



BUDGET TESTIMONY (WRITTEN SUBMISSION)

Monday, March 21, 2016

**WRITTEN STATEMENT OF POLICE COMMISSIONER
WILLIAM J. BRATTON
BEFORE THE NEW YORK CITY COUNCIL PUBLIC SAFETY AND FINANCE COMMITTEES
ON THE PRELIMINARY BUDGET FOR FISCAL YEAR 2017
AND THE FISCAL YEAR 2016 MAYOR'S MANAGEMENT REPORT
CITY HALL, COUNCIL CHAMBERS
MONDAY, MARCH 21, 2016 – 1300 HRS**

Good morning. Thank you for the opportunity to discuss the Mayor's Preliminary Budget for the 2017 Fiscal Year. It's a pleasure to be here and to testify before the members of the Council about the exceptional work being done by the men and women of the New York City Police Department.

Two years ago, at the beginning of his administration, Mayor de Blasio asserted that we could have a safer city that was fairer, too. In the intervening months I and the men and women of the NYPD, who I am privileged to lead, have delivered on that promise. During that period we have driven crime to new lows, embraced a new philosophy we call "precision policing," implemented new counterterrorism programs even as the world's threat picture has become ever more complicated, rolled out technology innovations unmatched in scope by any American police department, and begun a Neighborhood Policing program that fosters new relationships between the people and the police.

Throughout this tremendous change, we've had the Mayor's full support—a level of support unprecedented in my 45 years in the profession. We have had the City Council's support, as well, and I thank you for your collaboration and assistance. Most notably, you and the Mayor authorized the first headcount expansion in years: 1,297 new police officers. Coupled with a robust push towards civilianization, we are essentially adding 2,000 officers to patrol. We're using them to support the creation of Neighborhood Policing, the counterterrorism Critical Response Command, the disorder- and crime-control Strategic Response Group. Some of those 2,000 officers are also going to staff our Academy to cope with the demands of training nearly 1,300 additional officers, as well as providing Field Training Officers for when they leave the Academy for the streets. Others are being used in new units like our Grand Larceny Division and our Force Investigation Division. Still more are going to the Times Square Task Force or the 125th Street Task Force, which played a role in stopping the scourge of K2 before it got started, thanks also to the legislative involvement of the council.

But your investment goes further. You and the Mayor have invested in resources such as our new bullet-resistant vests, in our training, and in facilities improvements such as those exemplified by the 083 Precinct Enhancement.

As I will describe, the return on your investment has been substantial. Together we have refocused this Department on a true public safety, one that prioritizes both parts of that term: the public's approval, and safety in the form of the prevention of crime and disorder—and, in today's world, terror.

The fact is that the past two years and two months have seen more change in the NYPD than at any time in the past two decades. Several weeks ago I sent to each of you "The Police Commissioner's Report." It's a more complete overview of the Department's transformation than I can provide here in the time allotted to us. It articulates a comprehensive agenda of change. We started with our reengineering process, something I have done at every police department I have led. It's a CAT scan of an agency—assessing resources, morale, processes, policy, equipment: the entirety of an agency's operations. Reengineering involved thousands of participants, inside and outside the NYPD. It led to 1,373 recommendations, of which 1,107 were approved for some type of action moving forward: implementation, implementation with modification, or review and analysis.

Those recommendations range from the simple—the adoption of new state-of-the-art flashlights—to the grand—the overhaul of patrol as we've known it through the development of the Neighborhood Policing model. Together they coalesce within five areas, which we call the Five Ts: Trust, Training, Technology, Terrorism, and Tackling Crime. Together, they return us to trust, which is both what policing rests on and what it aspires to.

Nearly two centuries ago, in 1829, Sir Robert Peel laid out the principles that still guide policing. They state that the purpose of the police is to prevent crime and disorder, but they also note that this cannot be accomplished without the **TRUST** and approval of the citizenry. Our new Neighborhood Policing Plan is aimed at reinforcing the public's trust in the Department. It's a reinvention of the police patrol function. By assigning the same officers to the same sectors on the same tours, the Neighborhood Policing Plan seeks to restore patrol officers to the role of problem-solving community guardians, who know the neighborhood and work closely with residents.

The headcount expansion you and the Mayor authorized, and the civilianization savings we've added, allow us to put enough cops in the precincts to ensure that each sector officer has the latitude to answer calls, solve problems, and work with the neighborhood. They stay engaged with local residents and local issues. Neighborhood Policing also assigns two neighborhood coordination officers (NCOs) to each sector. The NCOs work closely with community members, identify problems, develop intelligence about crime, and lead problem-solving and crime-fighting efforts.

I see trust as a shared responsibility, however—and a shared opportunity. The Community Partner Program, which has enlisted nearly 800 community volunteers since its launch in July 2014, is another key component in our ongoing efforts to close the police/community divide, especially in the city's minority neighborhoods. It began as a way to introduce recent Police Academy graduates to the communities they'll serve, but has become much more. Now, NCOs and sector officers, working under the Neighborhood Policing Plan, collaborate with community partners on the nuts and bolts of policing their neighborhoods.

Trust is also bolstered through the Office of Deputy Commissioner of Collaborative Policing. Collaborative Policing focuses on partnering with other city agencies, non-profits, community-based organizations, the faith community, and other stakeholders on a wide variety of public-safety initiatives. The office has worked to expand the number of NYPD officers certified to interpret foreign languages and, by increasing the use of an existing service called Language Line, it's providing interpreter services over the phone. Over the next three years, it will also put two victim advocates at almost all of the NYPD's 77 precincts and nine Housing Bureau police service areas, one of whom will focus on advocating for domestic-violence victims while the other focuses on victims of other crimes. These advocates will help people navigate the criminal justice system, inform victims about available resources, and work with victims to develop personal safety plans.

Trust is also bolstered through community outreach. Over the past two years I have met with hundreds of groups and community representatives. We have listened to New York's diverse communities and incorporated their ideas into our strategy.

The next T is **TRAINING**. Good training builds trust, too, of course, as we reinforce best practices that emphasize de-escalation, courtesy, and service—never forgetting that we're training to keep people safe. We've just welcomed—just last week, in fact—a new Deputy Commissioner of Training, Doctor Tracie Keese. Her professional and academic credentials are impeccable.

