

Testimony of Amy Sananman  
Mayor's Office of Criminal Justice  
New York City Council  
Committee on Public Housing  
Oversight Hearing: Addressing Violent Crime in Public Housing  
November 30, 2015

Good morning, Chairperson Torres, Chairperson Gibson and members of the Public Safety and Public Housing Committees. My name is Amy Sananman and I am the Executive Director of the Mayor's Action Plan for Neighborhood Safety ("MAP"), which is overseen by the Mayor's Office of Criminal Justice ("MOCJ"). Thank you for the opportunity to testify today and thank you to Council, the District Attorney's office and the Mayor for your investment in MAP. I am joined today by my colleagues Jean Claude LeBec, MOCJ's Chief Operating Officer; Ilana Turko, our Associate Counsel; David Farber, General Counsel, and Michael Kelly, General Manager from NYCHA, and Deputy Inspector Elvio Capocci from the NYPD.

The Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and, together with partners inside and outside of government, develops and implements policies aimed at reducing crime, reducing unnecessary arrests and incarceration, promoting fairness, and building strong and safe neighborhoods.

Every New Yorker should live in a neighborhood where he or she feels safe. This City has made extraordinary progress in driving down violent crime over the last two decades, and over the last year and a half we have begun to build a scalable model to promote safety in few neighborhoods where violence persists.

Through the Mayor's Action Plan for Neighborhood Safety, the de Blasio administration is working to comprehensively strengthen neighborhoods in and around 15 New York City Housing Authority developments that have experienced some of the highest crime rates in the City. The MAP strategy recognizes the key importance of good policing – which includes both increases in patrol when appropriate, but also changes in the way the police interact with the neighborhoods such as wellness visits and having a role in community centers – but equally the importance of programming and physical improvements. These included keeping the community centers open late, employing thousands of young people, and installing lights and other security infrastructure.

This approach is working. An analysis by Crime Lab New York (a group of criminologists, economists, and policy analysts working with the city) used a rigorous control method to compare the 15 MAP developments to a matched set of developments with almost identical crime patterns as the 15 MAP sites. When we marked the first full year of the initiative in July 2015, violent crime was reduced by 11.2% in the 15 MAP developments, compared to the preceding year. After the first six months Crime Lab found that the felony crime rate in these 15 developments was 5% lower than it would have been without MAP interventions. While

citywide, violent crime did go down 6% during FY15, a recent study by the Manhattan Institute independently concluded that the effect of the MAP initiative is “promising”-- citing a “10% net treatment effect on total major crime.” [2]

Over the last year and a half, we have learned a lot. We talked with over 500 NYCHA residents about what they think causes crime and how we can effectively inhibit it. We have also talked to the leading researchers in the country on crime prevention. Both said the same thing: distress is concentrated in a few neighborhoods, meaning that the places where we see the highest number of shootings also tend to be the neighborhoods that suffer from other challenges such as poor health outcomes, low graduation and low employment. To prevent crime, we need to focus comprehensively on strengthening neighborhoods and supporting the people who live in them. As we move into the next year, we are translating that research into a targeted set of strategies that focus on “People, Places and Networks” with the goal of refining a scalable, effective model for strengthening neighborhoods to reduce crime. We will continue to work with residents to identify priorities and test what works so we can replicate it.

Over the last year and with greater emphasis over the next, MAP is working to **support people** by reducing chronic disadvantage. Following widely accepted studies that show access to resources reduces crime levels, much of the work we have already done has focused on enrollment regarding public benefits. As one example, the NYC Human Resources Administration (“HRA”) used MAP funding to hold weekly “office hours” for appointments and walk-ins at all 15 MAP sites, resulting in nearly 300 residents meeting with benefit specialists.

Guided by research showing that the physical environment can inhibit or encourage crime, MAP has also worked to create **vibrant public spaces** in the 15 developments targeted by this initiative. For example, for the first time in 30 years, NYCHA community centers were open until at least 11pm, seven days a week during the last two summers. Through these extended hours at 105 community centers operated by both DYCD and NYCHA, an additional 23,300 people were served. According to a survey sample of participating youth, 41% of them had not used a community center prior to the commencement of extended hours. Additionally, during MAP’s first year, there has been a significant investment in security enhancements – lights, cameras, and locked doors – yielding immediate results as well as establishing new protocols for NYCHA developments. We anticipate continued positive results as more of the improvements are implemented. To date, under MAP the City completed construction of 52 closed circuit televisions, removed all 12,268 feet of non-construction sidewalk shedding. 1,840 security cameras were installed, and 184 temporary exterior light towers were placed to improve the lighting in public spaces. In the coming year, we will expand and refine these strategies, working with residents and experts to set priorities and track improvements.

During MAP’s first year, there was also a significant focus on laying the groundwork for long-term participatory community engagement aimed at **strengthening neighborhood cohesion**. To further encourage neighborhood cohesion and build connection between neighborhoods and the City, in early 2016, we will launch MAP’s NeighborhoodStat, which will bring residents and agencies

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[2] <https://www.manhattan-institute.org/sites/default/files/IB-AA-1115.pdf>

together in the same room to collectively identify and articulate key public safety issues of concern and work hand and in hand in developing solutions based on their combined expertise. Regular participatory-style meetings with the NYCHA residents, law enforcement, and other agencies will occur at all 15 MAP sites in the coming months. This engagement initiative will include reviewing data and tracking outcomes to ensure that the City and its residents are able to evaluate progress in real time and deliver results.

The administration remains committed to promoting safety in NYCHA and we will continue to refine our comprehensive People, Places, and Networks strategy to reducing crime through strengthened neighborhoods over the coming year.

Thank you for the opportunity to testify here today. I would be happy to answer any questions.



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Gale A. Brewer, Borough President

**Gale A. Brewer, Manhattan Borough President**  
**Testimony for New York City Council Committee on Public Housing Public Hearing**  
**Examining the Mayor's Plan to Address Violent Crime in NYCHA Developments 1833**  
**Lexington Avenue (Johnson Houses), New York, NY**  
**November 30, 2015**

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My name is Gale Brewer and I am the Manhattan Borough President. I represent the borough's 102 NYCHA developments totaling 53,570 units of public housing.

Thank you for bringing this hearing to the community. I believe it is our obligation and responsibility to engage NYCHA residents where they live. We must have an overall commitment to listen to, understand, and learn from the residents themselves about their needs and concerns, and also their ideas and recommendations to improve their living conditions, their physical well-being, and to reduce disorder and crime. In order to fully understand each local situation, prioritize essential work, and improve accountability, hearings like this one should be held on a regular basis at every NYCHA development.

**Support for Residents**

Through more than 30 years working with NYCHA and its residents and staff, I know that outstanding resident leadership is key to the well-being and safety of residents. Ethel Velez, President of the Johnson Houses Tenant Association, is such a leader. She has committed her life to improving and engaging her community and working for the betterment of all. I know that there are many other NYCHA resident leaders in the North and South Manhattan Districts, and throughout the city, whose dedication makes the lives of their constituents better; where that leadership is absent, problems abound.

While I was Councilmember for the Upper West Side, my District Office Director Rosalba Rodriguez worked successfully to develop and support active and resourceful resident leadership teams in each of my District's twelve NYCHA developments. In every case there was a resulting improvement in conditions for residents. This model of steady, close support and collaboration between resident leaders and local elected officials should be adopted city-wide by NYCHA.

To the credit of the Mayor, community centers are open late into the evening because he allocated additional funding for that purpose. And the Manhattan District Attorney recently announced an expansion of Saturday Night Lights ("SNL"), a comprehensive youth violence prevention initiative, to 17 programs across Manhattan, many of which serve NYCHA residents. The expansion includes enhanced academic support and advocacy, as well as high-quality sports, dance, and fitness activities. Since its creation in October 2011, SNL has served more than 5,000 kids between the ages of 11-to-18, completely free of charge. However, in some developments the programming is sparse, in others the community center is closed on weekends, and in many there isn't much coordination between the resident leadership and the near-by schools, which



could lead to free access to the school gym or enhanced activities for families and youth. Finally, who has evaluated the violence prevention programs that do exist?

### **The Challenges**

None of us are strangers to the challenges that NYCHA residents face. Safety is a critical one. In this regard, the mayor's \$210.5 million citywide plan announced in 2014 includes 1) immediate physical improvements; 2) an increase in targeted law enforcement; 3) strengthening of communities through expansion of resident programs; and 4) enhanced community outreach and engagement. Under this plan, 15 NYCHA developments that account for 17 percent of violent crime in public housing were specifically targeted.

### **Improved Cooperation**

It often feels though as if NYCHA has its priorities misplaced. Recently, at Wykoff Gardens and Holmes Towers, NYCHA has been focused more on engaging residents about the 50/50 affordable housing proposal than on residents' concerns about safety. Although at every monthly CCOP and Resident Association meeting residents voice their concerns about safety and crime, they often do not file reports because of fears for their own safety and because they do not trust the police. Therefore we can assume that residents suffer from a crime rate that is even higher than that officially reported. Rebuilding trust between NYPD and NYCHA residents is crucial, because effective programs like "Resident Watch" only work when there is close cooperation with NYPD; that will occur only when trust is restored. As we all know, that will be a long and difficult process to which Commissioner Bratton is publicly committed - but if it is to succeed, NYCHA supervision and resident leaders need to be fully engaged with each other as well as with NYPD.

### **Increased Investment**

As cited in my testimony on August 11th, 2015 to NYCHA, another \$100 million in state funding has been approved for work on landscaping, playgrounds, maintenance, security, and lighting; allocations are expected in April 2016. In addition, NYCHA has committed \$42 million for infrastructure work, and started or approved roof replacements. At some developments, these will be the first major investment in decades.

### **Identifying Problem Areas**

On July 8 and July 14, 2015 I held two Manhattan town hall meetings to bring together NYCHA staff with over 250 residents to discuss issues that most concern them. At these meetings, I made sure everyone had the opportunity to be part of the conversation by enabling residents to submit questions and comments directly to NYCHA staff. The most frequent statements were:

- I don't feel safe in my development.
- Is NYCHA doing anything about all the drugs and violence?
- Not enough police are patrolling the developments
- Scaffolding is erected (on my building) but no work is happening

### **Scaffolding Concerns**

At each of this summer's meetings with residents, safety was the top concern along with derelict or poorly maintained scaffolding which disrupts and endangers residents, often for years at a time, without explanation or remediation by NYCHA.

The decision to remove unneeded scaffolding from many developments was a step in the right direction; however, during the same period, several developments had new scaffolding erected without prior notification to the residents - in this regard, Frederick E. Samuel (City) and Robbins Plaza developments stand out as examples of NYCHA's lack of communication and disregard of the community and its leadership. Going forward, it is imperative that NYCHA consult with its resident leadership and keep them well-informed in advance of important decisions that will have an adverse impact on their community.

As you know, scaffolding also provides a challenge for NYPD as they know that crimes are more likely to take place where there is scaffolding. The bad guys hide and run in the scaffolding. NYPD often utilizes light towers where there is scaffolding and they do light up the area. However, some residents complain about the bright light shining into their apartments, and the towers are expensive to run, the battery life is short, and there aren't enough of them to cover all developments where there is a need.

