

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH  
THE COMMITTEE ON PUBLIC SAFETY

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HELD AT: COUNCIL CHAMBERS - CITY HALL

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JULISSA FERRERAS-COPELAND  
Chairperson

VANESSA L. GIBSON  
Chairperson

COUNCIL MEMBERS:

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James Vacca  
Jumaane D. Williams  
Chaim M. Deutsch

Rafael Espinal, Jr.  
Rory I. Lancman  
Ritchie J. Torres  
Steven Matteo

## A P P E A R A N C E S (CONTINUED)

William Bratton  
Commissioner  
New York City Police Department

Benjamin B. Tucker  
First Deputy Commissioner  
New York City Police Department

Vincent Grippo  
Deputy Commissioner of Management and Budget  
New York City Police Department

Carlos Gomez  
Chief of Patrol  
New York City Police Department

Joanne Jaffe  
Chief Community Affairs Bureau  
New York City Police Department

Michael Julian  
Deputy Commissioner of Personnel  
New York City Police Department

John Miller  
Deputy Commissioner  
Intelligence and Counterterrorism  
New York City Police Department

Theresa Shortell  
Assistant Chief  
NYC Police Academy  
New York City Police Department

Robert Johnson  
Bronx County District Attorney

Cyrus Vance  
New York County District Attorney

LeRoy Frazer  
Chief of Staff  
Kings County District Attorney

Richard Brown  
Queens County District Attorney

Daniel Master  
Acting Richmond District Attorney

Bridget Brennan  
Special Narcotics Prosecutor  
Office of the Special Narcotics Prosecutor

John M. Ryan  
Chief Assistant District Attorney  
Queens County District Attorney's Office



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[sound check, pause]

CHAIRPERSON FERRERAS-COPELAND: Good

morning and welcome to the City Council's fourth day of hearing with the Mayor--on the Mayor's Executive Budget for Fiscal Year 2016. My name is Julissa Ferreras-Copeland, and I chair the Finance Committee. We are joined by the Committee on Public Safety, chaired by my colleague, Council Member Vanessa Gibson. We've been joined by Council Members Matteo, Rodriguez, Vacca and Lancman. Today we will hear from the Police Department, the five District Attorneys and the Special Narcotics Prosecutor. Before we begin, I'd like to thank the Finance Division staff for putting this hearing together. Including the Director Latonia McKinney, the Chief Counsel Tanisha Edwards, Assistant Counsel Rebecca Chasen, Deputy Directors Regina Poreda Ryan and Nathan Toth, Unit Head Eisha Wright, Finance Analyst Ellen Eng, and the Finance Division Administrative Support Unit Nicole Anderson, Maria Pagan, and Roberta Caturano, who have put everything together for today. Thank you all for your efforts.

I'd also like to remind everyone that the public will be invited to testify on the last day of

public hearings on June 9th beginning at approximately 1:30 p.m. in this room. For members of the public who wish to testify, but cannot attend the hearing you can email your testimony to the Finance Division at [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov), and the staff will make it a part of the official record.

Today's Executive Budget hearing starts the Police Department. The NYPD's Fiscal 2016 Executive Budget totals \$4.9 billion, which is an \$80.3 million dollars more than in Fiscal 2015's adopted budget. As you all know, my focus as finance chair has been on increasing transparency in the City's budget. Unfortunately, there still remains severe lack of transparency to NYPD's budget. This Council has repeatedly engaged with the NYPD and the Administration to find a resolution to this problem, but so far we have seen no change. One of specific concerns is the ambiguous and overbroad unit of [sic] appropriation 001, which contains 60% of the agency's entire budget. The Council has made several suggestions for how to increase transparency such as breaking up the U of A or budgeting over time by program area. But we have been met with resistance by the NYPD and look forward to addressing this issue

today and in the coming weeks, and perhaps hearing some feedback from the Police Department and in the coming weeks and perhaps hearing some feedback from the Police Department on what it believes to be a feasible solution. In addition, I look forward to hearing testimony today regarding the NYPD's participation in the Administration's new Citywide Savings Program. Through this program, the Office of Management and Budget has asked all agencies to identifies efficiencies, alternative funding sources and programmatic changes that would yield budgetary savings without reducing service levels. Amazingly, the NYPD could not come with one single item of savings for Fiscal 2016 or beyond. Moreover, the only savings the agency presented for Fiscal 2015 were increases were increases in the revenue for reimbursements that it was entitled to receive regardless of the Savings Program. I find it hard to believe that it could not identify more efficiencies that would be implemented, particularly the NYPD has previously acknowledged that overtime spending is too--is just much too high. I would also like to hear testimony regarding the lack of new capital funding towards a renovation of precincts. In our



Preliminary Budget Response, the Council renewed its call for modernization and we rehabilitation of the city's 77 police precincts. We highlight several precincts the 7--the 5th, the 60th, the 77th and the 110th precincts that were identified as in need of major renovations. Unfortunately, however, the NYPD's Capital Commitment Plan and Ten-Year Capital Plan does not include new capital funding towards major repair of these precincts.

Before we begin, I'd like to remind my colleagues that the first round of questions for the agencies will be limited to five minutes per council member, and if council members have additional questions, we will have a second round of questions at three minutes per council member. I understand that the Commissioner has to leave promptly at 12:30 today. So, we will be adhering to this rule strictly to ensure everyone has an opportunity to ask questions. I will now turn my mic over to my Co-Chair Council Member Gibson for her statement, and then we will hear from NYPD Commissioner Bratton.

CHAIRPERSON GIBSON: Thank you very much, Madam Chair. Good morning to each and every one of you. It is a pleasure to be here. I am Council

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Member Vanessa Gibson of the 16th District in the beautiful Borough of the Bronx, and I'm proud to be here chairing the committee on Public Safety. And I welcome all of you here to this joint budget hearing on the Committees on Finance and Public Safety as we hear Fiscal 2016's Executive Budget. Today, we will hear from the NYPD Commissioner Bratton and then our New York City's prosecutors. I want to thank everyone for being here, all of the members of the City Council Committee on Public Safety and Finance, as well as others who will be joining us.

In March, we discussed several new initiatives concerns and budget highlights from the Preliminary Plan. Since that time, the Council has released its Preliminary Budget Response. I, as well as many of the rest of the council members were disappointed to see that none of our proposals were added in the FY16 Executive Budget. The Council renew it's call for raising the headcount at the NYPD, Civilianization, uniform, overtime control, budget transparency and capital funds for preset renovations and rehabilitations. In addition to our renewed calls, we added a call to hire additional school crossing guards, as well as school safety

agents. No actions or funds were included in the Fiscal 2016 Executive Plan to address many of these concerns. The NYPD has a major role in the delivery of public safety across this great city. The Council's call reflected the necessary resources that we believe are necessary to enhance and improve the quality of life for all New Yorkers. To that end, we are this morning to discuss the Fiscal 2016 Executive Budget, which totals \$4.9 billion representing an \$80 million increase from the FY15 Adopted Budget. Some of the Executive Plan highlights are additional funding for body cameras, Victim Advocates Initiative, and an expansion of the Gunshot Detection Program known as Shot Spotter. The Department's Capital Program saw significant changes as well. The Ten-Year Capital Program saw significant changes as well. The Ten-Year Capital Program and the Capital Commitment Plan both increased significantly. Some of these changes can be attributed to additional funds for the new Property Clerk facility a five-year initiative to renovate many of the department's precinct bathrooms, and the initial phase of the department's Sustainable Technology Initiative.

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We have a lot to go through this morning,  
and so I want to acknowledge many of the staffers  
that are part of the Public Safety team. They really  
helped me as a chair. I want to recognize and thank  
all of them for their help. My Legislative Counsel  
Gollob and Deepa Ambekar; my Legislative Analyst  
Laurie Wenn; Financial Analyst Ellen Eng; Community  
Engagement Unit, Faiza Ali; the Policy and Innovation  
Unit, Theo Moore; and my Communications Director,  
Dana Wax. I want to thank all of you again for being  
here and now I'll turn this hearing back over to our  
Chair, Chair Ferreras-Copeland.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Chair Gibson. [banging noise] We've been joined  
by Council Members Ignizio, Gentile and Rosenthal,  
and now, Commissioner, I will--you'll be sworn in by  
our counsel and then you can begin your testimony.

COMMITTEE COUNSEL: Do you affirm that  
your testimony will be truthful to the best of your  
knowledge, information and belief?

COMMISSIONER BRATTON: I do. Good  
morning. Thank you for the opportunity to discuss  
the Mayor's--Mayor's Executive Budget for the 2016  
Fiscal Year. It's a pleasure to be here, and to

1 testify before the members of the Council about the  
2 exceptional work being done by the men and women of  
3 the NYPD. I'll be reading an abridged version of the  
4 written testimony that has been submitted to you  
5 previously. I'm joined at the table by First Deputy  
6 Commissioner Ben Tucker. To my left, Deputy  
7 Commissioner of Management and Budget, Vinny Grippio  
8 and Chief of Patrol, Carlos Gomez. When Mayor de  
9 Blasio swore--and as well as significant members of  
10 the executive staff in response to some of the  
11 questions that we received from the Council prior to  
12 this meeting. We have brought over those executive  
13 staff members who might be able to provide more  
14 detail and answers if those questions arise during  
15 our discussions.  
16

17 When Mayor de Blasio swore me in 17  
18 months ago, he charged me to reduce crime even  
19 further; to make our streets and neighborhoods safer;  
20 to make sure we are safe from the threat of  
21 terrorism, which looms over us everyday; to make sure  
22 that the NYPD is the cutting edge of innovation in  
23 pioneering police strategies; and to foster and  
24 deeper relationships between the police and  
25 communities they serve. The Mayor gave me this

mandate because he and I believe in safer, fairer city for all New Yorkers, and also the police officers who risk their lives to protect them. The new Crime Patrol and Counterterrorism may be part of a safer city--

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: Sergeant-at-Arms can you please remove this individual.

COMMISSIONER BRATTON: We knew crime control and counterterrorism may be part of a safer, fairer city, and knew it would not be easy. I spent nearly 50 years in this profession, and crime control has never been easy, and it's something that just happens. It requires applied effort and applied resources, well-trained men and women and sufficient numbers of the right equipment deployed in the right ways with the right support. We also knew that part of a safer, fairer city would be addressing our relationship with New York's many communities. As long before the events of last summer or last December we've seen the results of effective crime control marred by misapplied effort. Some

communities felt over-policed and under-protected. High levels of police activity antagonized the very communities where police are often most needed. At the same time, our offices felt overburdened and undervalued. High levels of oversight and discipline made them feel alienated and unsupported by the department, neither respected nor trusted to offer fair, effective policing.

Seventeen months ago these were our challenges: Crime control and counterterrorism antagonized communities and alienated cops. But during 2014, they were compound by two additional challenges we did not foresee. The first has been called the Great Divide. It is a national crisis of confidence in the criminal justice system centered on America's original sin, racial injustice. It culminated with a series of protests that were the most emotionally charged that I have seen in my 50-year career, and have not seen since the 1960s. When protestors chant, "What do we want? Dead cops" then we have gone too far as a society. What did it lead to? Unfortunately, two dead cops. It took the assassination of two of our officers to bring a measure of calm to the turmoil.

The second challenge was a new terrorist threat that was all but unknown when Mayor de Blasio took office. It is decentralized and much harder to protect than threats orchestrated by Al-Qaeda. Presented under the banner of ISIS, it is marked by effective messaging and solitary lone wolf actors. Terrorists, who operate outside the counter-command systems ourselves that we've learned to penetrate and dismantle it. Both of these challenges have put new stresses on the department even as we strive to make a safer, fairer New York City. Insofar as safer is concerned, the City crime decline since 1990 is well known as the chart reflects, an 80% decrease in overall major crime with murders falling from 2,245 to 333 last year, a modern all-time low. During the same 25-year span, the city's population has grown by 1.1 million. Tourist visits nearly doubled to 56 million, and the economy has boomed with 300,000 technology jobs now located in New York City. Burglaries are down 86.3% and 83.5% since 1990, burglaries and robberies and saw modern lows in 2014. Robbery particularly dropped an astonishing 13.5% from 2013 to 2014 against already low numbers.



Securing crime reductions against such a low baseline is not easy. Some police report that overall this crime decline is continuing. Year to date, and this information is slightly more up to date than what's in the submitted testimony. Year to date overall major crime is 6.9% lower than the same period in 2014, and 7.9% lower than 2013. We have seen increases this year in shootings and homicides. Shootings are up 6%.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: Sergeant-at-Arms, please remove this individual out.

[gavel]

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

COMMISSIONER BRATTON: That's right, everybody wants to get into the act. He keeps wanting to get into the act. He never does. We've seen increases in shootings and homicides. Shootings are up 6% and homicides are up 14 incidents, several of which are actually reclassifications from previous years. These increases drive home the idea that we

cannot rest. Also regard to safer--with regard to safer, I want to thank the Council once again for helping make offices safer via the new maximum coverage bulletproof vest. I have one here. I have one here, and we have a photo of the recent distribution of over 4,400 of these vests at the Police Academy. In June, we're measuring another group of officers, and that distribution will continue in the months ahead. Thanks to the funds from you and the Mayor, we finished distributing some 4,300 vests yesterday. That's the updated figure. They were distributed to offices who did--who did not already have the maximum cover versions. The new vests proved that many of you are concerned about the safety of the men and women of the department, the majority of whom are residents of this city and your constituents.

With regard to fairer, we have dozens of initiatives designed to help us connect with and serve citizens better. To mention just one example, we are conducting a language access pilot program in the 50, 52, and 102 precincts, in which officers responding to domestic violence complaints will be asked to use Language Line or a certified translator

before they leave the scene. We anticipate expanding that program. That program will be significantly assisted by the Smart Phones that every police officer will receive that has an app for translation of foreign languages. Furthermore, we have continued to control crime even as we have decreased enforcement actions, arrests, summonses, and reasonable suspicion stops by more than 800,000 when comparing 2014 to 2011. Those reductions continue this year. Reasonable suspicion stops particularly were down more than 90% from a high of nearly 700,000 stops in 2011 to just over 46,000 in 2014. Yet, proportionately in 2014, more than twice as many of the stops resulting arrests as compared to 2011. This reinforces that while we are stopping many fewer people, we are stopping more for the right reasons. In the first quarter of 2015, marijuana arrests were down by 60% for the first--compared to the first quarter of 2014. Criminal trespass arrests are down 23%, and criminal court summonses are down 30%.

I call these decreases in enforcement a Police Dividend. It is the payoff of a crime decline and indicative of a new normal when looking at crime and disorder in New York. The Police Dividend is

characterize by 800,000 fewer enforcement actions,  
but not 800,000 fewer contacts between officers and  
citizens. Cops are still interacting with people in  
this great city, but they're learning that there are  
alternatives to enforcement that can create  
equivalent changes in behavior.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: Sergeant-  
at-Arms, please remove this individual.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

COMMISSIONER BRATTON: An example of what  
we're up against. But while we encourage officers to  
use their discretion to resolve low-level crime and  
disorder, it is essential to retain the criminal  
charges that are--

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton]

CHAIRPERSON FERRERAS-COPELAND: Sergeant-  
at-Arms, please remove this individual. One more  
outburst and we will clear this gallery of all  
public.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: One more  
outbreak and we will remove all public.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

COMMISSIONER BRATTON: But while we  
encourage our officers to use their discretion to  
resolve low-level crime and disorder, it is essential  
to retain the criminal charges that allow officers to  
exercise their discretion. We cannot decriminalize  
certain offenses and thereby disempower officers from  
maintaining the order New York--New Yorkers want them  
to maintain, and which they have come to expect.

Instead, we can explore instituting parallel civil  
penalties. I look forward to discussions that we  
have advocated for, and that will be led by Council  
Speaker--the Council Speaker and Liz Glazer from the  
Mayor's Office in the coming weeks and months. But  
make no mistake, I still believe in and adhere to  
*Broken Windows* and so does the Mayor, and so do the  
people of this city according to the most recent  
Quinnipiac Poll. Our recently published report,

*Broken Windows and Quality-of-Life Policing*, which all of you in the Council have received, clearly demonstrates this. The *Broken Windows* report is available online. It illustrates that our enforcement is responsive and not capricious.

The public has noticed in 2014 in a police department of 35,000 officers that makes tens of millions of interactions each year, there were 4,778 complaints made to the Civilian Complaint Review Board. 4,778, 35,000 officers, tens of millions of interactions. Down 11.9% since 2013. CCRB complaints are down an additional 33% in the first quarter of 2015. This does not reflect a Police Department that is out of contact with the communities it serves. *Broken Windows* is not jail tolerance and it never was. It never will be. Addressing conditions does not act in reinforcement or arrests. Any visits to our CompStat sessions will show you as much, and I have extended an invitation to each of you on the Council to attend those CompStat sessions. The Speaker and several members have attended. I believe that they found it enlightening and informative.

A significant part of *Broken Windows* enforcement is requested by our constituents, as documented by our 311 and 911 calls for service. Indeed, many of them will be questioned by you. With the upcoming summer months I can guarantee I will hear from everyone of you about noise complaints, about barbecues on the sidewalk, about large gatherings that are causing disturbances in your districts. So even you are significantly asking for our Broken Windows Quality-of-Life Enforcement.

Chief of Department James O'Neal and Deputy Commissioner of Operations Dermot Shea, who run the CompStat meetings care about all of these call and they care about results, not numbers. Results are safer communities and save lives. That is why the recent increase in shootings has given us pause. As while overall crime is down, shootings are up although by relatively small numbers. The increase gives us pause not because of the number. The year-to-date increase of 6% over last year from 364 to 386, 22 more incidents. If it were just about the number, we would take comfort in the fact that it is still the third lowest year for shootings since accurate records were kept. The increase in

shootings is not about numbers for the NYPD. The increase is about lives. Lives of victims changed by a bullet, and the lives of the perpetrators changed by pulling the trigger. In our city 95% of those who were shot and 96% of those who shoot are Black and Hispanic, usually from our poorest neighborhoods. Nearly 25% of our shootings this year involved someone on either side of the gun who had been involved in a shooting before as victim or shooter. Including one individual whose been involved in four incidents. These Black and Hispanic lives matter. They matter to me. They matter to my staff, and they matter to my commanders and my cops. To the NYPD all lives matter, including new ones.

PROTESTOR: [interposing] [Heckles  
Commissioner Bratton.]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: Sergeant-at-Arms, please clear the Chamber of all public. All public, please clear the chamber.

SERGEANT-A-ARMS: [off mic] Folks, all rise, please rise, and exit to your left, please. Thank you. Everybody please rise. Will you all



please rise. Exit to your left please. Thank you.  
[sic]

CHAIRPERSON FERRERAS-COPELAND: Again,  
members this is a reminder the Commissioner has 'til  
12:30 so we're trying to run this hearing as  
expeditiously as possible to let everyone to have an  
opportunity to ask their questions of the  
Commissioner.

COMMISSIONER BRATTON: I find it  
regrettable that the civic disrespect displayed by a  
few results in the need to eject the many members of  
the public who are here for our civil discourse. And  
so the disrespect that's shown to this Council and to  
their fellow members of the public it's unfortunate  
that the few, the selfish few would seek to interrupt  
a public process. So, it is again unfortunate that  
so many of the public who are here to exercise their  
free rights are interrupted by the few.

In our city, as I mentioned, 95% of those  
who are shot and 96% of those who shoot are Black and  
Hispanic usually from our poorest neighborhoods. And  
nearly 25% of our shootings this year involved  
someone on either side of the gun who has been  
involved in a shooting before as a victim or shooter.

1 Last year in conjunction with the Mayor's Office we  
2 worked very hard to keep shootings in 2014 on track  
3 with those in 2013, the year with the fewest  
4 shootings in modern history. Last summer via the  
5 Summer All Out Program and the Mayor's Action for  
6 Neighborhood Safety, which the Council supported, we  
7 took officers out of regular assignments and put them  
8 in the precincts that needed them most. It worked  
9 and we kept the 2014 number in line with 2013 through  
10 effort and attention. We also applaud the council  
11 members, member of you who worked with us in these  
12 most troubled precincts during those summer months.  
13 We intend to keep 2015 in line as well with 2014 and  
14 '13.

16 Chief O'Neal has already planned another  
17 Summer All Out. We'll put feet on the beat in  
18 neighborhoods where we hear the gunfire, and we'll be  
19 starting one month earlier this year. We can self-  
20 fund most of these initiatives by temporarily  
21 reassigning our officers to the field. But we also  
22 need creative additional target enforcement efforts  
23 that focus on known offenders. They include programs  
24 such as New York City's Cease Fire, the Brownsville  
25 Violence Prevention Project and Operation Crew Cut.

1 Taking the first as an example, New York City Cease  
2 Fire follows a model developed by David Kennedy and  
3 the National Network for Safe Communities, one that I  
4 first saw and implemented as Police Commissioner in  
5 Boston 21 years ago. New York Cease Fire uses a  
6 partnership with community members, social service  
7 providers, and ten law enforcement agencies to  
8 address street crew based violence. It works by  
9 providing first a credible community message against  
10 violence. Second, a credible law enforcement message  
11 about the consequences of further violence. And  
12 third, a genuine offer of help for those who want it.  
13 Again, in this effort I thank the Council for their  
14 support and participation.

16           The Police Dividend for many and target  
17 enforcement for the few form a new model. The old  
18 model of blanket coverage especially as seen in  
19 Operation Impact and high crime [sic] enforcement was  
20 effective in its way at its time and reduced crime  
21 numbers of the early 2000s and continuing now are  
22 reflective. But that volume damaged our relationship  
23 with the communities that need us most where we most  
24 need to be, and the federal monitor, the Inspector  
25 General and the Great Divide reflective. With regard

to the Great Divide and the protests last winter, the need for large scale disorder control is not going to go away. New York city is an epicenter for our protests irrespective of whether our city is directly related to what's being protested elsewhere or not.

Accordingly, we must be prepared to protect the constitutional rights of protestors while ensuring that the safety of their fellow New Yorkers and the operations of this city are not impinged. To meet our responsible--responsibilities safely of the protestors and the citizens and police alike, we have formed the Strategic Response Group by reassigning the exiting borough task forces to SRG, as it's called. We can attain a significant percentage of the unit's personnel needs, but not all. SRG will respond to mobilizations and address crime conditions. They will also be specifically trained to respond to large-scale demonstrations and perform disorder control related functions among other roles.

I truly believe that much of the current atmosphere of distrust comes from the fact that the cops in some parts of the community still do not see each other for who we all are. We don't see how much common ground we already have. The Great Divide is

1 real, but it might not be so deep as it appears.  
2 Accordingly, we're trying to do a better job of  
3 reaching out to the people we serve and telling them  
4 our story. Stories about police officers who are  
5 always willing to go in harm's way for their city and  
6 their fellow citizens. We're using Twitter, Facebook  
7 and other social media to tell these stories. Across  
8 all our Twitter platforms we have 415,000 followers.  
9

10 To understand what our neighborhoods  
11 think, feel and need we are using online applications  
12 like IdeaScale, a platform that facilitates crowd  
13 sourcing on a precinct level. I had a presentation  
14 on that at the 109 Precinct yesterday, and we intend  
15 to rapidly expand that concept throughout the city.  
16 We're also initiating a comprehensive survey similar  
17 to one we conducted last spring where we interviewed  
18 17,000 New Yorkers in every one of the city's  
19 precincts that will gauge citizen sentiment and  
20 citizen satisfaction in select precincts. The  
21 results will inform our progress in the five key  
22 areas that I described when I last spoke before the  
23 Council in March. The Five T's: Tackling crime,  
24 Technology, Terrorism, Training and Trust. They will  
25 form the core of our developing Plan of Action that

will be released later this year. All the council members have received a profile of the Five T's. A number of you were at different presentations at College Point Academy that explained it more fully.

All five are integral to each other, and none stands alone. There is by design a seamless coordination between the five areas. Each works with and relies upon the others. In order for their full benefits to be realized, they must be implemented in tandem. I provided the paper that I referenced to you to describe it a greater length and the Plan of Action will describe it in much more detail.

First, Tackling Crime, which indicates the Police Dividend focused and transparency [sic] target enforcement. Another component is the proposed pilot program in four precincts that represents an entirely new neighborhood policing model. I visited the 34 Precinct this morning where that program is now getting underway with our new NCOs and our sector configurations. The cops are very excited about. The community members of the precincts and the business members are very excited about it also. Precinct specialty units will be scaled back in order to increase patrol personnel.

We have high hopes for neighborhood policing, but expanding it beyond the four pilot precincts and upping staff merely reassigning precinct based or borough based personnel. So we are doing a top-to-bottom analysis of the department to identify resources to help us there.

Next, Technology, which includes body cameras and our mobile digital technology. Smart Phones are being given to nearly every officer, almost 35,000 and Tablets are being installed in nearly every patrol car. At the 34 Precinct this morning, last week Tablets were distributed and placed in every patrol car. This morning I was there for the distribution of the Smart Phones to the officers. As I came into the front desk of the 34, there were two prisoners being booked by two uniformed officers. They officers earlier that morning had responded to a robbery call, an individual struck with a bottle who had his phone stolen. The officers using their brand new Tablet when to the Locate Phone app on the Tablet, and began to ping the phone that has just been stolen. They tracked that phone into the Bronx, and the arrested the two suspects immediately within a very short time

of the phone being stolen. The first-hand proof of the benefit of that technology, a crime solved almost as soon as it happened using technology. The cops love it and the communities are going to love it because it totally brings us into the 21st Century. And thank the Council for their very active support of the capital budget--budgeting requests to buy those phones and those Tablets.

The third area of concern is Terrorism, a growing concern. The threat has changed dramatically in the past year. Organized attacks like the one in Paris remain part of the threat picture. With that there is also the lone wolf model devices. We saw that specifically here a few months ago when four of our officers were attacked by an inspired radical wielding a hatchet. To address this new more complicated reality, the NYPD is changing is Counterterrorism Critical Response Team from what it's done for the last 13 years. Instead of drawing more than 350 officers--actually, it's about 700 officers a day on the patrol precincts and depleting local precinct resources, the CRTs will be staffed with a dedicated unit of personnel equipped and trained to deal with active shooters and other types



of terrorist attacks. Those officers will also be available to help deal with demonstrations that may spring up from time to time. We do see the need to bring precinct officers to their various areas of the city to deal with demonstrations.

In Training the NYPD is going back to basics and breaking new ground. We are fully utilizing the new \$750 million Academy that many of you have visited. We're establishing a full-scale field training program for our newest officers, partnering them with partner officers specially selected senior officers who act as coaches and mentors. They will also be working with community partners, hundreds of volunteer citizen who as we reassign these new officers coming out of the Academy not to impact assignments but to precincts in transit districts throughout the city. They will be introduced to the communities they are policing in a very different way.

All of these T's lead to the most important T, the fifth, Trust. Nearly two centuries ago, Sir Robert Peel out of the Metropolitan Police and of modern policing wrote, "The ability of the police to perform their duties is dependent upon

public approval of police actions." The NYPD's efforts to maintain and improve the trust of New York City's communities, especially our most vulnerable communities where poverty is entrenched, which are often neighborhoods of color, will be closely tied to the new patrol model. While the Great Divide has been revealed to be far more than just police and citizens, but much about poverty, disenfranchisement and unemployment, this is how we bridge our part of it.

Together, the Five T's provide the foundation for our Plan of Action. When this online document is released, it will provide both a road map and a checklist of how the department will evolve over the next decade or more. Than Plan of Action will be released on the web. And so it could be kept contemporary as we update it. The public will be access it. The Council is looking for transparency. Well, that's the ultimate form of transparency where every citizen can access in a moment what's going on in the department as it relates to the plan of action, and as it relates to the community.

Turning to the budgetary issues, the subject of today's discussion, the department

continues to apply for and take federal assistance to protect members of the public. We are hopeful that the Police Department will be seeing the same amount or somewhat more funding that last fiscal year from the federal government. It is anticipated that preparedness grants will be awarded no later than September 30th of 2015.

Now Regarding the Executive Budget and its impact on the Police Department, the Mayor's proposed budget, the department's Fiscal Year 2016 City Tax Levy Expense Budget is \$4.6 billion. The vast majority of this, 92 to 93% is allocated for our personnel services. Although it is funded as part of the Preliminary Budget, I would like to mention the Police Cadet Core that you are supporting. The Cadet Corps is designed to ensure that future police officers are both educated and more representative of the city's racial and ethnic diversity. The Preliminary Budget provided \$10 million to hire 520 police cadet hires including 50 Housing cadets. These are all kids that live in the city of New York and are attending the city of New York schools who would be hopefully future police officers after they finish their training.