Our new Police Academy in College Point, Queens, plays a pivotal role. It's a school for the streets: a state-of-the-art facility that encompasses a variety of mock environments suited to scenario-based training, including a simulated tactical village with storefronts, vehicles, bank windows, and even a subway car. We're using it to give recruits and in-service officers hands-on, scenario-based training. For recruits, we've also initiated a twelve-day in-the-field assignment, allowing them to get a controlled taste of police work. They then return to the Academy to debrief and continue their training.

Once they graduate, we've ended the practice of sending them into IMPACT zones—high-crime areas where they learned that enforcement was the preferred response to all manners of

behavior. Instead, all Police Academy graduates are now assigned to precincts. We put them on patrol with seasoned, veteran field training officers—or FTOs—who expose them to the full range of police functions and mentor them in developing the interpersonal skills that are the soul of police work. Each FTO works with two rookie officers, and each rookie officer does two months of day tours, two months of evening tours, and two months of night shifts with different FTOs to learn as much as possible about the neighborhood he or she polices: what it's like during the day, at night, in this sector or that sector.

We're not focusing only on the recruits. We've also instituted Continuing Professional Education (CPE) for veteran officers. CPE instills a service-oriented mindset and give officers the tactical tools to de-escalate tense situations while using the least amount of force. Through January 2016, more than 27,250 cops in all ranks have received three-day training. More than 80 percent of officers taking the three-day course found it useful and relevant. In 2016 and beyond, the NYPD will seek to provide five days of CPE to every officer: two days of firearms training and three days covering de-escalation strategies, intervention skills, and changes in the law and police procedures—such as those overseen by the federal monitor. Approximately 5,500 officers will also be given Crisis Intervention Team (CIT) training. CIT teaches cops about how to approach and gain voluntary compliance from emotionally distressed people and substance abusers.

All of this is accompanied by new recruitment efforts, including outreach to communities we want to attract and the use of personnel who are members of fraternal organizations like the Guardian to mentor people through the hiring process.

Our next T is **TECHNOLOGY**. Today's NYPD is undergoing transformative technological change. We're building a high-bandwidth, redundant network that will provide high-speed data access to every NYPD facility and will be the third-largest network in New York City. It is able to transmit live video footage, giving every precinct access to surveillance cameras that historically have only been monitored from headquarters. Additional storage space has made it possible to issue individual email addresses to every member of the Department. We're also spending more than \$50 million to construct two entirely new data centers that store data in the cloud while still meeting all federal data security standard.

We have also digitized the CompStat report used to help guide the CompStat strategy sessions. This allows personnel throughout the Department to apply analytic tools to the underlying data to chart, map, and graph crime patterns. In the spirit of even greater transparency, we've taken this system, which we call CompStat 2.0, and made it publicly available on the nyc.gov/nypd website.

The technology innovations don't stop there. Our Automatic Vehicle Locator system is up and running in more than 5,000 vehicles, providing enormous advantages in managing patrol and ensuring officer safety. ShotSpotter technology that can identify and report gunshots—often gunshots that no one else reported—is making us more responsive to gunfire in the city. Body-camera technology that can record enforcement encounters between police and the public is being piloted in six commands, by 54 officers. We'll expand it, but it needs careful study—not least because of privacy issues and Freedom of Information Laws.

One technology upgrade that I'm very happy about has been long in coming: since my days as Chief of Transit, cops in the subways, using VHF radios, have been unable to communicate with patrol cops on the surface, using UHF radios. We're finally fixing that, making officers up top and down in the hole safer.

But our technological crown jewel is the NYPD Mobility Platform. By the end of this month, every officer will be equipped with a smartphone, and more than 2,000 police vehicles will be equipped with tablets. The NYPD Mobility Platform was funded and expedited with forfeiture funds provided by the Mayor and Manhattan District Attorney Cy Vance. These smartphones put tremendous data capabilities in the field, where officers can use them immediately to serve citizens and keep people safe. Cops can do warrant checks, see a location's call history, and get 9-1-1 data before it even gets relayed through central. We're able to respond more quickly, more intelligently, and more strategically.

We're also able to turn every cop into a counterterrorism asset, which brings us to our fourth T—**TERRORISM**. New York City remains the top target for terrorists in the United States. Since the first bombing of the World Trade Center in 1993, New York City has been the target or nexus for at least twenty terrorist plots, more than any other American city. Just in 2014 and 2015, there were four major cases.

In the past 23 years, the threat picture has changed, and the NYPD has kept pace. The hotel attacks in Mumbai, the Charlie Hebdo attack in Paris, the more recent Parisian attacks at multiple locations, and the attack in San Bernardino made something very clear: the new terrorist model is to kill as many innocents as possible and to battle responding police officers with heavy weapons.

To address this, our primary asset is our Emergency Service Unit, or ESU—the best trained police officers in the world. They are the tip of our spear. But ESU is small, and needs to be mobile. So for years, critical sites were instead guarded by patrol officers borrowed each day from routine assignments in the 77 precincts. These officers were neither trained nor equipped to counter the type of threat they were deployed against. With the new staffing you provided, we created the Critical Response Command. CRC is a permanent cadre of some 525 hand-

selected officers. They're trained in the full range of counterterrorism expertise, including active-shooter protocols, special weapons, radiological and nuclear awareness, and biological and chemical weapons awareness. Briefed on the latest intelligence, they're deployed daily to potential terror targets.

Last May the NYPD also established the Strategic Response Group (SRG), consolidating eight separate patrol borough task forces into a single unified command. It's now part of our new Citywide Operations Bureau, which also includes ESU, and it comprises some 800 personnel operating in five individual SRG commands in each of the five boroughs. SRG's multiple missions include disorder response, crime suppression, and mobilizations. Mobilizations are called whenever there is a shooting, a bank robbery, a missing person, a demonstration, or other significant incident. Trained in safe, effective crowd control, SRG has proven to be a critical asset during such high-profile events as the Papal visit, U.S. Tennis Open, United Nations General Assembly, and Thanksgiving Day Parade.