### **Vacant Units**

Another major concern, symptomatic of the disconnect between NYCHA management and residents is that for many years residents would complain about vacant units within their developments and related illegal activity. Comptroller Scott Stringer's audit of June 24, 2015 confirmed that such vacant units at the Harlem River Development were being used by squatters. Not only does such a lack of oversight and control result in a loss of income to NYCHA and deny housing to eligible applicants awaiting placement, it creates serious security and quality of life issues that impact the entire development. NYCHA must act immediately to ensure that 1) illegal occupants are immediately evicted and held accountable; 2) vacant units are promptly filled with lawful residents; 3) local NYCHA management must be held accountable for failure to properly monitor and manage units under their control.

### **Security Cameras**

The installation of security cameras can help deter disorder and crime. But if as reported NYCHA is not promptly reviewing camera footage and developing detailed knowledge of problem areas, behavior, and individuals, and not sharing this information with resident leaders and NYPD on a timely basis, then the use of the cameras as a preventative and deterrent is severely limited. NYCHA should replace its current policy of not reviewing the tapes unless illegal activity is reported by residents, as this only transfers responsibility to residents that should properly and more effectively belong to NYCHA. In a related matter, there have been numerous reports of non-working security cameras and other ones that languish for years without being installed. These lapses are a direct responsibility of NYCHA management, and resident leaders should be told specifically whom to contact whenever security cameras malfunction or are otherwise disabled, and be kept informed daily about the status of repairs.

### **Summary Remarks**

Endemic problems with NYCHA have led some to argue that the Authority should be placed on the city's "worst landlord list." Most disturbing of the continuing issues is the occurrence of major and minor crimes in NYCHA buildings because lobby doors do not lock, and stairwells have poor or no lighting. These and other problems, such as elevator failures, are not adequately addressed at many developments. Residents who must walk in unlit stairwells are at risk, as shown by the accidental shooting death of Akai Gurley by a police officer who entered

a darkened stair at the Pink Houses in Brooklyn in 2015. This is a life that could have been saved if the stairwell light bulbs had been changed - something that was done within hours of the fatal shooting. Just this weekend, I received emails from residents in one building in Douglass that the one elevator that was working was out from 10am to 1 am, so residents were stuck in their apartments - and fortunately no one had an emergency medical condition, but if they did? - and that the front door to the building is never locked.

These and all other security-related conditions should be addressed by NYCHA staff on a daily and as-necessary emergency basis; unlike more basic types of repairs, security concerns should not require tenants to file complaints with the Centralized Call Center. To identify problems NYCHA staff should be doing verticals every day and immediately reporting and addressing problem conditions to ensure that the common areas remain free of disorder and crime, and residents can be reasonably assured of their safety.

Each of the steps outlined above are readily doable; systematically undertaking each of them in developments city-wide would improve safety and security as well residents' quality of life. Achieving these things must be among NYCHA's top goals; for safety in particular, there must be no higher priority.

Thank you.

**Comments of the Vera Institute of Justice  
Oversight Hearing of the Committee on Public Housing:  
Examining the Mayor's Plan to Address Violent Crime in Public Housing  
November 30, 2015**

Good morning. My name is Margaret diZerega and I'm the Family Justice Program Director at the Vera Institute of Justice (Vera). Vera combines expertise in research, demonstration projects, and technical assistance to help leaders in government and civil society improve the systems people rely on for justice and safety. For the past 54 years, Vera has served as an independent, nonpartisan, nonprofit center for justice policy and practice.

We know that the majority of people in correctional facilities (e.g., 95 percent of state prisoners) will return to their communities, and unfortunately far too many will end up reincarcerated.<sup>i</sup> Housing plays a critical role in helping people coming out of prisons, jails, and juvenile facilities succeed post-release. Research shows that access to housing as well as reunification with families substantially increases the likelihood that a formerly incarcerated person will be able to find and retain employment, stay drug-free, and refrain from committing additional crimes.<sup>ii</sup> Research also indicates that individuals recently released from incarceration with strong family connections have greater success in securing and retaining employment.<sup>iii</sup>

For many people leaving correctional settings, the family they want to live with is in public housing. In most jurisdictions, however, people with conviction histories are barred from public housing for several years which results in many formerly incarcerated people experiencing homelessness. New York City is providing an alternative, which positions it as a leader in this area.

Four years ago, Vera, the Corporation for Supportive Housing and several reentry service providers partnered with the New York City Housing Authority (NYCHA) to develop and implement the Family Reentry Pilot Program. The New York State Department of Corrections and Community Supervision as well as New York City's Departments of Correction, Probation, and Homeless Services are all critical partners in the pilot. This program, which launched in November 2013, is for individuals recently released from incarceration who want to live with their families, who are residents of NYCHA public housing. As intended, the pilot with its focus on stable housing, family reunification and comprehensive case management services is succeeding in facilitating the successful reentry of these participants as they pursue productive and positive lives in the community. With over 100 applications to date and 54 enrolled participants, the pilot program is benefiting individual households and the broader community.

Vera, with funding from the U.S. Department of Housing and Urban Development (HUD), is conducting an evaluation of the pilot program. Our preliminary analysis suggests that adding the formerly incarcerated family member to the household has significant mutual benefit. Participants are able to provide company, safety, and security to their loved ones and many of them are working or pursuing their education to contribute financially as well. Family members help encourage participants to reach their goals, help keep them on track when needed, and help motivate them to make positive changes. Some participants are sons returning to live with their elderly mothers who have chronic medical conditions and are in need of assistance from their family member. One participant is reuniting with his mother, stepfather, and his 10 year old son. Another participant returned to live with his older brother who is disabled, and he has also provided a source of financial stability and support to the household. Program

participants are also contributing to their broader community by mentoring young people in the development or pursuing careers in social service to serve as case managers or recovery counselors.

It is worth noting that, in President Obama's remarks earlier this month, he unveiled new HUD guidance which highlights family reunification programs like NYCHA's among a short list of best practices in the country.<sup>iv</sup> I'd like to thank NYCHA for its leadership in this area and thank the Council members for your time this morning.

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<sup>i</sup> Timothy A. Hughes and Doris James Wilson, "Reentry Trends in the United States," (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2002) <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1138> accessed November 29, 2015.

<sup>ii</sup> Nancy La Vigne, Tracy Shollenberger, and Sara Debus, *One year out: Tracking the experiences of male prisoners returning to Houston, Texas*, (Washington, DC: Urban Institute, 2009).

<sup>iii</sup> Amy Solomon, Christy Visser, Nancy La Vigne, et al., *Understanding the Challenges of Prisoner Reentry: Research Findings from the Urban Institute's Prisoner Reentry Portfolio*, (Washington, DC: Urban Institute, 2006).

<sup>iv</sup> U.S. Department of Housing and Urban Development, "Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions," Notice PIH 2015-19, November 2, 2015.

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*Repairs: The Silent Accomplice to Crime in  
New York City Housing Authority Developments*

**Before the Committee of Public Housing of the New York City Council**

**Regarding**

**Oversight: A Safer NYCHA and the Mayor's Plan to Reduce Violent Crime in  
Public Housing**

November 30, 2015

## **Repairs: The Silent Accomplice to Crime in NYCHA**

The Safety Net Project combines direct legal services, affirmative litigation, research and policymaking to achieve economic justice for all New Yorkers. For nearly thirty years, the Safety Net Project has worked on behalf of low-income communities. There has been much discussion on the existence of violent crime in NYCHA developments, but little attention paid to how these crimes occur as a result of systemic disinvestment and repairs. As part of our NYCHA Dignity campaign, SNP litigates on behalf of NYCHA residents in all five boroughs helping residents acquire a court order to mandate NYCHA to make repairs. I am here to speak to you today about the intersection of violent crime and repairs in the New York City Housing Authority (NYCHA) developments.

Systemic building repairs are the silent accomplice to violent crimes in NYCHA developments. An accomplice is a person or thing that helps another commit a crime. Without the facilitation and aid of the accomplice, the crime would have less likelihood of success. NYCHA residents know this all too well. We first raised this issues in 2014, and while there have been some improvements the existence of dangerous conditions in NYCHA developments is still all too common.

This administration has pinpointed fifteen (15) developments that are alleged to account for nearly 20% of the violent crime in NYCHA developments. It's important to note that most of these developments also have systemic building wide repair issues that have been left unresolved for some time. For example, Castle Hill Houses in Bronx is listed as one of the 15 problem buildings for violent crime. Currently, SNP represents a group of Castle Hill residents in case where they have sued NYCHA seeking individual repairs to their apartment as well as systemic issues like elevator disrepair and faulty heat. Instead of dealing with these serious repair matters expeditiously even after being served with a court order, the residents in this case have been force to bring a contempt order against the housing authority.

Castle Hill is not the only development on the target high violent crimes list that has suffered from systemic disrepair. Talk to the residents, many will tell you that they take the elevators at their own risk, have building entrance doors that have inoperable locks, etc.

The Safety Net Project supports and applauds this administrations investment in NYCHA by suspending the PILOT payments and payments to the NYPD; however, there remains much work to be done. We look forward to the inauguration of the social programs for youth in some of the targeted developments that this administration sited in July 2014. In those developments that have benefited from these programs we'd support augmenting the program to larger scale and replicating it in other developments.

The vast majority of NYCHA residents are hard-working New Yorkers who want the same thing as most other New Yorkers, a safe place to live for their family. They are not criminals. They are fellow New Yorkers who deserve the same standard of treatment as other more affluent New Yorkers.

It is NYCHA residents who know best the relationship between systemic disrepair and violent crime, take the story of NYCHA resident Mary Green (whose name has been changed to protect her identity).

Although the walk from the subway station to Mary Green's apartment door totals ten minutes, Mary dreads this trek. After work, she picks up her six-year-old son Kevin and the two of them make it home at 9 P.M. As Mary exits the subway, she looks down at Kevin and says, "You know the drill, buddy." He does. Talk-talk time over. Walk fast like Mommy. No stop. They hurry past loiterers under the building's blue scaffolding, which lacks exterior lighting. When

Mary and her son reach the building's unlocked entrance door—the result of a broken intercom—they are greeted by a man who Mary does not recognize standing in the lobby. Mary's uncertainty of whether the stranger is a tenant or trespasser is settled when he asks her for a dollar. Thoughts flood her mind: *Will he rob me? How fast can little Kev run upstairs if this man assaults me?* The absence of cameras in the lobby has emboldened criminals. Fortunately, she passes the man, only to see a sign on the elevator which reads, "Out of Order. Ticket #4516". Left with no other choice, Mary and her son climb the nine flights of dimly lit stairs to reach 9J. She clasps tightly onto her son with one hand and lifts up her cell phone as a light with the other, unveiling graffiti and urine-stained walls. They pass shadowy figures in the stairwell, smoking, loitering and hissing. When she finally reaches her door, Mary is relieved that she and Kevin arrived home unharmed.