Highlights, as you're aware, in the city budget include body cameras, 3-8--\$3.8 million for 1,500 new units plus subscription and storage. Gunshot detection. We've had great success with the Shot Spotter system, and we're expanding that with your support in the various funds that you control in your respective district. If there is a desire to have additional shots broader technology and camera systems that go with, we would be certainly willing to respond to those individual requests that you might have for that technology in your districts.

Victim Advocates. Susan Herman has pushed for and the Mayor's Office has responded, and I hope you will, for \$3.2 million in '15--in Fiscal Year '16 for 25 precincts and three police service areas, up to \$9.5 million in FY18 for 77 precincts and nine PSAs. This will provide for victim advocates in our precincts to assist victims of crime and other forms of disorder.

Information Technology and Life Safety Systems Division. \$23 million for 35 personnel as well as Data Center, Disaster Recovery Network upgrade and maintenance needs. This money is desperately needed to make sure our systems don't

fail. School Safety After School Overtime. \$3.5 million annually for overtime costs related to after school programs. Facilities cleaning contract, a very important one, \$2.6 million to provide annually beginning FY16 for a multi-pronged approach to enhance custodial services across the department's approximate 100 commands, inclusive of precincts, transit districts and PSA. I met this morning and I actually took a photo and Tweeted out of the one custodian that works at the 34 Precinct, one of our most active precincts, and there is one person trying to keep that facility clean. She does an extraordinary job.

Rodman's Neck and Floyd Bennett Field Training Facilities. Expense funding is being requested to price these projects and the capital projects proposed development program, which would allow for the department to begin design work this year on much needed capital improvements for Rodman's Neck and Floyd Bennett Field, which we would hope to obtain in next year's capital budget.

On May 7th, as you're aware, the Mayor released the Fiscal Year 2000--Executive Budget and Commitment Plan, this Budget and Commitment Plan.

The total Ten-Year Capital Strategy for the Police Department is \$1.48 billion, which covers Fiscal Years 2016 to '25. In this plan the NYPD will receive an additional \$662 million in city and federal capital funds over and above the FY2016 Preliminary Budget. The facility improvements, technology, communications upgrade and Hurricane Sandy reconstruction. In the plan, the Administration funded proposed funding in the following: The new Property Clerk Division: \$355 million for desperately needed modernization of our facilities.

The Model Precinct Program. \$2 million to develop a prototype to acculate--accommodate new and invited community access areas in precincts, precincts that can't be modernized to accommodate the idea of develop a modular design that would allow us to place a modular device next to the precincts.

Citywide Bathroom Renovations. Something of significant importance to our--our members. \$37,000 over the next years to renovate 268 bathrooms in department facilities citywide.

Beside having crew classes designed to maintain the funded peak headcount by replacing

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officers lost to attrition since the prior class, the peak headcount in FY2015 is 35,437 officers. The July 2014 Police Academy class size was 944 recruits. Of these, 884 graduated in December. The January 2015 police officer class size was 891 recruits. They will be graduating in late June. The July 2015 class as proposed in the Executive Budget is estimated at approximately 900. The January 2016 class will be approximately 725. The projected attrition is approximately 1,650 in Fiscal Year 2015 and 1,300 in Fiscal Year 2016.

In moving to closure, I'll turn now to overtime costs. In Fiscal Year 2015, overtime costs are projected to total \$683 million, which is \$100 million more than the Fiscal Year 2014 actual expenditures of \$583 million. This increase is almost entirely due to major unplanned events. Some initiatives to deal with violence reduction in our housing developments, \$30 million. Garner and Ferguson demonstrations, \$37 million. Enhanced in-service training, the three-day training that 22,000 of our officers are going through, \$28 million. And the Spring Violence Initiative was \$2.4 million. At this time, the department does not have overtime

funding to continue these programs in the new fiscal year. SRG that I described previously will help us address some of these unplanned events in ways that would not involve overtime.

In closing, the Year 2015 will be a similar one for the NYPD in our city facing the Great Divide between the police and the community is the challenge of our time, not just in New York but in our country. It's one that I accept and a welcome opportunity that I embrace along with the Mayor. This is our chance to show that we, the police and the public do not exist apart from each other. Because when we see only what we represent instead of who we are, we ultimately don't see anything. Police departments after all, are for people, and in this city many of them are residents of this city. Our communities are the sum of their people. Governments are established, populated and supported by people, and when we talk about policing, we are ultimately talking about people. We're talking about human interaction and the means of opportunities we have to connect with one another. Everything the NYPD is doing from the Police Dividend to focused deterrence to target enforcement, to the Five T's to the new



Neighborhood Policing Plan, everything is designed to reaffirm what Sir Robert Peel knew in 1829: The police are the public and the public are the police. Lets design to help us, the police and the community to achieve a safer, fairer New York City. I thank you for the opportunity this morning to be here before you, and we look forward to responding to whatever questions or clarifications that you might seek about our presentation. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Commissioner. We are going to have--as Chairs we are going to have a few questions and I'm going to open it up to our colleagues. We've been joined by Council Members Miller, Lander, Crowley, Cornegy, Williams and Treyger. I wanted to focus in on something that I mentioned in my opening statement. The council has a renewed call for more transparency in the department's budget. As I mentioned in my opening statement and in last year's Executive Budget hearings we focused particularly on unit of appropriation 001. Since the Preliminary Budget hearings, NYPD and OMB and the Council staff met to discuss ways to improve the transparency, and the Council's follow-up letter regarding the budget

transparency provided several suggestions. I just want to know where we are with that. Again, it is-- it is very challenging for us from this side to be able to truly work with your budget numbers when you only have them in such lumped up units of appropriation.

COMMISSIONER BRATTON: We'll ask our Budget Commissioner Vinny Grippo to respond to those questions. He's been most involved in those discussions that you're referencing.

DEPUTY COMMISSIONER GRIPPO: So we had a-

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CHAIRPERSON FERRERAS-COPELAND:

[interposing] I'm sorry. If you could state your name for the record.

DEPUTY COMMISSIONER GRIPPO: Yes, Vincent Grippo, Deputy Commissioner of Management and Budget. I think we did have a very productive meeting with your staff a couple of weeks ago. I actually have with me the letter that your staff sent over in follow up, which is also very helpful to us. My staff has been working on a response to this. The idea would be to provide a written response and then meet with your staff, yourself if you're interested

to give you a couple of options on how we can improve the Budget Function Report. What we hear from you in this is looking at the Budget Function Report there are a number of issues. One is we've created some new units or new divisions that you've heard us testify about at the City Council. So, we're in agreement that we'll look to modify that report so it reflects some of those new units. That will make-- be a little more helpful in terms of understanding, in terms of our administrative staff where those people are. The other thing you called out specifically is the overtime issue. The overtime issue is one that is more challenging, but some of the suggestions in this letter we think we can address. Specifically, we look at things like civilian overtime, and we don't currently break out traffic enforcement and school safety and administrative civilian overtime. That's something we can do. We can also look at taking that lump overtime that--that you--the first--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] That's the currently the Chief of the Department?

DEPUTY COMMISSIONER GRIPPO: Exactly.

And we can look at breaking that out a little bit better. We've expressed to the staff some of the challenges on why it's difficult to get that in a way that works perfectly. But we think with some of the suggestions here that we can--we can get closer to where you want to be. So I think these conversations will be productive. And I think engaging your office during the summer will lead to a much better and more accurate report in time for next year's budget hearings.

CHAIRPERSON FERRERAS-COPELAND: So while I'm excited to hear that we're moving forward, I wish that those conversations would have happened earlier so that we can have it for this Executive Budget. Putting this off to another executive budget hearing in FY17 from my perspective is problematic. So, I'm hoping that we can engage, and commit to some things now in FY16. So that this all can sit better with me as the chair, but also with the Council for transparency. So, we'd like to engage in some conversations as soon as this hearing is over to see how much of that can we do now with the commitment of working through the summer for FY17. Yes?

DEPUTY COMMISSIONER GRIPPO: Yep.

CHAIRPERSON FERRERAS-COPELAND: Okay. I wanted to talk about--you know, I know that there's a lot in your testimony, Commissioner, about improving kind of the quality of--of this experience for both New Yorkers and the members of your--of the force within the precincts. And something that I've been increasingly mentioning is the renovations of our local precincts. I think any New Yorker working into a precinct depending on the age of that precinct the experience there is-- So, I know that you talk about the Model Precinct Program, but I also wanted to talk about where are we with our budget response and the capital investments that we will have there. You've already identified precincts that have--that need major repair, which is the 5th, the 60th, the 77th and the 10th. While I know that it's--there some of--the one--10 is actually in design but not in the capital. So, it just raises a lot of concern for me that we can design something, but it's not in the Ten-Year Capital Plan. So what is the message that you're sending?

COMMISSIONER BRATTON: The message I'm sending is with the limited funds available I think

you all are well aware that this city has some of the most deplorable police facilities in America. I came out of the City of Los Angeles that has some of the most modern and spent a lot of money to ensure that all their facilities are modern, user-friendly both to the officers that work there as well as the public. To fix up our 248 facilities, but particularly precincts and PSAs, we loved to if we could find those funds. I'd love to do it, and I'd love to have a plan for it. It would probably--that plan would probably extend beyond the lifetimes of our children and grandchildren because the work would be so essential. Our priority in terms of the Capital Budget is to ensure that the essential operations of the department for the whole city, for the whole department are met. And this capital budget request reinforces that approach.

The project to replace our property room facilities, which many of them were damaged by Sandy, but others we could go back to the 1800s and find better systems than we currently have. That will go a long way to benefitting the whole city in terms of storage and retrieval of property in a modern way. It will get out of our precinct station houses a lot

1 of the clutter that accumulates there because we  
2 don't have facilities. In terms of the  
3 infrastructure support for our technology, our  
4 technology is very fragile. Many of our systems are  
5 ate end of life. Deputy Commissioner Jessie Tisch  
6 has done a phenomenal job this year identifying not  
7 only the tools that our officers need in the field,  
8 Smart Phones, Tablets, body cameras, but also  
9 understanding the infrastructure necessary to support  
10 that expansion when we're already stretched with what  
11 we have. So that capital budget request will benefit  
12 the whole city, the whole department and the public  
13 as well as the cops.

15           The cleaning issues that we put in there,  
16 the increase in the janitorial staff, the idea of  
17 concentrating on the bathrooms in our facilities that  
18 both the public and our officers use is a first step  
19 throughout the city over this several year [sic]  
20 period to at least meet that hygienic need in those  
21 precincts. Additionally, we have a \$2 million request  
22 for a development of prototypes that I've already  
23 looked at. Prototypes that would be modular devices  
24 similar to a modular home that to many of our  
25 precincts we could locate adjacent to a precinct.

1 They would provide a modern, clean environment for  
2 the public to enter and address concerns in the  
3 precinct. So that they're not standing at a front  
4 desk. At the front desk where very often we're  
5 booking prisoners and officers are coming and going.  
6 So we're looking to understand that if we can't  
7 replace 100 precincts all in a short time, are there  
8 ways we can add a facility to a precinct that would  
9 provide a welcoming environment that we could have  
10 signage on the outside with messaging.  
11

12 So we are moving in a way that we are  
13 trying to find ways to benefit the whole department  
14 as well as the public. One other final issue that I  
15 would have liked to have seen in the budget this year  
16 but understanding the limited funds is the  
17 modernization of Rodman's Neck and Floyd Bennett  
18 Field. Both structures look like something from the  
19 1920s. Why? Because they are from the 1920s.  
20 Rodman's Neck was severely damaged during Sandy, and  
21 we would like to renovate that to put modern firing  
22 ranges that would be acoustically beneficial to the  
23 surrounding community. And at Floyd Bennett Field a  
24 driving range that would be more conducive to the  
25 streets of New York rather than the older abandoned



airfield. So that's the thrust of where we're going, and I think all of us would love to be in modernized facilities. But the precincts that, you know, we will work one at a time, but right now, my focus is on what can benefit the whole department. What can benefit the whole city, and those are the priorities reflected in the budget.

CHAIRPERSON FERRERAS-COPELAND: So this administration has a very robust Ten-Year Capital Plan, one that has an increase that's been unprecedented.

COMMISSIONER BRATTON: That's correct.

CHAIRPERSON FERRERAS-COPELAND: Can you-- have you done an assessment or maybe you can just give me some type of idea of what it would costs for us to renovate all of our precincts?

COMMISSIONER BRATTON: I'll ask Commissioner Grippo to address that. I'm not aware of a specific study. I think it's usually been prioritized based on certain facilities we know are desperately in need of repair. Vinny, can you speak to that?

DEPUTY COMMISSIONER GRIPPO: Yeah, I mean in terms of--I can't say that we could quantify right

now for you every--looking at every precinct and looking at the age--the--the amount of work that would need to be done to modernize those facilities would be incredibly extensive. I will just speak to in some respects the change and the shift we've seen from the last administration to this administration were, in fact, again we are prioritizing renovations and modernizations. So one thing I would say is at our peak when we were funded for precinct replacement projects and that was very, very early on in the last administration further into the administration that came--that was here prior, we were doing precinct replacements. They were funded once every two years. So we had the 40 funded last year, and I think we're hopeful that under--assuming the budget will stay where it is, we could continue a trend like that. And as the Commissioner mentioned, the Property Clerk facilities are a huge project for us. Similar in some respects to the Academy. That's a--it's going to require a ton of management and resources to get that project going, and then ultimately those training facilities as well. So if we can get back to a place where we're funding precinct replacement projects every other fiscal year. And combine it

1 with these more centralized construction projects  
2 that are going to deal with the facilities that all  
3 of our cops need to go to or the public would need to  
4 go to that deal with out back end, then we would be  
5 in a much better place.

7 CHAIRPERSON FERRERAS-COPELAND: I  
8 understand that. It just seems that that's a formula  
9 that is going to put us on track for 80 years of  
10 overhaul of our local precincts, and while I  
11 understand that we have to be systematic about our  
12 approach, we can use the same formula to expect  
13 different results. If we--if we're going to talk  
14 about actually working on a Ten-Year Capital Plan  
15 that has this increase I think it's important that we  
16 make an assessment as to how much is it going to cost  
17 for us to renovate these precincts. So when the  
18 Commissioner states that the precincts are in awful  
19 condition, how are we going to fix that. And while I  
20 understand and I think it's a great idea that we're  
21 cleaning it, you know, at \$2.6 million maybe if I'm--  
22 if I'm calculating this quickly it's about \$33,000 to  
23 clean precincts what's the process by which we clean  
24 precincts now. Or, what happens in our local  
25 precincts now?

COMMISSIONER BRATTON: The process right now within our cleaning--well, we have fortunately a dedicated staff of custodians like the woman that I met up with at the 34 this morning facility, very clean, but she's on her own. So what Commissioner Grippo is proposing is a quick system to go in and flash clean with professional cleaners, crews that would come in to each of our facilities, and really do a top to bottom cleaning that's beyond the capability of our, you know, janitorial force. But we also had a budget request that would allow us to have four teams of electricians, carpenters, plumbers, and cleaners that can effectively move throughout the city. And we have a facility that has an issue very quickly move in and deal with that issue. And at the same time have a regular set of cleaning schedule. So, it's a band-aid in some respects, but what we're attempting to do with the resources and contracting issues that we have to get into attempting to at least staff rooms overall cleanliness. And then tools that the offices work with. We have just installed almost 30,000 new computers in our facilities, new fingerprinting systems. So again, the focus is a lot of the tools

they work with that would then with the support of  
the Council in the technology expansion in addressing  
that, but--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Commissioner, it's a \$2.6 million band-  
aid. So, I--what is the budget currently for  
maintenance? What is your budget? What do you--what  
do we spend on maintenance right now?

DEPUTY COMMISSIONER GRIPPO: We have a

lump sum in our budget for building maintenance.  
It's \$15 million per year.

CHAIRPERSON FERRERAS-COPELAND: So you

need an additional \$2.6 because the \$15 million isn't  
addressing--

DEPUTY COMMISSIONER GRIPPO: Two

different things. So building maintenance, which is  
a lot of the repairs you're talking about. It's  
capital repairs--improvements. Things like boilers,  
HVAC and other repairs of the facility, facade work.  
That falls under that building maintenance lump sum.  
In addition to that, what we're talking about here is  
really an enhancement to our ability to clean the  
precincts. As the Commissioner stated, we're relying  
on custodial staff exclusively. Most people who work

in buildings have different levels of cleaning. So there's daily custodial services, but in addition to that there are monthly--bi-monthly, quarterly and annual services that come in. This is a first step toward doing that. So we will be outsourcing one annual thorough cleaning of the facility. This is buffing floors, power washing, dealing with glass, cleaning glass, cleaning bathrooms thoroughly. It's something that the custodians are tasked with doing. But, frankly do that day in and day out in a facility that's 24/7 that has the type of traffic and that is overstaffed as many of our facilities are, it's simply not possible for them to keep up. So this annual cleaning gives you an ability to play catch up, and clean that building thoroughly once a year.

COMMISSIONER BRATTON: One of the reasons we're so excited about the funds to--it's a huge amount of funds to replace our property room capabilities. If you go into our precincts and you walk around, so much of the clutter in those precincts that make them look in disrepair is, in fact, just that. It's clutter. It's files that should be some place else--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Because we still have typewriters in  
our precincts.

COMMISSIONER BRATTON: And typewriters  
and--because there's no place to ship it to  
currently. So that one project will over the next  
couple of years, once it's built, contribute  
significantly to in a sense getting rid of a lot of  
the junk that the precinct has to hang onto because  
of record retention or evidence. By getting it into  
a modernized facility, that will significantly help  
us on the cleanliness and just the overall appearance  
of the station houses.

CHAIRPERSON FERRERAS-COPELAND: I've got  
to believe that we can find a way to make this one-  
year cleaning less than \$33,000 per precinct at this  
budget line. But, you know, I want to give the  
opportunity to my co-chair and I'm got come back in a  
second round to ask her questions. But I'm going to  
be following up on the Victims Advocate Initiative,  
and more on transparency and budget related questions  
on your Citywide Budget Savings Program, or the lack  
thereof. But I'm going to have Chair Gibson ask her

questions. We've been joined by Council Members  
Espinal and Deutsch.

CHAIRPERSON GIBSON: Thank you very much,  
Madam Chair and thank you Commissioner, you and your  
team for your extensive testimony. A lot is going  
on, and certainly I appreciate all of the work that  
the Police Department is doing. A lot of engagement,  
which is very important. So I have always many  
questions, but let me just start with the overtime.  
And I know you talked about it and alluded to it, and  
I guess I really want to understand we are at \$683  
million of overtime. Also that is uniformed  
overtime. Earlier this year during the prelim  
process, we talked about developing and overtime cost  
control plan of action. So, number one, I want to  
know do you think overtime is out of control at the  
Police Department. And number two, are we going to  
actually develop a plan where we can really reduce  
the overtime, particularly the uniformed overtime?

COMMISSIONER BRATTON: I don't believe  
overtime is out of control. Just the opposite. It  
is managed very well. The overage this year was  
almost entirely due to the unforeseen events of the  
demonstrations, whereby police officers and other



related activities that could not have been planned for. But, I'll once again ask Commissioner Grippo to speak to some of the specificity of the--of the overtime and how it is, in fact, controlled by his office.

DEPUTY COMMISSIONER GRIPPO: Yeah, one of the things when we talk about overtime if you look historically at the overtime categories that are within the department's control, you'll see an extremely consistent level of spending from year to year. Where you see anomalies, as the Commissioner mentioned, are categories where there are unplanned events, which this year we had the demonstrations, and then special programs. In this instance, in this year the Mayor and the City Council funded a number of those special programs for various reasons. If you actually then go into some of those categories that I spoke of where you see consistent overtime, what you actually see is even though we reflect very high numbers of overtime this year, we see arrest overtime is down right now for the year 7%. That reflects a change in policy in this administration that we instituted midway through the fiscal year. So, when you look at the potential for reductions of

overtime, of arrest overtime over the course of a year, it looks like it will attract closer to a 10% reduction in future years. We're seeing a reduction in investigative overtime. We're seeing a reduction in overtime related to cops attending hearings. So in those categories we're not seeing increased overtime, we're seeing either stable overtime, or as I've said in these three instances, a reduction. If you want to hear more like the overtime controls, I can tell you my office produces bi-weekly reports. I harass [laughs] Chief Gomez routinely and his staff to make sure that those buckets of overtime that are within our discretion that we are, in fact, controlling them. So that they remain within budget. So we can present some of those reports. You can look at them after the hearing, if you'd like.

CHAIRPERSON GIBSON: Okay, I would appreciate that because I know the Mayor has been talking about just overall broad agency efficiencies on overtime. So I certainly would appreciate you sharing any information that you have. And certainly future conversations as well. I know there are dedicated events that we know every year occur, and obviously if there's something that is not planned,

you know, we have to deal with that and address it.

But I do think overall we really, really need to

prioritize and look at uniformed overtime in a better

way that's more manageable and controlled. Correct?

Right? Okay. The other thing I wanted to raise is

school crossing guards are very, very important to

me, a huge part of public safety. And several things

about school crossing guards. They're capped at 25

hours per week. Many of them are making about \$11,

\$11.50 an hour. During the summer months when

they're not working assigned to summer programs and

summer school, many of them are on unemployment.

They have to pay for their own benefits. So a number

of things we're looking at. We need more school

crossing guards. We have about 2,200 right now. We

have a breakdown per command of where they are.

Overall, I know there are about 110, 120 vacancies.

So we're looking at better recruitment efforts, but

in order for us to recruit more school crossing

guards, we have to make it a position that's more

attractive in terms of the hourly rate, annualizing

the benefits, relooking at the hours that are capped.

Making sure that we can provide more opportunity

during summer hours, and also looking at the factors

1 that we identify in where school crossing guards are  
2 assigned throughout the city. So I just wanted to  
3 know your thoughts because in February when we  
4 talked, I didn't see that there was an agreement that  
5 you thought that we needed to raise the headcount for  
6 school crossing guards. So now, several months  
7 later, I'd like to know is there a position on  
8 raising the headcount for school crossing guards and  
9 dealing with some of the other nuances?  
10

11 COMMISSIONER BRATTON: I'd like to begin  
12 by discussing the staffing numbers. First of all,  
13 we're in better shape than we were in March the last  
14 time--

15 CHAIRPERSON GIBSON: [interposing] Okay.

16 COMMISSIONER BRATTON: --we were at this  
17 budget hearing. Since that time, we've hired 64 new  
18 crossing guards, school crossing guards. We still  
19 have 108 vacancies, and I'm not going to go borough  
20 by borough.

21 CHAIRPERSON GIBSON: So, 108?

22 COMMISSIONER BRATTON: 108 vacancies a we  
23 speak today. As I've said, we've hired 64. 35 on  
24 March 20th, and another 29 on April the 20th, and  
25 later this month, May the 29th, we're set to hire an

1 additional 25. So we are making headway in the--in  
2 the vacancies. We've had three processing dates  
3 since our last meeting, one in March, one in April  
4 and one in May, and 326 candidates attended these--  
5 these sessions. Recruitment efforts are there. Last  
6 July the recruitment section MIT set up an online  
7 application form. Since last July, 2,700 candidates  
8 have--have applied. We also--the School Safety  
9 Division helps us out. They put posters, they give  
10 flyers at meeting, the schools. The local commanders  
11 at all of their meetings, they--they promote this--  
12 this program. How do we deploy it? It's a  
13 combination. Is it a primary school? Is it an  
14 intermediate school? What's the population of the  
15 school? What is the traffic density? Have there  
16 been recent accidents at that location?

18 CHAIRPERSON GIBSON: Do you work with DOE  
19 and DOT to follow up--

20 COMMISSIONER BRATTON: [interposing]  
21 Absolutely

22 CHAIRPERSON GIBSON: --with them on that?

23 COMMISSIONER BRATTON: Absolutely. That  
24 is done at the precinct and borough level. There's  
25 constant communication amongst the--amongst the three

1 and we make adjustments as--as needed. For example  
2 if there's a new--a new school, we identify new needs  
3 and we certainly place the new--new employees at that  
4 location. Now, as for employment in the summer, last  
5 summer 1,350 crossing guards volunteered to work and  
6 we--we gave them assignments within their resident  
7 precincts working in either summer schools, lunch  
8 programs, play streets, and you city school--city  
9 pools that were opened in the--in the summer. And as  
10 you stated, in the summer if--if they're not working  
11 in the summer they do have to pay to cover for their--  
12 -for the insurance, but that's--

14 CHAIRPERSON GIBSON: [interposing]

15 Right.

16 COMMISSIONER BRATTON: --a contractual  
17 issue, an employment issue. Okay, so we'll keep  
18 talking about that. I don't want to keep talking  
19 about school crossing guards, but I do want to say  
20 that with Universal Pre-K expansion at Vision Zero  
21 it's really important that we look at school crossing  
22 guards in a different way. And we also look at how  
23 we can to me better improve the recruitment efforts.  
24 So I certainly want to keep talking about that. So I  
25 thank you for that. We had talked about a patrol

1 allocation plan in terms of ensuring that every  
2 command had what we thought would be a sufficient  
3 amount of police officers. Understanding that  
4 citywide overall crime is down, but in certain  
5 commands we've seen an uptick in shootings and  
6 homicides.  
7

8           So, determining how officers are shifted  
9 from one command to another brings us back to the,  
10 you know, the very complicated conversation around  
11 raising the headcount of the NYPD. Understanding  
12 that many officers are retiring through attrition and  
13 we're not graduating as many classes out of the  
14 Academy. So, the one thing I wanted to mention,  
15 Commissioner, you talked about the Critical Response  
16 Unit, and as I understand from earlier conversations,  
17 the borough task force officers it will be assigned  
18 to dealing with demonstrations and high level events  
19 and other matters. But, what does that mean for the  
20 local precincts? Is that going to be an effect on  
21 them? So overall, I bring us back to the  
22 conversation of raising the headcount to not only  
23 reduce overtime, but also community policing and some  
24 of the work we're trying to do in engagement,  
25 consistency, I bring us back to that conversation.

So how does all of this work without raising the headcount?

COMMISSIONER BRATTON: Currently, we have a number of proposals we're reviewing at some of these--the fellow taskforces, if you will, to be accomplished significantly with the existing resources we have. The CCRB--the unit responsibility can also be accomplished, a significant portion of it, with the resources that we currently have if we decide to go forward with that initiative. It is really up to CCRB whether they come out of the precincts everyday, or we expect to recognize that they're coming out of the precincts anyway and assign them to a central unit. So this is all part of the constant realignment that goes on in any police department and in particular ones as large as ours where we are moving resources to where the issues are that we need to address. In anticipation to the increased concern about terrorism, we have been projecting, beefing up that entity, and similarly with the demonstrations that we had last year to be prepared to deal with them. So we have designed basically is a multi-level response capability starting with terrorism, active shooter with our



Emergency Service Unit heavily and highly trained that would now be backed up by these two other entities that would also be equipped to back them up. So it's intended to address the realities of the changing issues we're dealing with whether it's terrorism or street demonstrations. Also these officers can be used to help out the precincts when these spikes if we have an issue that we can assign additional resources from these entities to the precincts and we have done that since the beginning of time.

CHAIRPERSON GIBSON: How many officers are we talking about in the task force, officers that we have now? What's the headcount?

COMMISSIONER BRATTON: The task force is approximately as protected staffing about 600, and the CCRB units would be anywhere from 350 to 450 depending on how we finally configure it.

CHAIRPERSON GIBSON: Okay, and last year we were very successful in civilianizing 200 positions, which I'm very proud of and I understand those officers are in the Housing Bureau now. Are we looking at civilianization this year for providing the administrative positions and shifting those

officers to do patrol? Is that a part of our conversation this year?

COMMISSIONER BRATTON: Vinny, if you would like to speak to that.

DEPUTY COMMISSIONER GRIPPO: Yes, we are, in fact, as we look at the staffing numbers and model, we are considering civilianization. As you correctly mentioned, we successfully implemented a 200-person civilianization this year, which I would say just looking historically has not always been the case. So, the implementation of this was very successful. We think it does bear looking at for next year. The number of positions I think the report that the Council gets reflects that there are actually probably another 600 positions. But, frankly in terms of what we could civilianize within a given year, as we've said before, we--we couldn't actually do that larger number in one fiscal year. So we're looking at what could potentially be done.