SRG also provides another layer of counterterrorism response, but they more frequently assist patrol personnel around the clock in daily crime-fighting operations, especially in precincts experiencing spikes in violent crime. SRG's enforcement efforts are targeted by real-time intelligence analyses from precinct commanders and field intelligence officers (FIOs) working in each precinct.

This is an example of our last T, **TACKLING CRIME**. Since 2014, the NYPD has pioneered "Precision Policing." We've changed the way we do business, with a renewed sense that public safety means pursuing security and public approval in tandem, using less intrusive tactics. Considering that 2015 saw the lowest overall crime in half a century, the results are in: we can have a safer city and a fairer city, too.

Last year, for example, NYPD field intelligence officers took 998 guns off the streets by debriefing arrestees and getting court-approved search warrants. In 2011—the height of stop, question and frisk—there were 819 guns recovered during stops. In other words, one unit practicing precision policing got more guns by talking to people than came from nearly 700,000 street stops.

Our Violence-reduction Task Forces are also precision policing. The task forces meld specialty investigative units with local precinct detectives and patrol officers to target violent groups and organize comprehensive investigations. But precision policing needs precision prosecutions. The new Gun Violence Suppression Division will incorporate the violence-reduction task forces, a gun-trafficking unit, a gun-enhancement unit to assist local detective squads in enhancing gun arrests, and a prosecution unit to bring the strongest possible firearms cases to court.

The Detective Bureau practiced precision policing long before anyone called it that. The Bureau investigated more than 220,000 cases in 2015, and its investigators once again earned the moniker "Greatest Detectives in the World." Through the new Grand Larceny Division we've also stayed on top of evolving trends like cybercrime and identity theft. In 2016 the Bureau has been significantly expanded, with the addition of all the investigatory components formerly under the now-defunct Organized Crime Control Bureau, among them the gang, vice, and narcotics divisions.

The picture of violent crime, particularly shootings and murders, has been changed by precision policing. Compared to the ten-year average for 2003 to 2012, the past three years—2013, 2014, and 2015—have an average nearly 25% lower for shootings, and 36% lower for murders. At the same time, we've achieved something I call the Peace Dividend: arrests, criminal summonses, and street stops are down by more than one million from their ten-year highs, even as overall crime has fallen to fifty-year lows.

All these efforts return us, full circle, to the first of the Five Ts, which is also the last, **TRUST**. It's the one without which the police cannot exist. Part of trust is fairness, and part is a sixth T, transparency, that underpins trust just as trust underpins the other Ts. From CompStat 2.0. to working with oversight, to open communication, transparency is key.

Two years ago we set out to restore trust by seeking fairness, inside and out. Inside, we changed our discipline system. We hold cops to high standards, but if we want them to treat the public with reasonable discretion, we have to treat them the same way, and that hadn't always been the case in the preceding years. We have also sought to provide enhanced safety equipment, more effective tools, cleaner facilities, and better vehicles for our cops. Externally, we reminded officers that enforcement wasn't the only way to prevent crime and disorder and maintain New Yorkers' quality of life. The reminder worked, and the numbers I discussed—decreased overall crime, decreased violent crime, decreased enforcement—prove it.

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Bringing the Five Ts to fruition takes funding, however. The Department continues to apply for and secure available federal assistance from Homeland Security grants and other federal and state grant opportunities to preserve and protect members of the public and critical infrastructure. Critical infrastructure includes the Financial District, the transit system, bridges, tunnels, and ports, as well as sensitive public venues that vary according to event and current strategic information.

Counterterrorism grant funding to date totals nearly \$4.4 billion, which has been allocated to New York State from Federal Fiscal Year 2003 through Federal Fiscal Year 2015. Approximately



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\$2.6 billion, or 59%, of this amount was allocated to New York City. Of that amount, \$1.5 billion, or 58% of the funds received by the City, was allocated to the NYPD.

The Department was awarded \$118 million under the Federal Fiscal Year 2015 Department of Homeland Security Preparedness Grants, an increase of over \$2 million from the previous year, for the continuation and expansion of various counterterrorism projects and initiatives.

On February 16, the Federal Emergency Management Agency (FEMA) announced the Federal Fiscal Year 2016 Notice of Funding Opportunities for the Homeland Security grants to assist states, urban areas, and others with their preparedness efforts. The Department will request funding to continue a comprehensive upgrade and expansion of the technology infrastructure of key command units that are vital to communication, surveillance and detection of counterterrorism-related mission objectives such as the Domain Awareness System and Mobile License Plate Readers. In addition, the NYPD submission will request funds to continue the deployment of officers in anti-terrorism teams throughout the City, including the transit system and underwater tunnels, and counterterrorism training. We will also request continuing support for the intelligence analysts and critical equipment.

One week prior to the FEMA budget announcement, on February 9, 2016, the President's Budget for Federal Fiscal Year 2017 was released, which reflects significant decreases for State and Local grants for first responders under the Homeland Security Grant Preparedness grants. The budget proposes a national funding level for the Urban Area Security Initiative (UASI) of only \$330 million, after being funded at \$600 million in Federal Fiscal Year 2016. The State Homeland Security Program proposed amount is \$200 million, i.e. a reduction of 57% from the prior year amount of \$467 million. The Transit and Port Security grants proposed amounts were reduced by 15% and 7% respectively.

New York City remains a top terror target and relies on Homeland Security grant funds to maintain our terrorism prevention and response infrastructure. New York City uses a portion of UASI funds to support crucial First Responder Training efforts. Examples include NYPD Counterterrorism Training, such as the active shooter course. These funds also pay for the NYPD's entire intelligence analyst program, vapor wake dogs, cameras monitoring high profile locations, radiological and chemical sensors and planning exercises throughout the New York City Metropolitan area, including NYPD heavy-weapons teams that conduct ongoing patrols at transit hubs, airports, bridges, subways, waterways and highly visited landmarks. We will continue to lobby Congress and the Department of Homeland Security to provide the City with the appropriate funding needed to defend the City against ongoing terrorist threats.

Regarding the Preliminary Financial Plan and its impact on the Police Department:

The Department's Fiscal Year 2017 City Tax Levy Expense Budget is \$4.8 billion. The vast majority of this, 93%, is allocated for Personal Services.