Those ten minutes of Mary's life are an indelible reality for many NYCHA residents who are more vulnerable to violent crime due to the shoddy conditions of the premises. NYCHA residents do not live in the New York City where major crime increased by only 3.3 percent over the last five years. They live in a bifurcated city in which a 31% increase in major crime permeated their lives. In the city of NYCHA between 2009 and 2013, violent assaults rose by 40 percent, rapes increased by 13 percent, burglaries by 28 percent and grand larcenies by 51 percent. NYCHA residents have discerned that NYCHA's failure to address repairs exposes them to criminal attack. In a 2011 report on the issue of public safety prepared by the offices of the Manhattan Borough President and elected officials, residents emphasized repairs as a major problem. Sixty-five percent of surveyed residents said there are not adequate protections to impede trespassers from entering buildings. Over forty percent surveyed said they feel unsafe in their buildings' staircases. Forty-five percent of residents surveyed said their lobby had working locks. "My son was mugged, but when we went to the police, they couldn't get a picture because the camera was off," one respondent said. The residents' concerns were also voiced in NYCHA's own Safety and Security Task Force report in 2011 when forty-eight percent of survey respondents reported broken locks and fifty percent said their building intercoms were inoperative.

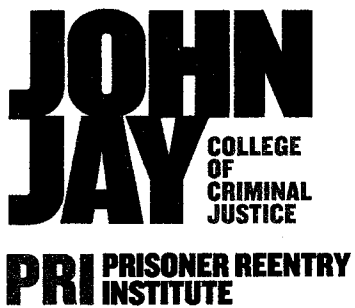
These languishing repairs have proven to be powerful allies to criminals, working in tandem to deteriorate walls built to protect New York's poor. An out of order elevator can aid a rapist who may lurk in the stairwell waiting for the convenient time to strike. Scaffolding can partner with a robber to provide a convenient, dark location to hold an unsuspecting passerby hostage. Non-working intercoms, which result in unsecured entrance doors, can help trespassers enter developments. Broken front door locks can accompany a burglar who breaks into a tenant's apartment. The absence of light in a stairwell may facilitate an assault in a darkened area. Inoperative cameras can assist a murderer who can take a child's life without fear of identification.



We are here today to ask you to hold this silent accomplice accountable in order to reduce violent crimes in NYCHA developments. We believe that the following investments in NYCHA's development would weaken the nexus between systemic repairs and violent crime:

- **Public Area Repair Plan:** NYCHA must develop a plan to repair public areas of developments. The most common public area repairs have already been reported by residents, yet remain a consistent problem. These include broken elevators, non-working intercoms, faulty light in stairwells and scaffolding when work is not being done. Since these conditions remain consistent, NYCHA must devise a strategy to address the source of the problem. For example, an elevator which consistently breaks requires investigation into the causes of its defect and subsequent abatement of those determined factors.
- **Timely repairs:** When an unsafe condition surfaces, a resident's only option—second to commencing a court case for repairs—is to inform NYCHA and receive a “ticket number” for each repair. Unfortunately, many tenants wait months, sometimes years, for NYCHA to address the reported repair. NYCHA's failure to address repairs in a timely manner not only exposes residents to external vulnerabilities, but is also a violation of the New York City Housing Maintenance Code. NYCHA should fulfill its duties as a landlord and hasten its repair of backlog work orders. If repairs cannot be completed within a reasonable time frame, NYCHA should provide rental abatements to its residents.
- **Respect for Due Process:** We are concerned about the Mayor's call for a quicker termination process. Many of the people in this room are aware that often family members and friends who have previously lived in public housing developments and are now transient often continue to use the last permanent residence they held as their address. What this mean? Often when someone is arrested they'll list their last permanent address with the court administration. This often affects elderly relatives who have taken no part in and are largely unaware of any criminal activity by younger relatives who no longer reside in their homes. Moreover, even for those NYCHA residents who are themselves accused of committing a crime, we are concerned that a NYCHA resident may be forced to forgo their constitutional due process rights by being forced to litigate matters related to their arrest in NYCHA administrative hearings before a criminal hearing. NYCHA must make every effort to protect the tenancy of long-term residents who are not part of alleged criminal activity of a relative and former household member and respect the due process rights of it's tenants who are accused of a crime.
- **Transparency in repairs:** As of now, NYCHA residents cannot call the “311” Citizens Service Center with complaints about repairs like their fellow New Yorkers and instead must rely on NYCHA's Centralized Complaint Center (the “ticket” system). NYCHA's process to remedy repairs must be more transparent by expanding the “311” system to residents. This change will enable NYCHA residents to receive independent follow-up enforcement services.

Mary and little Kev could not be here today. She is at work and he is learning about octagons in school. They wanted me to tell you that they need your help in creating parity between their lives and the lives of their fellow New Yorkers. The Safety Net Project welcomes the opportunity to meet with NYCHA senior management in the near future to discuss these issues further.



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**Oversight: Examining the Mayor's Plan to Address Violent Crime in Public Housing**

New York City Council  
Committee on Public Housing

November 30, 2015

Testimony of  
Alison Wilkey, Esq.  
Policy Director  
Prisoner Reentry Institute at  
John Jay College of Criminal Justice

My name is Alison Wilkey and I am the policy director at the Prisoner Reentry Institute (PRI) at John Jay College of Criminal Justice. The mission of PRI is to spur innovation and improve practice in the field of reentry by advancing knowledge; translating research into effective policy and service delivery; and fostering effective partnerships between criminal justice and non-criminal justice disciplines.

PRI has a multi-faceted, multi-year focus on housing for the growing number of people with criminal records. PRI's work recognizes the link between homelessness and incarceration and the impact that both have on family preservation, health and well-being, and on re-offending. Working in partnership with community organizations, PRI's reentry housing work has focused on creation of specialized housing and on NYCHA's use of permanent exclusions. PRI convened a Working Group on NYCHA Exclusions and has taken the lead through its coordinating efforts to advance a policy that tailors the use of exclusion to support safe NYCHA developments, but curtails its use as a punitive measure. Our work is informed by the growing body of knowledge about risk management and public safety that demonstrates that sweeping application of permanent exclusion can undermine tenant safety by eliminating the factors that research has shown mitigate against the risk of future recidivism—factors like family and social support.

### Introduction

Advances in our understanding of risk assessment, risk management, recidivism, and rehabilitation should guide NYCHA in addressing safety in developments. In recent years, there has been an impressive amount of research in the criminal justice system about effective interventions, reducing the risk of recidivism, and the nature of rehabilitation. This has resulted in evidence-based approaches proven to increase safety while eliminating the harm that results from a punitive approach. While we cannot predict the future of each individual—and while there will always be situations and cases that will cause headlines and reactionary responses—we can use research and evidence to create an approach that increases safety for individuals and for communities.

Based on this understanding, we believe that any policy to address safety in NYCHA and any changes to the use of permanent exclusion should include five overarching ideas:

1. Focusing interventions on low-risk people can actually increase their likelihood of recidivism and can decrease public safety. Permanent exclusion, in particular, can increase risk by removing a person from their family, and thus from family and community supports that are proven to reduce recidivism.
2. Good data on termination proceedings must be collected and periodically reviewed to both ensure NYCHA compliance with its own policies and to reflect on the effectiveness of NYCHA practice.
3. Excluding residents from NYCHA rarely addresses risk to public safety—it only relocates the problem.
4. Any new permanent exclusion policy must narrowly tailor the use of exclusion to support safe NYCHA developments, but curtail its use as a punitive measure.

5. Research shows that a person's risk of recidivism declines quickly over time. HUD, the Federal government, and New York State all recognize the importance of second chances for people who have been involved in the criminal justice system. Thus, exclusions from NYCHA should never be permanent.

### Fundamental Principles of Addressing Safety in NYCHA

**First, focusing interventions on low-risk people can actually increase their likelihood of recidivism and can decrease public safety.** Research has demonstrated the need for evidence-based decision-making because the types of subjective assessments that have traditionally been used, including by NYCHA, have been shown to over-predict/estimate risk. Studies of pretrial risk assessment typically show that only about 6% of people arrested present a high risk of future violent offending<sup>1</sup>. In further contrast to what we think we “know,” we have also learned that focusing on low risk people can actually increase their likelihood of recidivism and can decrease public safety, and that people charged with violent crime do not necessarily pose the greatest risk of reoffense.<sup>2</sup>

A key principle of risk assessment and risk management is differentiating between risk of future criminal behavior and risk of harm.<sup>3</sup> In other words, while someone may present a risk of re-offending, the degree of potential harm associated with the future act may not be so significant that it should govern our decision-making. Instead, there must be a nuanced approach to assessing offense seriousness and the risks such offenses pose to NYCHA residents.

**Second, data must be collected and reviewed.** It cannot be stressed enough how important it is that NYCHA establish and monitor an information system that provides a basis for understanding the nature of cases coming to its attention, the decision-making process that NYCHA employs, compliance with its own policies, and that can provide a basis for periodic review and evaluation of the appropriateness and effectiveness of that practice. This review should involve both consideration of the process NYCHA employs and research on specific cases that will enable refinement of risk assessment and risk management strategies.

**Third, excluding residents from NYCHA rarely addresses risk to public safety—it only relocates and exacerbates the problem.** Although it is important to identify tenants and their guests who pose a specific risk of serious harm to the safety and security of other NYCHA tenants and staff, considerable caution must be applied when making the decision to permanently exclude tenants and family members. Exclusion can fracture pro-social supports that help prevent future offending, undermine engagement with rehabilitative programming, and lead to greater insecurity and instability that may serve as a driver of future offending.<sup>4</sup> Thus, permanent

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<sup>1</sup> Laura and John Arnold Foundation (2014) <http://www.arnoldfoundation.org/wp-content/uploads/2014/02/PSA-Court-Kentucky-6-Month-Report.pdf>.

<sup>2</sup> Lowencamp, C. and Latessa, E. 2004. Understanding the risk principle: how and why correctional interventions can harm low-risk offenders. *National Institutes of Correction.*; Siddiqi, Qudsia. 2008. Pre-trial rearrest for violent felony offenses.” New York City Criminal Justice Agency, Inc. *Research Brief* series, No. 16.

<sup>3</sup> Quinsey, Vernon L., et. al. (2006). Violent offenders: Appraising and managing risk (2nd ed.). American Psychological Association. xiii, 462 pp. doi: 10.1037/11367-000 <http://www.apa.org/pubs/books/4316068.aspx>.

<sup>4</sup> Rutter, Michael. (1987). Psychosocial resilience and protective mechanisms. *American Journal of Orthopsychiatry*, Vol 57(3), 316-331.

exclusion can have a negative effect on public safety reaching far beyond the physical space of NYCHA locations. A policy that does not result in increased safety and also exacerbates the City's homelessness crisis does not make sense.

**Fourth, exclusions should be used as a last resort.** NYCHA should operate with a presumption in favor of maintaining family unity and housing stability, and use exclusions only in exceptional circumstances when they are absolutely necessary to the safety of a family or development. Determinations to exclude a family member should always be made on an individualized basis accounting for a range of factors including but not limited to seriousness of the conduct, how recent it was, the age of the tenant, the practical relationship between the conduct and the safety of the development, and evidence of rehabilitation.