CHAIRPERSON GIBSON: Okay, I appreciate that. I definitely want us to keep talking about that civilianization. It's very important, and whatever number we get to as long as we recognize it's an important factor in increasing patrols

strength and I appreciate that. Thank you and I'll  
get you back on the next round. Thanks, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Chair Gibson. Just for--Commissioner, what is  
the average headcount in our precincts currently?  
The average headcount in our precincts?

COMMISSIONER BRATTON: It's probably not--  
-there's not an average. Each precinct is different.  
Chief Gomez to allocations based on a number of  
different factors, but that--that headcount varies  
from precinct to precinct.

CHIEF GOMEZ: As the Commissioner said,  
it does--does vary, but overall in the Patrol  
Services Bureau there are 18,500 uniformed members.  
That includes the--the supervisors. The Bronx has  
the most assigned with 3,200 and then it drops off  
from there, but it's 18,500 uniformed members in  
Patrol Services. That's the precincts as well as the  
Special Operations Division.

CHAIRPERSON FERRERAS-COPELAND: Okay, and  
when you--we've--obviously, this Council has a--we've  
been very much focused on being able to reinforce the  
department by the thousand officers that we're  
calling for. If we were able to fund these thousand

officers, Commissioner, would you be able to use them, and where do you see that you would be able to allocate them?

COMMISSIONER BRATTON: I won't speak to that, but we would have to--if resources were provided, we would then take a look at where we would want to assign them. As you know, we'll be going into discussions with the Mayor's Office relative to headcount. So whatever the final decision is that we'll deal with how they're allocated if a decision is made to increase the headcount.

CHAIRPERSON FERRERAS-COPELAND: And you had mentioned prior that over 400 officers you would like to see put into your--the MT, the counterterrorism.

COMMISSIONER BRATTON: That's correct, and I've already indicated that we can staff that with existing resources, if needed.

CHAIRPERSON FERRERAS-COPELAND: If needed. Okay, and I'm going to follow up with that line of questioning on our second round. But, we have about 13 members in the queue to ask you questions. We will hear from Council Member Vacca followed by Council Member Rodriguez. I just wanted

to remind my colleagues that we have strict five-minute clock so that we can give everyone an opportunity to ask their questions. Thank you.

COUNCIL MEMBER VACCA: Thank you, Chair Ferreras. Commissioner, thank you for all you do. Commissioner, I wanted to speak about the firearms and tactic training range, Rodman's Neck. It is 54 acres. It is essential to the operation of the New York City Police Department. It is falling apart. I had a meeting with Deputy Commissioner Grippio in April. He stated to me that this was the highest priority of the Police Department. \$144 million was needed to rehab this facility. It is one of the world's largest police training and firearm tactics facilities in the nation. It is in a state of total deterioration. It was used as an emergency base of operations during the 9/11 World Trade Center Attack. We have lead abatement issues in the ground. We have noise issues. We have buildings falling down, lecture halls and classrooms. We have Sandy damage that's unbelievable. So thinking in April that it was \$144 million and that this was the highest priority of the Police Department, I thought that when I saw the budget, I would see a big chunk of

1 that money there. I can see the budget, but I only  
2 see \$160,000 for design. Now, when the city of New  
3 York designs a capital budget item, a minimum of 10  
4 to 15% of that capital requirement of expenditure  
5 must go toward design. This \$160,000 in design first  
6 of all is paltry. Construction money is not there at  
7 all. Considering that this was the first priority of  
8 the New York City Police Department, I kind of think  
9 that this facility was left to tomorrow or days  
10 beyond tomorrow. And I'd like to know when we're not  
11 only going to not only bring this into--facility into  
12 the 21st Century, but when are we going to make it  
13 safe? When are we going to do the right thing by  
14 police officers that use this facility everyday?

16 COMMISSIONER BRATTON: Clarification on  
17 top priority. It is now the top priority because are  
18 addressing hopefully with this budget the capital  
19 needs for the--for the property room as well as the  
20 technology infrastructure, which is the lifeline that  
21 keeps all of our offices in communications with all  
22 of the different systems that we have. So it does  
23 remain a top priority now that the others appear to  
24 be addressed. The figure is much higher than the  
25 \$160,000 you're talking about for the design. The

1  
2 idea as you and I discussed on the phone the other  
3 day that you and your staff have discussed with  
4 Commissioner Grippo is that we will seek to design  
5 the facility. We've been looking at it quite closely  
6 for the year or so I've been here. And with that  
7 design the go forward with the capital budget request  
8 in the next fiscal year. I can ask Commissioner  
9 Grippo to expand on that as far as the actual funds  
10 that we are looking for. It does remain a priority.  
11 I've already described that prior to your appearance  
12 here this morning about the concerns, about the plant  
13 at that location as well as at Floyd Bennett Field,  
14 our driving range.

15 DEPUTY COMMISSIONER GRIPPO: Yeah, I  
16 would just--I would just add I mean we--the estimate  
17 of \$144 million is a very rough estimate, and the way  
18 that we have set this up is the first step in this  
19 project has to be designed. Design--we have a  
20 commitment with OMB to do--to get the design done,  
21 and the funding from my understanding is in place to  
22 get that design work done. Once we finish the  
23 design, we'll have a much better sense of the cost.  
24 This is the exact path that we took with the Property  
25 Clerk facility, which as you see was funded to the

tune of \$355 million post running it through the same exact process and program that OMB has created. So we are--we are looking at this and--and seeing it as a very positive thing. That, in fact, that design work is funded, that it's in the same program, and our assumption is that we will get the capital money in a future plan.

COUNCIL MEMBER VACCA: You seem to dispute my number of \$160,000 in design. So if my number is incorrect, how much money is there for design and when do you anticipate having this project with a shovel in the ground? What is the--what is the year that you expect to have a shovel in the ground?

COMMISSIONER BRATTON: In terms of the number, I was under the impression we actually--I'll have to check on this, but \$600,000 for design is actually the number that--that I was informed of. As far as shove in the ground, that's obviously dependent on the--the design has to happen first. We are trying to move that along this year. We're hoping we'll be in a position to make a budget request next year for the capital funding, assuming that's put in place. Then there's traditionally



about a year's worth of procurement that needs to be  
done, and then ultimately we move into construction.

COUNCIL MEMBER VACCA: So you have no  
date?

DEPUTY COMMISSIONER GRIPPO: No.

COUNCIL MEMBER VACCA: Because your--your  
estimates, by the way, are very optimistic about the--  
-

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Thank you, Council Member.

COUNCIL MEMBER VACCA: Optimistic.

CHAIRPERSON FERRERAS-COPELAND: We will  
have Council Member Rodriguez followed by Council  
Member Lancman.

COUNCIL MEMBER RODRIGUEZ: Thank you,  
Chair. Commissioner, first of all, thank you to you  
and all the men and women in NYPD especially the  
local inspectors who interact in my community  
everyday, Inspector Marrillo [sp?], Arambolus [sp?] ,  
Baker and Russell. They do a great job. They  
deserve promotions. So I hope you keep that in  
consideration for the future. I--I think no doubt  
that all of us in this city the 8 million New Yorkers  
and the 57 million tourists have to be grateful for--

on how the NYPD help keep our city safe especially after 9/11. We can agree or disagree on a number of topics, but that's a top priority. I believe that the new changes that you are bringing and your team when it comes to community engagement are very critical. They are very important. So I have a few recommendations and one question. My first recommendation is I hope that the NYPD and your leadership continues supporting the local community engagements. Two months ago in the school that I help funded, there was a great initiative by the Inspector 33 where he play a game with female volley ball team. As a father of two daughters, I have to tell that the female beat the men and women of NYPD in the volley ball games. But the winner was that more than 300 teenagers that were able to interact in the NYPD. Not because they were responding for a shooting or anything incident that happened in 33, but being proactive. So I think that that's what we have to continue seeing in more of the communities. And it will translate the way of how we interact with the communities' NYPD. I also have seen Officer Habo [sp?] put in every year like a great Christmas celebration. Nothing happened, but having some place

1 in 138. [sic] He's been doing it because he believes  
2 in being proactive in building that relationship. I  
3 just hope that this will be the pattern that we will  
4 continue seeing across the whole city. Third, when  
5 it comes to community engagement, thank you for  
6 including 33 and 34 in the new pilot program under  
7 the leadership of Chief O'Neal. I have no doubt that  
8 it will be a very--a very successful program that we  
9 learn. The faith community, the religion community,  
10 the business community we are all engaged to make  
11 that a great project in the 33 and 34.

12 I have a concern. Before you became the  
13 Commissioner, even though Latinos represent 28% of  
14 the New York City population we have zero Latino in  
15 the anti-fro--in the Anti-Terrorist unit. I believe  
16 that a progress should take place under your  
17 leadership because I believe that if we are 28% of  
18 this population, we should have some level of  
19 representation. And I believe in your leadership  
20 that we will have a pilot program, and see more  
21 Latinos also included at that level as also in the--  
22 all the levels in the high rank of the NYPD.

23 My questions about the--the training and  
24 retraining that you are doing in the NYPD. Do have  
25

1 all the resources to complete that training and  
2 retrain all the men and women in NYPD by June? As we  
3 were told when we did a tour of the Academy that it  
4 was a deadline that you wanted to complete training.  
5 And what is your expectation on how will the training  
6 and retraining will bring a new--a different way, a  
7 positive way on how the community and the NYPD will  
8 interact after that training is over?

10 COMMISSIONER BRATTON: I'm very excited  
11 about the success of the training issues you  
12 referenced. The--putting through that training in a  
13 very short period of time, 22,000 officers, and all  
14 of the department's executive staff is scheduled to  
15 go through it some time in the next couple of weeks  
16 along with the remainder of the executive chain that  
17 had not been through it. And so it will be finished  
18 pretty much on time within budget, and Chief  
19 Shortell, Commanding Officer of the Academy she leads  
20 each and every one of the evaluations from all of the  
21 officers who attend. And we have had the vast  
22 majority of the officers feel that that three-day  
23 training has been beneficial, and they're looking for  
24 more. And, our intention is as we go forward to have  
25 that a permanent part of how we work with our officer

each year. So my compliments to First Deputy  
Commission Ben Tucker, Michael Julian, Commissioner  
Julian and Chief Shortell that--who put together a  
phenomenal plan that is attempting to address the  
issues that are raised by many of you in the Council  
and by--by the public [bell] that they want police  
officers who interact with them in a different way.  
So I think we are--we've begun a major first step.

COUNCIL MEMBER RODRIGUEZ: Thank you

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Council Member Rodriguez. We'll have Council  
Member Lancman followed by Council Member Gentile.

COUNCIL MEMBER LANCMAN: Good morning,  
commissioner. First, let me thank you obviously for  
all that you do and your department does to keep you  
safe. I want to particularly thank you, though, for  
the way that you've engaged the Council on the issue  
of low-level quality of life offenses. I thought the  
letter that you sent to the Speaker was very  
thoughtful, and I'm sure that with your leadership,  
her leadership and the other stakeholders that we're  
bringing into that conversation hopefully we're going  
to end up in a place where we can all agree on--on a  
better way to make sure that our quality of life is

1 enforced in this city. Which is extremely important  
2 to me as a--as a council member. I may be one of  
3 those council members call you up over the summer,  
4 but that is done in a way that is mindful of our  
5 limited resources as a city, the Police Department,  
6 the court system, et cetera and the rights of our--of  
7 our citizens. I want to thank on--on the way that  
8 you've engaged in that--in that conversation.

10 Let me ask about a couple of specific  
11 topics. One is the issue of school safety officers  
12 in non-public schools. Intro 65 sponsored by Council  
13 Member David Greenfield I don't see in the budget  
14 where there's any allocation for any additional  
15 officers in contemplation of possibly passing or  
16 negotiating in the budget a resolution to that. I  
17 assume that you have school safety officers in our  
18 public schools because they serve a useful purpose.  
19 They keep our kids safe inside the building. They  
20 keep kids safe from intruders from outside the  
21 building. Could you tell us what strategy you have  
22 in place to provide the kids in our non-public  
23 schools whether it's Jewish, Catholic, Muslim,  
24 secular, the same kind of safety and security that  
25 our kids in our public schools are getting to the

benefit of having public school safety officers?

Because I don't think you would disagree that those kids deserve every measure of protection whether they go to a public school or non-public school.

COMMISSIONER BRATTON: I'm going to ask Chief Jaffe, the chief who is more directly responsible to speak to that issue with specificity in general. We do not provide the same level of services to the private schools as we do the public schools. That's a matter of public policy. If you change that public policy and decide that's the direction you're going to go, well then you have to make a decision about funding those additional resources. But the resources we have now are specifically funded for and focused on public schools. In terms of security at the other school, Chief Jaffe can speak to what we might provide in the way of programs, presentations, et cetera, as well as the protection that will be afforded everybody else in the city through our general patrols. And as part of what Chief O'Neal and Chief Gomez are proposing with the Pilot Precinct Project, one of the things we would seek to do with the free time that would be available to police sector car officers. Part of

1 what we are seeking to do with them--and I just  
2 recently had a conversation with the school's  
3 chancellor--is to have the officers, the patrol  
4 officers that have schools in their sectors whether  
5 it's private or public to have those officers become  
6 acquainted with the schools. And it's kind of like  
7 some of the drop-in time would be spent in those  
8 facilities. But Chief Joanne Jaffe, as you know,  
9 heads up our Community Service Bureau and school  
10 safety officers are part of her responsibility.

11  
12 COUNCIL MEMBER LANCMAN: Well, let me  
13 just interrupt. If--if Chief Jaffe--

14 CHIEF JAFFE: [off mic] Yes.

15 COUNCIL MEMBER LANCMAN: If Chief Jaffe  
16 is going to tell me the work that the school safety  
17 officers do in our public schools, that I know. It's  
18 terrific work. We want it--that's why we want it in  
19 our--in our non-public schools. If you have  
20 something that you can add to how we're keeping our  
21 non-public school students safe then I'd love to hear  
22 that.

23 CHIEF JAFFE: Well, I'd just like to add  
24 that with the increase of Pre-K and other variables  
25 affecting our schools and the combination of



different schools in our--in a facility and the increase in facilities, we are looking closely at the number of school safety agents, and the need for additional school safety agents just for the public schools also. So, again we have not policed the private schools in the city in the past, and like this commissioner said, we'd be guided by what the law says.

COUNCIL MEMBER LANCMAN: Okay, I understand. Thank you. Let me ask a question about the--the crossing guards. We still have, what is it 180 vacancies?

DEPUTY COMMISSIONER GRIPPO: [off mic]  
108.

COUNCIL MEMBER LANCMAN: 108. Okay, you know, they give a test for a sanitation exam or any other civil service exam, and they get tens of thousands of applicants. Why is it that [bell] we can't fill these positions, and what are we doing to make this job more attractive to people? Not just recruitment. Not letting people--not just letting people know that the job is available, but to make the job more attractive so that people actually want to do it. We've asked this--

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CHAIRPERSON FERRERAS-COPELAND:

[interposing] Council Member Lancman--

COUNCIL MEMBER LANCMAN: --at many  
Council hearings.

CHAIRPERSON FERRERAS-COPELAND: --please  
wrap up.

COUNCIL MEMBER LANCMAN: I'd love to--I'd  
love to get an answer to how we're making progress on  
making the job more attractive.

DEPUTY COMMISSIONER GRIPPO: As recently  
as last month, we raised the starting salary to  
\$11.50 I believe. As for recruitment efforts, we--as  
I stated earlier, we established a--a website with an  
online application, and we promote this at the  
meetings. The school principals and many of the help  
us out.

COUNCIL MEMBER LANCMAN: Well, I know you  
promote it, but the job is what the job is.

CHAIRPERSON FERRERAS-COPELAND:

[interposing] With all due respect, Council Member  
Lancman, we have about 10 other members in the queue.  
If you'd like we can--if we have time we can add you  
to the second round. If you can just wrap up the  
answers for the council member.

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DEPUTY COMMISSIONER GRIPPO: Sure. As I started earlier, every month we do have employment drives. In the last three months, 300 applicants appeared and we've hired 64 and we're set to hire another 25. Certainly, there is a need for a greater response and possibly more recruitment. That is something that we've been looking at, but I went back historically five years, and there's 4 to 5% vacancy rate that has existed since that time, and possibly beyond--beyond that time. It is--it is a constant struggle just to get to the budgeted amount of school crossing guards.

COUNCIL MEMBER LANCMAN: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you. Council Member Gentile followed by Council Member Ignizio. Also, just a reminder, there's a need for a quorum in Land Use next door so anybody who is on the Land Use Committee.

COUNCIL MEMBER GENTILE: I'll be going over there next. Thank you, Chair. Good morning, Commissioner. We--we've heard a lot about overtime issues this morning. I'm curious with the formation of the strategic response group, does that obviate the need for the consideration of the IBO report on

changing tours and changing numbers of days that  
would address the overtime issue?

[banging sound]

DEPUTY COMMISSIONER GRIPPO: We--so we--  
we would say looking at the creation of strategic  
response would afford us opportunities we believe to  
deal with both events and unplanned event overtime in  
a slightly different manner. In some instances, we  
do believe it will, in fact, give us additional  
officers on straight time for those events. But,  
again one of the risks of me--of us saying this is  
next year the nature of unplanned events is, you  
know, ultimately we could have year in which we have  
a number of weather related, counterterrorism related  
or other events in this city. And it may not reflect  
a decrease. We do believe that the staffing model  
has improved, which means you will see more  
opportunities for coverage on straight time. So,  
yes, consistent with the IBO Report.

COUNCIL MEMBER GENTILE: The IBO. So the  
IBO report is still in play. Okay, great.  
Commissioner, I just wanted--I wanted to turn to  
another subject, and that's really the low-level  
street corner drug dealing that particularly in my

1 district I know it's probably elsewhere. But are  
2 those low-level hand-to-hand street corner drug  
3 dealing situations when--when--my experience has been  
4 when--when you try to get the borough narcotics squad  
5 involved in those types of situations the response  
6 usually is that they can't get involved because they  
7 don't have enough resources to deal with those street  
8 corner type situations on a low-level. Now, whether  
9 it's because it is a low-level or because they don't  
10 have the resources is there anywhere in this budget  
11 that--that deals with that issue? Because regardless  
12 of the borough, the current squad position people are  
13 dying of overdoses. We have certainly that problem in  
14 my district and I know in other districts, too. So  
15 that is an issue. And the response we normally get  
16 is that the resources are not there for the narcotics  
17 squads to deal with it.

19 COMMISSIONER BRATTON: The issues of  
20 narcotics in the city is one of great concern, but it  
21 is not totally a police responsibility. The deaths  
22 due to drug overdose, heroin deaths this year account  
23 for about 53% of the overdose deaths. The resolution  
24 of that issue is beyond the capability and capacity  
25 of the police. We're part of it, but for example

heroin we've gone to great lengths to equip all of our personnel with the medication that helps to prevent a heroin overdoses just to see those individual overdose again. So, unless we put funding into treatment programs to deal with the addiction, you cannot arrest your way out of a problem, quite frankly. We've tried that for 30 years, and we will continue to focus, as we are.

We've recently--the newspapers were reporting inaccurately the effort that we're making to go after the worst of the worse, the major drug dealers who basically take care of all of the smaller small fries that are out there, and those who have engaged in the violence. But, the issue of ultimate resolution of demand for drugs, it's not a police issue alone. It's something that as you start to question other city agencies what are they doing relative to effective drug treatment? You can just keep locking them up and throwing them in Rikers. You are already familiar with the problems at Rikers. So, we'll do our part with the limited resources we have, but the ultimate resolution to this is actually a multi-agency, multi-city state responsibility.

COUNCIL MEMBER GENTILE: Great and I agree with you on the multi-agency response, but the drug dealing is still happening on the street corners.

COMMISSIONER BRATTON: The drug dealing on the street corners, I will remind that back in 1994 there were 8,000 open air drug locations in this city. That number has been reduced phenomenally. We go after them in two ways. One with the precinct narcotics units, those that have them as well as the borough entities. So at this juncture the resources we have I believe are adequately distributed to deal with the issues we're dealing with. And as reflected by the much reduced amount of crime in the city, and also the policies that this Council and the Mayor have been advocating to reduce police enforcement activity against a lot of low-level drug dealing, a lot of which involves marijuana. In marijuana we have changed our policies so that we no longer arrest for the possession. We will [bell] arrest certainly for smoking in public, and certainly if we encounter people dealing drugs in either the public environment or in arterial locations.

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COUNCIL MEMBER GENTILE: Thank you. My  
time is up. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you. Council Member Ignizio followed by Council  
Member Rosenthal.

COUNCIL MEMBER IGNIZIO: Thank you and  
good morning Commissioner. Good morning to the NYPD  
members that are here. First, I want to echo the  
sentiments of my colleagues in thanking the men and  
women of the NYPD who all of our successful be it  
economic or whatnot in the city is the foundation of  
a safe and civil society. So we are grateful for  
that. Commissioner, I want to talk to you about the  
attrition rate. Do you see it increasing or people  
leaving the NYPD earlier or later. Do we see a  
projected increase in the rate of attrition in NYPD?

COMMISSIONER BRATTON: I'll ask our Chief  
of Personnel or possibly First Deputy Commissioner  
Tucker might be able to respond to that. He's at the  
table, but in general the attrition rates fluctuate  
occasionally in aberrant way that for example in the  
early '90s we were hiring a lot of officers--

COUNCIL MEMBER IGNIZIO: [interposing]  
Sure.



COMMISSIONER BRATTON: --sure in a 20-year cycle but the vast majority retire after 20 years. We are just finalizing, if you will, coming out of that aberration of a lot of people retiring. Much the same as after 9/11 we had several years after that a significant spike in people retiring. As far as projecting over the next year, we presented this morning what we project for the next year will be attrition levels, which are approximate what we normally use--lose in the course of a year 1,500 to 1,800. Ben anything to add to that or Mike, do you want to.

DEPUTY COMMISSIONER JULIAN: [off mic]  
Yeah, it's how we look at three-- [on mic] Yeah, this is Michael Julian, Deputy Commissioner of Personnel. We look at three groups. We look at the people who retire before 20 years of service, and that's usually around 2% and it's been the same for the last 10 years right around 2%. We look at people who reach the 20. You know they say in police lingo 20 and out, and that's around 40%. And the people after--

COUNCIL MEMBER IGNIZIO: [interposing]  
I'm sorry, you say that number is 40%.

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DEPUTY COMMISSIONER JULIAN: 40%--

COUNCIL MEMBER IGNIZIO: [interposing]

Okay.

DEPUTY COMMISSIONER JULIAN: --of the people with--after the 20th year they'll retire, okay. And then beyond 20 years it's about 15%, and it's usually the same. It fluctuates only about 5% every year.

COUNCIL MEMBER IGNIZIO: Okay. Thank you very much. Switching topics slightly, as you know with the assassination of several police officers, the NYPD is sort of on edge and rightfully so. Is there any additional protective measures that we can provide to the men and women of the NYPD or is there any additional protective measures that you are taking on behalf of the officers to ensure that they are--they're kept safe?

COMMISSIONER BRATTON: We already referenced the modernization of the bulletproof vests that the officers carry, and the new vests also have the Camelot plate that is an essential addition to what we had before. Later this year we anticipate distributing new emergency masks. These are the masks that were distributed after 9/11 that allow the

1 personnel to exit a building that's, you know, in a  
2 catastrophic state. These new masks will have carbon  
3 monoxide deflection capabilities, and we are in the  
4 final stages of testing those. Those will be funded  
5 with counterterrorism funds. We are also--probably  
6 also with counterterrorism funds are going to be  
7 equipping all department personnel with trauma kits  
8 that they carry on their person. This would allow  
9 them to assist in grievous wounds, gunshot wounds,  
10 injuries that might occur as a result of auto  
11 accidents so that the ability to provide significant  
12 enhanced first aid will also be made available.  
13 Also, the training that was funded last year and  
14 overtime that three days additional retraining as  
15 well as training new sills that we anticipate that  
16 continuing to go forward. Firearms training which  
17 has already resulted in this department having one of  
18 the lowest use of firearms records in the country.  
19 That certainly continues two days a year. So we are  
20 constantly attempting to learn from what went right  
21 and went wrong from our own incidents as well as  
22 what's going on in the rest of the country.

24 COUNCIL MEMBER IGNIZIO: Thank you very  
25 much and finally with regards to the headcount of

1 the--of the NYPD, you know, this Council and where we  
2 stand, I recognize that that's a negotiation. But  
3 should that allocation be presented to you, I know  
4 you said you're--you're not sure where you would  
5 deploy those. But would--assuming the Council gave  
6 you or allocated and they had an agreement with the  
7 Mayor and allocated those thousand officers, would  
8 the 450 officers you requested for counterterrorism  
9 then be utilized first. And then the--the balance be  
10 transferred to patrol throughout the city? Is that  
11 the estimation?  
12

13 COMMISSIONER BRATTON: As I've indicated,  
14 it's the Mayor and the Council come to some  
15 resolution on headcount that whatever that headcount  
16 then we will adjust our staffing base on that whether  
17 it stays as is, or if there are more personnel  
18 provided [bell] so that we will be in a position, if  
19 authorized, to identify where would we prioritize  
20 placing it.

21 COUNCIL MEMBER IGNIZIO: But the  
22 counterterrorism component of that thousand you would  
23 desire to--to move that first, correct?

24 COMMISSIONER BRATTON: The  
25 counterterrorism group, the--the number of

realignments of the department that we're currently engaged in with our existing resources. And if there are additional resources that might supplement some of those.

COUNCIL MEMBER IGNIZIO: [interposing]  
Okay.

COMMISSIONER BRATTON: --changes.

COUNCIL MEMBER IGNIZIO: Thank--thank you, Commissioner. Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you. Council Member Rosenthal followed by Council Member Miller. We've been joined by Council Member Levine, Mealy and wills.

COUNCIL MEMBER ROSENTHAL: Commissioner, hi. You and I really haven't worked that much together because you have bigger fish to fry and I just want you to know that I admire the work of you-- what you're doing and the work of all your officers. As I've gotten to know the officers on the Upper West Side, I've come to really count on them, and work quite closely with them to deal with the issues, which primarily exist around our NYCHA residences. And I've found that they've stepped in, in a really meaningful way. So I wanted to preface it by

1           thanking you for that. I wanted to ask on page 5 of  
2           your testimony you talk about programs that are  
3           precision medicine, and you mention a couple of them.  
4           Do you know--can you isolate out how much money you--  
5           is in the \$6 billion that goes towards those kinds of  
6           projects?  
7

8                               [pause]

9                       COUNCIL MEMBER ROSENTHAL: It was NYC  
10          Cease Fire, the Brownsville Violence Prevention  
11          Project, Operation--

12                      COMMISSIONER BRATTON: [interposing] Oh,  
13          oh, basically the initiatives that many of you are  
14          engaged in that Cease Fire and some of those. I'm  
15          sorry. We couldn't hear you over here.

16                      COUNCIL MEMBER ROSENTHAL: Oh, okay.

17                      DEPUTY COMMISSIONER GRIPPO: So, Cease  
18          Fire, for example, it's an issue that we--we are  
19          currently in the process of expanding. I think the  
20          funding, if I'm--if I have this correct it's the  
21          ballpark--it's about--it's something south of about a  
22          half a million dollars, \$500,000, and we do have  
23          funding in the budget to support that. [coughs]

24                      COUNCIL MEMBER ROSENTHAL: I'm sorry, and  
25          so there's only money in the budget for Cease Fire?

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COMMISSIONER BRATTON: I think all those-

-

COUNCIL MEMBER ROSENTHAL: [interposing]

You identified it as Cease Fire.

COMMISSIONER BRATTON: --all those

initiatives that were identified there are funded.

COUNCIL MEMBER ROSENTHAL: Are funded--

COMMISSIONER BRATTON: [interposing]

Right.

COUNCIL MEMBER ROSENTHAL: --and roughly

cost about how much money?

DEPUTY COMMISSIONER GRIPPO: Yeah, no,

it's in the ballpark of about a half a million

dollars.

COUNCIL MEMBER ROSENTHAL: For all of

them.

DEPUTY COMMISSIONER GRIPPO: Yes.

COUNCIL MEMBER ROSENTHAL: Sorry, I

didn't catch that. And do you--I don't know if you

can pinpoint how many officers--I guess officers

aren't dedicated to it. So you couldn't really say

how many FTEs that requires?

COMMISSIONER BRATTON: We wouldn't be

able to give you that because it's a--it's--

COUNCIL MEMBER ROSENTHAL: [interposing]

Yep.

COMMISSIONER BRATTON: --the idea that as these programs--Cease Fire, for example, as that goes forward with a large number of entities within the department as well as the district attorneys' offices--

COUNCIL MEMBER ROSENTHAL: [interposing]

Yep.