During the last preliminary budget, the Police Department received funding to hire 520 cadets. The goal of the Police Cadet Corps is to produce the future leaders of the Department. From 1986 to present, over 2,500 cadets have moved on from the program to become Police Officers and roughly a quarter have taken exams and moved up in the ranks of the Department. We have made great strides and have hired 264 cadets so far. The remaining cadets will be hired in June with an additional class next fiscal year.

Also, during the FY16 Executive Budget, we received funding for the Victim's Advocate Program. Crime victim advocates' primary role is to help victims navigate the criminal justice process, engage in proactive safety planning and facilitate access to a range of resources and support. The sooner the Department can address the many crime victim's needs and concerns, the more likely victims will feel safe, recover from the trauma of the crime, regain a sense of control of their lives, and have trust and confidence in the police. The proposal envisions assigning 157 advocates phased-in over three years to every precinct and police service area. The advocates along with supervisory positions and administrative staff will provide services to crime victims as well as specialized services for victims of domestic violence. We are currently going through the procurement process and should begin phasing in this program towards the end of this fiscal year.

Highlights in the January Financial Plan include:

- **TEA Expansion:** \$6 million in FY'16 and \$12.1 million in the Out-Years was provided to hire an additional 327 TEAs by FY'17 for the expansion at high priority posts including routes into/out of bridges and tunnels as well as crosstown corridors.
- **Gunshot Detection Expansion:** Funding in the amount of \$3 Million was provided annually beginning in FY'16 for the expansion of the Gun Shot Detection program.
- **Vehicles and Equipment:** Funding in the amount of \$6 million was provided in FY'16 to fund the Department with protective and critical response equipment including ballistic shields and long rifles.
- **Information Technology Maintenance:** Funding was provided for battery replacement, radio system maintenance, and radio technician support. Additional positions were also provided to support PSAC 1, PSAC 2 and technology refresh project management.

- **Police Communication Technician Supervisor Staffing:** Funding in the amount of \$939K in FY'16 and \$1.9 Million in the Out-years was provided for an additional 25 Supervising Police Communications Technicians and 6 Principal Police Communications Technicians Level 1.
- **TASERs:** Funding of \$1 million annually was provided. TASER training will now be part of the recruit police academy firearms training curriculum with this current recruit class of just under 1,300 being the first recruit class to receive TASER training. Recruits, upon graduation, will now be authorized to carry a TASER on patrol. Also newly established units such as SRG and CRC along with other various units that previously were sparingly allocated TASER are now getting increased allotments. In addition, there is a need to keep an adequate inventory of these devices to augment the needs in the field (repairs, replacements).
- **Cleaning Contract Expansion:** Funding in the amount of \$120K was provided annually beginning in FY'16 for 1 cleaning per year at Transit Districts and Police Service Areas.

On January 21st, 2016, the Mayor released the Fiscal Year 2017 Preliminary Budget and Commitment Plan. The total Capital Plan for the Police Department is \$1.552 billion which covers Fiscal Years 2016-2020. In this Plan, the NYPD was able to secure an additional \$77.9 million in City Capital funds over and above the FY 2016 September Budget. In this current plan, the Administration funded facility renovations and replacement needs, as follows:

- **Citywide HVAC Program:** \$20.8 million was provided over the next four fiscal years for the renovation of the final 26 Precincts that do not have Central HVAC.
- **Vehicles and Equipment for ESU/SRG/CTB:** \$12.1 million was provided for the lifecycle replacement of ESU patrol trucks, robots, and other incident response vehicles.
- **Reconstruction of Pier 76 Roof:** \$9.6 million was provided for the reconstruction of the roof at Pier 76, where the NYPD houses the Manhattan Tow Pound and a repair shop.
- **VIPER Security System:** \$8.6 million was provided to upgrade the security systems, including new cameras, at 15 NYCHA developments.
- **Times Square Substation Renovation:** An additional \$1.5 million was provided to \$2 million in existing funding (\$3.5 million total) for the renovation of the Times Square Substation.
- **ARGUS Camera Legacy Replacement:** \$11 million was provided for the lifecycle replacement of ARGUS security cameras citywide.

- Voice-Over-Internet-Protocol (VOIP) Phase II: \$8 million was provided for the continued effort to transfer NYPD telephone communications to Voice-Over-Internet-Protocol networks.
- Crime Scene Unit Sprinter Vehicles: \$1.2 million was provided for the lifecycle replacement of eight Sprinter Crime Scene Unit Vehicles.

The following is a summary of the Department's civilian and uniformed authorized staffing levels:

The uniformed headcount increased by 1,297 starting in FY'16 as part of the Patrol Enhancement Initiative. As of January 2016, all 1,297 officers have been hired. The July, October and January recruit classes include the hires to backfill attrition as well as the hires for the increased headcount. OMB recently approved the hiring of an additional 100 recruits in April 2016. As a result of changes from two classes to four classes per year, the July 2016 class size still needs to be determined. The Department is working with OMB to determine the new authorized peak headcount.

The projected attrition is approximately 1,800 in Fiscal Year 2016 and in Fiscal Year 2017. The average uniformed headcount is estimated to be 36,000 in Fiscal Year 2016 and 36,300 in Fiscal Year 2017.

The number of funded authorized full-time civilian positions was also increased during the Adopted Budget by 415 civilianization positions as part of the Patrol Enhancement Initiative. The civilianization positions are as follows: 95 Evidence Control Specialists, 120 Police Administrative Aides, 100 Auto Service Workers and 100 Crime Analysts. In addition, the civilian authorized headcount has been increased by 327 additional Traffic Enforcement Agents for the expansion of the Vision Zero Program, 31 Police Communication Technician Supervisors and 9 positions for the ECPT. As a result, the FY'16 civilian staffing level is 15,956 in Fiscal Year 2016 and 15,687 in Fiscal Year 2017 and the out-years. The reason for the reductions in 2017 and the out-years is that a number of grant-funded positions and city-funded Traffic Enforcement Agent positions (construction projects) have not yet been accounted for in the Fiscal Year 2017 budget.

