noted that the address "was a sensitive location," apparently referring to past mental health calls there. Davis told the DA's investigators he didn't hear the advisory, but it's not clear it would have mattered. Davis had spent his whole career in the same Bronx precinct. He had responded to Hill House before and knew people there often needed help. And, strikingly, he had taken the NYPD's Crisis Intervention Training just three days earlier. Thompson had taken the training a few years before when he was in the police academy.

The two had been partners for four months. They arrived at the building and talked for a couple of minutes with a program director from a facility across the street and Black, the superintendent, who led the officers upstairs to the fourth floor and waited in the stairwell.

At 11 p.m., Sidney Lamont, who lives next door to Trawick's apartment, heard officers knock. "I heard them say, 'Police open the door.' Then I heard them say: 'Put it down! Put it down!" Lamont recalled. "Then I heard shots. It was very scary. I was afraid the shots were going to go through the wall."

EMTs arrived two minutes later as Thompson and Davis stood outside the closed door. Trawick was already dead.

Trawick's friend Spinner had gone to the lobby after he heard the shots and he saw Trawick being taken out. "Everybody was real quiet, like, 'Oh my God,'" Spinner recalled. "He wasn't talking or moving. And he never came back." A few days after Trawick was killed, NYPD detectives met with his cousin and aunt, who both lived in New York. The detectives wanted to know about Trawick's mental health history and drug use. But Trawick's relatives had questions too.

"How did it escalate from zero to 100," his aunt asked. "There was no body cam? Nothing like that?"

"Was it disclosed to police that he had a mental health issue?" asked his cousin, Shannon Bland, who secretly recorded the meeting on his phone and shared it with ProPublica. "And has the case gone to the DA yet?"

The detectives stumbled a bit, saying they couldn't disclose anything since the case was under investigation. But one of them offered: "There was a confrontation at the door between him and police. He had a weapon. That we know. He apparently came at the police with a weapon."

Everyone was polite, but the tension and awkwardness were evident. As the meeting ended, one of the detectives tried to reassure Trawick's relatives. "We're all in this together trying to make a big picture of what happened that night and what kind of person and where things may have changed from Atlanta to New York," he said. "It's all important for us to figure out how this went from zero to 60."

The year and a half since has been mostly marked by what hasn't happened: The NYPD hasn't made public the findings of its investigation, it hasn't released all the video it has and officers haven't faced disciplinary review.

Instead, the NYPD has continued to fight against disclosing the video.

Stuart Parker was a lawyer at the NYPD for 13 years, finishing in 2016 as an assistant commissioner for legal matters. But he's now working on a lawsuit against the department over its refusal to fully disclose footage of police shootings.

Parker said he signed on as a pro-bono cocounselor to the suit, by the New York Lawyers for the Public Interest, after seeing the NYPD argue that disclosing such videos would interfere with its investigations and violate people's privacy.

In one filing this summer, more than a year after Trawick was shot, an NYPD lieutenant attests that release of the full footage "may affect the testimony and recollection of police officers involved in the incident or anyone else involved."

That doesn't make any sense, Parker said. "You're telling me a year later, you haven't interviewed the officers? Why not? And if you have interviewed the officers, then how would releasing the footage interfere?"

"I have an incredible fondness for the NYPD. It's a great organization," Parker said. "But these strike me as self-inflicted wounds."

Assistant Chief Matthew Pontillo, who oversees the department's disciplinary policies, told ProPublica the department was dealing with a backlog of videos and prioritizing the release of more recent events. He said it intends to release the Trawick footage.

Despite de Blasio's promises, how New York City responds to people in crisis has not changed.

In the spring of 2018, the mayor and his wife, Chirlane McCray, announced another task force on improving the city's response to people in crisis. The city billed it as "a 180 day effort to develop a comprehensive, citywide strategy."

More than a year later, in October 2019, the city unveiled the results of the work: a pledge to spend \$37 million a year to close "gaps" in services, including \$23 million for "new teams of mental health responders."

As the task force was assembling its proposals, there had been an increasing recognition across the country that training officers isn't enough. Indeed, mental health advocates in New York City who had originally encouraged de Blasio to embrace training changed their position, saying the city needs to start sending people other than police to certain 911 calls.

New York City Public Advocate Jumaane Williams, the city's elected watchdog, said he was frustrated by the mayor's response. Last year, Williams published a plan to revamp the city's approach, including a proposal that would include not only mental health professionals but peer counselors as the primary responders. But Williams said City Hall opposed the approach. "They just fought it every step of way, tooth and nail," he said.

When ProPublica asked the mayor's office and his wife's mental health initiative about that, they responded with a statement saying, "There has been significant, sustained work to strengthen mental health crises prevention and response over the last several years."

The notion of not sending police in response to 911 calls about people in crisis is becoming a reality in some cities. In Houston, for example, 911 dispatchers can send calls to mental health counselors instead of the police.

Facing increasing pressure in recent months, de Blasio announced in November that New York City will soon take its first, tentative step toward an alternative. Starting next year, some 911 calls will be handled by two-person teams pairing a social worker and an EMT. The pilot program will be in two of the city's 77 precincts.

The announcement said the effort will be modeled on a program started 31 years ago in Eugene, Oregon, called CAHOOTS, or Crisis Assistance Helping Out On the Streets. In Eugene, 911 calls can get sent to mobile teams of crisis counselors.

Tim Black, a longtime counselor who's now working on helping other cities implement the approach, understands New York faces a more complex task than Eugene, which has a population of about 170,000. He said he's been in touch with New York City officials and encouraged their pilot program.

So what might have happened if the 911 calls about Trawick in April 2019 had been routed to something like the Eugene program? "This is a classic CAHOOTS situation," Black responded. "We'd go there, not the police, and we'd ask: 'What

do you need to be able to leave your neighbors alone for the night?' We'd probably check with the super too to see what we can do to help."

A number of people with mental illnesses themselves told me that while they think New York should take that approach, it's still critical that police get proper training. They've participated in the training the NYPD has done.

"I do the trainings because if there's any chance, any chance at all that an officer is more likely to be compassionate, it's worth it," said Sharon Simon, a trainer and comic.

The city's inspector general for the NYPD noted this year that the department has made some progress on implementing the training program. The mayor's office told ProPublica that at least 18,000 officers have now been trained.

But the NYPD suspended training this spring when the pandemic took hold. It told ProPublica it plans to resume "when it is safe and possible for all involved." Whatever happens with the training, the Trawick family is still seeking answers and a measure of justice. It has filed a lawsuit against the officers, the NYPD and the city, and it has asked New York City's Civilian Complaint Review Board to investigate Kawaski Trawick's killing.

"I know my brother had issues," his sister Asmita said, but he had never hurt anyone.

The night he was killed, before she knew anything, she recalled, "I was at my best friend's house. I said, 'I miss my brother, I need him to hug me.' Something just came over me. I didn't know why. I was just so sad." She woke up in the middle of the night to many missed calls from her mother and family. When she found out what had happened, "I broke down, I broke down."

In talking about Trawick, she slips between the present and past tense. "He's the greatest brother. I still feel like he takes care of me." She still dreams about him. She had one recently, she said, during which he told her: "They did me wrong. I just want you to tell mom, 'They did me wrong."