COMMISSIONER BRATTON: --and the federal government that is involved in that.

COUNCIL MEMBER ROSENTHAL: I mean what I'm getting at is if we were to expand those programs into other districts, how much money would that require in the budget? Taking this--this more preventative med, you know, medicine, cancer cell targeted approach in other districts, I'm wondering--

COMMISSIONER BRATTON: [interposing]

Expansion of a lot of those programs would use existing resources and from a financial standpoint would not be a lot of money based both on our case, the district attorneys' offices, the judges that are using existing personnel by and large.

COUNCIL MEMBER ROSENTHAL: Right.



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COMMISSIONER BRATTON: The start-up with  
using some of the consulting services is what some of  
the costs associated with the program--

COUNCIL MEMBER ROSENTHAL: [interposing]  
Okay.

COMMISSIONER BRATTON: --are--are  
allocated.

COUNCIL MEMBER ROSENTHAL: I'd be  
interested in seeing that kind of idea if that's  
something that's--could be written in a--with some  
notes. Not necessarily a proposal but just notes  
about what that would take. The second thing I want  
to ask you about is school crossing guards. Is there  
any headcount change between FY15 and FY16? Not--not  
talking about vacancies just sort of what your FTE  
number is.

DEPUTY COMMISSIONER GRIPPO: The--the  
budgeted amount is still \$2358. I recently met with  
my borough commanders, and I tasked them with  
identifying new needs. When we do identify those new  
needs, we will come back probably to you because we  
want OMB to provide funding for that.

COUNCIL MEMBER ROSENTHAL: Right. So  
just to be clear, when you--a 5 to 10% vacancy rate,

which is what exists now, you--I think it's like  
five-

DEPUTY COMMISSIONER GRIPPO:

[interposing] Five percent.

COUNCIL MEMBER ROSENTHAL: --looking at  
those numbers. It has a meaningful impact. So in my  
district, for example, there are two vacancies of  
four positions. No, of six positions. There are two  
vacancies. We've been asking for a crossing guard at  
the corner of 77th and Columbus all school year, and  
never got one, and a kid was hit there. Critically  
injured not killed a month ago. Still no crossing  
guard, and it's the end of the school year. It's  
very hard for me to be able respond adequately to the  
parents in the two schools there representing over  
600 students what's happening with [bell] school  
crossing guards. So, I just want to lend my name to  
the chorus of people who have said, the \$11.50 isn't  
enough. You know, I'd like to understand the full  
cost of annualizing their benefits, and what other  
measures could be taken to get a full complement--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Thank you, Council Member Rosenthal.

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COUNCIL MEMBER ROSENTHAL: --of FPs.

Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you. We'll have Council Member Miller followed by  
Council Member Lander.

COUNCIL MEMBER MILLER: Thank you, Madam  
Chair and Co-Chair and good afternoon, Commissioner  
to you and your team. Thank you for all the  
phenomenal work that you do in keeping our city safe.  
That's a shout out to Queens South. A couple of  
things. I have three questions, and so I want to  
kind of get them out real quick. You spoke about  
outsourcing of maintenance, and in doing so, is that  
compliant with Local Law 63, which requires a cost  
analysis? And have you sat down with the bargaining  
units involved?

DEPUTY COMMISSIONER GRIPPO: So this is--  
so this is new funding, and we're going to actually  
go through that process of contracting. We are  
confident that we are in compliance with Local Law on  
this. In fact, the City has one, at least one  
requirements contract for this service that other  
city agencies are taking advantage of. However, the  
Police Department has not traditionally done that.

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1 The types of activities and things this cleaning  
2 requires are not the types of activities our city  
3 custodial force can, in fact, do. We don't  
4 necessarily have the equipment. I mean some of these  
5 actually are not included in what the custodians can  
6 do. So we're confident this is in compliance with  
7 that local law.

8  
9 COUNCIL MEMBER MILLER: Have you sat down  
10 with the bargaining unit involved?

11 DEPUTY COMMISSIONER GRIPPO: Not as of  
12 yet.

13 COUNCIL MEMBER MILLER: Okay, thank you.  
14 Cyber crimes in particular I want to--we have problem  
15 with deed theft. Is there a specific unit or tip  
16 desk dedicated to addressing this issue within the  
17 department?

18 COMMISSIONER BRATTON: You referenced  
19 cyber crime, but what was the particular crime.

20 COUNCIL MEMBER MILLER: Deed theft.  
21 Deed--deed theft. Folks are losing their homes and  
22 second mortgages are being taken

23 COMMISSIONER BRATTON: Oh, boy, so you  
24 may want to that with our grand larceny unit. I'm  
25

1                   sorry, I'm not familiar wit the issue that he's  
2                   talking about.  
3

4                   [background comments, pause]

5                   DEPUTY COMMISSIONER GRIPPO: I'm not  
6                   entirely clear what you mean, sir. We do have a  
7                   grand larceny unit of--

8                   COUNCIL MEMBER MILLER: [interposing]  
9                   So, it--it does not necessarily--it's not always done  
10                  electronically, but there's an illegal transfer of  
11                  deeds and properties are being sold and second  
12                  mortgages and so forth. How do you address that?

13                  COMMISSIONER BRATTON: Sir, if we have  
14                  a--if we open up a case on that, we take a complaint  
15                  report and it's investigated by the local detective  
16                  squad for expertise there. Then go to the district  
17                  attorney square or the grand larceny squad. We do  
18                  have cases on them. I can't give you the exact  
19                  number.

20                  COUNCIL MEMBER MILLER: Okay.

21                  COMMISSIONER BRATTON: But it's been  
22                  going on for quite some time as you well know.

23                  COUNCIL MEMBER MILLER: Yeah, it's--it's  
24                  big in--in obviously Southern Queens, and we think  
25                  that the resources that have been dedicated to that

has been insufficient. So we'd like to see some real attention paid.

COMMISSIONER BRATTON: Very happy to speak with you off mic just to get--just to get up on the your complaints and the number of them.

COUNCIL MEMBER MILLER: Okay, thank you so much because there are a lot of problems that arise from that leases, squatters, all that stuff as well. And my third question is probably bigger. It's on counterterrorism, but in--more specifically on Muslim surveillance. I know that recently one of the more high profile policies were disbanded, but obviously TEIs continue. Could you talk about that? Is it something that you can comment on.

COMMISSIONER BRATTON: [off mic] This is Commissioner John Miller who can talk about it.

COUNCIL MEMBER MILLER: Absolutely.

DEPUTY COMMISSIONER MILLER: For the record, John Miller Deputy, Intelligence and Counterterrorism. Our TEI--

COUNCIL MEMBER MILLER: I'm sorry, your name is for the record?

DEPUTY COMMISSIONER MILLER: John Miller. Our TEIs are Terrorism, Enterprise and

1 Investigations. Actually, the number has declined as  
2 we've redefined how to--how to organize them. Most  
3 of our terrorism enterprise investigations without  
4 getting into too much detail about the targets would  
5 be the obvious ones, Al-Qaeda, Hezbollah, Tariki  
6 Taliban, the designated foreign terrorist  
7 organizations. As far as terms like that obtained in  
8 your question, Muslim surveillance programs we don't  
9 investigate religions or even religious institutions  
10 or particular houses of worship. We investigate  
11 individuals within the parameters of the Handschu  
12 Guidelines, and we have to make a case that that is  
13 enough to begin an investigation within the  
14 prescribed Handschu Guidelines. And that has to go  
15 before a committee where it's vetted, and never every  
16 case gets through. So this is a process we spend a  
17 lot of time with the advocacy community going over,  
18 and trying to give them a little more transparency  
19 into. So that they can see the actual mechanics of  
20 it, and we think that's been helpful. [bell]

22 COUNCIL MEMBER MILLER: Respect to my  
23 Chair, thank you, and I'd love to speak with you  
24 offline about that.

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CHAIRPERSON FERRERAS-COPELAND: Thank you  
Council Member.

DEPUTY COMMISSIONER MILLER:  
[interposing] My pleasure

COUNCIL MEMBER MILLER: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Council Member Miller. We will have Council  
Member Crowley followed by Council Member Williams.

COUNCIL MEMBER CROWLEY: Thank you, Madam  
Chairs. Good morning Commissioner and thank you for  
the work you do. I know you've had a very  
challenging 17 months, and I feel that you've risen  
to the occasion during most of the time you've been  
challenged, which I couldn't imagine a more difficult  
job in a city during that time. I appreciate the  
work that all of your officers do to protect us in  
the city, and I'm--I'm curious to get at a part of  
your testimony where you mention morale. I want to  
know how we could work together in the Council to  
make sure that you improve the morale. When you  
hosted many of the council members at the Police  
Academy there was a statistic. I think it said 65%  
of the officers that feel low morale has a lot to do  
with superior officers. Is that statistic correct?



COMMISSIONER BRATTON: That's correct.

In addition to the Citizen's Survey, of 17,000 New Yorkers that we conducted voluntary surveys among our uniformed and civilian personnel, and I think on the order of about 14,000 of our uniformed personnel responded. And in that questionnaire, the specific issue we are raising around the issues of morale. Many of our officers indicated that they were frustrated with some of their supervisors. Some of that might be on a personal specific basis. Some of it might be on a general basis, but morale is a very complicated issue. It's sometimes--

COUNCIL MEMBER CROWLEY: [interposing]

I'm sorry, Commissioner to cut you off. Just looking at the time there. Would it have to do with the department in general, and that 8,000 of your officers do not have the same type of pension security. If they get injured on the job they do not have the type of benefit that the other officers have?

COMMISSIONER BRATTON: Okay, before you cut me off, that was going to be my response, that that is made up of many factors.

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COUNCIL MEMBER CROWLEY: [interposing] I just--I know that we only have a month left before Albany ends their session, and we need to send a message to them that we support parity and fairness for all officers. Do you know what's happening with the Mayor's support of this pension fairness?

COMMISSIONER BRATTON: I do not. No.

COUNCIL MEMBER CROWLEY: No, but you do support it? You do support equal fairness amongst your ranks?

COMMISSIONER BRATTON: I'm very supportive of improving the working conditions of our officers. This issue is one of great concern to our personnel as reflected by their union representatives and something that the leadership of the department also shares.

COUNCIL MEMBER CROWLEY: Good. It's something that the Council also share. Nearly 40 members are signed onto a resolution in support. And my next question is about the JRIP Program. Last year in the budget we put a million dollars to help support those services. We were hopeful when we met with your previous Chief of your department Phillip Banks who's no longer the Chief. There was talk

1 that--of expanding the program. At our last budget  
2 hearing Chief O'Neal said that they were unsure. You  
3 weren't sure about the direction of which the program  
4 is going. Do you have an update on what's happening  
5 with JRIP?  
6

7 COMMISSIONER BRATTON: Okay, we'll be  
8 happy to provide to your colleagues the same update  
9 that we just gave you. Chief Jaffe, if you could  
10 provide that update to her colleagues. Thank you.  
11 Chief Joanne Jaffe.

12 CHIEF JAFFE: Councilwoman, Carlos Gomez  
13 is also prepared to talk about this, Chief of Patrol,  
14 but after much discussion in the Police Department we  
15 will now be expanding the JRIP Program, and we are  
16 right now Chief of Patrol and I looking at the--the  
17 next geographical borough to go. There were long in-  
18 depth conversations in police headquarters and I  
19 think Carlos Gomez would like to add a couple of  
20 things--

21 CHIEF GOMEZ: [interposing] Right.

22 CHIEF JAFFE: --related to that.

23 CHIEF GOMEZ: Right. I'm very familiar  
24 with the program as I served as Chief for Housing  
25 prior to this--this assignment. We've decided to

1 expand it to two boroughs. We're certain of one at  
2 this point and that is the Borough of Queens. More  
3 specifically, the 114 Precinct, which has a lot of  
4 robberies, a lot of youth robberies, there's a large  
5 housing community there. And JRIP there will not  
6 only service the youths in the developments, but also  
7 the surrounding community. So we are in the process  
8 of identifying the youth, identifying the staff,  
9 which will be made of patrol, housing detective.

11 COUNCIL MEMBER CROWLEY: [interposing]

12 Great. You know, I'm glad that you're expanding the  
13 program. I think that the Chair Gibson and myself  
14 will look to meet with you to further discuss this  
15 expansion. Just yesterday I met with the new  
16 commanding officer at the 102. Robberies are up in  
17 my district. Many of them are repeat offenders that  
18 are juveniles. [bell] So whatever we can do to help  
19 keep them out of the system to change their lives  
20 around. I looked at your recidivism rates, which are  
21 very low for kids who are part of this program. And  
22 as my time has just run out I'd just like to end  
23 without saying more about JRIP other than we'll meet  
24 and work with you to expand that program because  
25 we're committed as a Council because we funded that

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last year. Just looking at your overtime numbers,  
over \$600, nearly \$700 million being spent. If you  
just took half of that money--

CHAIRPERSON FERRERAS-COPELAND: Council  
Member I really hate to cut you off, but we need to  
get off this.

COUNCIL MEMBER CROWLEY: --you--you could  
hire more than double the amount of or triple the  
amount of police officers that the Council is looking  
to hire if we were smarter about how we spend  
overtime.

CHAIRPERSON FERRERAS-COPELAND: Council  
Member Williams followed by Council Member Deutsch.

COMMISSIONER BRATTON: [interposing]  
Madam Chair, if I may. We are pretty smart about how  
we spend our overtime. We justify how we spend it.  
If you want to allocate more money, go ahead, but the  
overtime we use, the leadership of this department  
spends it appropriately. We are very conscious about  
how we spend public funds. So we are very smart  
about how we place.

COUNCIL MEMBER CROWLEY: Just in response  
to that, with all due respect Commissioner--

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CHAIRPERSON FERRERAS-COPELAND:

[interposing] Wait, okay.

COUNCIL MEMBER CROWLEY: Just let me--I  
have to answer.

CHAIRPERSON FERRERAS-COPELAND: Honestly,  
we have a queue.

COUNCIL MEMBER CROWLEY: Just two  
seconds.

CHAIRPERSON FERRERAS-COPELAND: We have a  
queue, Council Member Crowley. We have to let others  
speak--

COUNCIL MEMBER CROWLEY: [interposing]  
It's nothing about Commissioner Bratton.

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] I understand.

COUNCIL MEMBER CROWLEY: Commissioner  
Kelly spent a lot on overtime, too, and in the past--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Council Member Crowley, with all due  
respect--

COUNCIL MEMBER CROWLEY: --40% of it was  
known about parades and other non-essentials within  
the department.

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CHAIRPERSON FERRERAS-COPELAND: --there  
are remaining council members that are on queue. I  
really would appreciate it--

COUNCIL MEMBER CROWLEY: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Council  
Member Williams followed by Council Member Deutsch.

COUNCIL MEMBER WILLIAMS: Thank you,  
Chair Ferreras and Chair Gibson. Thank you  
Commissioner, et al. for the testimony. I really  
appreciate a lot of things that were said in this  
testimony. This type of testimony is different than  
what we got in the past. It acknowledges, not as  
much as I'm hoping, but at least it acknowledges some  
of the historic problems that have occurred in these  
communities. It acknowledges the fact that the  
police cannot do this alone, and more public safety  
can be for just police alone. And you also mentioned  
something about where police are needed the most.  
And also I think a lot of other agencies are needed  
the most there as well. So I'm happy that this  
testimony is slightly different. And, I want to try  
to figure out on the ground if that's going to--if  
we're going to see something on the ground that's  
different. And see if the communities are going to

respond differently, and if the relationships are going to be different.

So I have four questions, and I'm hoping to get to at least two or three. The first--the first one has to do with a thousand officers that I am currently supporting, and I do know that a lot is made of the amount of officers that are here already, about 35,000. I am not sure if--I don't think 34,000 makes--if we had 1,000 less, would it make the problem better? I don't think if we have 1,000 more it would make the problem worse. But also, just so people are aware when you look at the per capita, we are not actually the highest. So, we're probably about sixth after D.C., Baltimore, Chicago and Philadelphia in the amount of police officers we have per capita. And actually we probably tied for seventh, eighth, ninth, and tenth because it's just significantly insignificant the amount of officers per capita. So I know that when we say we're the largest, it's by number, but no necessarily per capita. And so we're well within the range of everyone else even with these 1,000 officers. But I'm concerned that I couldn't--we couldn't get an answer for where officers would be placed, and so



1 that certainly I'm supporting and ask, which I hope  
2 will take away one of the reasons that I heard in the  
3 past of why certain things hadn't happened whether it  
4 was abuse of stop, question and frisk, whether it was  
5 changing and rotating out senior officers on patrols.  
6 Or, whether it was certain police that we like to  
7 see. Can you give us at least an idea of where you  
8 think those officers would go particularly because  
9 I'm supporting them, and I'd like to have a better  
10 understanding when people ask me questions of where  
11 those officers would go.  
12

13 COMMISSIONER BRATTON: As I previously  
14 referenced, Council Member, that if in the ongoing  
15 negotiations and discussions, from this point forward  
16 between the Council and the Mayor, if additional  
17 resources were to be allocated that we would then at  
18 that time knowing that they would make decisions and  
19 recommendations as to the allocation. Absent that at  
20 this time, however, the Mayor's proposed budget, is  
21 what it is, and that's what we are speaking to in  
22 terms of how we're structuring the department  
23 currently.

24 COUNCIL MEMBER WILLIAMS: Okay, thank  
25 you. I just would--I just want to say probably it

1 concerns me if I'm supporting some officers and I'm  
2 not sure exactly where they're going to go, but I'm  
3 hoping they would go--I have mentioned before  
4 homicide detectives were not being appropriated  
5 properly or within the right percentage of where the  
6 homicides were. I don't know if that was fake. So I  
7 would just like further discussion on that I guess  
8 offline. I'm also hoping that this Council will  
9 support officers. I also hope the same amount of  
10 money that's spent for officers will be spent on jobs  
11 for the young people in the summer and all year  
12 round. I'm going to ask the next two questions. The  
13 first is the most revolutionary thing I've heard from  
14 the Police Department recently was to actually have  
15 to do with amnesty. But before that, it had to do  
16 with relooking at how officers are engaged in  
17 productivity. Going away from just summonses and  
18 arrests and other ideas of productivity, which I felt  
19 was phenomenal. That can go a long way changing  
20 systemic problems, and I haven't heard much about it.  
21 So I wanted to know if there was thought gone into  
22 that yet. What it looks like? Is there funding  
23 requests that are needed to make that happen a little  
24 bit more expeditiously? And the last one had to do  
25

with the foundation that funds a lot of activity done in the department. Is there a unit of appropriation, or is that somehow accounted for in the budget that are presented to the City Council?

COMMISSIONER BRATTON: In reference to the issue of trying to find alternative ways to police that don't result in the most extreme arrests for example and summonses for that matter, we have had a number of meeting with the Speaker, the attorney for the department and the Mayor's Office, with Judge Whitman, the district attorneys. And there's agreement on moving forward with the Speaker and Ms. Galzer, the Mayor's representative, to convene working group that will over the weeks and months ahead take everybody's ideas into account. And hopefully come out of it with a system that works because the current one clearly does not. It's a disservice to [bell] citizens of the city. A disservice to police officers in terms of their work often times not being acknowledged. I'm very optimistic about that issue, that resolution going forward, that those meetings going forward and a resolution that we can all be happy with, and we are very committed to that.

On the issue of the Police Foundation, I think a concern is that the funds they raise are not accounted for in this budget. They are actually I understand a private entity, and have their own disclosures that they make in accordance with a tax status. But they are not reflected in this document at this time.

COUNCIL MEMBER WILLIAMS: Thank you, Madam Chair. Just to be clear on my question, and I don't know if we can go on, but I think you were referring to decriminalizing the summons. I was actually wondering if there was changes in how we are engaging people with this type of thing.

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Council Member Williams, I have to be considerate--

COUNCIL MEMBER WILLIAMS: That's for you. I'm asking if can just after this thought.

CHAIRPERSON FERRERAS-COPELAND:  
Absolutely.

COUNCIL MEMBER WILLIAMS: And also if we can get information about the funding?

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] We can talk about it after.

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COUNCIL MEMBER WILLIAMS: Okay. Thank  
you, Commissioner.

CHAIRPERSON FERRERAS-COPELAND: Council  
Member Deutsch followed by Council Member Treyger.

COUNCIL MEMBER DEUTSCH: Good afternoon,  
Police Commissioner. I just want to ask if you could  
explain the difference between the Federal Terror  
Alert Status and the New York City's Terror Alert  
Status?

COMMISSIONER BRATTON: Let me ask  
Commissioner Miller to come up and speak to that. Is  
John still here? Okay.

DEPUTY COMMISSIONER MILLER: The Federal  
Terror Alter Status is the color codes, which have  
been static for a long time. New York City goes  
basically by the Federal Terror Alert Status. The  
difference with New York City is we are always  
because of our target profile in some state of higher  
alert than the rest of the world.

COUNCIL MEMBER DEUTSCH: Thank you. So  
what is currently the color code status for New York  
City?

DEPUTY COMMISSIONER MILLER: We don't  
have a separate color code status from the federal

1 status. You know, our current environment as the  
2 Commissioner described is we're in a very high threat  
3 environment because we are New York City. And the--  
4 the shape of the threat has shifted with the  
5 introduction of ISIS and a mass marketing of--of the  
6 call for people to carry out the threat.  
7

8 COUNCIL MEMBER DEUTSCH: Thank you.

9 Police Commissioner, I understand that you feel our  
10 city needs to hire additional 450 police officers  
11 because of the Police Department's mandate to keep  
12 New York City safe from a terrorist attack. Would  
13 you say that our city would at even greater risk of  
14 terrorist attack if we did not hire those additional  
15 officers or at least better protected?

16 COMMISSIONER BRATTON: It is not  
17 indicated in referencing the expansion of the  
18 counterterrorism capabilities and the number of  
19 officers assigned that it is directly tied to their  
20 hiring. The current plan is to effectively utilize  
21 officers that are sent in from the precincts  
22 everyday, almost 700 officers and instead create a  
23 unit that would be fully staffed. So that we don't  
24 have to draw those officers in from the precincts.  
25 That number is between 350 and 450, but it is not--we

1 have not discussed new hires in implementing plan.  
2  
3 It's they're basically utilizing the existing  
4 resources that they normally pull in from the  
5 precincts.

6 COUNCIL MEMBER DEUTSCH: Thank you. I  
7 just want to mention that as the Chair of the--on the  
8 subcommittee and on public schools, would you agree  
9 that by assigning school safety agents to non-public  
10 schools are children will be far more safe and secure  
11 from a terrorist attack? Being that our current  
12 state, and without those uniformed school safety  
13 agents our schools are at much higher risk of  
14 becoming victims, God forbid, of a terrorist attack?

15 COMMISSIONER BRATTON: The issue  
16 involving the private schools, if you will, is going  
17 to be a matter of public policy that they're going to  
18 have to work out with the state. If you are able to  
19 work it out, we will be happy to address it. This  
20 city, the whole city it's schools, it's hospitals,  
21 it's public attractions, Times Schools. It's always  
22 at risk of terrorist attack. So to single out the  
23 schools more so than any other potential target,  
24 we're not in a position to do that. So again, as you  
25 work out with the state what you want to do about the

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3 public schools and private schools, and assignment of  
4 officers, we'd be more than willing to respond if, in  
5 fact, public policy sets up a requirement that we  
6 police those private schools.

7 COUNCIL MEMBER DEUTSCH: As our head of  
8 public safety and as always advocating for the  
9 security of our city, would you support this  
10 initiative? We have currently in the City Council  
11 Intro 65. So I know that you support many  
12 initiatives, all initiatives for the security of our-  
13 -of our city. Would you support this initiative?

14 COMMISSIONER BRATTON: Are you--are you  
15 speaking about the--I'm sorry--are you speaking about  
16 the school initiative?

17 COUNCIL MEMBER DEUTSCH: The school  
18 initiative for non-public schools.

19 COMMISSIONER BRATTON: That in terms of  
20 the prioritization of assignment of personnel to  
21 those schools, and quite frankly I have other  
22 priorities if the funding were available.

23 COUNCIL MEMBER DEUTSCH: I'm sorry, I  
24 didn't hear.  
25



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COMMISSIONER BRATTON: I would have other  
priorities for how I would assign resources rather  
than the assignment to private schools.

COUNCIL MEMBER DEUTSCH: Okay, thank you  
very much.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Council Member. We will have Council Member  
Lander followed by Council Member Van Bramer.

COUNCIL MEMBER LANDER: Thank you very  
much, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: I'm sorry  
member. Council Member Treyger followed by Council  
Member Van Bramer.

COUNCIL MEMBER TREYGER: Thank you, Chair  
and thank you Commissioner. Thank you for your  
outstanding service to all the fine members of your  
department. Just since we have a counterterrorism  
person here, I'll focus on that first. Historically,  
there has been--there have been issues even amongst  
the federal security agencies with communication with  
one another, the FBI, CIA and we've read reports on  
that. I'd like for you to comment or someone to  
comment on are we pleased with the level of  
communication today with information sharing making

1  
2 sure that you're getting everything that you need,  
3 everything you're allowed to share and resources from  
4 Homeland Security as well? To make sure that we're  
5 getting all that we can from Washington to keep our  
6 city safe?

7 COMMISSIONER BRATTON: [off mic] John.

8 DEPUTY COMMISSIONER MILLER: We get in  
9 excess of \$168 million from five separate funding  
10 streams from DHS. Our lines of communication with  
11 them about what we need funding for and how we  
12 prioritize over the years have become a fairly smooth  
13 process. As well as our relationships with the  
14 Congressional committees that have oversight over the  
15 Department of Homeland Security and the funding  
16 process. So we've been in very good shape there. As  
17 far as the intelligence sharing and the information  
18 sharing, as you know, we have over 100 detectives  
19 assigned to the Joint Terrorism Task Force with  
20 federal agents and local officers from many other  
21 departments. And each one of them is a TFO, a Task  
22 Force Officer. It means they have something higher  
23 than a top secrete clearance and access to all the  
24 FBI data bases and those of other agencies that are  
25 in the task force. So, information sharing in that

1 regard is extremely good. The Intelligence Bureau,  
2 which operates outside of that, shares information  
3 with a network of other local agencies up and down  
4 the Eastern Seaboard as well as the JTTF. So we are  
5 probably positioned better and more strongly than any  
6 other municipal police agency in the intelligence,  
7 information sharing and counterterrorism realm in the  
8 country if not the world.

9  
10 COUNCIL MEMBER TREYGER: That amount that  
11 you mentioned \$130 million you said? What was the  
12 amount for Homeland Security?

13 DEPUTY COMMISSIONER MILLER: I--I--I  
14 believe it's \$100--it's--it's in excess of \$168  
15 million from five separate funding streams.

16 COUNCIL MEMBER TREYGER: Has this been  
17 consistent? Is this a cut or is this an increase?

18 DEPUTY COMMISSIONER MILLER: Yes.

19 COUNCIL MEMBER TREYGER: Can you speak to  
20 that?

21 DEPUTY COMMISSIONER MILLER: It's a  
22 slight increase.

23 COUNCIL MEMBER TREYGER: Okay. Well, I  
24 mean obviously there are things that are obviously  
25 working because there was an incident where it was

1 reported in the media there was an individual  
2 arrested in Southern Brooklyn who had a--one of the  
3 reports was that there's a plot to actually damage  
4 and inflict harm in Coney Island. And that was some-  
5 -some sort of a case involving a possible lone wolf  
6 ISIS of some sort. So I just want to make sure that  
7 we're getting all that we need from Washington,  
8 information and making sure as well with resources as  
9 well, and I appreciate that. Commissioner, just on  
10 the issue of gun violence and shootings, this is  
11 certainly the--and by the way, I want to just tell  
12 you that I have been more than pleased with the level  
13 of communication and cooperation from my local  
14 precinct in Southern Brooklyn, the 60, 61, 62. It's  
15 been outstanding. I'm just kind of trying to get  
16 into the issue of communication with the district  
17 attorneys offices making sure. Because even though  
18 shootings could be up, and it's obvious there was a  
19 concern, it seems to be the same people doing the  
20 shootings all the time. And they could almost  
21 predict when incidents might occur at the time of  
22 when someone might be released from prison. So, if  
23 someone comes out of jail within a week or so or  
24 within the same day or two, there's another incident.

Can you speak to the level of communication and engagement with the district attorneys offices on tracking these cases where it just constantly repeat people doing the same things over and over again?