**Fifth, exclusion should never be permanent.** Research shows that a person's risk of recidivism declines quickly over time. New guidelines from the U.S. Department of Housing and Urban Development (HUD) and new rules from the New York State Division of Housing and Community Renewal (DHCR) require NYCHA and all public housing authorities to take an individualized and nuanced approach to decision-making regarding criminal activity and criminal records.

On November 2, 2015, President Obama announced new actions to promote rehabilitation and reintegration of people with criminal records, including the new guidelines from HUD.<sup>5</sup> Those new guidelines specifically limit the actions that a housing authority can take with respect to arrest records alone. They also clarify that the Federal Government does not require punitive policies that mandate exclusion or eviction based on criminal conduct. Rather, the guidelines stress the importance of individualized determinations, due process, and ensuring that policies do not have a disparate impact on people of color.

Similarly, the new rules from DHCR shift the focus of housing authorities to making individualized determinations that rely on evidence of rehabilitation.<sup>6</sup> These changes acknowledge the body of research showing that with the passage of time, a person's risk of recidivism is no greater than the risk of arrest of the general public.<sup>7</sup>

Based on these new guidelines and the underlying research, all exclusions should be time-limited so that they automatically lift after a specified time period has passed. There should also be a process to lift exclusions early, if the person demonstrates that they are unlikely to pose future risk.

## Conclusion

Evidence and research must guide our approach to safety in NYCHA. The current approach is outdated and outmoded; it fails to draw on the body of knowledge that has grown in the criminal

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<sup>5</sup> U.S. Department of Housing and Urban Development Office of Public and Indian Housing. (2015). Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions. PIH 2015-19.

<sup>6</sup> 9 NYCRR 1627-7.2.

<sup>7</sup> Blumstein, A. and Nakamura, K. (2012). 'Redemption' in an Era of Widespread Criminal Background Checks. National Institutes of Justice Journal. Issue No. 263.

justice system about risk assessment and managing the risk of future reoffending. Our burgeoning understanding that subjective assessments of risk of reoffense are often wrong and that use of punitive measures can unwittingly increase that risk should provide the foundation for a policy that increases safety of tenants and supports families.



**Comments of the Corporation for Supportive Housing**  
**Oversight Hearing of the Committee on Public Housing: Examining the Mayor's Plan to Address**  
**Violent Crime in Public Housing**  
**November 30, 2015**

My name is Erin Burns-Maine, and I am a Senior Program Manager of the New York Program at the Corporation for Supportive Housing (CSH). CSH's mission is to advance solutions that use housing as a platform to deliver services, improve the lives of the most vulnerable people, and build healthy communities. CSH has 24-year track record of innovation and investment in New York City, leading demonstration projects, analyzing data and assisting in the creation of over 15 thousand permanent supportive and affordable housing units across NY. CSH is deeply committed to removing barriers to housing for people with criminal justice histories.

For the past four years, CSH has been working closely with the New York City Housing Authority (NYCHA), NYC Department of Correction and Department of Homeless Services, NYS Department of Corrections and Community Supervision, the Vera Institute of Justice, and thirteen reentry service providers to design, plan, and implement the NYCHA Family Reentry Pilot Program. Launched two years ago, the Pilot allows people leaving prison and/or jail to reunite with their families who live in NYCHA and provides support services to assist them in successful reentry. We have 54 participants in the Pilot who have all stayed stably housed and none of the have been convicted of an offense since being in the Pilot. There is a steady stream of applicants to the program, demonstrating the need for such opportunities. There are four main areas I would like to highlight today:

1. The Pilot has demonstrated success for Pilot participants and their families. Participants are going to school, getting jobs and supporting their families. This month, we are celebrating our first participant to complete the two-year program, and he is being added back onto the lease as a permanent tenant.
2. Allowing people to reunite with family is better for NYCHA's balance sheet. Throughout the Pilot, we have been making better use of NYCHA's housing by reuniting family members in large apartments that were under-occupied. Once participants are added back onto the lease, these new tenants will be contributing to a higher rent on the same unit.
3. This Pilot is increasing public safety. For the estimated 200,000 NYCHA tenants living off-lease, this Pilot provides a path for people to come out of the shadows and become stable, productive members of their community. Case managers from our eleven reentry service providers maintain open communication with the participant to make sure they are working towards their goals and proactively offering support and connection to services if needed.
4. Through this Pilot, NYCHA has been leading the country in lifting local bans against people with criminal justice histories. President Obama recently announced new guidance from the U.S. Department of Housing and Urban Development for Public Housing Authorities to revisit their local bans, just as NYCHA is doing.

It is important that the NY City Council continue to support this program, which is demonstrating success in reunifying New Yorkers with their families, improving public safety, and informing other Public Housing Authorities nationally. Please don't hesitate to contact me at [erin.burns-maine@csh.org](mailto:erin.burns-maine@csh.org) or call 212.986.2966 x223 with questions. Thank you for your time and consideration.



JUSTICE FROM COURTROOM TO COMMUNITY

**Written Comments of Youth Represent  
New York City Council  
Joint Hearing of the Committees on Public Housing and Public Safety  
Oversight: Examining the Mayor's Plan to Address Violent Crime in Public Housing  
November 30, 2015**

Youth Represent is a holistic youth defense and advocacy organization. Our mission is to ensure that young people affected by the criminal justice system are afforded every opportunity to reclaim lives of dignity, self-fulfillment, and engagement in their communities. We provide criminal and civil reentry legal representation to young people age 24 and under who are involved in the criminal justice system or who are experiencing legal problems because of past involvement in the criminal justice system. Our interdisciplinary approach allows us to understand the full extent of our clients' legal and practical challenges so we can effectively represent them as they make the journey from courtroom to community. We have represented dozens of young people and their families facing termination or exclusion from the New York City Housing Authority. Thank you to the committee for the opportunity to testify.

**Every NYCHA Resident Has a Right to a Safe Home—including Those Charged with Crimes**

In 2013, "Shaquana" a client of Youth Represent, was 23 years old and living in Queens. The NYPD executed a search warrant in Shaquana's apartment and recovered the end of a joint and one Xanax pill in her brother Robbie's bedroom. They charged Robbie with a misdemeanor-level drug possession and referred the case to NYCHA. Based on only the arrest, NYCHA moved to terminate Shaquana's tenancy, threatening that she would be evicted if she would not agree to permanently exclude her brother. This was done despite the fact that she was the head of the household, having lost her mother when she was 18, she was clinically depressed,



morbidly obese, and had severe asthma and heart problems. Her brother was her sole means of care and support. Despite repeated efforts the attorney for NYCHA would not agree to housing probation and a termination of tenancy hearing was scheduled. On the date of the hearing with all parties present Shaquana started to have trouble breathing and an ambulance had to be called. At that point we tried once again to negotiate housing probation, arguing that Robbie was charged with a low level misdemeanor and showing documentation of Shaquana's illness and the need for her brother's care. The NYCHA attorney was not persuaded and insisted on rescheduling the hearing. Again with all parties present Shaquana's heart rate went to a dangerous level and the hearing had to be adjourned. Ultimately, we were able to convince NYCHA to offer Shaquana probation, allowing her to stay in her apartment with her brother. But in the meantime, Shaquana, Robbie, and the police officer who was there to testify on NYCHA's behalf were forced to attend multiple hearings, missing work and causing NYCHA to waste precious resources on a protracted legal process that could have been settled in a single meeting with the tenant.

Each year we represent hundreds of young people age 24 and under who live in NYCHA and Section 8 housing, all of whom have had some contact with the criminal justice system. Nearly all of our clients are connected to community-based organizations and are completing educational, workforce development, or other programs. They are also connected to their families and communities, often caring for an older parent or young children. Reliable housing is essential for everyone, but it's especially critical for young people working to stabilize their lives after an arrest or conviction. In many cases, success for our young clients is directly tied to family support.

Shaquana wants to feel safe in her home, as do all of our clients and their parents, children, and neighbors, and they should be guaranteed a right to basic safety. The most important step the city can take to make NYCHA safer is to invest the funds our colleagues at CVH and others have been demanding to address deteriorating and often-uninhabitable conditions. A report last year by Community Service Society documented ten years of deteriorating living conditions in NYCHA apartments from 2001 to 2011. Notably, the report found that 21% of NYCHA residents listed “housing” as their top personal worry, compared to only 12% and 11% of low-income New Yorkers living in other subsidized housing, and private housing respectively. Beginning in 2008 there was a sharp increase in NYCHA residents reporting serious deficiencies in their apartments, with over a third reporting *three or more deficiencies* by 2011. Only 10% of NYCHA residents listed “crime” as their top personal worry.<sup>1</sup> Perhaps the greatest threat to the health and safety of NYCHA residents is toxic mold.<sup>2</sup>

Of course, many NYCHA residents do worry about crime. But those worries are intrinsically connected to worries about conditions in NYCHA apartments. “Properly working elevators, door locks, buzzers, or intercoms” were a serious concern for 38% of NYCHA residents surveyed by CSS, compared to 14% of low-income tenants in private and otherwise subsidized housing in New York City.<sup>3</sup> Rather than spending scarce resources on unnecessary terminations of tenants like Shaquana, NYCHA should make infrastructure improvements that tenants have been demanding for years, including ensuring that all lobby doors, elevators,

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<sup>1</sup> Bach, Victor & Waters, Tom. *Strengthening New York City’s Public Housing: Directions for Change*, p. 5. New York: Community Service Society, July 2014. Accessed November 24, 2015. [http://b3cdn.net/nycss/2c5a651f36299b9dbf\\_02m6vzhld.pdf](http://b3cdn.net/nycss/2c5a651f36299b9dbf_02m6vzhld.pdf).

<sup>2</sup> See settlement in *Baez v. NYCHA* (accessed November 24, 2015. [http://docs.nrdc.org/ej/files/env\\_14030701a.pdf](http://docs.nrdc.org/ej/files/env_14030701a.pdf).) and subsequent press coverage of NYCHA’s ongoing failure to adequately address mold issues one year later (accessed November 24, 2015. <http://www.nydailynews.com/new-york/judge-slams-nycha-bigs-not-showing-mold-hearing-article-1.2288724>.)

<sup>3</sup> *Strengthening New York City’s Public Housing: Directions for Change*, p. 5.

buzzers and intercoms are in working order and that repairs are made within days, not months. In addition, the city should expand promising initiatives through the Mayor's Action Plan that promote safety without criminalizing residents, including extended community center hours during summer months and expanded summer youth employment opportunities.<sup>4</sup>

While significant investments in infrastructure and community-based programming would address immediate safety concerns at NYCHA, draconian termination and exclusion policies don't make anyone safer. Instead, they destabilize individuals by threatening dependable housing and critical family support. Furthermore, increasing evictions will only send more people into the homeless shelter system, worsening the city's already intractable homelessness problem. If they hadn't had legal representation, Shaquana and her brother would now be living in a homeless shelter rather than safely in their NYCHA apartment.