The part-time budget currently funds 3,209 positions in Fiscal Year 2016, which consists mostly of 2,438 School Crossing Guards and 637 Police Cadets. Note that the additional 80 School Crossing Guards provided during the Adopted Budget has been base-lined. The Police Cadets headcount was increased from 117 to 637 cadets, of which 50 are assigned to the Housing Bureau. The number of part-time authorized positions will increase by 28 part-time Police Administrative Aide positions in FY'17; 56 in FY'18 and 86 in FY'19 and out-years as part of the Crime Victim Advocate Program.

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Going forward, the NYPD is introducing a new use-of-force policy that clarifies definitions, establishes levels of appropriate force, and mandates reporting and review procedures for each level of force used, while emphasizing the sanctity of life. Additionally, the Department will continue to work collaboratively with its many oversight entities, such as the Inspector General, the federal monitor, and the Civilian Complaint Review Board.

We've also created a Risk Management Bureau, or RMB, modeled on what I built in Los Angeles owing to the federal consent decree that was in place there. RMB works to evaluating patterns of misconduct and make early identifications of officers in need of retraining, remediation, or discipline. A central function is the oversight and evaluation of street investigative encounters, more commonly known as "stop, question, and frisk" stops, as well the way supervisors review each encounter. RMB's comprehensive, accurate auditing and its open, centralized reporting related to the Department's performance and that of individual police officers will help build the public's trust in their police.

Finally, the Department will not stop seeking new ways to communicate with the people we serve, to see them and to hear them—and have them see and hear us. A two-way conversation is the only way to close the police/community divide. We're running new programs like IdeaScale, which provides an online forum for exchanging ideas, and identifying and ranking neighborhood issues—and finding solutions. Our community outreach efforts have included two-way communication—true dialogue—that allows the community to participate in how we create the programs that work for them. Finally, there's also our new Strategic Communications office, which runs our social media platforms, such as www.NYPDnews.com and the NYPD's more than 100 Twitter accounts. Strategic Communications helps me do the best part of my job: telling the stories of the men and women of the NYPD. Together, we're working to remind the cops and the community of who they are: natural allies who want one city, safe and fair, everywhere for everyone.

Thank you again for this opportunity to testify. At this point, I'd be happy to take your questions.

TESTIMONY

New York City Council Fiscal Year 2017 Preliminary Budget

Committee on Public Safety

Committee Chair – Vanessa Gibson

March 21th, 2016



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Donald Nesbit – Executive Vice President
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Good afternoon, Public Safety Committee Chairwoman Gibson and distinguished members of the committee. I am here on behalf of President Shaun D. Francois I, President of Local 372. My name is Denise Ferrante and I am the Chair of the School Crossing Guard Chapter and I am here to testify on behalf of the hard work Local 372 School Crossing Guards.

Before I begin, I want to thank all the New York elected officials who worked to allocate funding for additional School Crossing Guards as part of last year's budget. That money helped protect hardworking employees who are charged with keeping children and families safe.

However, I want to address a recent NY Post article, titled "City pulls armed cops off patrol to help kids cross the street". We appreciate that police officers would rather fight crime than perform school crossing guard duties. But that's no reason to scapegoat the hardworking men and women who make sure our kids get to and from school safely. Without citing a single statistic, anonymous law enforcement sources claim School Crossing Guards have suddenly started calling in sick en masse. The fact is, our union negotiated significant pay increases for School Crossing Guards (from \$9.88 to \$12.19 per hour), but the NYPD has failed to recruit and hire enough of them to get the job done. That's the problem that needs to be addressed.

Protecting NYC Children

An unidentified woman who was assisting children across the street near P.S. 209 in Whitestone is struck and dragged by a vehicle, saving the lives of the children around her. A 10-year-old girl being followed by a man along 81st Street in Jackson Heights yelled for help and a person nearby responded and confronted him, causing him to flee the location. What do both of these situations have in common? A School Crossing Guard was the hero in these stories that could have easily been tragedies, if not for the quick thinking and selfless attitude of Local 372's hardworking employees.

Our children deserve to feel safe when crossing the busy NYC streets, protected when others try to hurt or take advantage of them and supported on their way to academic success. Our School Crossing Guards provide these services for our city's youth and deserve compensation worthy of their many accomplishments.

It is paramount that NYC invests in our children by investing in the people who help them get to and from school and keep them out of harm's way. With child abductions, traffic accidents and a litany of other potential factors facing our children on the rise, **School Crossing Guards are needed at every public school in NYC and deserve an increased living wage.**

Annualization

Currently, new school crossing guards earn **\$12.19** per hour and only work 4-5 hours per day, with a maximum of 25 hours per week. This meager compensation is an unconscionable price tag for someone who puts their life on the line every day to ensure the safety of children and families.

On behalf of our school crossing guards, we are asking that the School Crossing Guards be made whole by annualizing their positions. Mayor de Blasio has placed a strong focus on bringing after-

school programs to many schools across New York City. Now, school crossing guards' services will be needed much later in the day since children will be dismissed later. Furthermore, the Community School Initiative will require many schools to remain open later in order to provide additional services to students and families. Without a school crossing guard on site, children will be crossing streets unattended.

Vision Zero

We applaud Mayor de Blasio for his investing \$115 million in new capital funds to build on Vision Zero progress, including Safe Routes to Schools and traffic calming measures. School crossing guards are essential to the success of Vision Zero. Our members live in the districts in which they work. They know traffic patterns, have close ties with children and families, and provide a calming presence. School crossing guards should be placed at dangerous intersections, and the city is putting families at risk by not doing so. The success of Vision Zero cannot solely depend on lowering the speed limit. School crossing guards are essential for its success.

It is paramount that enough school crossing guards are assigned to increase coverage and keep families safe.

Conclusion

School Crossing Guards are a force for stability and continuity in our communities. The 1.2 million school children they are tasked with protecting are their primary concern. However, City Hall needs to properly compensate school crossing guards for their daily sacrifices and ensure they receive a living wage of **no less than \$15.00 per hour NOW. Annualizing the position, by allowing the School Crossing Guards to work more than 5 hours per day is also very important.**

Our children are our life's work, and they deserve more support—not less.