COMMISSIONER BRATTON: That level of communication is constant, as you might expect at a variety of levels ranging from Susan Herman on a lot of victimization issues on collaboration. Dermot Shea who heads up our CompStat process. Chief O'Neal, Chief of the department. Chief Boyce spends a lot of his time with his chiefs of detectives interacting with the district attorneys, all of whom I guess will be here this afternoon, and all of us attempting to focus on the worse of the worst. Because shooting population overall is a relatively small population with a lot of it repetitive. A lot of it increasingly involve parolees who have been, who are not coming back out. And, we--we work very hard to identify those that are engaged, the active shooters and trying to put the away. So that dialogue is constant, but we're happy all the time. The district attorney is happy all the time, though. The judge is happy [bell] all the time, though, but we're constantly try to improve the collaboration.

COUNCIL MEMBER TREYGER: Thank you,  
Commissioner. Thank you, Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you  
Council Member Treyger. We'll have Council Member  
Lander followed by Council Member Van Bramer.

COUNCIL MEMBER LANDER: Thank you very  
much, Madam Chair and thank you Commissioner and to  
your team for being here. Thank you Majority Leader.  
I'm on my first round still. So, first this isn't a  
question. I just want to associate myself with the--  
the need for to work out the school crossing guards  
issues with Chief Chan. Some of that is about, you  
know, it's a real key Vision Zero goal. Some of that  
is about more money, but much of that is about  
filling the vacancies we have, which means addressing  
job quality issues and aligning that work with DOT on  
the most sensible intersections. So, we look forward  
to working with you, and moving that forward in this  
budget cycle.

I'm going to ask some questions about  
intelligence and counterterrorism. You spoke to the  
shifts in the threats we face, and how you're  
shifting the Counterterrorism Division to be  
responsive. I'm interested in whether the

Intelligence Divisions has been redeployed as well.  
The money is the same amount. We had an approach  
that many of us had concerns about in terms of overly  
invasive approaches. But I guess I'm hoping given  
the shifts you spoke to were doing online, or ways  
that we can respond to sort of ISIS or lone recruit  
threat. Have we shifted our intelligence strategy to  
reflect the threat in ways that I think communities  
might well welcome, but we haven't yet had much data  
on it.

DEPUTY COMMISSIONER MILLER: We've have  
actually an extraordinary amount of dialogue with the  
communities, but we've shifted with the threat. This  
is a threat, as the Commissioner described in his  
opening statement that morphs in shifts, you know,  
with some regularity and almost month by month. To  
the extent that as I described earlier, ISIS has  
grown to a mass marketing approach in terms of  
calling on people for attacks on different online  
platforms from Twitter to Facebook to You Tube. We  
have shifted resources to make sure that we monitor  
that as best we can, and look at who's on the other  
end of it.

COUNCIL MEMBER LANDER: So we have shifted some resources from folks who might be, you know, on the ground, in a mosque or a school to some folks who are analysts and can do the work online to be tracing and tracking contacts with and dialogue with federal agencies. So we can be identifying-- have a better chance of identifying who those people are.

DEPUTY COMMISSIONER MILLER: I just want to be crystal clear about this without repeating myself ad nauseam, but we don't hang out at mosques or schools. Investigations under the Handschu Guidelines target individuals based on reasonable suspicion, probable cause or the possibility of a--of a crime being committed to wit, a potential act of terrorism. And those individuals who will follow them through whatever their pattern of life it. But the idea that people are kind of hanging out with their ear to the ground listening in on conversations is simply not true.

COUNCIL MEMBER LANDER: Okay. Okay, the--two questions left, and like I said, so let me say the--at the Community and Collaborative Policy Hearing that we had with Deputy Commission Herman, I



1 thought was very productive, we spoke about the need-  
2 -about what we're measuring. And I think that while  
3 we're attentive to the value of shifts in resource to  
4 this more community based and collaborative model  
5 that's being piloted, I'm eager to see the Mayor's  
6 Management Report, and what you're reporting to us on  
7 how we're spending this money or this redeployed time  
8 essentially that's not on the--on the clock. What  
9 should we expect being reported about it, and  
10 particularly in the Mayor's Management Report, which  
11 is where from our point of view you tell us how the  
12 money is being spent. But, I guess in other ways  
13 that go beyond the MMR as well. You know, there were  
14 obviously concerns in the prior administration about  
15 quotas, and whether that was sort of a measurement,  
16 official or unofficial. But, as we're shifting, what  
17 are the kinds of measures that we should look for  
18 from that new found resource, which is the new found  
19 time of those officers. But from our point of view,  
20 it's the dollars that we're investing.

22 COMMISSIONER BRATTON: As always the  
23 crime numbers. As always, the citizen complaints  
24 either with CCRB or through our Internal Affairs. As  
25 always what you're hearing from your constituents.

1 In addition, that the--that the problem will continue  
2 and actually span its polling. And the social media  
3 capabilities we have are going to allow our precinct  
4 commanders to on a very intimate basis interact  
5 through Tulip [bell]and other social media forms on  
6 concerns, complaints that they have. And immediately  
7 being able to respond to those concerns and  
8 complaints, all of which will be documented. So  
9 there's any--no shortage of evaluation tools,  
10 including also the new Inspector General, the Federal  
11 Monitor for the Stop, Question and Frisk issue. In  
12 all of these, they're very transparent types of  
13 evaluations.  
14

15 COUNCIL MEMBER LANDER: I guess I would  
16 just encourage you, Commissioner and Deputy  
17 Commissioner to think about the possibility that if  
18 we're doing something new that involves--

19 CHAIRPERSON FERRERAS-COPELAND:  
20 [interposing] Council Member Lander we have the  
21 clock.

22 COUNCIL MEMBER LANDER: --deployment of  
23 resources, we think about some new tools for giving  
24 us information on what--on how we should understand  
25 what's being taught.

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CHAIRPERSON FERRERAS-COPELAND:

[interposing] Council Member Lander, thank you.

COUNCIL MEMBER LANDER: Thank you, Madam  
Chair. I apologize.

CHAIRPERSON FERRERAS-COPELAND: That's  
all right. Majority Leader Van Bramer followed by  
Council Member Johnson.

COUNCIL MEMBER VAN BRAMER: Thank you  
very much, Madam Chair and Madam Chairs for your  
leadership. Commissioner, thank you and to your  
senior team thank you. First of all, I just want to  
start off with saying thank you, the 108th Precinct  
under the Command of Captain Travaglia is doing  
incredibly well, and we thank them for their service.  
And you just appointed Captain Fortune to the head of  
the 114th Precinct. I met with him two days ago, and  
look forward to a good working relationship with him.  
And Chief Guzman, I believe?

CHIEF GOMEZ: Chief Gomez.

COUNCIL MEMBER VAN BRAMER: Chief Gomez.  
All right, I got that information, but Chief Gomez,  
first of all I know you're a graduate of Bryant High  
School. So, I--I thank your making us proud in  
Western Queens. But you mentioned that the 114th

Precinct and particularly the public housing developments in and around the 114, have been having spikes in crime and I wonder if you could elaborate on that a little bit, and what PSA 9 in particular is doing to stem that.

CHIEF GOMEZ: Yes, the--the developments there you have Queensbridge. The largest Astoria and Ravenswood and the Woodside Houses. In the 114, a good portion of the gun violence emanates at or near those development as well as a significant portion of the--of the robberies. That is why I mentioned earlier we're looking at--to move JRIP into that--in that community. That is also one of the considerations that Chief O'Neal and I considered when we put Captain Fortune as the community officer at the 114 because he served the last year and a half as the commanding officer of PSA 5, a very busy command, a Housing Bureau command up in--in the Manhattan Office. So, he's going to do great work for you over there.

COUNCIL MEMBER VAN BRAMER: So, are you dedicating additional resources to Queensbridge, Ravenswood and the Woodside Houses.

CHIEF GOMEZ: That is done at the patrol--the patrol borough level. They'll deploy their task force, soon to be SRG. They have a borough crime unit, and I know from reading unusual occurrence repots, I believe we've been in the--in the 114.

COUNCIL MEMBER VAN BRAMER: I refer to continuing that discussion with Captain Fortune and PSA 9, and then for Commissioner Bratton, I just had a bigger question. With--with stop and frisk having changed so much so quickly, and--and then with the discussion of the possible reclassifying of quality of life crimes, I'm wondering how you feel and how--how you feel police-community relations have changed since things changed so dramatically so quickly. And, do you think things are getting better, worse, the same? Because you're on the ground. You're leading this department. Where are you with that?

COMMISSIONER BRATTON: I think things are getting much better, quite frankly. If you look at it objectively, we referenced the complaints made to CCRB and CCRB has been very public in its engagement of the public going out to the various communities to hold its meetings. The fact that we now have an Inspector-General that's beginning to issue reports,

1 that we have a Federal Monitor that's actually  
2 engaged. So a lot of the concerns that were voiced  
3 about funding the public and the elected officials  
4 are being met. So on an objective level I think  
5 we're doing well. On the subject of that of level,  
6 clearly we are trying to find many additional ways to  
7 interact with the public. And pushing it down from  
8 the satisfaction that you've all expressed about your  
9 precincts commanders down to the local sector car  
10 level. So the pilot programs that are going on in  
11 33, 34 and the two Queens Precincts, are indicative  
12 that continuing effort to push it down beyond the  
13 precinct commander to the cop in the field that's  
14 actually out there at midnight, 3 o'clock in the  
15 morning. And based on what I just saw this morning  
16 at the 34, I'm very encouraged about the officers  
17 embracing the new initiative. More time to spend in  
18 their sectors, the technology they're getting. I  
19 think there's a common ground, a common platform that  
20 we are going to be able to achieve in the city.  
21 Actually, I think will serve as a national model,  
22 being quite frank. That a lot of what's being  
23 recommended around the country we're already doing  
24 here. And you've been activating--advocating a lot  
25

of it, and we're working closely with some of you.  
Where we are is not where we want to be, but I think  
we've come [bell] very far in a relatively short  
period of time.

COUNCIL MEMBER VAN BRAMER: Thank you  
very much, and Chief Gomez, my apologies.

CHAIRPERSON FERRERAS-COPELAND: We have  
Council Member Johnson followed by Council Member  
Greenfield.

COUNCIL MEMBER JOHNSON: Good to see you,  
Commissioner. Thanks for being here today. I had a  
few questions related to Naloxone, which I know the  
Attorney-General last year made an announcement with  
you on distribution kits. He dedicated \$5 million.  
I know that the city put in money as well, and we've  
actually seen officers save lives of people when they  
found individuals who have overdosed especially on  
Staten Island where there's been an acute outbreak or  
heroin overdoses. And we saw the big news from a  
couple of days ago of all the heroin seized in the  
Bronx, which I'm sure is going to save many lives  
since it's not going to make it to the street. My  
question is related to Naloxone is how many officers,  
if you know, have received training from the

1 Department of Health and Mental Hygiene on how to  
2 administer the drug. And which precincts have been  
3 trained to use it? I know we're starting on Staten  
4 Island supposed to move citywide. And then lastly  
5 has the department assessed the need in the out years  
6 to continue this training? Because we just saw  
7 reports in the last six months that costs across the  
8 country for the drug were doubling, which was, you  
9 know, making it a lot more expensive for cities to  
10 get a hold of it and use it in the way that it's  
11 needed.  
12

13 COMMISSIONER BRATTON: Okay, and I'll ask  
14 either Chief Gomez or possibly Chief Shortell from  
15 the Academy as to the status of the citywide  
16 implementation of the program that was piloted on  
17 Staten Island so successfully. But, as I referenced  
18 earlier, and I don't think you were in the room, that  
19 what we do here is--is a stopgap I mean quite  
20 frankly. We are experiencing people who have OD'd  
21 and then brought back who a short time later or  
22 OD'ing again. So the resolution of the issue is not  
23 going to be just continuing to equip officers and  
24 firefighters with this life saving device. But  
25 rather, effective treatment programs to once we save



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3 their life get them engaged in trying to save their  
4 own lives. But Chief Shortell, if you could update  
5 on where we are with the initial.

6 ASSISTANT CHIEF SHORTELL: Assistant  
7 Chief, Theresa Shortell. So far we have 15,213  
8 members of the service that have been trained. We  
9 have utilized successfully 41 times to save people's  
10 lives.

11 COUNCIL MEMBER JOHNSON: Wow.

12 ASSISTANT CHIEF SHORTELL: Yeah, very  
13 good. We're actually continuing this. We are  
14 training people so they can go out to the various  
15 precincts and enlarge that 15,000 number by doing  
16 training--the trainer, and we will continue in this  
17 program.

18 COUNCIL MEMBER JOHNSON: So, those 15,000  
19 officers that have been trained, were they trained by  
20 DOHMH staff or did other officers then train other  
21 officers after the first set of folks were trained?

22 ASSISTANT CHIEF SHORTELL: A combination.

23 COUNCIL MEMBER JOHNSON: A combination.,  
24 and how many precincts have the drug now to be used?

25 ASSISTANT CHIEF SHORTELL: I'm sorry, I  
don't have a breakdown for each precinct.

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COUNCIL MEMBER JOHNSON: Okay, it would be great to--to know if it's in all five boroughs. I know it started off in Staten Island.

ASSISTANT CHIEF SHORTELL: I'm sorry, it is in all five boroughs.

COUNCIL MEMBER JOHNSON: It's in all five boroughs. Okay. Great, thank you very much.

ASSISTANT CHIEF SHORTELL: You're welcome.

COUNCIL MEMBER JOHNSON: Commissioner, I just wanted to ask a question. I know there was money that was put into the Capital Budget related to I think one or two precincts getting repairs or renovations, which is great. I can just tell you that from the precincts, and I have seven of them in my district, the 6th, the 10th the 13th, Midtown North, Midtown South, the 20th and 1st that many of the precincts need a lot of work and the 10th Precinct in the heart of Chelsea where a lot of people walk in off the street to interact with the officers it is really run down. And it's not the most welcoming place for residents, New Yorkers that are coming in to interact with the NYPD. And it's probably not the best place for the officers as well.

I mean they've told me this place is a--is a disaster. I think it's from the 1950s, the building and it just doesn't look great. I wasn't sure if there was a plan to besides these two or three precincts that were initially identified to start to assess the particular priority list of other precincts across the city that need capital upgrades?

COMMISSIONER BRATTON: You weren't in the room, sir, but we've already spent extensive time on discussing departments and issues in that area. And a number of your colleagues including the Chair have spoken extensively on this issue that there is no secret that facilities are in tough shape. And we have a number of initiatives attempting to address short-term as well as longer term, those issues. Some of that is explained in my presentation materials that has been given to you. And we'd be more than happy to talk offline in more detail with what's already been discussed here at great length this morning earlier in the day.

COUNCIL MEMBER JOHNSON: Thank you very much, and I just want to say that I'm really grateful for my commanding officers all over the district. They [bell] great to work with, and the constituents

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who work with them are deeply appreciative of their  
service. So thank you.

COMMISSIONER BRATTON: Thank you.

CHAIRPERSON FERRERAS-COPELAND: We've  
been joined by Council Member Levin. We will now  
hear from Council Member Greenfield.

COUNCIL MEMBER GREENFIELD: Thank you,  
Madam Chair and thank you Commissioner. I--I do want  
to point to the point that you make in your testimony  
I think it certainly is incredibly impressive that  
you have been able to make the city safer and fairer.  
I think there were naysayers on both sides. People  
who said we can't have it fair, and we can't have it  
safer, and you've gotten it done. So, so far so  
good, and thank you for your leadership. I would  
also add that I am very fortunate. I have four  
outstanding commanding officers. I want to give them  
shout outs. I know they watch this. I'm not sure if  
they have to, but they watch these hearings. And so,  
Captain Kenneth Quick of the 66; Deputy Inspector  
Richard DiBlasio of the 70; Deputy Inspector Carlos  
Valdez of the 61; and Captain William Taylor of the  
62. They're all doing outstanding work and we're  
grateful for that.

I want to focus on one particular area that's very dear and dear to my heart, and it's a conversation that we've--we've had before, and it's something that we have a lot of support for here in the City Council. We have 46 out of 51 members of the Council, the Public Advocate, several borough presidents. Many other public officials are supporting our legislation that would provide school safety agents for non-public--non-public schools. Currently, the city of New York does many safety measures for the non-public schools. We provide transportation, free door-to-door busing. When you get to the school--the NYPD thank you very much--you provide crossing guards so that you can cross streets so you can be safe. When you're in the school, we actually provide nurses so that if you get sick that your child can actually be taken care of and be healthy. But there is a very obvious gap where every public school currently has school safety agents, but no non-public schools have school safety agents. And many parents are concerned not just for as Chaim Deutsch, my senior colleague mentioned, but also just about basic public safety issues. The concern of who's coming into the building, and their fights and

1 concerns and all the wonderful work that the school  
2 safety agents generally do. That is important work  
3 that is not happening in these schools, and quite  
4 frankly, I'm embarrassed to say that most non-public  
5 schools don't have security because they simply can't  
6 afford it. So, I'm curious. Do you share the  
7 concern of these quarter of a million children and  
8 their parents. Is this something that concerns you  
9 as well as the Police Commissioner?  
10

11 COMMISSIONER BRATTON: I've already  
12 indicated, sir, you were not in the room when we  
13 discussed this earlier with a number of your  
14 colleagues that it's a matter of public policy. We  
15 have indicated quite clearly that the city leadership  
16 is supportive of that. It's quite obvious that the  
17 state leadership does not share--some of the state  
18 leadership does not share that view. Whatever you're  
19 able to reconcile with the state on this issue, we'll  
20 be happy to work with whatever resources you provide  
21 to us. We don't have those resources. So we don't  
22 have the capability to begin to meet the need of  
23 private schools. Again, if you're able to resolve  
24 this in a public forum with the--with the state and  
25

provide funding, we'd be more than happy to provide additional personnel to that function.

COUNCIL MEMBER GREENFIELD: Okay, so that's fair. So just to clarify the point, and I did--I was chairing another hearing. So we--we have to do many things, many hats at once but I did see the--the wonderful report. Shirazi Tweeted that, and so I did see some of that information. I just--just to clarify. So in--from a city perspective, if we were able to provide that funding to--directly to the NYPD, you would be happy to in turn provide that service to the non-public schools?

COMMISSIONER BRATTON: Certainly, but again that would--we don't have the ability to do that on our own other--other than with appropriate help.

COUNCIL MEMBER GREENFIELD: [interposing]  
And we agree and, in fact, my legislation would provide that funding directly to NYPD. So I certainly appreciated that you would welcome that and I thank you. I want to--I want to just touch on one more issue and that is response times. So as explained to me by my commanding officers, they have to deal with the most serious incidents first. If

1 there's a shooting or a robbery or something like  
2 that, that's where their cars are going to go. And  
3 then obviously if there's a blocked driveway for a  
4 car accident that has a lesser priority and as a  
5 result very fast response time on serious crimes.  
6 Not as fast on less serious crimes. I'm wondering,  
7 as you know, my self and many of my colleagues in the  
8 Council we support adding police officers to--under  
9 your command. Is that something that would be  
10 helpful in terms of the response times as well. So  
11 that we have shorter response time for many of those  
12 quality of life crimes like loud music or blocking a  
13 driveway or car accidents and things like that?

15 COMMISSIONER BRATTON: As I previously  
16 indicated, that if, in fact, the Council comes to a  
17 resolution with the Mayor on additional resources,  
18 we'll determine at that time depending on what is  
19 provided where they would go. As it relates to  
20 response time, there are a number of other  
21 initiatives that we're engaging in that might  
22 significantly impact that in a positive way. All of  
23 our police vehicles have now been equipped with GPS  
24 capabilities. So the ability to on our dispatch  
25 screens, supervisory screens and our precinct vendor



[sic] screens identifying where [bell] police cars are at any particular time. What units are closest to where a car was coming in, particularly an emergency call that will facilitate significantly assigning vehicles that are close in proximity to a call. Additionally, with the Smart Phone capabilities and Tablets that our offices are being equipped with thanks to the funding by the Council, increasing the officers to have much more information to work with, and determine what calls should be prioritized that they're closest to. Additionally, the pilot program engaging in as far as the sector configuration with offices being able to spend more time in their assigned sectors. We would anticipate there will be quicker response in their assigned sectors to calls that they're aware of that they're in close proximity to. So, we're very conscious of always trying to improve our response time. So with the technologies that we're acquiring, that will be of some assistance to us.

COUNCIL MEMBER GREENFIELD: Great and I just wanted to close by thanking you for inviting us to the All-In a few weeks ago in Queens. It was incredibly impressive, and we've never had that level

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3 of communication before. So we're very thankful  
4 Thank you.

5 CHAIRPERSON FERRERAS-COPELAND:

6 [interposing] Thank you, Council Member Greenfield.  
7 Commissioner, your staff has let my staff know, and I  
8 want to acknowledge that you did stay a few minutes  
9 past your 9:30 time. Everyone has asked questions  
10 for the first round. We do have members in the  
11 second round, but we will follow up with you on  
12 questions. Both the chair and myself also have  
13 additional questions. So I would ask if you could  
14 get back to us expeditiously--

15 COMMISSIONER BRATTON: Okay.

16 CHAIRPERSON FERRERAS-COPELAND: --because  
17 we will need these for negotiating purposes.

18 COMMISSIONER BRATTON: Okay.

19 CHAIRPERSON FERRERAS-COPELAND: And if  
20 the members wish to talk to some of your staff  
21 afterwards, I would appreciate it if you would let  
22 them know to be able to speak to the members.

23 COMMISSIONER BRATTON: Thank you for your  
24 courtesy and thank you for your attention.  
25

CHAIRPERSON FERRERAS-COPELAND: Thank  
you very much. We're going to take a ten-minute  
break before we call up the district attorneys.

[pause]

[background comments]

CHAIRPERSON FERRERAS-COPELAND: We will  
now resume the City Council's hearing on the Mayor's  
Executive Budget FY16. We just heard from the Police  
Department, and now we will hear from Robert Johnson,  
the Bronx County District Attorney; Cyrus Vance, the  
New York County District Attorney; LeRoy Frazer, the  
Chief of Staff for the Kings County District  
Attorney; Richard Brown, the Queens County District  
Attorney; Daniel Master, the Acting Richmond District  
Attorney; and Bridget Brennan, the Special Narcotics  
Prosecutor. In the interest of time, I will forego  
and opening statement, but before we hear testimony,  
I open the mic to my co-chair, Chari Gibson for her  
statement.

CHAIRPERSON GIBSON: Good afternoon.  
Thank you, Madam Chair, and good afternoon to each of  
our New York City prosecutors. It's a pleasure to be  
here. Thank you for your presence. I just want to  
thank you all for the tremendous work you do. Since

I've been Chair of Public Safety it's been a pleasure working with each of your offices on a number of priorities, and necessary resources and programs to allow you to do your job. But to be very creative in community engagement, which is very important to me. So I want to thank you all for that.

At the Preliminary Budget hearings, we reviewed how each of your offices has used the baseline funding that was added in the FY21015 Budget, and in this afternoon's discussion, I would like to review in detail the concerns that your offices have presented to us in March. I was disappointed to find that none of the funding concerns were addressed in the FY16 Executive Budget, which totals about \$331.7 million or 5.5% higher than the FY15 Adopted Budget for all of the offices. The increased funding from adoption to FY16's Executive Plan is reflective of technical adjustments such as collective bargaining increases. I'd also like to revisit some of the funding concerns that were outlined and continue to discuss ways that your offices' programs are very reflective of public safety for all New York residents. Again, I thank you for being here. I look forward to your

1 testimony, and look forward to working with you after  
2 today's hearing as we prepare for our final budget  
3 hearing in the city. So thank you. Again for being  
4 here, and with that, Madam Chair, I'll turn it back  
5 over to you.  
6

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you, Chair. You may begin your testimony in the  
9 order that you think it appropriate.

10 ROBERT JOHNSON: Good afternoon, Chair  
11 Ferreras, and Chair Gibson. We've made it a  
12 tradition to go in seniority order here, and it's  
13 been a long time. I've been partners traditionally  
14 and worked my way here. [laughter] Chair--as Chair  
15 Gibson knows, we in the Bronx are not making a  
16 traditional funding request this year. However, we  
17 did in the Public Safety hearing speak about some  
18 other concerns that one is somewhat political in  
19 terms of persuading the courts and the powers that be  
20 that the system in general is in need of additional  
21 judicial resources. We're finding that is the  
22 greatest problem we're encountering. People talk  
23 about backlogs in the courts and the like. We feel  
24 that the greatest obstacle is the lack of courtrooms  
25 and judges, and asking for additional voices with

1       respect to that. The second was--it had to do with  
2       physical plant and space, which is an obstacle to us  
3       in a couple of ways. We've made great strides in  
4       reducing our arrest and arraignment time, which has  
5       been more problematic in the Bronx than other  
6       counties.

7                       And part of that was due to the physical  
8       plant. We are hoping to be even better when we open  
9       up our new complaint room. However, we've had  
10      construction delays, and during those delays then the  
11      space began to be used as storage. DCAS is now  
12      emptying out the storage so we can get back on track  
13      with the construction. But there's additional  
14      storage throughout the office, materials that have to  
15      be removed so that we can have space for personnel.  
16      The greatest thing that we're planning to do next  
17      year with the--the logis of my colleague in New York  
18      County, District Attorney Vance is to begin a crime  
19      strategies and case enhancement unit. But even  
20      though that's begun and the planning is well along  
21      the way, the space issue of where these people are  
22      going to be put is an issue. So that--those are our  
23      major concerns. I would, however, with a view  
24      towards the fact that 2017 may not be as good for us  
25

as 2016 not knowing what the future holds, I'd just like to briefly have you view us from a different lens.

So that you can know really what we do.

And last year, the Police Department brought 85, 86,000 arrest cases in Bronx County, and we have staff of 400 support and 400 lawyers, approximately each. And our mission is to screen each and every one of those cases. Each and every one of those cases so that we get it right, and that's for the defendants, that's for the complainants. And that means that as we sit here now, the lawyers in the complaint room interviewing police officers, interviewing complainants. They began this morning around 7 o'clock in the morning. They will go on this evening until midnight at least. Perhaps 1:00 or 2:00 a.m. in shifts doing that work of screening the cases that come in. Every case that come in-- comes in has to be evaluated. Those who survive and don't end up in pleas, we want to re-evaluate at times during their--their pendency, and that-- whatever comes in this year will be on top of the already existing backlog case logs, whatever doesn't get disposed of.

That means that in cases involving complaints and police officer victims, not--not excluding property claims, or at least public property. But in case of property complaints and police officer victims we want their input on how we're handling the case. We want them to know. So that means assistants are spending a great deal of time with them. It means that they're coming into an office and being greet--being greeted by a support staff that's very, very key to how people view the system. I can envision one of our receptionists, who unfortunately passed away in the last two months, who was absolutely the best at making people feel at ease. And that's part of our mission, making people feel at ease as they're going through a great of strife. The case that go to trial, require us to follow up, to bring witnesses in, and the backlog causes us to lose witnesses, to not--to lose contact witnesses, to have witnesses change their resolve in terms of going forward.

We have--we then turn on--turn to our detective investigators who are part of our support staff. They do investigations, but they also help us find an also speak to witnesses in a way that they're



1 willing to come in and do what we need to do to  
2 protect the community at all hours of the day and  
3 night. Not just when the complaint room is open, but  
4 at all hours of the day and night there are assistant  
5 DAs, video technicians on call to go to crime scenes,  
6 particularly the homicide scenes to take statements  
7 from people who wish to make statements, to respond  
8 to every police involved shooting. Whether it be a  
9 civilian or a police officer who was injured, and  
10 begin to put together what needs to be put together  
11 to really a key case in those instances. We are  
12 charged unlike any of my other colleagues with  
13 security in the largest jail or the second largest  
14 jail in this country, Rikers Island. It's in the  
15 County of the Bronx.

17 Through Rikers Island, we come into  
18 contact with hundreds of assault cases during the  
19 course of a year. Inmate on inmate, inmate on staff,  
20 staff on inmate. Those cases have to be investigated  
21 by us. The geography makes it somewhat difficult,  
22 but we now have a correction officer in our office  
23 who gets us the material we need. Through the  
24 funding that you've given us, the baseline funding,  
25 we've been able to add staff to particularly deal

1 with Rikers Island. Those assault cases include not  
2 only physical assaults, but spitting and splashing of  
3 body fluids through containers, and all kinds of vile  
4 acts. It requires investigations in addition to the  
5 prosecution of results. We also had 425 contraband  
6 cases last year, and contraband, you know, the--the  
7 controlled substances should not be in a--in a  
8 correctional institution, a correctional facility.  
9 But certainly the objects, the sharp objects and  
10 those that can do harm the dangerous instruments are  
11 a real serious problem. And we want to make sure  
12 that each one of those gets handled in order to  
13 protect not only the inmates, but especially the  
14 officers who are there working on the very severe  
15 conditions.