#### **Every NYCHA Resident Has a Right to Due Process in Termination Proceedings**

Another Youth Represent NYCHA termination client "Anthony" was in a car with a few older friends when they were pulled over by two police officers, because the car was a similar make and model to one that had been reported stolen. Even though the car was immediately found not to be the one stolen, a search was still conducted and police found a gun under the seat. At 19 years old, being the youngest passenger in the car—Anthony's friends persuaded him to take the blame thinking he would never be charged because he did not have a criminal record and was in college. Regrettably, even though the car was not his and he knew nothing about the gun, Anthony succumbed to the pressure of his friends and was charged and pled guilty to a gun possession, a felony offense. Upon his arrest NYCHA brought a termination proceeding against

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<sup>4</sup> FACT SHEET: Making New York City's Neighborhoods and Housing Developments Safer, NYC Office of the Mayor. Accessed November 24, 2015. <http://www1.nyc.gov/office-of-the-mayor/news/336-14/fact-sheet-making-new-york-city-s-neighborhoods-housing-developments-safer#/0>.

his mother, the leaseholder of a NYCHA apartment where Anthony lived with his siblings. Having other children to care for this put her in the untenable position of either being evicted or excluding Anthony from the household. Fortunately, with our advocacy NYCHA agreed to wait and see how Anthony did in the CASES alternative to incarceration program he was attending before moving any further with the termination proceeding. In fact, Anthony did so well that the judge in his case vacated the plea and allowed Anthony to re-plead to a violation, a non-criminal offense that is now sealed. Today Anthony is living safely with his family in his NYCHA apartment and has a job coaching at the YMCA. His ultimate goal is to join the military and serve his country. If he had been excluded and separated from his family with a felony conviction there is little doubt that he would neither have secured his job at the YMCA nor have the opportunity to fulfill his dream of enlisting in the military.

In a city with a widely recognized affordable housing crisis, NYCHA is housing of last resort—one of very few truly affordable options available to low-income New Yorkers. Any person facing eviction should be afforded due process and right to counsel, but NYCHA terminations should be carefully considered given that they will almost surely lead to homelessness for the family or individual who loses NYCHA housing. Evidence of mitigation and rehabilitation should be thoroughly reviewed and heavily weighed in the decision of whether to terminate. Sealed criminal records—including records that will be sealed upon termination of the criminal case—should never be considered.

Furthermore, NYCHA policies should consistently *promote* successful reentry after arrest or conviction, as NYCHA's own Family Re-Entry Pilot project does. When a person is released from prison or jail or sentenced to probation, the criminal justice system has determined that he or she can live safely in society. This criminal justice system determination should create a

rebuttable presumption that the person can also live safely in NYCHA housing. After careful, individualized consideration, NYCHA may determine that a small number of people simply cannot live safely in NYCHA housing for some length of time. But no family should have to choose between keeping their affordable apartment and permanently excluding a family member, especially not a child.

Anthony is far from a unique or isolated example. We work with dozens of young people each year charged with, and sometimes even convicted of, felony offenses that are categorized as violent or otherwise serious. A teenager accused of stealing another kid's iPhone or iPad will be charged with robbery, a violent felony offense. A fight in the neighborhood will be charged as assault, or even gang assault if it involves groups of kids.

New York City has a rich network of alternative to incarceration, violence intervention, educational, workforce development, and other unique programs for young people who have been involved in the criminal justice system. Youth Represent is fortunate to partner with more than a dozen of those excellent programs. Harsh policies that jump to terminate or exclude anyone charged with a crime, or even those charged with serious felony offenses, undermines the progress that young people can make in these evidence-based programs by threatening them with homelessness and banishment from their families.

Evicting a family from their home is a drastic punishment with far-reaching, destabilizing effects. In Anthony's case, delaying the NYCHA termination pending the final outcome of his criminal case saved him from becoming homeless before this 20<sup>th</sup> birthday. The criminal justice system saw hope for Anthony, and NYCHA helped realized that hope by allowing him to stay in his home with his family. There are thousands of 'Anthony's in this city. His story should be the rule, not the exception.



November 30, 2015

My name is Naved Husain, Lead Organizer at CAAAV-Organizing Asian Communities. On behalf of hundreds of low income Asian immigrant tenants in rent-stabilized and public housing, CAAAV would like to voice strong opposition to the Mayor's plans to increase more targeted law enforcement in 15 NYCHA developments. Concern for the safety and well being of our communities is paramount to us and our members who live in NYCHA; however the Mayor has referred to the increased police presence as "more boots on the ground," the type of rhetoric one hears in a war zone. Our neighborhoods are not war zones; they are vibrant communities filled with families who provide labor and service to this great city. They don't need more boots on the ground. They need more investment in their education and economic opportunities. They need investment to address the real roots of crime: high unemployment, low wages, structural racism, and lack of adequate education and after-school programming and skills training.

By investing in more police, the city is investing in more violence and deaths of Black and Brown residents of NYCHA. Our media everyday is filled with images of police brutality and violence towards African American, Latino and poor immigrants of color and where in this country a Black person is killed every 28 hours by the law enforcement or vigilante. CAAAV members along with hundreds of others were outside in the Pink Houses in East New York, where Akai Gurley was killed by NYPD officers simply for using the staircase when the elevator was broken. It is the very nature of shoot first-ask questions later policing and the gross incentives of the prison-industrial complex that undergird the violence and cyclical imprisonment, contributing further to community trauma.

A recent case involving NYPD and NYCHA, *Davis v City of New York*, highlights the problem of policing. Numerous tenants of NYCHA and their visitors filed suit against the City of New York claiming that the numerous stops and arrests of tenants and their visitors by NYPD in NYCHA complexes were racist and were violations of their constitutional rights. These stops and arrests were the result of the policy of "vertical sweeps" which is when NYPD officers comb a NYCHA building from rooftop to first floor, stopping individuals without individualized suspicion. It was a vertical sweep that led to the death of Akai Gurley. It is these kinds of checkpoint operations that the NYPD only employs in communities of color that lead to deaths and rights being violated. . By increasing the police presence, you increase the number of senseless deaths and grief in the community where someone's children, parents, cousins, aunts, uncles, brothers and sisters live.

Instead of pouring millions of tax dollars into racist policing, the city needs to focus on programs and approaches that attack the roots of crime: the cycle of poverty, the lack of access to education and jobs to sustain sufficient and safe communities. Increasing police presence is only a continuation of the war on the poor, specifically the black poor in NYC.

We represent communities that are current victims of the war on immigrants, the war on "terrorism," the war on the poor, the war on public housing, the war on private housing, the war on families, the war on children. We cannot stand back while our brothers and sisters in the Black and Latino communities are victims to the war on drugs and war on crime. This is why CAAAV stands in opposition to the increase of more police on the ground and "broken windows" policy.

**Committee on Public Housing  
Oversight Hearing:**

**Examining the Mayor's Plan to Address Violent Crime in Public Housing**

Johnson Houses Community Center, located at 1833 Lexington Avenue  
November 30, 2015, 10 a.m.

My name is Runa Rajagopal. I am the Director of the Civil Action Practice at The Bronx Defenders. The Bronx Defenders thanks the Committee for the opportunity to submit comments and testify regarding the Mayor's Plan to address violent crime in public housing.

**The Bronx Defenders**

Founded in 1997, our organization is nationally renowned for providing holistic and comprehensive legal services, which include civil, criminal and family defense, social services and community programs to approximately 35,000 low-income families in the Bronx each year. Our innovative, team-based model operates on multiple levels to address how an arrest and criminal charge alone can have a devastating impact on a person's life. In New York State, indicative of the rest of the nation, more than 1 in 3 people arrested are never convicted of any crime or offense, yet they suffer drastic collateral legal consequences and enmeshed penalties as a result of their arrest. This collateral damage, and the instability that results, can be far more devastating than any of the direct penalties that accompany the criminal conviction.

**The Civil Action Practice**

The Civil Action Practice is designed to defend against the many enmeshed civil penalties that arise out of a person's arrest. Criminal accusations in public housing can lead to a whole host of devastating civil consequences, not only for the person who stands accused but for his entire family. These consequences are often hidden and invisible to those accused of the crime, to practitioners, legislators and even to Judges and the courts. These consequences are scattered across sections of state statutes, local laws, and state and local agency regulations and policies; they can touch every aspect of a person's life and can occur any time after an arrest, leading to job loss, denial of benefits, deportation, loss of property or even, eviction from one's home.

The Mayor's Action Plan

The Bronx Defenders lauds the City's intentions to invest in the public housing community. Making physical improvements to developments is critical, beyond security infrastructure, particularly since the highest "crime-ridden" developments are also the developments in greatest disrepair.<sup>1</sup> Expanding programming and services for residents

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<sup>1</sup> Smith, Greg B. "Most Crime Ridden Housing Projects are also Buildings in Greatest Need of Repair" New York Daily News, Oct. 6, 2014.

and facilitating greater community engagement and outreach for decision-making are also valuable steps. NYCHA residents deserve an improvement in their quality of life.

This testimony will highlight a few of our concerns regarding the Mayor's plan, particularly with respect to increased law enforcement and police presence in the public housing community, termination procedures and permanent exclusion of family members.

### **A BALANCE IS NEEDED BETWEEN RIGHTS AND PROTECTIONS OF RESIDENTS AND PUBLIC SAFETY**

The Mayor's plan calls for increasing the NYPD housing bureau by a third and increased police presence by over 700 officers. This is in the wake of settling Stop and Frisk litigation<sup>2</sup> where NYCHA residents, among others, successfully argued that police disproportionately stopped, frisked and harassed NYCHA residents of color without reasonable suspicion they were trespassing and made unlawful arrests. This is also within the context of an international movement to address and eradicate discriminatory policing that leads to the unjustified killing of black and brown men, women and children. With increased police presence and aggressive policing tactics, there are concerns about unlawful and unnecessary arrests and harassment of the public housing community; furthermore with increased police presence, there is also heightened attention from police to noncriminal rule-breaking.<sup>3</sup> With increased police, we want to insure that the rights of residents and the greater public housing community are no longer violated in the name of public safety.

#### **Jessica is a NYCHA tenant at Risk of Eviction**

*Jessica Johnson is 24 and lives in Butler Houses, where she was born. Jessica's grandfather raised her, and he was the original leaseholder of the apartment. She now lives in this apartment with her two children, a two-year-old daughter and a 4-year-old son and her younger sister. Her grandfather fell ill and passed away in 2013 and for over a year, she fought to get a lease in her name. She became the tenant of record in 2014 and that same year she got a job with the City. Jessica is working on catching up on her rent because arrears accumulated during her grandfather's illness and before she was employed by the city. NYCHA took Jessica to court, in non-payment, and she was working on paying back rent that was owed, in addition to paying her rent as it became due.*

*In February of 2015, the NYPD executed a search warrant in Jessica's apartment. After searching her entire apartment, the police found a gun, along with a small amount of cocaine in a living room closet. Jessica stated that she had no idea about the gun or the drugs, and that if those items belong to anyone, it would be to her ex-boyfriend, who time*

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<sup>2</sup> *Davis et al v. City of New York et al*, 10 Civ 0699.

<sup>3</sup> Goodman, D., "Police Patrols in New York Public Housing Draws Scrutiny" *N.Y. Times*, Dec. 15, 2014.



to time stayed over her place. In fact, police confirmed the subject of the search warrant operation was a man name JD Twix, the name Jessica's ex went by.