On behalf of Local 372 and its almost 23,000 members, thank you for the opportunity to present this information and we welcome addressing any questions you may have.

Testimony
New York City Council
Public Safety Committee 2016 Budget Hearing
March 8, 2016
By Ralph Palladino
2nd Vice President DC 37 Local 1549 Clerical-Administrative Employees

Local 1549 represents over 16,000 tax payers and employees of the City of New York. We work in nearly all city agencies, and represent roughly 2500 employees of the New York City Police Department (NYPD).

Civilianization Saves Tax Dollars

We thank the City Council for supporting Civilianization of the New York Police Department with funding the past two years. We share with you the support for the police officers who keep our communities safe. Last year we supported the hiring of more uniformed personnel in order to keep our communities safer.

We concur though with the just released Independent Budget Office study that says able bodied uniformed personnel in the NYPD including *police officers, Traffic Enforcement Agents and School Safety Aides* are still performing the jobs of clerical employees doing routine task such as answering phone, inquiries, filing, roll call and payroll among others. The report says that little has changed in two years. This is not what higher paid uniformed employees were hired or are being paid for. So far we have no evidence that any civilianization has taken place. Our members report no such activity in precincts that they work in.

In fact the number of Police Administrative Aides is now lower than when Michael Bloomberg was Mayor. This means that back filling of needed attrited PAA positions has also been lagging. No civilianization of uniforms performing clerical duties of PAA's is in evidence.

Just recently newspapers have reported an increase in serious crime such as rapes, grand larceny and felonious assaults are all going up. Isn't better for public safety that the officers sitting at desks be removed to street duty to keep us safer.

They should be better utilized in *community policing, protecting pedestrians from accidents and in making schools safer*. The City Council has secured funding for 615 positions the past two years. The NYPD intends to civilianize only roughly one third of that number for clerical-administrative Police Administrative Aides (PAA) positions.

Local 1549 and DC 37 won three NYPD arbitrations on Civilianization including judgments against the appeals by the city. We were the only ones to have filed and won these legal cases. The former administration just ignored the rulings. So far nothing has changed.

This bad practice continues to be a waste of taxpayers' dollars. It is estimated by various sources including former City Comptrollers, Public Advocates, Citizens Budget Commission and the Independent Budget Office that **NYPD Civilianization could save the taxpayers anywhere between \$17 and \$127 million dollars. Our latest figures factoring in our collective bargaining raises but NOT those of uniformed personnel show a saving of:**

Roughly \$30 million recurring yearly.

Hiring PAA's as required by the arbitrator to fill those positions would also mean up to 500 more decent paying jobs for communities that need them. It means more tax payers for the city. If city is truly for uplifting wages for city residents, why not start with these Civil Service jobs? Certainly having higher paid uniformed employees, many of whom don't even live in the city is counterproductive.

So we ask you to once again press the city to complete this win-win for taxpayers to its conclusion.

Civilianization saves tax dollars, enhances public safety and health, and creates jobs for New Yorkers. It is good public policy! What better time to invest in such long term savings when there is such a large budget surplus!

Thank you!

Addendum 1- on Civilianization of NYPD

1-Cost Savings Documented

DC 37 latest analysis of cost savings for Civilianization of the NYPD. The numbers from DC 37 Research and Negotiations reflect the inclusion of the collective bargaining increases for our members including health benefits.

NYPD- 750 (this is the number set by the NYPD and City Council and we are agreeable to it)
500 (This is the approximate number of positions still not civilianized as of late 2014 as per the NY City Council)

These are positions where *able bodied uniformed employees* are performing routine clerical duties. These duties include roll call, payroll, answering phones, filing, etc. There are currently civil service lists that are pending where these positions can be filled with able candidates. None of the job descriptions for the work being performed are different that the job descriptions contained in the Civil Service Job Specifications.

See below:

NYPD- Using the incumbent rates after 5 years a uniformed police officer would be a cost of \$87,119.20 (current) and approximately \$95,831 (factoring in the pattern for collective bargaining) and a Police Administrative Aide would cost \$51, 658.60. The additional cost for a uniformed employee is \$35,460.60. Multiplied by 500 positions is **\$26,595.450 annually.**

(\$30 million approximately annually factoring in NYPD uniformed collective bargaining agreement not yet finished negotiation but based on pattern of other agreements.)

Addendum 2- on Civilianization of NYPD- IBO Report

Focus On: The Preliminary
Budget

Brief

March 2016

More Officers as Planned, But Promised Civilianization of Police Force Has Stalled

The budget for this fiscal year, adopted last June, included funding to allow the New York Police Department (NYPD) to hire an additional 1,297 police officers as well as 415 full-time civilian personnel (not police officers) over the course of the year. Hiring 415 additional civilians in fiscal year 2016—an increase of 2.8 percent—would enable the department to redeploy an equal number of police officers who have been performing administrative or support functions to direct law enforcement activities.

Although the policy is frequently questioned, the NYPD has long assigned full-duty police officers to positions that the department itself concedes are civilianizable, meaning the work does not require a trained police officer but could instead be performed by a civilian. Over the course of the 2015 fiscal year, the NYPD made progress in reducing the number of full-duty officers in civilianizable positions from 739 to 600. Aside from these full-duty police officers working in support positions rather than direct law enforcement, the NYPD also uses officers who are on restricted, limited, or modified duty to perform administrative and support tasks. The initiative in last spring's budget was not aimed at these other categories of officers.

During the first half of the current fiscal year NYPD police officer staffing increased as planned with the hiring of new classes of recruits to the Police Academy, but progress along the civilianization front seems to have stalled. While the number of police officers on the force increased by about 800 from June through December of 2015, the number of full-time civilian staff actually declined by 49 (0.3 percent).

With a net loss in full-time civilian staffing, the NYPD—not surprisingly—reported very little change (from 600 to 593) over the same six-month period in the number of full-duty

police officers working in positions that could instead be performed by civilian personnel. (The NYPD is required to report quarterly on civilianizable positions under legislation enacted in 2001.)

With civilian hiring stalled, expenditures for full-time civilian staffing are on pace to be significantly less than budgeted for the current year. More specifically, spending on salaries for full-time civilian personnel averaged \$51 million per month over the course of the first seven months of the current fiscal year (July 2015 through January 2016). This rate of spending projected over the course of the entire year would translate into total spending of about \$612 million, or \$76 million less than the \$688 million budgeted as of January 2016.

Report prepared by Bernard O'Brien

More Police Officers, Fewer Civilians

	June 2013	June 2014	June 2015	December 2015	Change (June-December 2015)
NYPD Full-Time Staffing					
Uniformed Personnel	34,804	34,440	34,618	35,410	+792
Civilian Personnel	14,204	14,512	14,535	14,486	-49
Full-Duty Uniformed Personnel in Civilianizable Positions	665	739	600	593	-7

SOURCES: Mayor's Office of Management and Budget; New York City Police Department

NOTES: Staffing figures reflect actual staffing as of last day of given month. Uniformed personnel includes police officers and all other police personnel of higher rank.

New York City Independent Budget Office



Independent Budget Office

New York, NY 10038

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Tel. (212) 442-0632

www.ibo.nyc.ny.us

FOR THE RECORD

**Testimony of the Children's Defense Fund – New York
Before the Committee on Public Safety
Fiscal Year 2017 Preliminary Budget**

**New York City Council
March 21, 2016**

**Charlotte Pope
Policy Research Consultant**



**Children's Defense Fund
NEW YORK**

**Children's Defense Fund – New York
15 Maiden Lane, Suite 1200 New York, NY 10038
(212) 697-2323 www.cdfny.org**

The Children's Defense Fund's (CDF) Leave No Child Behind® mission is to ensure every child a healthy start, a head start, a fair start, a safe start and a moral start in life, and successful passage to adulthood with the help of caring families and communities. CDF-New York's unique approach to improving conditions for children combines research, public education, policy development, community organizing and statewide advocacy activities, making us an innovating leader for New York's children, particularly in the areas of health, education, early childhood and juvenile justice. Through CDF's Cradle to Prison Pipeline® Campaign – a national initiative to stop the funneling of thousands of children, especially poor children and children of color down life paths that often lead to arrest, conviction and incarceration – CDF-NY works to replace punitive school discipline and safety policies in New York City schools with social and emotional supports that encourage a positive school climate and improve educational and social outcomes for youth.

Thank you to Chair Gibson and the members and staff of the City Council Committee on Public Safety for this opportunity to testify on the Mayor's Fiscal Year 2017 Preliminary Budget. We appreciate the continued commitment of the Public Safety Committee to matters of school and student safety and the successful passage of the amended School Safety Act that is set to bring even greater transparency to rates of arrests and summonses in the City's public schools. For the past year, CDF-NY has participated in the School Safety Working Group of the Mayor's Taskforce on School Climate and Discipline alongside other advocates, students, teachers, school staff and administrators, and representatives of City government. Recommendations were released from Phase 1 of deliberations in July of 2015, and a second report will be prepared in the coming months. While we await that second round of recommendations, there are steps we can take immediately to reduce the frequency and duration of summonses and arrests as well as address and prevent the harm of excessive removal from school along the lines of race, disability status, sexual orientation, and gender identity.

Overview

Funding for School Safety is \$347 million in the Fiscal 2017 Preliminary Plan, an increase of \$11.3 million from the Fiscal 2016 Adopted Budget due to the investment in "Think Kids", a de-escalation training for school safety agents. As peace officers, School Safety Agents (SSAs) have the authority to arrest, and each year in New York City large numbers of children arrested in schools for a range of behaviors subjectively determined to be disruptive. Despite overall declines in arrests and summonses, troubling disparities in race and disability status have remained consistent on a system-wide level. In 2015 we supported Committee Members' efforts to require the Department of Education (DOE) report the school-by-school ratio of SSAs to guidance counselors. While the NYPD currently has a budget for 5,147 school safety agents, in testimony presented by the DOE before the Committee of Public Safety in April 2015, approximately 2,700 guidance counselors and 1,200 social workers currently work in NYC schools. In a City where more than four student arrests are made in school each day and 563 summonses are issued to students 16 and older in one school year, and where 61 percent of school arrests are of Black students and 43.7 percent of issued summonses are given for subjective, youthful offenses like disorderly conduct that tend to be disproportionately issued to students of color, these and other opportunities to stop New York City's cradle to prison pipeline must be seized.¹ As time spent learning is one of the surest and most consistent indicators of academic achievement, alternatives to arrests and summonses must be implemented to keep students in classrooms.²

The NYPD maintains publicly that SSAs are not to be first responders every time there is a disruptive student, but the boundaries of SSAs' authority are unclear and inconsistent from school to school so that normal and routine disciplinary issues are often approached with a law

¹ New York Civil Liberties Union (NYCLU). (2015). Student Safety Act Reporting on Arrests and Summonses: July 1, 2014 – June 30, 2015. Retrieved from http://www.nyclu.org/files/ssa_FactSheet_2014-2015.pdf.

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enforcement response. While there are nearly 1800 public schools citywide, 10 percent or 180 schools account for 41 percent of all suspensions and the vast majority of arrests and summonses issued by the School Safety Division (SSD) of the NYPD.³ School Safety Act data shows just ten school campuses account for 49 percent of all summonses and 19 percent of all arrests made by the SSD. The Mayor's Taskforce on School Climate and Discipline was charged with the task of, among many items, updating the Memorandum of Understanding (MOU) between the NYPD and the Department of Education (DOE) to align the use of school discipline and security personnel and security measures with supportive school climate goals. We ultimately seek an MOU that de-criminalizes student code of conduct violations, differentiates between disciplinary issues and threat of imminent danger or behavior that poses a serious threat to safety, and includes specific language that promotes utilizing the discipline process first and pursuing summonses or arrests as a last resort.

At this time, we urge the Council to push the administration to increase its investment in whole-school restorative justice models that have the proven capacity to safely reduce the reliance on summonses and arrests. By continuing and expanding the Council's FY 2015 Restorative Justice Initiative in particular, we have a remarkable opportunity to strategically transform schools from punitive model to a preventative and restorative model that aligns with youth development principles and improves school culture and climate. More systemic, high quality supports with an intentional focus on early intervention would produce better and more equitable outcomes than exclusionary discipline practices and policies like in-school summonses and arrests.

Expand Investments in School-based Restorative Justice

In 2015, the New York City Council allocated \$2.4 million for the implementation of a restorative justice program to "change the culture of the chosen 15 schools' approach to school disciplinary policies". Today each participating school has a full-time school-based restorative justice coordinator tasked with developing a needs-based strategic plan, providing ongoing training and professional development for school staff, and engaging and developing positive relationships with students, parents, and families. Tremendous need and demand exists for this initiative – while 115 schools were invited by the Department of Education's Office of Safety and Youth Development to apply, only 15 of the over 50 schools that submitted thorough applications expressing interest could be selected for participation. CDF-NY, as members of the Dignity in Schools Campaign – New York, respectfully asks that the Council allocate \$5 million to the Restorative Justice Initiative in FY 2016: \$2.4 million will support and ensure the sustainability of schools involved in the FY 2015 Restorative Justice Initiative, and \$2.6 million will allow for the expansion of the program to an additional number of schools, as well as provide interested schools with professional development designed to improve school climate and build capacity to implement restorative practices.

Nationally, as well as internationally, there is now considerable evidence that restorative approaches can result in reduced suspension and expulsion, decreased referrals to law enforcement, improved academic achievement and other beneficial results.⁴ This research exists alongside studies showing that students who are removed from the learning environment for even a few days are more likely to be pushed out of school and become involved with the justice

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system.⁵ Other school districts have shown us that youth who have engaged in harm but participate in restorative justice programs are less likely to harm others in the future, and people who experience harm are more likely to report being satisfied with the outcome than people that went through the court process.⁶ Restorative practices address and discuss the needs of all school stakeholders, build healthy relationships between educators and students, reduce, prevent, and improve harmful behavior, repair harm when it does happen and restore positive relationships, and resolve conflict by holding people accountable.⁷ Whole-school restorative justice has the potential to make significant contributions in helping schools become safer places, reducing exclusion and the demand for exclusion, raising attendance and graduation rates, discouraging bullying behaviors, and preventing staff turnover and burnout.⁸

All efforts to increase actual safety as well as perceptions of safety must take into account efforts to keep students in classrooms where they can succeed and be engaged in learning. Whole-school restorative justice approaches, like the ones funded through the Speaker's Initiative, have the capacity to gradually transform the culture of discipline in NYC schools from one of punishment and exclusion to one focused on meeting the needs of youth. The Council's leadership has provided a promising step toward the long-term institutionalization of restorative approaches in schools City-wide.

Conclusion

It is our hope that the Council continue dialogue with the DOE on the value of sustainable investment in restorative justice in schools and ending the disproportionate impact of exclusionary measures. CDF-NY is grateful to the Administration and NYPD School Safety Division for their commitment to decreasing the issuance of arrests and summonses in schools, however, more work must be done to eradicate the persistent disparities facing New York's students. We look forward to an Executive Budget that makes the investments needed that focus on the moral, social, and academic development of youth rather than punishment and removal. Thank you again for this opportunity to testify.

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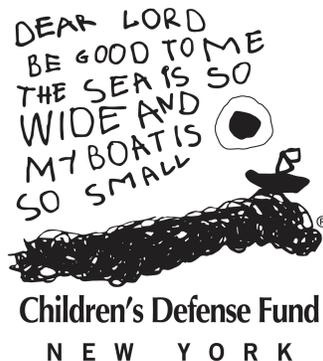
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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/21/16

(PLEASE PRINT)

Name: Thomas Chan, Chief of Transportation

Address: _____

I represent: NYPD

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: 3/21/16

(PLEASE PRINT)

Name: Chief Matthew Pontillo, Risk Management Bureau

Address: _____

I represent: NYPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/21/16

(PLEASE PRINT)

Name: Kevin Richardson, Deputy Commissioner, Department Advocate's Office

Address: _____

I represent: NYPD

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

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in favor in opposition

Date: 3/21/16

(PLEASE PRINT)

Name: Carlos Gomez, Chief of Patrol

Address: _____

I represent: NYPD

Address: _____

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THE CITY OF NEW YORK**

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Date: 3/21/16

(PLEASE PRINT)

Name: Raymond Spinella, Chief of Personnel

Address: _____

I represent: NYPD

Address: _____

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I intend to appear and speak on Int. No. _____ Res. No. _____

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Date: 3/21/16

(PLEASE PRINT)

Name: Lawrence Byrne, Deputy Commissioner, Legal Matters

Address: _____

I represent: NYPD

Address: _____

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in favor in opposition

Date: 3/21/16

(PLEASE PRINT)

Name: Jessica Tisch, Deputy Commissioner, Information Technology

Address: _____

I represent: NYPD

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: 3/21/16

(PLEASE PRINT)

Name: Vincent Grappo, Deputy Commissioner, Management and Budget

Address: _____

I represent: NYPD

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: 3/21/16

(PLEASE PRINT)

Name: Benjamin Tucker, First Deputy Commissioner

Address: _____

I represent: NYPD

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: 3/21/16

(PLEASE PRINT)

Name: Police Commissioner William J. Bratton

Address: _____

I represent: NYPD

Address: _____

Public

**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: Dence Ferrante

Address: 707 Bloomingdale Rd SI NY

I represent: SGG'S (Chapter Chair Person)

Address: _____

*Public
Public Safety*

**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: 3/21/16

(PLEASE PRINT)

Name: Jacqueline Febrillet

Address: 125 Barclay Street NY NY 10007

I represent: Political Director, L372, DC37

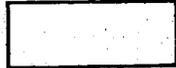
Address: _____

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

*Public
Public Safety*

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: 3/21/16

(PLEASE PRINT)

Name: Denise Ferrante

Address: 125 Barclay Street NY NY 10007

I represent: School Crossing Guard Chapter Chair

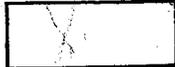
Address: L 372, DC 37

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

Public Safety

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: 3/21/16

(PLEASE PRINT)

Name: Ralph Palladino

Address: 125 Barclay Street NY NY 10007

I represent: 2nd VP, L1549, DC37

Address: _____

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