17 In terms of investigations, detective  
18 investigators and our detective squad our NYPD squad  
19 are involved monitoring wire taps as we speak. You  
20 know, cases where just as Special Narcotics  
21 Prosecutor Brennan just finished a major case that  
22 we're very grateful. Wire taps are a part of those  
23 kinds of cases, and not only to require the  
24 investigation to get the authorization, but it  
25 requires the personnel to sit and listen and cull out

1 exactly what's pertinent, what's relevant and what  
2 takes us farther up the chain. I mentioned the trial  
3 witnesses that we need to locate a receptionist. We  
4 also have a Crime Victims Assistance Unit, who are  
5 social workers, therapists. Last year, they had  
6 2,700 new cases in which they dealt with our--with  
7 members of our community who have been victimized in  
8 one way or another. From those who lost loved ones  
9 to homicides, to rape victims, child assault and  
10 sexual assault victims and everything in between. We  
11 have--also they saw over 40,000, and if you include  
12 the follow-up visits from the cases that came in the  
13 prior year, they had over 40,000 contacts last year  
14 with citizens. Our ADAs are put in positions where  
15 they have to be ready for trials. Sometimes multiple  
16 cases on the same day because they don't know which  
17 case the judge is going to be ready to move. They  
18 don't know which case the defense lawyer is going to  
19 be ready. So if the court says you be ready on these  
20 three cases, they will be ready on three cases. And  
21 we're constantly informing the court of what our  
22 state of readiness is to flow the management. So  
23 that we can synthesize and coordinate a sort of  
24  
25

ballet of getting all the right parties into the  
right courtroom at the same time.

Our Community Affairs unit is making  
contact with the community. We are--their concerns  
are important to us. The Narcotics Bureau for  
instance is responding to community concerns all the  
time in two ways. One is by being in contact with  
the Narcotics Division of the Police Department, and  
letting them know where the problem locations we have  
heard about, if they don't already know. And the  
second is to communicate to the court because this is  
not about case files when we're prosecuting cases.  
This is about people's lives. And even a narcotics  
sale where there is no readily identifiable victim,  
of communities being victimized and we want to  
portray that to the court. So when we have the  
community's complaint, we can very much carry their  
words to the judges to be of some persuasion.

Community Affairs in addition to that puts people  
into our precinct councils so we're getting that  
information at the pre-monthly precinct meetings.

The Community Affairs, the last--the last  
thing for Community Affairs is they also coordinate  
mentoring and prevention programs in the schools.

Our Concept Program last year saw 3,600 students, and some of your members have been very, very helpful to us in terms of finding funding to see that. Because prevention is the key way to prevent crime. You know, the prosecution will be done, but the prevention really cuts it off.

Finally, I would just say that our commitment is strong, and in particular with the assistant DA I can tell you that every assistant DA who has been hired in the last more than a quarter century has been interviewed by me in the last interview. And they all have law degrees. They're all smart people, but the primary thing that sets the apart in my eyes is whether they're commitment to be able to work with and deal with people. And of the 420 some odd assistants that we have right now, 93% of them have been hired by me. They made that commitment to me, and have had it drilled into them by our Training Unit and the directors day in and day out that we are here to serve the public. So we thank you for what you've given us in this budget, and we're looking forward to doing more and to also answering whatever questions you have about all the things we do. Thank you.

[pause]

RICHARD BROWN: Thanks Bob. When I testified before you in March with respect to the Mayor's Preliminary Budget, I said that while significant strides have been made in stabilizing our budgets through the years and restoring the devastating cuts that we saw following 9/11 that much remains to be done. That statement is equally true today as we discuss the Mayor's Executive Budget because nothing has really changed. The Executive Budget pretty much mirrors the Preliminary Budget and provides no additional funding for our offices. Fortunately, however, we've been having extensive discussions with the Mayor's Office of Criminal Justice, OMB and with you and your staff as well. And I'm hopeful that between now June 30th, which the Fiscal Year 2016 Budget is finalized that the city will respond to our needs. I've provided you today with a memorandum, which focuses upon the shortfalls in both personal services and OTPS budgets for 2016 and beyond. And also addresses our longstanding problems with regard to a available office space for our staff, and the need for additional monies for rental space short term. The memorandum documents a

personnel service shortage of \$910,000, and an OTPS shortfall of a little over \$1.1 million. We also request \$920,000 appropriation to cover our short-term space needs. And once again, urge the city to make available for conversion to office space the 10-story Queens House of Detention. Which, for all intents and purposes has been empty since 2002, and for which Corrections has long said it has no need. As I've said in the past, it makes a great deal more sense to renovate the Queens House and covert it into office space than for the city to continue to pay out some \$3 million a year for space in a privately owned building. It will allow our people to work daily in the courthouse in a facility immediately adjacent to--to the court complex. And while it will require an additional one-time investment to convert the building into office space, I believe it's an investment that will be well spent in terms of long-term efficiency and effectiveness for our office's operation. And perhaps most importantly, I have told the city that I am prepared to make available obviously with the approval of the--the Department of Treasury in Washington a substantial amount of federal asset forfeiture funds toward the building's

renovation. So hopefully over these next few weeks, as the city's [banging noise] Fiscal 2016 budget is finalized, our budgetary and short-term space needs will be met, and the city will commit to the renovation of the long empty to the Queens House of Detention. So I thank you very much for the opportunity to appear before you again this morning.

[pause]

CYRUS VANCE: Good afternoon, Chairwoman Gibson and Chairwoman Ferreras and members of the committee, I also am thankful for the opportunity to be able to address you today, and also thankful for the support you have shown the district attorney's office and our office historically. I also want to thank my colleagues to my left and right for their great partnership, and particular note today that two of my colleagues to my left were former Manhattan district attorneys, and it's a pleasure to be in their company again today. It's clear that your investment, the city's investment in our offices has fueled this remarkable drop in crime, understanding problems that still exist. But, in Manhattan, I think it is just astounding to know that last year we had 37 homicides, 37 too many, but 37, which is the



1  
2 fewest number of homicides in the borough since  
3 recordkeeping began in 1937. It was level that was  
4 unthinkable even five years ago, and I will tell you  
5 that when I talk to police officers about how much  
6 progress has been made, it is to them also  
7 astounding. It's your support and the support of the  
8 city that's really made this possible by your  
9 funding.

10           We also are gratified that we can be a  
11 partner in funding. Our offices generated \$945  
12 million by our work directly to the city of New York  
13 in my tenure, and that's over ten times our annual  
14 city budget allocation. Those case settlements have  
15 also resulted thankfully in an unprecedented level of  
16 forfeiture funds that we have used in a variety of  
17 ways in addition to the \$945 million to the city to  
18 promote criminal justice. We have been proud to  
19 commit \$1 million to improve security and enhanced  
20 residential safety at 15 NYCHA housing developments  
21 throughout the city \$41 million to support the  
22 implementation of the Mayor's Behavioral Health Task  
23 Force recommendations. And I think we just need to  
24 read the papers to understand how important it is  
25 that we do a better job dealing with the mentally

1 ill. Because if we do not do a good job dealing with  
2 the mentally ill when we have them in our system,  
3 they are going to come back and reoffend and reoffend  
4 in a serious way.

5 \$90 million to the New York City Police  
6 Department to equip their officers with mobile  
7 devices including Tablet computers for every patrol  
8 car and hand-held devices for every cop. And \$35  
9 million to help reduce not just New York City, not  
10 just New York State's, but the rape kit backlog  
11 throughout the country, which frankly is an  
12 embarrassment. And the nation needs to own that  
13 responsibility and eliminate these--the situation of  
14 a rape kit backlog that exists in America.

15 Those are just a few examples of how  
16 these forfeiture funds are an opportunity to reform  
17 our justice system, and promote public safety and  
18 prevent crime. While these forfeiture dollars we are  
19 very lucky and gratified to have them, they  
20 significantly represent at one-time infusion of  
21 resources. And we are limited by statutes and  
22 guidelines in how we can use those funds.  
23 Specifically, they may be used for equipment and  
24 programs, but not for baseline staffing or salaries.  
25

And with over 95% of my office's annual operating budgeted devoted to personnel costs, our office frankly needs additional tax levy funding so that it can take on challenges of a 21st Century law enforcement agency.

Now, in March, our office submitted a budget request letter to the Mayor's Office of Management and Budget, and today I'd just like to highlight two important programs for which we request--requested support. Our Conviction Integrity Program and our Court Diversion. Neither of these funds--neither of these can be funded with bank settlement dollars. Our office seeks \$125,000 in baseline funding to add one senior assistant district attorney to work in our Conviction Integrity Program. That program has been instrumental I believe to--to our role as the District Attorney's Office in Manhattan. We created our--our Conviction Integrity Unit in 20120. Initially modeled on what the Dallas DA had done and been so--so upfront on. But the scope of our unit is unique in its purpose. We don't just seek to address claims of actual innocence that come after conviction. We also equally train and devote resources to making sure that our front-end

review of cases is as deliberate and as intense as it needs to be to minimize the chance of an error of judgment by our offices or by a police officer.

So we have three parts to our program.

We have a committee within our office, which is comprised of ten senior members of the district attorney staff. We also have a chief who coordinates the activities of this committee and leads all re-investigations of cases that present a meaningful claim of actual innocence. And we have a Policy Advisory Panel, which is comprised of leading criminal justice experts like Barry Scheck, including leader scholars and former prosecutors who advise us on national best practices and evolving issues in the area of wrongful convictions. We are asking for funding for an additional assistant district attorney assigned to this program who would assist in the assessment increasingly complex wrongful conviction claims. And to help ensure that the office is at the forefront of issues of best practices and prosecutions and investigations. Quite honestly, I can think of few more critical undertakings than supporting the efforts of our office and other

offices to help prevent innocent men and women from  
being misjudged and corrected and convicted unfairly.

The second issued I'd like to speak about  
is court conversion. We are seeking \$75,000 in  
baseline funding to add the position of a diversion  
coordinator within my office. And I think this is  
very important although it kind of gets in the weeds,  
but it very much relates to our ability to do our job  
well. One of our--my goals as prosecutor is to  
achieve more effective and longer term resolutions to  
cases. While at the same time lowering recidivism  
and keeping young men and women out of our criminal  
justice system. I believe that the judicious use of  
diversion options is key to this goal. However, and  
this is the problem, often my assistant district  
attorneys do not have accurate and sufficient  
information about diversion programs to make informed  
recommendations to our judges. And I plan to address  
this problem in several ways, some things I can do.

First, I will provide \$4.4 million of  
forfeiture funds to the Mayor's Office of Criminal  
Justice to create a citywide justice provider  
management system, which is a web based application  
that will help to collect, analyze and report on

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outcomes for all city funded diversion programs. It is expected that this system will be available for all criminal justice partners by the end of this year. Second, I intend to create the role of Diversion Coordinator within my office to support my office's commitment to reducing unnecessary incarceration while at the same time enhancing public safety. The Diversion Coordinator will serve as a resource for our whole office identifying programs that our assistant DA's could support as diversion options for those defendants deemed eligible. This person also will follow up with defendants who have been diverted from the court system to check on their progress in their community programs. And lastly, the Diversion Coordinator will collect information of the efficacy of the diversion programs. And that information could be used by the city to create new models or expand the capacity of successful programs. This new position, in my opinion, is critical to the --to the success of any expansion of diversion options in Manhattan. And I ask that the City Council support in securing funding for that position.

1  
2 Finally, I'd like to briefly discuss an  
3 issue that has been studied numerous times over the  
4 past 20 years without resolution, and that is the  
5 physical state of the Manhattan Court Complex and the  
6 DA--of New York's offices in particular. Our offices  
7 currently occupy over 300,000 square feet of space at  
8 80 Center Street and 100 Center Street in Downtown  
9 Manhattan in space adjoining the Manhattan Court  
10 Complex. This district attorney occupied--occupied  
11 space is the work site of over 1,400 professionals,  
12 and it accommodates approximately 550 visitors each  
13 day from law enforcement agencies, victims, witnesses  
14 and the general public. This space has never been  
15 renovated or modernized in any significant way since  
16 these buildings were built.

17 Just by way of example, on a personal  
18 note, when I came back to the DA's Office to be the  
19 DA in 2010, and I went to visit the Trial Bureau that  
20 I worked in when I started out in office in 1982, the  
21 carpeting on the floor of my Trial Bureau today was  
22 the same carpeting that was there when I was working  
23 in the office in 1982. That gives you a sense of--of  
24 in a comedic way of how much in need we are of  
25 renovating these spaces. But let me just tell you if

you are an Assistant District Attorney and you bring a victim in whose been charged in--whose been the victim of a sexual assault or a robbery victim or anyone involved in a serious violent crime, the fact of the matter is that those witnesses have to wait in hallways waiting on little benches while defendants are moved past them in handcuffs. The police officers are slumped on the seats sleeping. It's just not appropriate for a 21st Century office to not be designed in a way that is welcoming, that gives a sense of security and quiet to a victim of crime who comes into our office. And we believe you can and the city can help us solve this problem. We've hired an architectural firm to develop a plan for improving our space to create a professional and modern environment. We'll share our findings with you and the Mayor's Office of Criminal Justice later this year. But it is clear that a significant funding will be required adequately to renovate our space. And I ask for your support, and I'm happy to provide personal tours of our space so that you can see the necessity for securing the capital funds necessary to improve the physical conditions of our space to a level befitting of a modern prosecutor's office.



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Thank you so much again for listening to me, and like my colleagues, I'd be happy to answer questions.

DANIEL MASTER: Chairwoman Gibson and Ferreras and members of the New York City Council Committees on Public Safety and Finance. Good afternoon and thank you for the opportunity to address the Committee on Public Safety and the Committee on Finance regarding the Fiscal Year 2016 Executive Budget. Today, I'd like to discuss with you an area that remains a major concern for my office. I would also like to bring to your attention the need for funding for a new initiative and for an unfunded mandate that my office now faces, Drug Treatment Court. I know I sound like Johnny One Note because I've been here several times on the same matter--several years on the same matter. The Treatment Alternatives for Safer Communities or TASC, as it's known, is a very successful alternative to an incarceration program that performs required drug tests for defendants, and manages most of the cases for the Staten Island Drug Treatment Court. The TASC program in my borough is once again unfunded beginning July 1st, 2015, and will be in jeopardy of closing.

In 2014, TASC conducted 3,746 drug tests for the Staten Island Drug Treatment Court. Additionally, 182 defendants referred to Staten Island TASC were screened to determine eligibility for diversion resulting in 167 new defendants being diverted from jail or prison into community based treatment programs. Fifty-six percent of the clients identified an opiate as the primary substance. Staten Island TASC managed on average--an average caseload of 200 participants throughout the year, and with the guidance of TASC management 94 defendants successfully completed the program in 2014. The difference in expenses associated with treatment versus incarceration are well known. Incarcerating a prisoner in a city jail costs \$76,000 a year. Conversely, in-patient programs costs for individuals are \$20,000 and that shrinks even further to \$7,500 per year in outpatient program. Perhaps even more significant is the city does not bear any treatment costs since they're paid by the defendant's family, Medicaid or private insurance. Putting this in perspective, the 2000--excuse me--the \$250,000 investment made by the City Council allowed 94 individuals to successfully Staten Island Drug

Treatment Court Programs in 2014, which saved the city \$6.4 million, and we're asking that you please fund us again. At this point, I think we all agree this program should be considered for baseline funding. However, since that has not yet occurred, I'm again respectfully requesting the New York City Council to make \$250,000 available in the FY2016 Adopted Budget so that Staten Island gets its fair share of the discretionary funding for alternatives to incarceration.

With regard to new needs, funds are needed in order to address two major areas of concern. Asset forfeiture. I've come here before requesting an asset forfeiture or funds for an asset forfeiture unit. And I was particularly gratified to hear DA Vance speak pointedly and eloquently about the benefits of a vigorous asset forfeiture program. The Office of the Richmond County District Attorney needs a unit to specialize the investigation and prosecution of asset forfeiture cases. Because of the shortage of personnel, we have only 46 lawyers in my office. My office does not have prosecutors working full time on these cases. We believe that there's much low hanging fruit that could be seized

personally to the forfeiture laws. We believe this to be true because of the recent success we have experienced with our Crimes Against Revenue Program, the CARP program. That's a grant funded initiative that combats financial crimes. There are 22 counties that are in the CARP program. I believe it's 22 counties, and in the last report our office, Richmond County District Attorney, was the top producer in cumulative revenues along with participating counties for the 2011 through 2013 reports. Our return on investment was 387%. We've been able to accomplish this because the grant provided my office with funds to dedicate staff to focus solely on CARP crimes. Because of our success with this program, I strongly believe that a staff dedicated to focusing on asset forfeiture could achieve similar results. A \$211,700 funding requirement request has been submitted to OMB for the initiative, but that request was denied. However, I still believe this initiative has great potential, and should be reconsidered for financial support.

Our second new need, new court part staffing. The second request is related to an unfunded mandate my office is funding--is facing.

Funding is needed to staff a new court part, which is being added to coincide with the opening of the new courthouse on Staten Island, replacing our courthouse that's even older than your courthouse. [laughs]  
Current--I wouldn't take them on a tour of our courthouse because it's rodent infested and dangerous. The ceilings are falling down, but we have a new--we have new courthouse. Thank you very much. Currently, criminal court has two parts. The addition of a third court part is going to result in cases being presented to a judge in a more expeditious time frame. In order to staff the new court part, and to be ready to handle an accelerated trial schedule, OCA will be providing a new judge, additional clerks, court reporters, a law secretary and court officers. Since the arson DA is mandated to staff the part, it will be necessary to add two ADAs and two criminal court clerks. I eagerly await the opening of the courthouse and I fully support the added court part. Staten Island has deserved this for quite a long time. However, my office does need the additional resources to address the accelerated workload that will be occurring from this unfunded mandate. Our request for annual funds in the amount

of \$214,000 was also submitted to OMB, but was denied. I ask for the Council's support in any discussions that may be held with OMB regarding this issues, and, too, thank you for your continued support in lobbying for us. And I also want to publicly thank the Manhattan District Attorney for all that he's been able to do enhance the funding of our office. I greatly appreciate it. Thank you very much.

CHAIRPERSON FERRERAS-COPELAND: Thank you very much. You're up Ms. Brennan.

BRIDGET BRENNAN: Thank you. Good afternoon. I'm also thanking the Council and the committee chairs for their great support for our office and the DA's offices throughout the years. I'm here to talk to you about two requests that we made, which were not funded in the Executive Budget. And I think recent events point out just how critical our needs are. We requested two--two funding items. One was for the enhancement of our heroin interdiction unit. And the other primary funding request was for additional positions in our IT unit. And I think events that unfolded over the weekend point out just how critical it is that we be funded

for additional resources to investigate heroin trafficking groups, and enforce our laws here in New York City. Just this weekend on Sunday we were working with a drug enforcement task force team and we seized 70 kilograms of heroin in a lovely section of the Bronx right across from Van Cortlandt Park blocks away from the Horace Mann School in a nice residential area. That area was chosen by a Bronx based narcotics trafficking group, a well, well funded group, a highly intelligent group that was working directly with Mexican traffickers. Mexican traffickers that have strong ties with the Samoan Cartel.

We recovered in a hidden compartment in a Suburban the 70 kilograms of heroin. And just to put it into perspective, that 150-pound seizure is bigger than some of our seizures in entire years. It's enough heroin to provide a dose for everyone in New York City. We estimate that a kilogram of heroin yields more than 100,000 glassines of heroin. Each glassine of heroin, which is what use--the form that users typically buy it in, each one contains a half to one grain of heroin. That's--the grain measures an inch measure that's equal to a grain of wheat. A

1 kilogram equals 2.2 pounds. So, if you put it in  
that perspective, you can understand the volume of  
heroin that is coming into our city. And you don't  
have to look just there. Look at the overdose death  
rates. Overdoses now exceed homicides in New York  
City. We're only requesting \$280,000 so we can bring  
four more assistants into our unit. The assistant  
district attorney who is working on this case, it was  
a year-long investigation, we are whiting--writing  
wire taps, tracking orders, search warrants in this  
case. While the case was unfolding and heating up  
over the weekend, while we were receiving information  
that a large load was coming in, she was on trial  
with another case. All day she would be in the  
courtroom trying the case. At night, she would come  
back and she would write orders for the tracking  
devices for the telephones that we needed. And, of  
course, we gave her additional personnel. In total,  
four people in my Special Investigations Bureau was  
working--they were working on this case at the same  
time. And that's a quarter of the people I have in  
that unit. And, of course, the results were  
extraordinary, and we are--we're so happy to have  
taken that much heroin off the streets. You have to



understand that we must control the supply of heroin coming into this city. It's not enough to provide Naloxone to the police officers. It's wonderful if they can revive a person, but how many people do they say they revive, 40 last year? The heroin in this seizure would dope up millions. That's not enough. It's not enough to provide funds for rehab. That's the back end of the problem. It's not the front end. When you have an infusion of addictive drugs coming into this city, it is going to create addiction, and we will be dealing with that problem for generations. So we need to clip it off at the top. That's why it's so important to take out a seizure of this nature before the drugs reach the armies of distributors who are happy to carve out their profit by selling it and killing people glassine by glassine. Just think of the drain on our economy. Each one of those glassines goes for about \$10 a glassine. The information we had from this trafficking group is that they were seizing not this--that they were bringing in not this amount, not just once a month, but twice a month. They brought that much in annually. It's \$1.2 billion going right out of our economy right up someone's nose or into their

veins. I'm asking four assistants for founding for four assistants to help--help us manage this problem because unfortunately, New York City is the hub of trafficking for the region and for the state. And, we are seeing the influence of the Mexican groups coming into the city. And this particular--with these particular trafficking groups, the Mexicans sent overseers to make sure that the delivery was intact when it came. To make sure that the funds were going to go back to them. The money that they were going to get for this delivery was going to come back, and it's not the first time we've seen it. We've also seen individual family members, family members of the trafficking organizations sending--the heads of the trafficking organizations sending family members to Mexico to be held as collateral until all the monies are paid up. So we have great fears that some of that violence that's deeply associated with these cartel groups will transfer up here if we don't try to clip this off right now. And it's not just heroin that we're seizing. We're also seeing a lot more methamphetamine coming in, and that's another homegrown product for the Mexicans. They produce there and we're seeing more and more of that coming

up now. And we have great fears, of course, that they're going to be pushing a lot of that out.

Now, all these efforts at investigation and prosecuting these cases are completely tied in with our IT resources. That's the only way we're able to keep up with these really well funded sophisticated organizations. And so, we're requesting funding for several positions for our IT. It's all detailed in my testimony. We're requesting about \$670,000 for that. You know, my office runs really close to the bone. We don't have a lot of excess, and we have seen the demand. We have seen the volume just in heroin tripling over the last year. We've had great success, and we will continue our efforts. Our assistants will work double duty, triple duty. You know, they'll work day and night clearly because they're committed and dedicated, but we need help. So that's the--that's the bad news that I have to offer, and that's a summary of my request. But I will leave you with some good news.

The Council assisted us in funding some community initiatives, and in your packet you'll see at the very end that we're putting those funds to good work. Just last week we used forfeited funds

1 along with the support that you've given us to  
2 provide a scoreboard at Wadleigh High School in an  
3 area where we had done a major narcotics  
4 investigation. And we sponsored a cops and kids  
5 basketball game there, which was a great event and  
6 it's a wonderful way to demonstrate to the community  
7 that not just are we taking away, but we're trying to  
8 give back. And we're supporting all the good  
9 wonderful things that are going on throughout our  
10 city. We're engaged in a number of those types of  
11 events with PAL, with the Police Athletic League  
12 throughout the city and we hope to be doing another  
13 one in Brooklyn pretty soon. So with that, I thank  
14 you for your support throughout the years, and I ask  
15 you to continue to support us. Thank you very much.

17 CHAIRPERSON FERRERAS-COPELAND: Thank  
18 you.

19 [pause]

20 LEROY FRAZER: Good afternoon. My name  
21 is Leroy Frazer. I'm Chief of Staff for Brooklyn  
22 District Attorney Ken Thompson. I bring you  
23 greetings and apologies from him today. District  
24 Attorney Thompson would have liked to have been here,  
25 but for an unavoidable conflict in commitment, which

made it impossible for him to attend. I'm here to read this testimony to you. I'll begin by thank you, Chairpersons Gibson and Ferreras and the Public Safety Committee for this opportunity to address you on the Mayor's Executive Budget. This impact on my office and fiscal challenges facing my office going forward. I would like to begin by thanking the City Council, the Mayor, the Office of Criminal Justice and OMB for their support of my office, and continue to work with us to right size our budget so that we can best serve the people of Brooklyn. As part of the Executive Budget, my office received and additional \$172,000 in baseline for collective bargaining adjustments.

These adjustments continue to demonstrate the city's commitment to adjusting the wages of our employees who work hard day in and day out on behalf of the people of Brooklyn. While most of the unions representing our employees have settled their contract negotiations the Detective Investigators Union's Contract remains in negotiations. It is our hope that that can be resolved soon as the DI's play an important role in the day-to-day operations of our office. I'd like to talk to you about DTAP.

Brooklyn remains the borough with the highest number of felony arrests citywide. This caseload is intense and requires dedicated human resources to move their kids through the system within the mandated 24-hour period from arrest to arraignment. In the last two years, Brooklyn arrest to arraignment time has remained under 24 hours. Continuing to keep that average below 24 hours relies upon our office processing those who enter the system efficiently. Once arraigned, it is also our responsibility to seek alternatives to those--for those who enter the system but may be better served by an alternative to incarceration.

In Brooklyn, we believe strongly in the use of our alternative programs where appropriate. In the case of those struggling with substance abuse, we believe a program to address that issue decreases the chance of recidivism and helps strengthen the community. We have witnessed these results first hand with our Drug Treatment Alternative Program also called DTAP. This program treats non-violent drug addicted chronic felons with the objective of reducing drug abuse, improving public safety and saving money. Participants must plead to a felony

prior to program admission, and the plea agreement includes a specific prison term that will be imposed in the event of treatment failure. Since the program's inception in 1991, it has serve 3,201 participants with 50% of participants graduating from DTAP. Most recently, between 2012 and 2014, DTAP accepted 184 participants with 143 graduating from the program. This is a 71% retention and success rate, which is 6% higher than most other long-term programs where the average retention rate is 65%.

This program is working in Brooklyn. It has been tested and proven. However, DTAP was dependent upon state funding from DCJS. And, unfortunately, in the Governor's budget released in April, this no longer included funding to support this highly successful and important program. I come to the Council today asking that you fund \$128,900 to continue DTAP in Brooklyn. This program is tested and proven to be successful both at rehabilitating those who commit crimes while struggling with substance abuse and saving money by keeping these individuals out of prison and instead giving them the help that they needs. This is a program that we need to continue in Brooklyn, and in order to do so, we

1 need your help. Brooklyn is also in a unique  
2 position of dealing with the ever-expanding number of  
3 convicted cases that require review. With every case  
4 that is publicized, additional cases are sent to my  
5 office for review.  
6

7           As we work diligently to review all cases  
8 placed before us, it remains unclear just how far  
9 back or how many cases will require extensive and  
10 labor intensive review. Beginning in Fiscal Year 15,  
11 my office was provided \$500,000 to expand the  
12 Conviction Review Unit to meet this growing need.  
13 With the increase in case review comes an additional  
14 need for file retrieval and file storage on an  
15 ongoing and continuous basis. My office makes  
16 requests daily to Doris [sic] for files stored with  
17 them, often with a short window of time for  
18 retrieval. And this is further compounded by the  
19 fact that my office is losing 20,000 square feet of  
20 file storage space in the Municipal building in  
21 Brooklyn. Which was spaces that had previously been  
22 provided by DCAS to our office for file storage with  
23 no cost to our office. Records management is vital  
24 in a prosecutor's office. The ability of my office  
25 to retain and retrieve files in an efficient and



appropriate manner can make the difference and justice for a victim's family on appeal or a person wrongfully convicted sitting in prison.

The pursuit of justice is the responsibility of my office, and with that we seek to take on additional responsibility of records management. I am confident that with adequate space and the proper resources we can successfully manage all of the records we are required to retain and promptly provide those records upon request.