The police were unable to find or arrest JD Twix. Jessica was arrested, booked and arraigned; she was charged with gun and drug possession. At her arraignment, an attorney was appointed and she is released on her own recognizance and given another date to come back to criminal court. This was the first time Jessica was ever arrested. She has been going to criminal court date after date, waiting to go to trial. The criminal case kept getting postponed from February to April, June, July, September and November.

Jessica's children were also removed by the administration for children services and they filed a petition against Jessica for neglect based on her arrest. She was given an attorney and another family court date, as well as several appointments to attend in order to get her children returned.

Three months later, in May, NYCHA sought to terminate Jessica and her family based on her arrest. They set the termination hearing date in June, which she adjourned in order to find an attorney, which she does not have the right to in termination proceedings. Nine months after the arrest, the NYPD initiated a nuisance abatement action and got an ex parte closing and temporary restraining order, allowing them to enter her apartment without a warrant and evict her. In addition to her criminal, family, housing court proceedings, she now must appear in Supreme Court to understand why she has been evicted without notice. Having to juggle all these court dates and appointments, Jessica loses her job with the city. She fell further into arrears. She is facing prosecution in criminal court, risks losing her children, has lost her job and has no stable income. Jessica is facing almost certain eviction and homelessness, and has yet to be convicted of crime.

### **ENTIRE FAMILIES FACE EVICTION WHEN A TENANT, FAMILYMEMBER, OCCUPANT OR GUEST IS ACCUSED OF A CRIME**

With Jessica's story providing context, we have concerns about NYCHA and the City's approach towards families who may be connected to a person accused of a crime. If a tenant, occupant, family member or even a guest is arrested on or around NYCHA grounds, it is inevitable that the tenant of record will be subject to numerous civil consequences, including possible termination. An arrest can lead to a multitude of housing consequences for an entire family and the potential for eviction is very high. This is irrespective of whether or not the accused individual is actually convicted of the crime of which he or she is accused.

In addition to NYCHA seeking to terminate the tenant and her family's tenancy based on alleged criminal activity, the NYPD can also bring a nuisance abatement action<sup>4</sup>, which directly impacts tenants, NYCHA can bring an illegal use proceeding at the demand of the District Attorney's office<sup>5</sup> and if there is a section 8 subsidy, that may be terminated as well. All of these actions can occur based on the allegation of criminal activity and in that respect, the accused or his/her family member may face several prosecutions and penalties concurrently or subsequently, criminal and civil, based on the same nexus of facts, if there is a criminal case at all.

Unlike in criminal court, tenants facing eviction or termination have no right to counsel. A tenant may be in the predicament of fending for herself in her housing cases, even if she has an attorney in the criminal case, the facts of which gave rise to the other housing consequences. Tenants are also not afforded any of the greater protections that exist in criminal court when facing eviction, including the higher burden of proof beyond a reasonable doubt, as the burden in most civil proceedings is the lowest standard of preponderance of the evidence, the presumption of innocence until proven guilty, the right to confront witnesses or the right against self-incrimination, the right to a jury, to name a few<sup>6</sup>. By facing concurrent cases (criminal and housing) Tenants are at risk of jeopardizing their criminal case, by making statements against their own interest or risk an adverse presumption lodged against them for remaining silent. Additionally, with the incredible backlog in criminal court, a tenant may be in the position of losing his home prior to ever getting his day in criminal court or even if the criminal case is dismissed.

NYCHA and NYPD information sharing can be problematic and also lead to the violation of rights of tenants and their family members, particularly if the criminal case of the accused is dismissed. This does not prevent NYCHA, the NYPD, the DA or any other agency from taking action against a tenant, however, criminal procedure law §160.50 and §160.60 prevents the use of sealed records. The statutory mandate for sealing in the CPL is broad, requiring that "all official records and papers... relating to the arrest or prosecution, including all duplicates and copies thereof, on file with... any... police agency, or prosecutor's office, shall be sealed and not made available to any person or public or private agency." However, we have found that despite the sealing laws, the NYPD has shared records of prosecutions that were prohibited by the CPL, in an effort to punish a family despite the alleged offender's criminal court case being

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<sup>4</sup> Nuisance abatement actions, resulting in immediate evictions, are one of the most invasive, disruptive, and counterproductive forms of civil forfeiture. Tenants face eviction, without notice or hearing, in actions brought by the NYPD's Legal Bureau's Civil Enforcement Unit under N.Y. Admin. Code §§ 7-701 et seq. (the "NAL"). Nuisance abatement cases are brought *ex parte*, without notice to the tenants.

<sup>5</sup> A landlord, at the insistence of the District Attorney may also bring a case to evict a tenant because that tenant used or allowed others to use the premises for any illegal trade or manufacture, or other illegal business. Under these laws, the elements include that the tenant or someone occupying the apartment engaged in: (a) illegal conduct, (b) that is a business, (c) on more than one occasion, (d) involving the premises to be recovered, (e) with the participation, knowledge, or passive acquiescence of one or more of the tenants of record. These cases are brought by operation of 3 statutes: Real Property Law § 231(1), Real Property and Proceedings Law (RPAPL) § 711(5), RPAPL § 715.

<sup>6</sup> See Mary M. Cheh, *Constitutional Limits on Using Civil Remedies to Achieve Criminal Law Objectives: Understanding and Transcending the Criminal-Civil Law Distinction*, 42 Hastings L.J. 1325, 1325-28 (1991)

dismissed. We have seen this in administrative public housing termination proceedings, in housing court, in Supreme Court and with respect to section 8 terminations.

### **NYCHA USES ONE SIZE FITS ALL SETTLEMENTS MAKING TENANTS VULNERABLE**

NYCHA maintains its discretion as to whether it will deny a family a lease or terminate a family based on alleged criminal conduct. In fact, the federal government only mandates two automatic consequences (related to convictions of lifetime sex offender registration and the manufacture or production of methamphetamines.) Moreover, the U.S. Department of Housing and Urban Development has encouraged public housing authorities, like NYCHA, to use its discretion to consider the circumstances of criminal conduct, especially given the rate of incarceration, the sheer numbers of people who are being released from prisons and jails and the significant barriers to affordable housing. As such, NYCHA has broad discretion to consider the circumstances of criminal activity for tenants and to assess whether there is sufficient rehabilitation to allow a family to continue to live in public housing. As a practical matter, NYCHA takes a punitive approach to termination, often applying a “one-strike and you’re out approach,” based on an arrest or conviction of the tenant or her family member.

Even if a tenant is given the opportunity to settle a termination brought against her by NYCHA, it imposes a one size fits all approach to settling these proceedings, whether or not the tenant is represented. NYCHA will not modify their settlements and so their attorneys have a “take it or leave it” approach. Tenants, especially without an attorney, often agree to long probationary periods despite the strength of their case at a hearing- one year, two years, five years, or longer and the harsh condition of permanent exclusion is imposed if the purported offending person is not the tenant of record.

If a probation is imposed any subsequent infraction- whether or not it is related to the initial offensive conduct- can lead to termination, with the lesser standard of violation of probation. This cut and paste approach with broad probations leaves tenants and their families susceptible to eviction, displacement and instability.

### **PERMANENT EXCLUSION TEARS FAMILIES APART AND NEEDS TO BE REFORMED**

Additionally, NYCHA’s policy of permanently excluding the offending family member when the “bad actor” is not the tenant of record is a disproportionately punitive and highly invasive policy that rips apart families. It is the policy of effectively evicting the person allegedly engaging in the offensive conduct from the household, permanently, so that the rest of the family can continue to keep their home. For the life of the tenancy, in

the current apartment or any apartment the tenant moves to thereafter, the excluded individual cannot reside in or even visit the apartment. To make sure the tenant complies with this exclusion, NYCHA will conduct surprise inspections of the entire apartment, any time between 9 am and 7 pm. If the individual is found on premises, NYCHA will move to terminate the tenancy. Further, if the tenant fails to open the door to inspectors, NYCHA will also move to evict the tenant and her family.

It is not unusual for tenants to regularly make the difficult decision to permanently exclude their sons and grandsons from their homes to safeguard the rest of their family, even if the criminal case is still pending and there has been no conviction of guilt and even if the accused conduct is of a minor nature. The punishment of permanent exclusion needs to change for many reasons.

Firstly, focusing on interventions on low-risk people can actually increase their likelihood of recidivism and can decrease public safety. Permanent Exclusion, in particular, can increase risk by removing a person from their family, and thus from family and community supports that are proven to reduce recidivism. Additionally, excluding residents from NYCHA rarely addresses the low risk to public safety-it only relocates the problem. Moreover, any new permanent exclusion policy must narrowly tailor the use of exclusion to support safe NYCHA developments, but curtail its use as a punitive measure. Good data on termination proceedings must be collected and periodically reviewed to both ensure NYCHA compliance with its own policies and to reflect on the effectiveness of NYCHA practice. Lastly, research shows that a person's risk of recidivism declines quickly over time. HUD, the federal government, and New York State all recognize the importance of second chances for people who have been involved in the criminal justice system. Thus, exclusions from NYCHA should never be permanent.

## CONCLUSION

As the largest landlord in the country whose mission is to increase opportunities for low and moderate income New Yorkers by providing safe, affordable housing, it is important to use evidence based criminal justice strategies that actually meet the goal of protecting the community without violating their basic, fundamental, constitutional rights. It is our hope to with the Council and Mayor towards meeting this goal. Thank You.

Submitted By,  
Runa Rajagopal  
Director, Civil Action Practice  
The Bronx Defenders  
360 East 161 Street  
Bronx, NY 10451  
718-838-7878  
RunaR@BronxDefenders.org



**Groundswell Testimony:**  
**Examining the Mayor's Plan**  
**to Address Violent Crime in Public Housing**

*Patrick Dougher, Program Director*  
*Groundswell*  
*540 President St 1A, Brooklyn NY 11215*  
*718.254.9782*

*Monday, November 30, 2015*  
*Johnson Houses Community Center, 1833 Lexington Avenue*

Good afternoon and thank you for affording me the opportunity to testify today. My name is Patrick Dougher, and I am Program Director of Groundswell, New York City's leading community public arts organization.

Groundswell's mural projects engage artists, marginalized and underserved young people, and community members in creating visible and lasting change in neighborhoods across New York City.

Over our 19-year history, Groundswell has employed thousands of artists, youth, and community members, including hundreds of NYCHA residents, in the creation of nearly 500 works of public art throughout all five boroughs.

**Public Art / Public Housing**

A little more than a year ago, Groundswell's founder and then Executive Director Amy Sananman sat where I sit today to testify on the central role the arts might play in the Mayor's plan to reduce violent crime in public housing.

In her testimony, Amy encouraged the Mayor's Office to not only expose NYCHA residents to youth and family programming but leverage art as a tool for lasting experiences – physically transforming NYCHA developments to highlight community assets and illustrate a shared vision of a revitalized neighborhood.

A few things have changed since then.

Today, Amy sits at another place at the table of community development, as Executive Director of the Mayor's Action Plan for Neighborhood Safety. In this new role, she is working to formalize best practices and build cross-sector solutions as NYC implements the Mayor's plan for targeted law enforcement efforts, physical improvements, and expanded community engagement and outreach efforts.

At the same time, Groundswell has launched a major one-year initiative in partnership with NYCHA and Council Member Ritchie Torres, Chair of the Committee on Public Housing.

“Public Art / Public Housing” is **engaging 200 NYCHA young adult residents** in the transformation of vacant and neglected walls throughout five developments in the Mayor’s Action Plan into artistically and content-rich public art pieces with positive community messages.

One development in each of the five boroughs, all identified from the MAP target list, will co-create three mural projects, for a total of 15 new public artworks throughout the city. These developments include Castle Hill, Queensbridge, St. Nicholas, Stapleton, and Tompkins.

Groundswell is partnering with residents of these developments to facilitate the collaborative research, design, and creation of mural projects spotlighting the unique assets of each community.

This fall, to launch this initiative, my team and I have participated in discovery meetings with the Tenant’s Associations at each of these five developments. These sessions are designed to enlist NYCHA residents as leaders in envisioning our shared goals and outcomes for each set of mural projects.

Together, we have spent hours walking through each development to identify walls and community spaces in need of beautification and physical transformation. There are many. We have also been privileged to discover the rich history and unique assets of each development, revealed to us by the people who call these communities home. Most importantly, we have been introduced to a continued and complex set of challenges facing NYCHA residents today.

I am here to share **four key observations** from our experience to date in planning sessions with NYCHA tenants:

These include:

To creative collaborative change in NYCHA , **residents must believe that they will lead the change they desire.** Every one of our meetings with the Tenants Associations began with the residents declaring skepticism about our intentions and weariness of top-down interventions in which they had no say. In each case, this skepticism softened when it became clear to the Associations that our mural making process gives them key decisions about the artwork content and location.

**Safety remains a critical issue.** In each of the five communities Groundswell interviewed, the reduction of violent crime was identified as a top priority for the art projects they will develop with us. Tenant leadership is particularly concerned about gun violence and how it negatively impacts young adult residents and their aspirations for their futures.

There is tremendous interest in **sustained community programs**, particularly ones that provide youth 21<sup>st</sup> century workforce skills. The most positive responses to our projects were to the job training component of “Public Art / Public Housing.” The initiative will employ 200 young adults, all of whom will be compensated as apprentice artists for their participation.

Residents are hungry to **share their knowledge and envision their own futures.** The residents we spoke with welcome the opportunity to celebrate their achievements and legacies through public art. We must continue to identify fun and engaging opportunities to recognize, affirm, and celebrate the lived experiences of NYCHA residents.

## Moving Forward

As the Mayor's Office, together with the New York City Council, implements an ambitious initiative to reduce crime in NYCHA developments, Groundswell is grateful that public art is now considered one tool within a broader set of strategies to make our neighborhoods safer. In the coming year, Groundswell will hold ourselves accountable to providing NYCHA residents the highest quality service possible. We encourage our partners and the Mayor's Office to do the same.

Specifically, we recommend:

- 1) **Alongside the long-term physical improvements outlined in the Mayor's plan, invest in immediate community-driven beautification efforts.** Public art provides a unique opportunity to engage residents, show real progress, and produce highly visible transformations. These short-term transformations can build momentum for ongoing improvements and promote NYCHA resident accomplishments both within and outside of NYCHA developments.
- 2) **Ensure excellence.** NYCHA residents have too often been let down by poor quality and/or short-term programmatic interventions. Invest in high-quality, long-term programming that is rooted in asset-based methodologies with measurable results.

Groundswell's Scaffold Up! method of working with youth and community partners enables our trained artists to articulate, map, and hold Groundswell accountable to specific social change outcomes. It is built on best practices in positive youth development, asset-based community development, and socially engaged art and design.

This commitment to accountability and strength-based approaches is of particular importance when engaging disconnected young adults in workforce development and mentorship programs.

- 3) **Proceed carefully** when making changes that impact the day-to-day lives of NYCHA residents. Leverage the arts as a tool to engage residents in dialogue about what changes they envision for themselves and how these changes might most meaningfully be implemented within their communities.

One thing is clear: without support for resident-driven infrastructure improvements and high-quality, sustained community engagement programs, we will continue to struggle to not only reduce crime in NYCHA developments but to inspire long-term civic engagement among NYCHA residents.

Thank you very much for your time and consideration. I would be happy to answer any additional questions.

For more information and work samples: <http://www.groundswell.nyc/projects>.



# Transforming NYC, One Wall at a Time

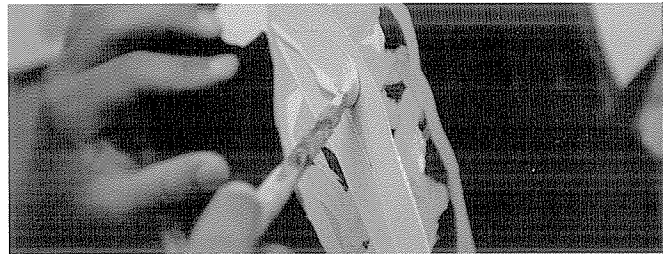
**Groundswell**  
art • community • change





"I'm always outside of the school building in the mornings. Every day I see people walk by the mural, react to it, respond to it. They say, 'Wow! That's beautiful. What's that about?' It connects people to our school and our mission. ...The mural starts that conversation – and that's amazing."

Patrick McGillicuddy, Principal, East Brooklyn Community High School



### Mission

Groundswell brings together artists, youth, and community organizations to use art as a tool for social change for a more just and equitable world. Our projects beautify neighborhoods, engage youth in societal and personal transformation, and give expression to ideas and perspectives that are underrepresented in the public dialogue.

# Every Wall Has a Story



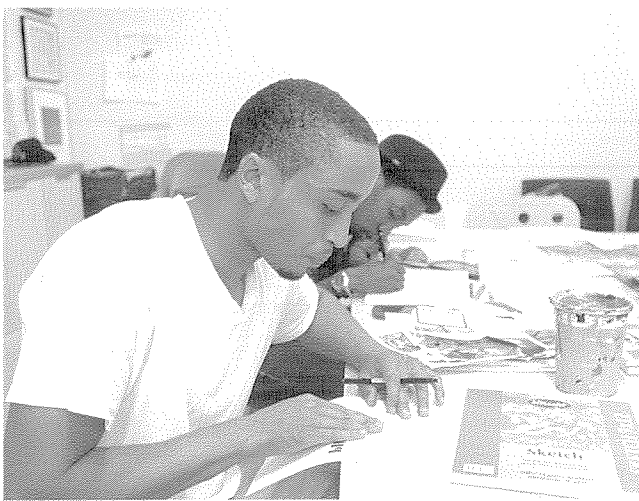
Groundswell is an organization like no other. Through a collaborative art-making process, Groundswell connects personal expression to community activism. The result is artwork that transforms youth, communities, and public spaces.

**Partners come to Groundswell with a challenge:**

- A neighborhood group hopes to beautify its block to inspire pride and a sense of possibility
- A new principal wants to engage students in affirming their school's values and identity
- A city employee is charged with raising awareness of a changed public policy
- A community organization would like to reach new participants to enroll in its programs

As our partners work with us, the collaboration develops into more than a mural. Together, we become part of something bigger than ourselves – something transformative.





**More than 90% of high school seniors in our Portfolio Development program have been accepted to and enrolled in art college.**



**Groundswell works with more than 800 students each year.**

### **Spotlight: Scaffold Up!**

Scaffold Up!, our model of collaboratively working with youth and communities, builds on best practices in positive youth development, asset-based community development, and socially engaged art and design. Through the Scaffold Up! Youth Towers, participants can declare, demonstrate, and reflect upon their own progressive learning within a project and over several projects. College access workshops and guidance are integrated into each youth's sequenced Scaffold Up! Ladder, a personal path to success in college and career.







# Transforming Youth

Youth are the driving force behind every project. And while they are drawn to Groundswell by many things — a connection to graffiti and street culture, a desire to express their ideas, a chance to develop art skills, or to meet new friends — they come away with so much more. At Groundswell, young people learn to use Creativity as a Tool for Change, Collaboration, Critical Thinking/Decision Making, and Compassion (the Four C's) and gain the inspiration, tools, and agency to take ownership of their futures.

**“As a teen I have grown tremendously. I was a victim, then I survived, now I thrive. I have accomplished a lot including getting back into high school, and I am on track to graduate. I am accepted to several art colleges and the rest is up to me.”**

Groundswell Youth Participant



# Transforming Public Spaces



Groundswell's 450+ public art projects are a permanent part of New York City's visual landscape, transforming urban spaces such as vacant lots, subway tunnels, community gardens, and schoolyards in over 75 neighborhoods. Each artwork offers passersby an unexpectedly rich opportunity to experience a spark or "aha!" moment – a chance to feel a new connection, look at a problem in a new way, or decide to get involved.

**"A lot of areas in Coney Island are broken down, especially post-Sandy. To have something vibrant and positive sends the message that we're going to bounce back. The mural is a message of hope."** – Reverend Vincent Fusco, Coney Island Lighthouse Mission



### Spotlight: Groundswell Artists

Local, established artists lead every Groundswell project. All have degrees in fine arts and experience working with youth. Groundswell's artists are committed to the practice of collaborative community art and to using art as a tool to advance social change.



# Transformation That Lasts

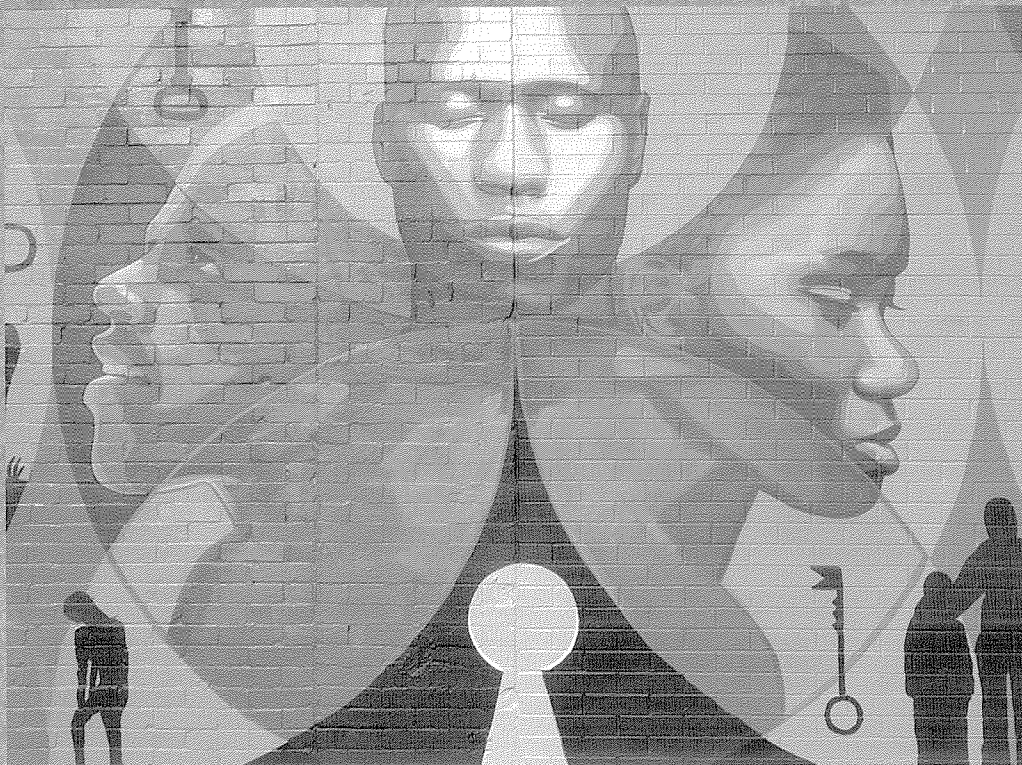


At Groundswell we believe in the transformative potential of the creative process. Even when a mural has been finished, this transformation lives on. The beauty of each piece, the pride of the young artists, and the sense of ownership felt by the community create a collective impact that is felt for years to come. The greatest testament to the power of our process may be this: 98% of Groundswell murals never get defaced.