Therefore, going forward, my office plans to consolidate all of our file storage in one space, which has been identified in Brooklyn. We made a request to OMB for \$600,000 annually to cover the cost of leasing 60,000 square feet of space. We cannot be subjected to having our vital records being displaced for stored improperly. The responsibility we bear for the pursuit of justice is just too great. So we ask that that the Council support our request for funding for OMB so that we can begin next fiscal year with our records consolidated and stored in a manner for such documents required.

In closing, I would again like to thank the Council especially the Brooklyn delegation and

Chairpersons Gibson and Ferreras for all your hard work in support of my office. We remain appreciative for your continued effort to see the fiscal condition of my office improve. I again ask the Council's support of the DCAP program for funding in the amount of \$128,900 and for your support of our efforts to rectify our records management issue. We remain committed to transforming the Kings County District Attorney's Office into the leading law enforcement agency that the people of Brooklyn deserve. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you very much for your testimony. Both Chair Gibson and I recognize that although the morning part of these hearings is when we get all the press and all the fanfare, you really do play an integral role in keeping our community safe. We often talk about policing But, what your agencies do to keep people off the street that shouldn't be on the streets to send a clear message on how we feel about when someone is caught doing a crime that they pay the time or do the time that they're supposed to do. So we just--I want to just share from you that from the Council's perspective we understand how important

1 your role is. And hopefully we always are able to  
2 reflect that in the budget, right because this is  
3 what this time of the year about. So we take this  
4 very seriously. We've been joined by Council Members  
5 Greenfield, Lancman, Gentile, Crowley and Cumbo. So,  
6 I wanted to talk about the asset forfeiture  
7 component. Your office announced a major criminal  
8 justice initiative being funded by asset forfeiture  
9 funds from recent large bank settlements. Have you  
10 discussed with agencies what the future cost  
11 implications will be for the new programs? And when  
12 will the agencies begin to see these additional funds  
13 in their budgets, and have you discussed with OMB how  
14 these funds will be reflected in each agency's  
15 budget?

17 We--with the programs that we are  
18 funding, we have spoken several times and  
19 specifically with OMB and the Mayor's Office of  
20 Criminal Justice

21 CYRUS VANCE: With the programs that we  
22 are funding, we have spoken several times and  
23 specifically with OMB and the Mayor's Office of  
24 Criminal Justice. The funds are--we are still in the  
25 process of finalizing with the agencies the timing of

disbursements of those funds tied hopefully to progress of the--of the project. So, for example, the NYCHA project is going to be done in stages, and so Chairwoman, I don't as I sit here have an exact timeline. I'm happy to ask our staff to give you as definitive a timeline as we can. But we obviously want to work as quickly as we can to put the dollars to use, but to make sure that the dollars are being spent exactly for the purposes for which they were asked. And that the--and that metrics, the measurements of the--those programs meet our expectations. To make sure we're investing wisely.

CHAIRPERSON FERRERAS-COPELAND: Great because that was my next question. We have a challenge getting transparency measurables from--from OMB sometimes. Nothing I wouldn't tell Dean Fuleihan himself every opportunity that I get. But I'm hoping that we can set the measurables and those metrics on the front end so that we're not regretting it later.

CYRUS VANCE: Yeah.

CHAIRPERSON FERRERAS-COPELAND: And then I noted that you've been in conversations with Michael Jacobson over at CUNY on how to spend the remaining approximate \$550 million in funds. Has

there been any progress or updates on the remaining monies?

CYRUS VANCE: Yes, there has been. We are working--Mike Jacobson and--and formerly head of Vera, now runs the CUNY Initiative for State and Local Governments. It was my belief that with this infusion of forfeiture dollars, I needed to make sure that since we weren't experts in funding that--or foundation work that we brought in his--his experience in city government and--as the head of Vera to be a technical coordinator for us. So, Mike and his team have been working for roughly four or five months for us. They, I think are in the final two or three months of a detailed assessment and presentation for me on what recommendations for funding they--they have in the areas we've asked them to look into, which include, for example, crime prevention, domestic violence. And some broad categories where we understand that these funds should be invested. So, Madam Chairwoman, I don't have the final direction from Mike. I can tell you that he knows that I am anxiously awaiting that discussion. And to let you know that at the end of that process, which I believe will take place over

the next several months, we will issue RFPs in each one of these areas. And--and we welcome the City Council's input.

CHAIRPERSON FERRERAS-COPELAND: Great because that was going to be my follow up because we're experts in budget here and how to give money. At least we like to think we are. We would love to find a way or a space for us to engage, and kind of share what we see from the citywide perspective on some of those needs.

CYRUS VANCE: Well, I think that we do intend--Mike has been reaching out not just to his office, but to external actors in the community to get their advice. And I'm confident that Mike will happily make himself available to you or your staff--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Excellent.

CYRUS VANCE: --to understand your--your ideas, and get your input.

CHAIRPERSON FERRERAS-COPELAND: Great.  
Thank you.

CYRUS VANCE: Yeah.

CHAIRPERSON FERRERAS-COPELAND: This is  
to Judge Brown and I guess anyone else that would

1 like to chime in. In particular in my district  
2 Roosevelt Avenue, which you're very familiar with,  
3 which probably gives you a lot of business over in  
4 your office we've seen an uptick in gang violence and  
5 we still have issues with sex trafficking and  
6 prostitution. With this new immigrant unit that you  
7 have created, how you see bolstering that? How can  
8 you better address the issues that we have in crime  
9 directly in our districts especially when it comes to  
10 trafficking, and the uptick in gang violence?  
11

12 RICHARD BROWN: We've been doing a fair  
13 amount of work in the area of sex trafficking in  
14 particularly as it affects the area that you  
15 represent. And around Roosevelt Avenue in Jackson  
16 Heights, and we have people who are dedicated to  
17 those kinds of prosecutions. We usually more  
18 recently adopted statute that gives us a better  
19 handle on prosecutions. We're aggressive on a day-  
20 to-day basis, but there are all kinds of  
21 investigative tools and I've seen as a result a  
22 number of traffickers being sent to state prison for  
23 long periods of time as a result of our  
24 aggressiveness.  
25

CHAIRPERSON FERRERAS-COPELAND: Now, I know that we've talked about this in the past when I work my hat as women's chair and we have our amazing women's chair here, who I'm sure is ready for her list of questions. But, you know, often times we focus on prostitution from the woman's perspective. And I feel like there's really very few or very occasionally do we focus on the men or those who are actually soliciting. And then with the Johns School, I don't know if there's Johns School across all five of the boroughs. Is that what it's called? I hope it's called John School. Is it? Or Johns. It shouldn't be called John School but whatever. Is-- from your perspective what can we do better? What can we fund? What can we do from the Council to support you, and obviously if there's less people soliciting in the areas there will be less prostitution. I think the only way you can do that is if they know at any minute if I pick up one night of three women, one of them might be a cop and I might have to go and stand in front of you guys. They might not do it. So what can we do better as opposed to them understanding the worst that's going



to happen means I'm going to end up in John's School,  
if that's what it's called?

RICHARD BROWN: Well, you can certainly  
help us in terms of funding in giving us additional  
assistance to work that--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] But funding where? Funding in what?  
Do you know?

RICHARD BROWN: Funding by way of the  
monies for additional assistance and investigators,  
the prosecution, the prosecutors that fund those  
kinds of cases.

CYRUS VANCE: Madam Chair, for our office  
I and I think for all our offices, the--the role of  
the consumer is part of the chain of business  
operations in a sex trafficking organization.

CHAIRPERSON FERRERAS-COPELAND: Right.

CYRUS VANCE: So from our office's  
perspective we have--the city is already working with  
us for example in our Midtown Community Court where  
all men or women arrested for prostitution are--are  
sent, and we are actually interviewing each one of  
those cases to determine if the individual--the  
prostitute, the man or woman is a trafficked

individual or not. And that takes time and it takes trust, but we are finding increasing success when we are staffing those community court and identifying prostituted individuals who are victims to then provide them the services that's necessary. In some cases they're providing the evidence that is necessary for us to bring cases. But if you were to say to me how can I help you, I think I think it's in funding the sex trafficking units and work that's being done. And these are business enterprises. They need to be investigated like business enterprises. You need to identify the leadership and--and long-term investigations where they're on wire talking about their operations. You need to identify the supply chain, and that's the livery drivers often who are bringing women in from out of state into--in and around Manhattan. And to help make the cases against them, and in--in a large sex trafficking case we did involving extensive wire taps, we did indict 12 consumers for misdemeanors albeit, but for misdemeanors and those cases I can tell you rapidly pled guilty. And there's nothing like a wire tap--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Right.

CYRUS VANCE: --or a strong criminal case  
to--to get a swift disposition. And that ultimately  
saves I think the city money.

CHAIRPERSON FERRERAS-COPELAND: Okay,  
thank you. I'm going to have my co-chair ask her  
lines of questions, and then we'll open it up to  
members who will follow the chair. Chair Gibson.

CHAIRPERSON GIBSON: Thank you, Madam  
Chair and again good afternoon, and thank you for all  
the information you have shared and truly working  
with you in partnership I look at your work as a huge  
part of public safety. So I'm going to start with  
the most senior day and just go down the line and ask  
each of you a question. So, DA Johnson, in your--  
your remarks today you really talked about a lot of  
the backlog of cases. Which I'm very concerned  
about. So I wanted to know with some of the funds  
that you go in FY15 to deal with the Complaint Room  
and other matters in your office, how can we help you  
this year reduce some of that case backlog that we  
have. And the reason I raise that issue is not jus  
the DA's office, but I know that there was a recent

1 announcement with the Mayor and MOCJ with Liz Glazer  
2 as well as our Chief of our Court Chief Jonathan  
3 Lippman about how we're going to deal with Rikers  
4 Island cases that are beyond a year of not having an  
5 actual trial that has started. So I just wanted to  
6 know what we can offer to assist you to deal with the  
7 backlog of cases as well as those cases that are  
8 outstanding on Rikers Island without having a trial?

9  
10 ROBERT JOHNSON: [off mic] Tell me the  
11 beginning of the question.

12 CHAIRPERSON GIBSON: The case backlog.

13 ROBERT JOHNSON: Yeah, in--in actuality  
14 the--the money that you're giving us has been of  
15 assistance to us.

16 CHAIRPERSON GIBSON: Okay, it's approved  
17 but you still have issues?

18 ROBERT JOHNSON: We have added people in  
19 our complaint room for instance at the front end  
20 speeding that process, but the system you're talking  
21 about where people then are receiving on Rikers  
22 Island is really the back end.

23 CHAIRPERSON GIBSON: Okay.

24 ROBERT JOHNSON: We have 35 assistants  
25 coming on in September that will help us. There'll

1 be new assistances there with misdemeanors, but that  
2 will help us move other people up through the bureau  
3 so that we will have more people available to do the  
4 felony cases. That will help us on that end.  
5 Unfortunately, though, as I indicated in my remarks  
6 that doesn't help that much is there's no additional  
7 courtroom to take these cases to trial. The reason  
8 the cases are languishing is because there has been  
9 no agreement on what--whether there should be a plea,  
10 and if there should be a plea what the sentence would  
11 be in these cases. And that means a trial is  
12 necessitated. You may have if you've read about the  
13 announcement, the Mayor and the Chief Judge you may  
14 have read that I don't share their optimism about  
15 this particular program. I'm cooperating with them,  
16 but as I see it, it's asking me to do what we've  
17 already been doing. Which is identifying the  
18 longest--the oldest cases--

20 CHAIRPERSON GIBSON: [interposing] Right.

21 ROBERT JOHNSON: --and putting--focusing  
22 our attention on it and communicating with our  
23 administrative judge about how we can deal with that.  
24 We were doing that long before this program. We were  
25 doing that when I was an assistant DA and Burton

1 Roberts was the Administrative Judge screaming about  
2 cases over standards and goals. In their  
3 announcement, they alluded to some success that we  
4 had in the Bronx previously in addressing the  
5 backlog, and in the same breath, they mentioned that  
6 when they did that, they sent additional judges to  
7 the Bronx. They sent judges from other counties to  
8 help us address the backlog. Those judges are no  
9 longer there. This program that they announced did  
10 not do anything on that level. So although I am  
11 cooperating and working with them, as I told you in  
12 my statement, the main thing you could do is address  
13 the Legislature and the Governor and the Chief Judge  
14 and say, why aren't we talking about expanding the  
15 system? Because when you help any county now from  
16 zero to come to some gain, you're taking somebody  
17 from another county. And both civilly and criminally  
18 the backlogs are there. They may not be as severe as  
19 they are in our county, but people have backlogs in  
20 cases. So I have never gotten a satisfactory answer  
21 to that question, I'm asking you to help me get that  
22 answer.  
23

24 CHAIRPERSON GIBSON: Okay, so with some  
25 of the temporary judges that are assigned to the

Bronx, does that come with supportive staff as well?

I didn't realize that those judges that I knew were coming to the borough have now returned to their locations. I thought it was more of a long-term plan to really address some of these excessively long cases that have not gone to trial where these individuals still remain on Rikers Island.

ROBERT JOHNSON: Unfortunately, it's one in series of short term plans. And with respect to the addition of these resources, you know, non-traditional resources, the answer is both yes and no. Some were provided, but I can remember at least one instance where, you know, you had more judges than you had courtrooms. So it did--it didn't really even having extra people couldn't help at that point. So we had to work that out. It is--there has never been a long-term actually to my knowledge.

CHAIRPERSON GIBSON: Okay. So we'll keep talking about that, and I'm more than happy to help in any regard. The Council will certainly work with you. With last year's FY15 funding were you able to hire additional staff, and if so, have those staff been hired and they're ready to start? Because I haven't seen anything reflected from any prosecutor

in the raise in headcount in terms of ADAs and other  
supportive staff.

ROBERT JOHNSON: Well, I think our  
support staff has raised in headcount.

CHAIRPERSON GIBSON: Okay.

ROBERT JOHNSON: Assistant DAs were  
raised in September. We've made offers to people.

CHAIRPERSON GIBSON: What was that  
number, it was 35?

ROBERT JOHNSON: Yes.

CHAIRPERSON GIBSON: Okay.

ROBERT JOHNSON: We've made offers to  
people to start in September. But we did staff the  
Complaint Room, which was in dire straits in terms of  
support staff. We are awaiting the staffing of  
current Strategies Unit because of the space issues.  
So we've put out--we're interviewing for one  
position. We've put out a job posting for another,  
but a number of positions. One we filled internally,  
but a number of positions are on hold because we are  
still talking to OMB about the space. OMB and the  
Mayor's Office about the space.

CHAIRPERSON GIBSON: Okay

ROBERT JOHNSON: And DCAS, I'm sorry.



CHAIRPERSON GIBSON: And DCAS. Okay.

Thank you. Judge Brown, I wanted to just ask a question. We've been talking very closely back and forth as Council and your office about the pressing need for a centralized location for your staff, and the need to utilize the old Queen's House Detention. And I know DOC has been involved and all the other stakeholder, but are there any recent updates that you could provide for us. So that we can see. You know, I'm a little frustrated that it's taking this long, to be honest. And I'm just trying to understand what we can do kind of expedite this so you really get the space that you need, and you don't have staff over, you know, several buildings in Queens?

RICHARD BROWN: Well, what you can do basically for us right now is to press Liz Glazer's operation to do something about that present space problem. You know, every night when I go home from the office I pass by--go out the back way and pass by the Queens House--

CHAIRPERSON GIBSON: [interposing] Uh-huh, empty building.

RICHARD BROWN: --it's a 10-story building and with the exception of one lower floor that's used for intake of the prisoners on a daily basis--

CHAIRPERSON GIBSON: [interposing] Uh-huh.

RICHARD BROWN: --from Rikers, the rest is totally empty. And all we've got to do as a practical matter is to renovate that building. You'll save yourself about \$3 million a year in terms of rental costs. And as I've indicated I'm prepared to go to Washington and ask the Treasury Office to allow us to use probably upwards of \$50 million--

CHAIRPERSON GIBSON: [interposing] Okay.

RICHARD BROWN: --to join with the city in renovating [coughs] that facility. It will make our life so much easier, and it will be so much more efficient in terms of our operation. You know, I'm an old criminal court judge. I was the supervising judge of the Brooklyn Criminal Court in the mid-70s. And I'd like to think I know a little bit about moving cases, and like we need trial capacity. We need efficiency in terms of where our assistants are located. And literally I think you--I think as I

recall, you and I sat in our conference where my--if  
you punched a hole in my conference room wall, you'd  
be in the Queens House of Detention.

CHAIRPERSON GIBSON: Okay.

RICHARD BROWN: And since 2002, it's been  
totally empty.

CHAIRPERSON GIBSON: Right. Okay. So  
we'll keep working on that. Certainly, you have our  
support because it's necessary to give you the space  
that's needed. DA Vance. I first want to thank for  
the incredible investment. Of particular importance  
to me is NYCHA and the 15 developments that we were  
looking at in terms of the level of crime. I  
represent one of the Bronx Butler Houses. So they're  
going to be a recipient of this \$101 million. So I  
appreciate that as well as the Mayor's Behavioral  
Task Force. We're working very closely with that.  
So all of this to me is really an investment. To me  
it's really a partnership. So I appreciate your  
office and the work that you continue to do in  
recognizing that the money that comes to Manhattan  
obviously can benefit all of us across the city. So  
I thank you for that.

I just wanted to know if you could expand a little bit from me on this new initiatives that you're looking to do with MOCJ around the citywide Justice Provider Management System to better look at some of our diversion programs that could be offered potentially in place of incarceration. So if I'm understanding this are we looking at now having one universal database that your staff and all of your staff would have access to, to look at alternative incarceration and attention and all of the other like anti-violence programs. So we're looking at everything in totality so that we have direct access where that could be a recommendation instead of incarceration.

CYRUS VANCE: Correct--

CHAIRPERSON GIBSON: [interposing] Right?

CYRUS VANCE: --and this has been a subject in a discussion with MOCJ for some time, and it reflects at least my frustration over the years at knowing whether-- First of all, if someone needs diversion to make sure that that is identified, but to have--to know where to send that person so that is a program that has good results. And is not just an ad hoc assessment by a judge. I think we--we all

benefit to a great degree if the universe of programs as identified they are determined whether to be qualified or not. I think that could help--help out us all.

CHAIRPERSON GIBSON: So with MOCJ and Liz Glazer's office administering a lot of these contracts, in these contracts they have performance measurements and indicators to determine the success of the program. So if you're looking at the efficacy of the programs, are you working with her office to ensure that the performance goals are the same in terms of success that would demonstrate using that program, and obviously making it a recommendation for the centers?

CYRUS VANCE: [interposing] Yes is the answer.

CHAIRPERSON GIBSON: Okay.

CYRUS VANCE: I cannot, Chairwoman, give you the exact details of--the details to support my affirmative answer. But yes--the--we are working with MOCJ to make sure that we are sending individuals to programs that are effective, been proven effective and for their needs with an eye

towards ultimately reducing costs of incarceration  
and reducing change of recidivism.

CHAIRPERSON GIBSON: Okay, great. Thank  
you very much, and now our Acting DA Mr. Master. So,  
we've had several conversations, and I am a firm  
believer that the TASC program really should be  
baselined. I--I think it's a huge priority for  
Richmond County and, you know, simply coming every  
year asking for the same \$250 is not conducive. So,  
I agree with you, and I certainly will make sure we  
have our conversations about that. But I just wanted  
to ask a question about, and I think someone may have  
mentioned it before just in terms of post-Sandy. And  
a lot of the homeowners that are unfortunately  
becoming victims from unscrupulous people that are  
taking advantage of them as it relates to their  
property. Are you guys looking at some of those  
cases, and what we can do to provide more service.  
And also on the preventative side as well for many of  
the families that were victimized by Hurricane Sandy?

DANIEL MASTER: We have been working  
along with the Eastern District of New York on some  
of these cases because some of these involve federal  
funds, FEMA funds are involved. So that the

prosecution of the garden variety fraud case would come to us, and the other cases that involve federal funds would go to their--go into their offices. But those prosecutions are considering of--of proceeding on both fronts.

CHAIRPERSON GIBSON: Okay, okay. Next, Ms. Brennan. So I am extremely thankful for your work and, you know, this past weekend's announcement obviously is very alarming that we have that level of heroin coming into our city. And as someone who represents the Bronx where there's a high volume of traffic, I am surrounded by highways in my district. So I know this is a growing concern. So I want to have an offline conversation with you about some of the specific concerns that may have been raised by OMB about the two requests you have. Because I think that we certainly need to make a stronger argument on why it is important to ramp up your heroin unit.

What I wanted to ask is in some of the cases that you--your office has been involved in with some of the--not just drug, but also the gun violence and a lot of the takedowns that we had. I had one in my district last year because of a group of gangs. And after that takedown we had a teen academy that

1 was started at the local middle school. On the  
2 weekend hours, Friday and Saturday we had teams  
3 coming in, and we had a number of different  
4 recreational opportunities. So a lot of those  
5 programs are never permanent. But, I was wondering  
6 on the end of the heroin prescription addiction and  
7 just overdoses we have across the city, is there  
8 anything that we're looking to do when those takedown  
9 happen in terms of providing some community support.  
10 Just like we do with the teen academies around gun  
11 violence. Are we looking at anything, or is there  
12 anything that we could do with some of that money  
13 that we're seizing? Is there anything that's in the  
14 plan or in the works?

15  
16 BRIDGET BRENNAN: It's--we've done a  
17 variety of things with the various DA's offices after  
18 major efforts. The kind of case that we took down  
19 over the weekend doesn't really lend itself to that  
20 sort of--

21 CHAIRPERSON GIBSON: [interposing] Okay.  
22 Because it was so large, right?

23 BRIDGET BRENNAN: --It was large. The  
24 number of people arrested was relatively small. Thee  
25 were four. The impact on the community isn't felt



the same way as if you take a street level dealing operation where somebody's brother might be arrested, somebody's husband might be arrested. It's much more localized. The individuals that we arrested in this case weren't exactly living--

CHAIRPERSON GIBSON: [interposing] Right.

BRIDGET BRENNAN: --in any meaningful way where there drugs were seized. So that kind of a linkage doesn't--it--it--it's a bit of a stretch. What we've done in terms of heroin and prescription drugs is actually we did some work in Staten Island helping to bring in a really powerful speaker who had been a NBA basketball star who developed an addiction to prescription pills and then heroin. And then spoke to--spoke at a couple of high schools there. His names was Chris Heroin--Herren. He was featured in one of the ESPN 30 for 30 programs. So I think we need to do a whole lot more in terms of outreach and information for young people. Because that is where we see a lot of abuse of prescription drugs, which--which then leads to heroin. And I am very happy. In fact, I've reached out to--we--we used to have a working relationship, a working group wit the City Health Department, and I'm hoping we'll start that up

again. I don't think that young people find prosecutors the most compelling source of information on this subject. So, I think we have to find other people to talk to them who can reach them where they live. And so, that--that those are the kinds of efforts that we're engaged in. But I really think, you know any--anybody who wants to sit down and talk to me about an effective way to get out a message, I'm all ears.

DANIEL MASTER: If I can just add to that.

CHAIRPERSON GIBSON: Sure.

DANIEL MASTER: Chris Herren spoke at a-- a movie theater on Staten Island. We 1,100 at-risk students there, and he respected--

CHAIRPERSON GIBSON: 1,100?

DANIEL MASTER: 1,100--

CHAIRPERSON GIBSON: [interposing] Okay.

DANIEL MASTER: --at-risk students there. They were picked by their principals and brought to the theater. You know how rowdy kids can be. When Chris Herren spoke, you could hear a pin drop because they were listening to someone who threw away a multi-million dollar NBA career for drugs. A man who

1 OD'd several times, believed he was dead several  
2 times. A man who in the middle--at half time at a  
3 Boston Celtics game went out to the street in his  
4 uniform to purchase narcotics. That's how desperate  
5 he was. But just as you could hear a pin drop now,  
6 you could hear a pin drop in the theater fill with  
7 1,100 students. He was a very good messenger for  
8 that message. So I second what the Special Narcotics  
9 Prosecutor said.  
10

11 BRIDGET BRENNAN: Yeah, he worked closely  
12 with Daytop Village, which is now merged with I think  
13 Phoenix House, and I got to know him through the  
14 course of a lot of different projects that I'd worked  
15 on. And he was a tremendous compelling speaker. So  
16 that--that's the kind of, you know, messenger that  
17 can reach young people.

18 CHAIRPERSON GIBSON: Okay, thank you. So  
19 just one last question for Mr. Frazer of course, the  
20 Brooklyn DA When we have had conversations with the  
21 DA I know he's been working with OMB and there is a  
22 request in to deal with some of the storage issues.  
23 And I would like to know, and we can talk offline,  
24 some of the concerns they may have raised and why  
25 they don't feel that that funding is necessary. But

I also know, and I thank you for pointing it out,  
about the state funding, which is for the DTAP.  
Which I'm very concerned about because it is such a  
successful program, and certainly I'm speaking for  
myself but I want to work with you on that to see how  
we can be supportive of keeping that program intact.  
In FY15, DA Thompson got a couple million dollars to  
look at the corruption unit and some of his other  
units. Have you been able to hire some of the staff,  
and when are they starting and are you looking to  
still make more changes in some of those units?

LEROY FRAZER: Yes. First of all, with  
OMB on storage issues, the only initial pushback that  
they've wanted from us was to find out to what extent  
DCAS was going to supplant us financially based on  
having asked us to move from the 20,000 square feet  
that we had in the municipal building. So we went  
back to DCAS. DCAS said that while they did have  
some funds to help us move, any permanent funding to  
store and to retrieve files they did not have. But  
the--they sat--worked with us. Helped us and agreed  
on the identified space that I spoke about in their  
testimony. And have agreed to support us with going  
back to OMB to try and get the monies needed to move

and consolidate a movement to that space. So we plan to go back to them, and we do have DCAS support but better we ask for your support as well. You're right, last year we received additional funding for those positions. We did do some hiring and are continuing to do so. And we have funding for about 45 employees and various units, Conviction Review Unit, Crime Strategies Unit, Immigrant Frauds, Healthcare Frauds, Cyber crime and additional frauds. It took some time in hiring, which actually resulted ironically in generating some savings for us, but we have hired and we are continuing to do so. And we are fully--we're confident whereby in the next fiscal year we will be fully staffed, and where we need to be in the office for those units. Actually, in terms of ADAs, we've increased. We're up to--right now we have 480. With the class coming in the fall, we will be up to 535 assistant district attorneys. So we're--we are moving forward on that--on that front and we really do appreciate the funding that came the last time.

CHAIRPERSON GIBSON: What was the last number? You said 5--

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1  
2 LEROY FRAZER: 535 assistant district  
3 attorneys.

4 CHAIRPERSON GIBSON: 535.

5 LEROY FRAZER: Yes.

6 CHAIRPERSON GIBSON: Okay, thank you so  
7 much. I appreciate it. Madam Chair.

8 CHAIRPERSON FERRERAS-COPELAND: Thank  
9 you, Chair Gibson. We will now have a round of  
10 questions. The first round will be five minutes.  
11 Council Member Gentile followed by Council Member  
12 Lancman. We have a Democratic caucus of three. So  
13 if you don't want to take your five minutes, you  
14 don't have to. [laughter] No pressure. Gentile  
15 followed by Lancman.

16 COUNCIL MEMBER GENTILE: Thank you, Madam  
17 Chair. Thank you and thank you to all the DAs and  
18 the Special Prosecutors for being--Special  
19 Prosecutors for being here. It's very impressive.  
20 It's always very impressive to have all the city DAs  
21 and the Special Prosecutor together in one room. So  
22 that's great and to--to Acting DA Master, I--I  
23 congratulate you on your new title, but I have to  
24 tell you I worked very hard to change the dynamic  
25 that was presented here today. So, I--I knew one of

us wouldn't be here today, and it turned out to be Mr. Donovan so-- [laughs] So, congratulations, kudos and kudos to you. Let me--let me--it seems to--it seems that the trend throughout a lot of the testimony was--was money for space issues. And, I guess the more things change the more they stay the same because when I worked for you, Judge Brown, you--we were scattered all throughout the borough of Queens all along--up and down Queens Boulevard in Jamaica and Long Island City. And--and I guess that problem continues today with even a greater number of people that you have to deal with. I'm curious Judge, the \$920,000 that you say is a--is a shortfall for--for additional rental costs, does that exclude the House--the Men's House of Detention Issue? That--that's not within this \$920,000?

RICHARD BROWN: That's correct. I mean the--the monies that we're seeking now is for the shortfall and short-term leasing. We've got to add to the space we already have, four and a half floors at 80-02 and the intake operation. It's in Borough Hall and also the Annex in the courthouse and our own facility.

COUNCIL MEMBER GENTILE: And--and the  
House of Detention is just a separate negotiation?

RICHARD BROWN: A separate part. Totally  
separate.

COUNCIL MEMBER GENTILE: All right. Have  
you made the request to OMB for the \$920,000?

RICHARD BROWN: My understanding is yes.

COUNCIL MEMBER GENTILE: Yes. Okay.

RICHARD BROWN: Is that right?

FEMALE SPEAKER: Definitely.

COUNCIL MEMBER GENTILE: But it's  
obviously not in the Executive Budget so you're--  
you're asking for it.

RICHARD BROWN: Well, my hope is over the  
course of these next few weeks, they will be  
sufficiently responsive to you and to me, and provide  
us with those monies. Yes.

COUNCIL MEMBER GENTILE: Great. Okay,  
that's great and also Mr. Frazer you also--you  
mentioned and we just talked about it--about the  
\$600,000 annually for the warehouse space--

LEROY FRAZER: Uh-huh.



COUNCIL MEMBER GENTILE: --and you made the request to OMB and you're still waiting on that response also?

LEROY FRAZER: That's correct. We have to go back to them now that we've answered some of their questions about meeting with DCAS. So we will be going back there to get those assets. [sic]

COUNCIL MEMBER GENTILE: Okay, so this is physical file space that you need?

LEROY FRAZER: Yes, it's for--it is. Just to give you an idea, we put--we're looking to consolidate. At Doris right now we have 25,000 square feet and we pay about \$138,000 annually for it. At 2010 Joralemon, which is the old municipal building there in Brooklyn, we had another 30,000 square feet of storage space, and we have space in our office. If you consolidate all of that in one location, which we're doing in with the 60,000 square feet that we're looking for, we would then be responsible for all of our storage. It would be more convenient for retrieving, more convenient for the city as well in terms of saving money. If we were to have to go and store out in New Jersey and we have to pay every time they're retrieved back and forth.

1 COUNCIL MEMBER GENTILE: Okay.

3 LEROY FRAZER: This is better.

4 COUNCIL MEMBER GENTILE: Great. Okay,  
5 great and Mr. Master, you are--you have the space but  
6 you don't have the personnel it seems, right?

7 DANIEL MASTER: [off mic] Yes.

8 COUNCIL MEMBER GENTILE: You have the  
9 extra court cart [sic], but you made a request to OMB  
10 but it was denied?

11 DANIEL MASTER: That's correct and we  
12 believe that this is really an unfunded mandate  
13 because they saw the need to increase OCS personnel,  
14 but there really needs to be a corresponding need  
15 for--to be met in our office because we have to man  
16 that part everyday. We have to staff that part  
17 everyday. And that's an--those are institutions  
18 assignments--

19 COUNCIL MEMBER GENTILE: [interposing]  
20 Sure.

21 DANIEL MASTER: --that have to be staffed  
22 on a daily basis.

23 COUNCIL MEMBER GENTILE: So you got your  
24 answer already from OMB?

25 DANIEL MASTER: We did--

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COUNCIL MEMBER GENTILE: [interposing] So-

-

DANIEL MASTER: --and it was a thumbs  
down.

COUNCIL MEMBER GENTILE: Correct.

DANIEL MASTER: So we--we hope springs  
eternal. So we come here and we ask if you could  
help lobby them for us and with us, and we see the  
good sense in asking for this, and--

COUNCIL MEMBER GENTILE: Great.

DANIEL MASTER: --hope that you do as  
well.

COUNCIL MEMBER GENTILE: Great, thanks.

With three seconds to go I am done. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you. I appreciate saving those three seconds.  
Council Member Lancman followed by Council Member  
Cumbo.

COUNCIL MEMBER LANCMAN: Good afternoon,  
everyone. It is good to see all of you here. I hope  
you--all of you left folks back in your offices  
minding the shop, and I know how hard all of you work  
to keep us safe. Most of the questions that I would  
ask, have been asked. I would just want to make an

1 observation as we try to do battle on your behalf to  
2 give you the resources that you need. How much of  
3 the--the city's criminal justice agenda reforming the  
4 criminal justice system, which is a big part of  
5 Mayor's agenda, it's a big part of the Council's  
6 agenda falls on your shoulders without any additional  
7 or nearly enough additional resources. I mean  
8 everything that we're talking about whether it's the  
9 Mayor's Behavioral Task Force, reducing the number of  
10 people at Rikers Island, the issue of how we police  
11 low-level marijuana possessions, low-level quality of  
12 life offenses. My committee, I chair the Committee  
13 on Courts and Legal Services, has been focusing a  
14 number of times this year on the specialty courts,  
15 which you all have to staff. I'm more familiar with  
16 the Queen's District Attorney's Office, perhaps than  
17 other. You've got an alternative--alternative  
18 sentencing director. It's a tremendous resource  
19 drain on your offices. And it is very disheartening  
20 to learn that some of your most basic needs can't be  
21 met, whether it relates to office space or just the  
22 staffing that you already have. So with my  
23 colleagues, we're certainly going to do everything we  
24 can to try to get you the resources that you need so  
25

1 that we can enact this big grand reform agenda that  
2 we--that we like to talk about. And certainly in  
3 Queens in particular to visit Judge Brown's office  
4 and to have district attorney's assistance. You  
5 know, in the far, far foreign reaches of--of Queens  
6 Boulevard when you've got this building right there  
7 is enormously--enormously frustrating.

9 Let me just ask a couple of questions DA  
10 Vance, we had had a hearing on veterans courts and I  
11 think you had released some kind of statement. I  
12 don't want to mischaracterize it, but there currently  
13 is not a veterans court in Manhattan. You had  
14 indicated that there might be one or you were looking  
15 at one or there was going to be one. And I don't  
16 want to mischaracterize it. What's the status of  
17 establishing a veterans court in Manhattan?

18 CYRUS VANCE: Currently, there is no  
19 active plan to establish a veterans court. I--we do  
20 have a very developed mental health court, and there  
21 is I believe a significant overlap between the needs  
22 of veterans who come into the criminal justice system  
23 and individuals who have mental illnesses. So, I--I  
24 am completely open, and supportive of focusing on  
25 veterans issues in our courthouse. And would welcome

1 the chance to talk about with our borough presidents  
2 and with whomever at the Office of Court  
3 Administration. But, we do not currently have a  
4 veterans court, but I do believe that we serve that  
5 community at least to some significant extent through  
6 our mental health court.  
7

8 COUNCIL MEMBER LANCMAN: And then let me  
9 ask you--each of you. I think--I think each of you  
10 have talked about the lack of judges. And I want to  
11 know whether or not there might be the opportunity in  
12 other words fulfill the--the kind of needs that  
13 you're talking about. While we want for Albany to  
14 create more judgeships, good luck. I've been there.  
15 Whether or not there might be the opportunity to  
16 create more acting Supreme Court judges, whether or  
17 not we might want to go to Albany and ask for more  
18 criminal court judges. Somehow it's not the ideal  
19 answer, but somehow to fill that gap, which I think  
20 both of you have talked about.

21 LEROY FRAZER: Unfortunately, that's  
22 similar to what's--what's been going on because  
23 that's once again borrowing from Peter to pay Paul.  
24 Because the criminal courts then end up with a  
25 backlog. The former chief judge instituted the

1 merged court in the Bronx to try to address that  
2 issue so that all the judges would be available to  
3 both courts. And, it did for a time drive down the  
4 backlog in the Supreme Court, but the backlog in  
5 Criminal Court rose. So, it's--it's--you know, it's  
6 still the same number of judges with--with  
7 additional--you know, you still have the Criminal  
8 Court caseload to deal with also. So it's--it's not--  
9 -not really a total win.  
10

11 COUNCIL MEMBER LANCMAN: Well, I--I--I've  
12 heard Bronx has gotten some more influence in Albany  
13 lately.

14 LEROY FRAZER: I didn't hear.

15 COUNCIL MEMBER LANCMAN: I've heard the  
16 Bronx has gotten some more influence in Albany.

17 LEROY FRAZER: Did you hear that from  
18 Govern Cuomo, or you heard that from the Speaker,  
19 huh. [laughs] We're doing well here in the City  
20 Council also.

21 COUNCIL MEMBER LANCMAN: Yeah, you're  
22 doing all right. The Bronx is doing all right.  
23 Judge, do you want that first one?

24 RICHARD BROWN: Yeah. I just wanted to  
25 point out to you that that I think you had him

1 testify here. Doug Knight who is the Alternate--  
2 Alternative Sentencing full-time Director at my  
3 office. He supervises all the specialty courts. And  
4 we've really had great success in terms of--of  
5 veterans court, for example, mental health court.  
6 The court that deals with young women who found  
7 themselves involved in sex trafficking, DTAP, all of  
8 those things. But the key in the last analysis, the  
9 case processing as far as I'm concerned is trial  
10 capacity. And you give us the trial capacity these  
11 cases end up being disposed of rather quickly. We  
12 don't have the trial capacity and language on the  
13 calendars. So we certainly need more courtrooms. We  
14 need more judges. We need an ability to go ahead and  
15 press forward.

17 COUNCIL MEMBER LANCMAN: And I'm sure  
18 you'll press that point in the Mayor's task force in  
19 trying to reduce the backlog of--of--from outstanding  
20 cases on--on Rikers Island. But, you know, we all  
21 have a responsibility to press that case. Thank you  
22 very much.

23 CHAIRPERSON FERRERAS-COPELAND: Thank you  
24 Council Member Lancman. Council Member Cumbo  
25 followed by Council Member Miller.



COUNCIL MEMBER CUMBO: Thank you Chairs Ferreras and Gibson, and thank you all for being here today as well. I have three questions and so I'll try and stay in my timeframe. Mr. Frazer, as you know, in Brooklyn specifically, which I'm very pleased about, but also noticing and recognizing that any shooting is one shooting too many. But shooting incidents are up 5.3% with spikes in each borough except Brooklyn where they are down 11.7%. The number of shooting victims is up 3.3% citywide, but down 15.7 in Brooklyn. And so this comes from a Daily News article and just want to--to gain understanding of as we're looking in terms of the budget and where to place resources, what's working in Brooklyn in terms of where resources being put that's allowing us to have that decrease in crime in that way. And are there any other factors that are contributing that you could name even outside the DA's purview necessarily that's also contributing to the fact that shootings are going down in Brooklyn?

LEROY FRAZER: I can only speak from the conversations that we've had within the office from the DA's purview. Quite frankly, I think that our relationship and working relationship with the Police

1 Department through their--our Crimes Strategies Unit,  
2 where we are looking, following on--on the back of  
3 what was established in Manhattan where we are  
4 looking to identify the drivers of crime. And  
5 looking to work closely with the gangs chiefs from  
6 the Police Department. And then trying to respond to  
7 shootings and anticipating any retaliatory shootings  
8 and that sort of thing. So I think the coordinated  
9 efforts of what we've been learning about how to  
10 fight crime (a) from the standpoint of gathering the  
11 data, strategizing and looking to do different things  
12 including the new and renovated programs we're doing--  
13 --we're trying to do both in Brooklyn and in Manhattan  
14 on the Project Reset. I think all of those things  
15 and trying to think a little bit differently into  
16 approach to where we are now and where we think we'd  
17 like to see things going in the future.

18  
19 ROBERT JOHNSON: I just want to echo what  
20 LeRoy Frazer just said, but also note that the Bronx  
21 shootings and homicides were also down this year.

22 COUNCIL MEMBER CUMBO: Wanted to ask as  
23 well with that, we've also--I wouldn't necessarily  
24 say we're seeing an increase of it. But because of  
25 the cameras and video and all of that that's out

there now, we are bringing to light so many of the--  
the incidents that are happening in terms of fights  
that are happening after school time recess. So we've  
seen through these videos whether in Brooklyn, New  
York we've seen at the McDonald's both at Erasmus as  
well as in my district on Flatbush Avenue and Fulton.  
And I understand there are other incidents that are  
happening. What's--what are--what is the thought  
process in terms of how the DA's office can  
participate in bringing some solutions to this  
particular matter? Because we certainly want to work  
in partnership?

LEROY FRAZER: Well, we certainly have to  
learn as we go along. I mean, you mentioned the  
videos, the proliferation of things that takes place  
on the Internet as a result of you'll see the fight  
at McDonald's starts. The next thing you know, it's  
posted.

COUNCIL MEMBER CUMBO: Uh-huh.

LEROY FRAZER: It is actually helpful to  
some extent because it helps you identify who the  
actors are. I think we have to just continue to  
focus on what is developing in terms of all the new  
electronics and the social media. And we have to

1 stay on top of social media, and try to do as we  
2 always do, stay one step ahead.

3  
4 COUNCIL MEMBER CUMBO: Uh-huh. Thank you  
5 and my final question I wanted to ask, Mrs. Brennan,  
6 your testimony was so eye opening. And I look  
7 forward to working with Chair Gibson and others in  
8 terms of advocating because she certainly showed the  
9 power of preventing something before it spirals out  
10 of control. But, could you just talk briefly, and  
11 you may have done so. I may--I came in, in the  
12 middle of your testimony--to talk about who exactly  
13 are we seeing in terms of who's utilizing heroin at  
14 these levels? Because you talk about prescription  
15 dugs, and we have stereotypes about who's utilizing  
16 prescription drugs and those sorts of things. But,  
17 when it comes to heroin uses, where's the problem  
18 most prevalent in our boroughs? Who's actually  
19 utilizing it. Is it a younger problem or an older  
20 problem or something of that. It's not a budget  
21 question, but I just wanted to know if you could  
22 touch on that.

23 BRIDGET BRENNAN: I think what we're  
24 seeing now with heroin abuse is that it cuts across  
25 all strata, all demographics from old to you. I

1 looked at the most recent Health Department  
2 statistics on the neighborhoods with the highest  
3 heroin overdose rates. Three of them are in the  
4 South Bronx, if I recall. Areas that have long had  
5 heroin problems, and were consistent with the old  
6 view of heroin that is kind of a drug of the urban  
7 impoverished areas. But the three highest areas, or  
8 the two other highest areas of density of heroin  
9 overdoses deaths were in Staten Island. In areas that  
10 were really untouched previously. And that's what we  
11 see across the board. There's no little pigeon hole  
12 that you can put the heroin user in now. Now, heroin  
13 is so pure, the heroin that's being sold out on the  
14 street that often it's snorted or tasted. And I've  
15 heard of kids sprinkling it on beers. And so that  
16 the prospect of using the needle and cooking up  
17 heroin and injecting it. Which might, you know,  
18 scare some people off, that's not how they're  
19 starting on it.

21 That's ultimately you'll see the addicts  
22 going there, but that's not how they're starting it.  
23 And often the addiction begins with a prescription  
24 pill addiction. So that the content of the pill  
25 Oxycodone is the one we see most frequently used.

1 Basically, it's an opioid. It's the same thing  
2 that's in heroin. It's in a different form. And so,  
3 the addiction can be satisfied once the user becomes--  
4 --develops a tremendous habit. And the pills are very  
5 expensive out on the street. They were before there  
6 was more intense regulation by the state, we saw the  
7 same pattern. That the pill addicts would then morph  
8 over to heroin. That's long been the case because  
9 there's--it's all opioids. Heroin satisfies that  
10 addiction more quickly especially if you inject, and  
11 it's cheaper. You know, those are dime bags, which  
12 are now going for-- Dime bags means they're \$10 bags.  
13 Well, now, we're seeing them go \$5.00, \$7.00. It  
14 depends on where you're buying. It's all about  
15 geography.

17 DANIEL MASTER: [off mic] Can I add to  
18 that, please? [on mic] Before Staten Island became  
19 heroin's new hometown in the words of the New York  
20 Times, we led the city in prescription pill  
21 overdoses. And what we're seeing after the  
22 implementation of the I-STOP Program, which was  
23 essentially tracking what doctors are prescribing to--  
24 --to patients. We're seeing a drying up of the pills  
25 and pills becoming more expensive. So now when pills

are \$50, people would prefer to go and buy decks of heroin with that \$50 because it would last them more than the one pill. So that's what we're seeing on Staten Island. We're seeing this--this transition, transitioning from the Oxycontin pills, which again are opioid based to heroin. And it happened very quickly, directly after the implementation of I-STOP.

BRIDGET BRENNAN: But I wouldn't want you to think that I-STOP is a bad program. You have to take the long view, and what you want to do is prevent the introduction of an opioid addiction, and you want to prevent the habit from every developing. And those opioid pills are probably in your medicine cabinet at home right now. And if they are, you should dump them down the toilet. Here in New York City, the Department of Environmental Protection says yes you may do that. Don't let those things sit around if you don't need them. Because people come into your home. And we've seen it, we've heard about it from young people's homes and take them out of the medicine cabinet. There's way too many of them out there. That's how they get out there. It's the surplus, which leads to the addiction.

CHAIRPERSON FERRERAS-COPELAND: Just as follow up, I know there are many people at home that watch these hearings. For moms or grandmoms that are you watching, what do--you know, we know heroin and we know that's bad. But, for example, after I gave birth, I got Percocet. So what are the things that people should be looking for in their medicine cabinet that perhaps they can either lock up separately or dump. I don't know if the toilet is the best place to dump pills.

BRIDGET BRENNAN: Well, the Health Department says yes.

CHAIRPERSON FERRERAS-COPELAND: Okay, the Health Department says yes.

BRIDGET BRENNAN: And I'm all for the Health Department. I'm for getting rid of them.

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] And I hear DEP says something else.

BRIDGET BRENNAN: DEP says yes.

CHAIRPERSON FERRERAS-COPELAND: Okay,

BRIDGET BRENNAN: They checked with DEP before they said that.

CHAIRPERSON FERRERAS-COPELAND: Okay. So we can dump them--



BRIDGET BRENNAN: [interposing] And I am  
saying that.

CHAIRPERSON FERRERAS-COPELAND: --in the  
toilet. What--what other things should be--?

BRIDGET BRENNAN: Well, Percocet is  
actually Oxycodone. It's 10 milligrams of Oxycodone.  
That's the basic and what you see is--it depends on  
if you have generic, but I'm getting some advice over  
here on the side.

MALE SPEAKER: [off mic] The Oxy 30s.

BRIDGET BRENNAN: Oh, yeah, the Oxy 30s.  
They're--they're called Blues by the addicts around--  
in the street market. Those are the ones, which are  
by far the most popular. And the combination of  
Tylenol and Oxy--I'm blanking on the name. It begins  
with a V. Vicodin. That's another pop--no Fentanyl  
--Fentanyl patches. You would not believe how many  
people are abusing Fentanyl. Fentanyl--Fentanyl  
patches, Fentanyl lollipops. Those have a big--  
they're very expensive, but they have--they fetch  
quite price on the black market as well. Anything  
like that that contains an opioid just rid of it. If  
you're not using it, why keep it around? It's only  
going to attract trouble. Just rid of it. If you

1 don't like the idea of throwing it down the toilet  
2 because, you know, in some environmentally sensitive  
3 areas, where they have wells and they're concerned  
4 about groundwater pollution, they do not advocate  
5 doing that. What they advocate doing is put it in  
6 old used grounds of coffee. Put it into something  
7 that's going to break it down and make it  
8 unattractive and put it out in the garbage.

10 CHAIRPERSON FERRERAS-COPELAND: Okay.

11 Thank you very much. Council Member Miller.

12 COUNCIL MEMBER MILLER: Thank you, Madam  
13 Chair and Co-Chair, and thank you to the district  
14 attorneys for being here today. It's so good to see  
15 you again, and in particular my district attorney,  
16 Judge Brown, always a pleasure. I see that there  
17 were a number of forfeitures from a number of large  
18 banks. Are they--I'm not sure if they were total  
19 forfeitures or were there settlements? And my  
20 question first is, were any of these settlements or  
21 forfeitures related to foreclosures or deed thefts or  
22 second mortgages, anything of that nature.

23 CYRUS VANCE: The answer is no. The  
24 forfeitures from the bank settlements as it pertains  
25 to the work of our office are all related to banks,

essentially falsifying documentation. So that American regulators would not be able to identify that the funds moving through the banking system were related to either sanctioned countries around Libya and Sudan or individuals.

COUNCIL MEMBER MILLER: Okay, great so that--but I do want to kind of sit on that line of questioning because we--it's something that we have seen in our district in Queens and many of the outer boroughs with high homeownership and dealing with some of our not-for-profits who are--don't have the resources and aren't able to pursue deed theft. So my question is really around the area of deed theft, and what, if anything, are your offices doing to prevent this? And in cases that you have identified, such scams and schemes have there been investigations and penalties beyond civil penalties in this matter of forgery?

RICHARD BROWN: I'm going to have Jack Ryan, who's our Chief Assistant respond to your questions. Because as we were coming here in the car today, I asked him to check with our--to get on the Crimes Office, and see what it is specifically number

wise and otherwise they would be doing in that area.

So, Jack, with your permission.

JACK RYAN: Members of the Council,  
councilmen, obviously we--we're well aware of how  
serious the problem is and we--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] I'm so sorry. Can you just state your  
name for the record?

JACK RYAN: Yes.

CHAIRPERSON FERRERAS-COPELAND: I know  
your name, but if you can just state it for the  
record.

JACK RYAN: Well, just for the record,  
it's John M. Ryan instead of Jack Ryan. [laughs]  
Thank you. I'm the Assistant DA in Queens. It's  
been a serious problem for a number of years. It  
went back. In 2013, we opened 123 cases. In 2014,  
104. Year to date we have 57. Each case could  
involve a various number of houses. A case could be  
one house, a case could be several dozen houses.  
We've gotten--we're getting between 10 and 25  
convictions per year. The sentences vary. White  
collar crime is not easy to get a jail sentence, but  
we have gotten State jail in a number of these cases.

1 It is an ongoing problem. It's almost at times a  
2 daily problem, and various offshoots of the same  
3 issue as far as someone is finding out that somebody  
4 else has the deed to their home, and then we have to  
5 straighten that out. We also work with them to try  
6 and get their title restored to the appropriate name.  
7 We've done these cases with our own detectives.  
8 We've done it with the Financial Crimes Task Force of  
9 the Police Department. We've done it with the State  
10 Police. We've been very active with the New York  
11 City Sheriff. We've also done a couple cases with  
12 the FBI on it.

14 COUNCIL MEMBER MILLER: So obviously in  
15 the district this is becoming an overwhelming problem  
16 I would think like every fourth block has a squatter  
17 or someone has a story about someone taking a second  
18 mortgage on their home. So I'd love to--to have a  
19 further offline conversation as to how we can address  
20 this, and what needs to be done.

21 JACK RYAN: We had one case a number of  
22 years ago where they put the house in the name of  
23 Raymond Kelly who at the time was employed by the  
24 city.

COUNCIL MEMBER MILLER: Absolutely.

There's a lot of that going on. So, and my next question and I'll put my labor hat back on, and I see that there was a--there were a number of bonuses given out to employees to a number of the officers over there, which I kind of applaud. I certainly applaud because I think that for the work that is being done, that they certainly should be compensated and resources aren't always there. So I'm thankful when that happens. In these--am I correct then that these came from the forfeiture, seizures and bonuses did the money come from?

ROBERT JOHNSON: No, in the Bronx they come from accruals when we have accruals.

COUNCIL MEMBER MILLER: Okay.

LEROY FRAZER: Yes, you're not allowed to use forfeiture funds for our person--personnel. In Brooklyn last year we had received funding for new positions [bell] and in searching for the best qualified people, it took longer than expected. But generated some savings. That in addition to attrition allowed for savings and allowed for savings to allow for the bonuses to be available.

COUNCIL MEMBER MILLER: Okay. Did--did that include the--the DA's investigators? Are they included in the bonuses?

LEROY FRAZER: No, they--they were not included. I--I will say that we attempted to do so. We spoke with-- because--We spoke with the city and because they're at an impasse with their negotiations presently, we were strongly advises by the Office of Labor Relations not to include these.

COUNCIL MEMBER MILLER: Are you serious? We prevented that from happening?

BRIDGET BRENNAN: I can tell you--Bridget Brenna--I can tell you that in my office we have previously given out bonuses to investigators. And then there was an unfair labor practice filed against us for giving out bonuses. And when I wanted to do it again, I actually negotiated with the head of the union that I would be allowed to do it without generating an unfair labor practice. Because the concept is that bargaining wages is a contractual obligation between the city and the investigators. And so that was the basis for the unfair labor practice. So, I--I didn't do it, and then managed to negotiate and agreement where I was allowed to do it.

COUNCIL MEMBER MILLER: Do anyone know--  
is that agreement currently--have we arrived at the  
CBA there or they--?

BRIDGET BRENNAN: It was a one-time  
agreement. I mean it was only for that particular,  
you know, incident.

COUNCIL MEMBER MILLER: [interposing] Do  
they currently have a contract? Does anyone know?

LEROY FRAZER: They do not and we also  
negotiated a one-time agreement, but I think what OLR  
is telling Brooklyn that because of the timing right  
now in the status and the bargaining that it's a bad  
time to do that. That's--that's my sense.

COUNCIL MEMBER MILLER: And in that  
bargaining, which you are bargaining with OLR--OLR.

LEROY FRAZER: Correct.

COUNCIL MEMBER MILLER: And--and that  
bargaining is ongoing--

LEROY FRAZER: [interposing] Yes.

COUNCIL MEMBER MILLER: --to your  
knowledge?

LEROY FRAZER: Yes.

COUNCIL MEMBER MILLER: Okay, thank you.



CHAIRPERSON FERRERAS-COPELAND: Okay,  
we've collected everybody's three seconds.  
[laughter] Thank you so much for coming to testify  
today. [off mic] Do you want to ask your question  
after all? [sic]

CHAIRPERSON GIBSON: I just wanted to ask  
a question. So we've been getting a lot of concerns,  
at least I know I have about the case of synthetic--  
synthetic marijuana that's been creeping into our  
communities, and our grocery stores. So I just  
wanted to know if any of you could share your  
thoughts. Because we're really looking at the  
Council. The Speaker has been very concerned about  
it in terms of legislation, and what we could really  
do to either prohibit, ban, get it out of our  
communities. Because I've also spoken to several  
police officers where there have been several people  
hospitalized based on the synthetic marijuana. So I  
just wanted to know if you guys have any thoughts on  
that.

BRIDGET BRENNAN: [off mic] You want me  
to? [on mic] It's--it's--actually it's a synetic--  
synthetic cannabinoid. It's more similar to PCP than  
it is to marijuana I would say. The problem with

1 regulating it is the chemical--the way we regulate  
2 any drugs we define them by their chemical  
3 components, and with this particular stuff they keep  
4 changing the component of it. So the minute there's,  
5 you know, we've defined it, and there's regulation  
6 with respect to it--the components are tweaked  
7 somewhat so that it no longer matches the definition  
8 in law. I'm now working with a number of people from  
9 the DA's offices here in the city and across the  
10 state and with OASIS to try to come up with a  
11 definition, which would scoop it in. Any new federal  
12 law defines it as an analogue, which means it's  
13 similar enough. And so, that's what we're advocating  
14 now. But it's--it's a huge problem. There are lot  
15 of people who are devoting attention to it, and I'd  
16 be happy to work more with you on it in the future.

18 LEROY FRAZER: I also want to add a  
19 caveat to this. Even if we do define it that--that  
20 way that it's so inclusive, it could add an economic  
21 burden on the--on the laboratories, the cost of  
22 laboratories because we have to have tests in order  
23 to make a prosecution

24 [banging noise]

COMMITTEE ON FINANCE JOINTLY WITH  
THE COMMITTEE ON PUBLIC SAFETY

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CHAIRPERSON FERRERAS-COPELAND: Thank you very much. Today--this includes our hearing from today. The Finance Committee will resume Executive Budget hearings next Tuesday, May 26th, at 10:00 a.m. in this room. Next Tuesday, the Finance Committee will be hearing from the Department of Sanitation, the Department of Parks and Recreation and the Department of Environmental Protection. As a reminder, the public will be invited to testify again on June 9th, the last day of budget hearings at approximately 1:30 p.m. in this room.

For any member of the public who wishes to testify but cannot make it to the hearing, you can email your testimony to the Finance Division at [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov), and the staff will make it a part of the official record. Thank you, and I hope that you uses this Memorial Day Weekend to remember all those fight for our liberties and those that have lost their lives. Please stay safe. This hearing is now adjourned.

[gavel]

COMMITTEE ON FINANCE JOINTLY WITH  
THE COMMITTEE ON PUBLIC SAFETY

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 25, 2014