**"Our collaboration with Groundswell has proved a powerful opportunity for us to engage new audiences in our efforts to help people understand the value of their water and the importance of conservation. I trust Groundswell and know that whatever time I spend is spent in a valuable way."**

Kim Estes-Fradis, Deputy Director of Education and Outreach, New York City Department of Environmental Protection

# Partner with Groundswell



Groundswell seeks more partners to commission public art to bring important issues and perspectives to light, engage marginalized and underserved communities, and activate neglected spaces. If you are a decision-maker at a public school, government agency, or community-based organization that shares our vision for social change and would like to use art to advance that vision, then we are interested in partnering with you.

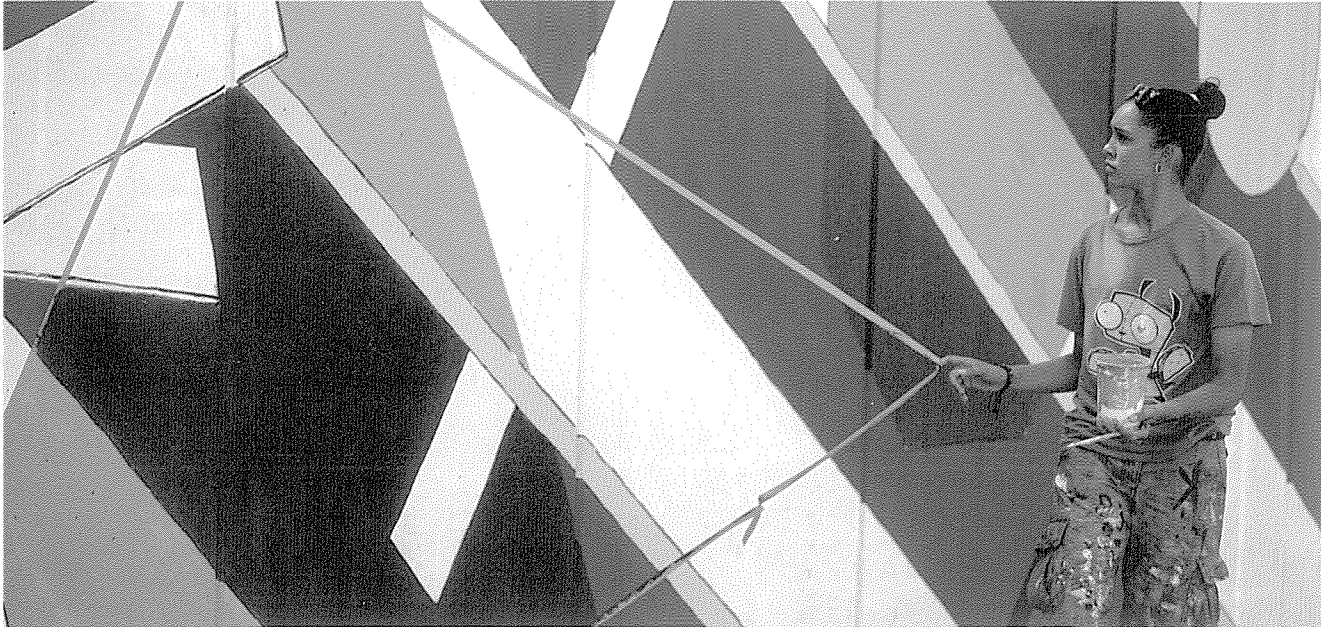
## **What Makes a Good Partner?**

- A commitment to positive social change
- An interest in using creativity to solve problems and generate solutions
- A willingness to work together to accomplish common goals
- Access to a wall or connection to prospective mural site



**"Groundswell artists and students captured the history and the growth of our community beyond our wildest expectations. From beginning to end, this was one of the most rewarding projects I have ever been involved with. Thank you to everyone who helped make the mural process so special for all of us."**

Elaine Brodsky, Community Partner



#### **Join Us**

**If you're interested in being a part of the transformative experience of Groundswell, please get in touch.**

Call us: 718.254.9782

Email us: [info@groundswellmural.org](mailto:info@groundswellmural.org)

Visit us online: [www.groundswellmural.org](http://www.groundswellmural.org)





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Visit us online: [www.groundswellmural.org](http://www.groundswellmural.org)

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Cover mural credit: "Intersections Humanized" © Groundswell 2013.  
Developed through a service grant from the Taproot Foundation.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

~~XXXXXXXXXXXX~~ Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Patrick Dougher

Address: 540 President st. # 1A

I represent: GROUNDSWELL

Address: ABOVE

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Date: 11-30-15

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Name: Dania Williams

Address: 919 Myrtle Ave Apt 7G

I represent: Green City Force

Address: 630 Flushing Ave., 9th Floor

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Date: 11/30/15

(PLEASE PRINT)

Name: Charles Nunez

Address: 2660 Frederick Douglass BLVD

I represent: York Represent

Address: 11 Park Place Suite 1512 New York NY 10011

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Date: \_\_\_\_\_

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Name: Serena Chandler

Address: 2979 8th Ave Apt 18L

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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Date: 12/30/15

(PLEASE PRINT)

Name: Aixa Torres

Address: 7St

I represent: Smith House 3

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Charlene Nimmons

Address: 272 Wyckoff Street

I represent: Wyckoff Gardens

Address: 266 Wyckoff St Bklyn NY

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*Resident*

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Date: \_\_\_\_\_

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: 230 W 11th St

I represent: South Street Houses

Address: \_\_\_\_\_

*Resident*

# THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ruby Kitchen (Ruby Kitchen)

Address: 41 West 11th St

I represent: King 18 WBS

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition

Date: 30 NOV 2015

(PLEASE PRINT)

Name: Jesús Pérez

Address: 1 Centre Street, 19th floor, NY NY

I represent: Manhattan Borough President Gale

Address: 1 Centre Street, NY, NY Brewer  
19th floor

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*Area*

# THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)

Name: DANIEL BARBER

Address: 765 COURTLANDT AVE

I represent: Andrew JACKSON HORSES Resident LEADER

Address: Vice Chair Bronx South District

# THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Thomas Frederick

Address: 1840 LEX AVE

I represent: JOHNSON HORSES

Address: 1840 LEX AVE

*Resident*

# THE COUNCIL THE CITY OF NEW YORK

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☐ in favor ☐ in opposition

Date: 11/30/2015

(PLEASE PRINT)

Name: Tarik Grandoit

Address: 115 east 106<sup>th</sup> st.

I represent: Community Voices Heard

Address: 115 east 106<sup>th</sup> st.

Please complete this card and return to the Sergeant-at-Arms

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☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)  
Name: Miguel Acevedo

Address: 400 W. 17

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Johnny Rivera

Address: 324 E 109th

I represent: Self - Dem. Dist. Lead

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Will K. Lewis

Address: 7430 Hill Ave

I represent: Self & Media Global Network

Address: P.O. Box 1812 Manhattan, 10035

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Date: 11/30/15

(PLEASE PRINT)

Name: Naved Husain

Address: 55 Hester St, Manhattan NY

I represent: CAAAV

Address: 55 Hester St

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Date: \_\_\_\_\_

(PLEASE PRINT)

Name: John Johnson

Address: 340 Alexander Ave

I represent: Mott Haven Houses

Address: \_\_\_\_\_

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Date: \_\_\_\_\_

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Name: RUNA RAJA GOPAL (Attorneys Public Defenders)

Address: \_\_\_\_\_

I represent: The Bronx Defenders in BX

Address: 360 E 116th St BX NY 10451

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☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)

Name: Karen Digen

Address: 2090 7th Avenue, NYC 10027

I represent: Children's Village of Harlem Bowling

Address: Polo Grounds

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Chaplain Robert Rice

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Leah Barnett

Address: 2070 Third Ave

I represent: Niagara/Brooklyn Expos

Address: \_\_\_\_\_

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☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Maurice Simpson

Address: 12-50 35th Ave.

I represent: Lead By Example Youth Program

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: 11-30-2015

(PLEASE PRINT)

Name: Lisa Kenner

Address: 422 Blake Ave

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Birdie Glenn

Address: 110 E 129 St

I represent: Jackie Robinson

Address: \_\_\_\_\_

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Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Daniel Jones

Address: 1565 Park Avenue

I represent: Johnson houses

Address: \_\_\_\_\_

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Tyrell McCarty

Address: 1565 Park Ave #1B NY  
New York 10029

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Leah James

Address: 2070 Third Ave

I represent: NIDC/Johnson Houses

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Carmen Quinonez

Address: 840 Columbus Ave.

I represent: President Douglass Houses

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 11/30/2015

(PLEASE PRINT)

Name: Laurie Parise Youth Represent

Address: 11 Park Place #1512

I represent: Youth Represent

Address: 11 Park Place #1512

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)

Name: Jean-Claude LeBec

Address: \_\_\_\_\_

I represent: MOCJ

Address: 1 Centre

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)

Name: AMY SANAMMAN

Address: 100

I represent: MOCS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ivana Turko

Address: \_\_\_\_\_

I represent: MOCS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: November 30, 2015

(PLEASE PRINT)

Name: Alison Wilkey, Prisoner Reentry Institute

Address: 524 W 59th St, NY, NY 10019

I represent: Prisoner Reentry Institute, John Jay College

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 11/30/15

(PLEASE PRINT)

Name: Margaret diZerega

Address: 233 Broadway 12<sup>th</sup> Floor, New York NY 10279

I represent: Vera Institute of Justice

Address: 233 Broadway 12<sup>th</sup> Floor, New York NY 10279

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Eoin Berns Noire

Address: 61 Broadway, Suite 2300

I represent: CSH

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: Nov. 30, 2015

(PLEASE PRINT)

Name: Runa Rajagopal

Address: 360 E 161<sup>st</sup> St Bronx NY 10451

I represent: The Bronx Defenders, Civil Action Practice

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 11/30/2011

**(PLEASE PRINT)**

Name: Chief Michael Harrington

Address: MPD Housing Bureau

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

*Please complete this card and return to the Sergeant-at-Arms*

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Gerald Nelson

Address: NYCTA

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

*Please complete this card and return to the Sergeant-at-Arms*

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms