

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

Jointly with

COMMITTEE ON PUBLIC SAFETY

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May 23, 2016  
Start: 10:13 a.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E: Julissa Ferreras-Copeland  
Chairperson

Vanessa L. Gibson  
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile  
James Vacca  
Jumaane D. Williams  
Robert E. Cornegy, Jr.  
Chaim M. Deutsch  
Rafael Espinal, Jr.  
Rory I. Lancman  
Ritchie J. Torres  
Steven Matteo  
Ydanis A. Rodriguez  
James G. Van Bramer  
Laurie A. Cumbo

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

## COUNCIL MEMBERS:

Corey D. Johnson  
Mark Levine  
I. Daneek Miller  
Helen K. Rosenthal

William J. Bratton  
NYPD Commissioner

James O'Neill  
NYPD Chief of Department

Vincent Grippo  
NYPD Management and Budget

Benjamin Tucker  
NYPD First Deputy Commissioner

Jessica Tisch  
Info and Technology at NYPD

Tracie Keese  
NYPD

Cyrus Vance  
Manhattan District Attorney

Jack Ryan  
Queens District Attorney Chief Assistant

Leroy Frazer  
Brooklyn District Attorney Chief Assistant

Darcel Clark  
Bronx District Attorney

Michael McMahon  
Staten Island District Attorney

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

Bridget Brennan  
Special Narcotics Prosecutor

2 CHAIRPERSON FERRERAS-COPELAND: Good

3 morning and welcome to the City Council's 11<sup>th</sup> day of  
4 hearings on the Mayor's Executive Budget for Fiscal  
5 2017. My name is Julissa Ferreras-Copeland, and I am  
6 the Chair of the Finance Committee. We are joined by  
7 the Committee on Public Safety chaired by Council  
8 Member Vanessa Gibson. We've been joined by my  
9 colleagues Council Members Matteo, Vacca and  
10 Rodriguez. Today, we will hear from the Police  
11 Department, the five District Attorneys and the  
12 Special Narcotics Prosecutor. Before we begin, I'd  
13 like to thank the Finance Division staff for putting  
14 this hearing together including the Director Latonya  
15 McKinney, the Committee Counsel Rebecca Chaisson  
16 [sp?], the Deputy Directors Regina Poreda Ryan and  
17 Nathan Toth, Unit Head Isha Wright [sp?], Finance  
18 Analyst Ellen Eng, and the Finance Division  
19 Administrative Support Unit Nicole, Maria and Roberta  
20 who pull everything together. Thank you for your  
21 efforts. I'd also like to remind everyone that the  
22 public will be invited to testify tomorrow, May 24<sup>th</sup>  
23 beginning at approximately 2:30 p.m. in this room.  
24 For the members of the public who wish to testify but  
25 cannot attend the hearing, you can email your

2 testimony to the Finance Division at  
3 financetestimony@council.nyc.gov and the staff will  
4 make it a part of the official record. Today's  
5 Executive Budget hearing starts off with the Police  
6 Department. The NYPD's Fiscal 2018 Fiscal Budget  
7 totals 5.2 billion dollars, which is an 81.6 million  
8 dollar increase from Fiscal 2016's Adopted Budget.  
9 The NYPD's Five-Year Capital Plan Capital Budget  
10 includes planned commitments totaling 1.7 billion  
11 dollars with one billion dollars allocated to police  
12 facilities. The Council has long advocated for  
13 capital improvements in police facilities, and this  
14 year's budget includes some of the upgrades we have  
15 been seeking. For example, the NYPD has committed to  
16 70 million dollars for the construction of a new  
17 precinct in southeast Queens, 59.7 million dollars  
18 for locker room renovations, 27.2 million dollars for  
19 precinct bathroom renovations, and 20.8 million  
20 dollars for the replacement of precinct HVAC systems.  
21 All of our police officers deserve to work in clean,  
22 properly maintained, modern environments, and I am  
23 pleased that the Administration is finally making a  
24 significant investment towards that goal. The  
25 committees would also like to learn further details

2 about these capital projects and about other similar  
3 capital projects to improve working conditions that  
4 are in the pipeline. I would also like to thank the  
5 NYPD for listening to the Council's call to achieve  
6 greater transparency in this budget. Recently, the  
7 Department has undergone a number of headcount shifts  
8 such as the creation of new units and the  
9 consolidation of the Organized Crime Control Bureau  
10 into Detective Bureaus, and their budget documents  
11 are no longer aligned with their personnel  
12 assignments. Therefore, the Council requested budget  
13 documents that accurately reflect the assignments of  
14 the NYPD staff, and I understand the Department is  
15 working with OMB to produce those documents. The  
16 Council is still waiting for the NYPD to produce  
17 accurate reports in civilization [sic] positions and  
18 we look forward to working with the Department to  
19 ensure that we receive the correct data. Lastly, we  
20 remain concerned about overtime spending at the NYPD,  
21 and we'll continue to monitor spending in this area,  
22 as well as the Overtime Control Panel implemented by  
23 the Department this fiscal year. Before we begin,  
24 I'd like to remind my colleagues that the first round  
25 of questions for the agency will be limited to five

2 minutes per Council Member, and if Council Members  
3 have additional questions we will have a second round  
4 of questions at three minutes per Council Member. We  
5 have now been joined by our Madam Speaker, and she  
6 will now share a few words before we hear from Chair  
7 Gibson.

8 SPEAKER MARK-VIVERITO: Good morning,  
9 Commissioner and all those that are here, and to the  
10 Chairs, thank you so much. My comments are extremely  
11 brief. Definitely want to hear the testimony, engage  
12 in that conversation, but just wanted to kind of  
13 reiterate that we continue to look forward to an  
14 ongoing partnership based on our intervention, our  
15 collaboration, our discussions over the past two and  
16 a half years. I think we've come to agreements on  
17 certain things that are important. Some of them have  
18 been laid out by Chair Ferreras-Copeland, but looking  
19 at the hiring of 1,300 officers, something that we  
20 were very much pushing for. The civilians, now  
21 there's I believe over close to 600 civilians that  
22 have been added, and the implementation of the  
23 Uniform Overtime Control Plan. Definitely things  
24 that even before your tenure, me being here in the  
25 Council, something that we had engaged the NYPD about

1 for a long time. So I think the sum of the actions  
2 reflects our desire to continue to build stronger  
3 ties with the NYPD and our communities, and as we  
4 foster these relationships, something that is  
5 critically important to us, the implementation and  
6 the additional officers helping to really put forward  
7 that community engagement process and police  
8 community relations can improve as a result of that.  
9 Very, very critical to those of us that represent  
10 communities that have been impacted over time. So, we  
11 definitely want to improve the working environments  
12 also for the men and women of the NYPD, and it's not  
13 just about bringing on people on board, it's about  
14 the training which we've been doing a lot of  
15 restructuring about how that happens. So I really  
16 want to thank the Administration and the NYPD for our  
17 ongoing partnership, for the willingness to engage  
18 with this Council as we push, continued to push for  
19 criminal justice reforms that fully address the  
20 public safety needs of our changing city, and I know  
21 that's something we've been engaged in for well over  
22 a year at this point and look forward to the results  
23 of that. So, I'll leave it there. Thank you for  
24 being here, Commissioner. I look forward to hearing

2 your testimony and to asking several questions along  
3 these lines and other issues that are important to  
4 this Council. Thank you.

5 CHAIRPERSON FERRERAS-COPELAND: Chair  
6 Gibson?

7 CHAIRPERSON GIBSON: Thank you very much,  
8 Chair Ferreras-Copeland and Madam Speaker. Good  
9 morning, Commissioner, to you and your team at the  
10 NYPD. Thank you for your presence here today. We're  
11 gathered once again to talk about the FY 2017 budget.  
12 I am Council Member Vanessa Gibson of the 16<sup>th</sup>  
13 District in the Bronx, and I'm proud to serve as  
14 Chair of the Committee on Public Safety, and I  
15 welcome each and every one of you here to City Hall  
16 this morning, and I certainly want to take a quick  
17 opportunity to recognize all of the significant  
18 changes and investments that we have made as an  
19 Administration, as a City Council in the NYPD.  
20 Working collaboratively with the Administration, we  
21 have worked to address many of the public safety  
22 concerns of all New Yorkers. For many of the  
23 budgetary wins of Fiscal Year 2016 to the  
24 collaborative partnerships that the Department has  
25 engaged in, the Department's five billion dollar

2 budget truly reflects the changing dynamics of  
3 criminal justice and public safety. At today's  
4 hearing I hope to continue discussing the many  
5 initiatives the Department has engaged in such as  
6 Project Reset and Cease Fire, the Neighborhood  
7 Coordination Officer Program, Community Partnership  
8 Program, K2 enforcement, the Mayor's Action Plan for  
9 Neighborhood Safety. These initiatives represent the  
10 varied ways to look at policing and addressing crime  
11 in our city. In addition, I hope we are able to  
12 discuss the new technological advances such as  
13 CompStat 2.0, the expansion of Shot Spotter, the  
14 smartphones and the tablets, as well as the GPS's  
15 that have been installed in many of the vehicles, and  
16 other NYPD mobility projects to learn about how the  
17 Department is engaging in these new strategies, to  
18 address and respond to crime efficiently and  
19 effectively. As we continue this budget process, I  
20 want our committee members to understand the  
21 budgetary challenges that the NYPD faces particularly  
22 around federal aid from the Federal Government, and  
23 the successes the department has also achieved. As  
24 the Council continues to push for necessary reforms,  
25 we hope that the Department's budget will reflect our

2 concerns and many priorities to continuously improve  
3 public safety and address many of the inequities that  
4 remain within our criminal justice system. I also  
5 want to thank our Speaker as well as our Chair of  
6 Finance for being here and to all of my colleagues  
7 who have joined us this morning, and I want to  
8 recognize the staff of the Public Safety Committee  
9 without whom their efforts would not be possible,  
10 this hearing would not be possible. I want to  
11 recognize my Legislative Counsel, Deepa Ambikar [sp?]  
12 and Beth Goleb [sp?], our Legislative Analyst Laurie  
13 Wen [sp?], our Senior Finance Analyst Ellen Eng, Theo  
14 Moore and Faisal Ali [sp?] of the Speaker's staff,  
15 and Kaitlin O'Hagan and Dana Wax [sp?] of my staff.  
16 And also, Commissioner, I just want to thank you and  
17 your team. Since my tenure as Chair of this  
18 Committee, we've had a lot of partnerships, a lot of  
19 cooperation and a lot of engagement and I certainly  
20 applaud all of the efforts that this Administration  
21 has embarked on, in particular in trying to repair a  
22 lot of the fractured relationships that we have  
23 across the City with communities and with the NYPD.  
24 I think we've made a lot of progress, and certainly  
25 we have a lot more to do, and I look forward to our

2 continued partnership. Thank you, Madam Speaker, and  
3 thank you, Madam Chair.

4 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
5 Chair Gibson. Our Committee Counsel will swear you  
6 in and then you can begin your testimony,  
7 Commissioner.

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

11 COMMISSIONER BRATTON: I do. Good  
12 morning. It's a pleasure to be with you. I have the  
13 Executive Leadership Team of the Department with me  
14 that they are prepared to respond to any questions  
15 you may have also [sic] as you need it [sic]. I know  
16 your staffs gave us extensive briefings on questions  
17 that you might have. So they are prepared to respond  
18 to those questions also. Mayor de Blasio has long  
19 said we could have a safer city that was also fairer.  
20 He was right. This city is safer than it has ever  
21 been. In fact, we anticipate that this year may be  
22 the safest year since we began keeping accurate  
23 records back in the 1950's. Although we're not quite  
24 halfway through the year, we are on track to have the  
25 lowest overall crime in more than half a century. We

2 are on track to have fewer murders and fewer  
3 shootings than any time since the Dodgers left  
4 Brooklyn. We'll approach records for robberies and  
5 burglaries, as well. We have done it with extensive  
6 resourcing from the Mayor and from you at the City  
7 Council. The 1,297 cops you authorized have certainly  
8 been instrumental. What's more, coupled with a robust  
9 civilianization program and a tremendous effort by  
10 Deputy Commissioner Vinnie Grippo to find  
11 efficiencies, we're essentially adding a total of  
12 2,000 officers to patrol this year. I want to assure  
13 you, the city is getting its money's worth. Many  
14 other cities in the United States are seeing-- not  
15 seeing the crime decline I described. Many of  
16 America's big cities are seeing just the opposite.  
17 Later this week I'll be hosting the Major City  
18 Chief's Conference Here, and we offer three days in  
19 which we'll be discussing what is happening with  
20 crime in the nation and what's happening with crime  
21 very specifically here. We have done this time  
22 reduction by reconnecting our officers to the  
23 communities we serve. We have done it by returning  
24 decision-making to our cops, asking them to be  
25 deliberate, thinking men and women, and we have done

2 it by encouraging the public and the police to see  
3 public safety as a shared responsibility. I think  
4 that's something that this Council, this Police  
5 Department, this Mayor clearly have understood, that  
6 it is a shared responsibility and we get much more  
7 done by working collaboratively together. When we  
8 last met in March, I gave you a booklet called "The  
9 Five T's: Taking Effect." That document is being  
10 distributed again to you, but I'd also like to share  
11 with you this morning a second document that I'll be  
12 distributing at the Major City Chiefs Conference  
13 entitled "NYPD Training and Equipment Expansion." So  
14 much of this has been supported by your efforts and  
15 your funding, but when you see all that we're doing  
16 to improve the safety of our officers, their  
17 capabilities, I think the summation of it is  
18 something that we can all be quite proud of. On the  
19 first page of the "Five T's" document we printed Sir  
20 Robert Peel's Nine Principles of Policing. Although  
21 they date to 1829, they're just as relevant today,  
22 maybe more relevant. Two sentiments are most  
23 important. First, that the police exist to prevent  
24 crime and disorder, and second, that the police must  
25 have public approval, public trust to do this. I

1 think we have been working very hard over these last  
2 two years to improve that public trust. After looking  
3 back to those principles, the following pages of "The  
4 Five T's" move forward, into cutting-edge training  
5 and technology, and policing practices that are the  
6 most advanced in America. These center on trust,  
7 training, technology, terror, and tackling crime. I  
8 have discussed them with you before, and the booklet  
9 encapsulates them thoroughly. Taken together, they  
10 form what we call "Precision Policing." What is  
11 "Precision Policing"? How is it that the city's  
12 crime numbers can decrease, even as enforcement  
13 encounters decrease, even as complaints against  
14 officers decrease? It's simple. We've looked back  
15 and moved forward. As Peel tells us, we have two  
16 constituencies: the police, who prevent crime, and  
17 the people whose trust allows the police to do it.  
18 Our mission is to satisfy both groups. The cops want  
19 to do good work. They want to be trusted to use  
20 their powers lawfully in order to keep people safe.  
21 The community wants to be safe. They want  
22 neighborhoods to be orderly without being oppressed.  
23 Both have a shared responsibility, and I'd emphasize  
24 that, a shared responsibility to find common ground.  
25

2 No rational person, even at the height of 2014's  
3 social unrest in this country, has suggested that  
4 society should not be protected from crime and  
5 criminals. What's at issue is the sense that police,  
6 in seeking to provide that protection, had cast too  
7 wide a net in the sense that police became imprecise  
8 in how they exercised their powers. That was at the  
9 heart of the stop, question, and frisk controversy, I  
10 believe; 700,000 stops with an arrest rate less than  
11 one-in-ten. The answer to this is Precision  
12 Policing, and it is informing everything we do. We  
13 apply it internally and externally, in our  
14 operations, in our policies and our communications.  
15 Like a doctor, we assess the disease and apply and  
16 adjust the medicine appropriately. We too follow the  
17 adage, "to try to do no harm" as we police. The  
18 Mayor has described it as "You see a pattern, and  
19 apply a specific approach, and it works." The  
20 Speaker, who is here, and we are pleased to have you  
21 here this morning, knows this well. When the  
22 widespread use and sale of synthetic marijuana, or  
23 K2, threatened her community in East Harlem, we  
24 worked quickly together to create the 125<sup>th</sup> Street  
25 Taskforce. We conducted several multi-agency

1 operations with partners like the New York City  
2 Department of Health and Mental Hygiene, centered on  
3 East 125<sup>th</sup> Street and Lexington Avenue. All told,  
4 the task force removed more than 11,000 packages of  
5 this poison from the neighborhood's streets. K2-  
6 related operations have progressed so effectively in  
7 East Harlem, in fact, that a recent operation turned  
8 up only one single bag of the drug. The way we  
9 worked together to catch this crisis in its earliest  
10 stages is unprecedented. Effectively, we stopped  
11 that potential drug epidemic in its tracks. Many  
12 other cities around America are still experiencing  
13 exponential growth in this particular drug. We are  
14 not seeing that here. It is in regression.  
15 Interrupting a nascent drug epidemic has never  
16 happened before, as communities across the country  
17 now struggling with prescription-drug addiction will  
18 tell you. This new approach is also about safety.  
19 When roving bands of dirt bikes and ATVs make parts  
20 of our city unsafe and dangerous, we didn't chase  
21 them and aggravate that danger. Rather, Chief of  
22 Patrol Carlos Gomez devised specific tactics to  
23 address the problem, and our seizures have increased  
24 by 95 percent year to date, over 700 of these bikes.  
25

2 More than 1.4 million people have watched our  
3 Facebook video of the Department last week crushing  
4 some of those seized vehicles. Through the new  
5 unified investigations model, led by Chief of  
6 Detectives Bob Boyce, we are increasing our reliance  
7 on long-term casework and investigations and our  
8 clearance rate. This can be seen in our efforts  
9 against grand larceny patterns, identity theft,  
10 violent crime and gun crime, and narcotics. Last  
11 month we undertook the largest gang takedown in New  
12 York City history with these Federal Prosecutor in  
13 the Southern District, and we've done more than a  
14 dozen takedowns and search warrants since. In fact,  
15 every week we are now having gang takedowns as we  
16 move against that pernicious cause of crime in our  
17 city. It can be seen in our field intelligence  
18 officers, our FIO's, who get guns by debriefing  
19 arrestees and using the information to get court-  
20 approved search warrants. Last year, they recovered  
21 more guns by talking to people than the whole  
22 Department recovered from 700,000 street stops in  
23 2011. And because precision policing needs precision  
24 prosecutions, we've created the Gun Violence  
25 Suppression Division working with our District

2 Attorneys and our US Attorneys to bring the strongest  
3 cases possible. All of this has contributed to the  
4 fact that, year to date, homicides are down by 9.3  
5 percent. Shooting is down by 21.1 percent, and other  
6 crimes are trending down, including stabbings which  
7 were trending up by 25 percent, but as of this  
8 morning are trending at 10 percent even as other  
9 cities around the country are seeing very significant  
10 double-digit increases in their homicide and shooting  
11 and violence rates. We see it in Vision Zero, as  
12 well, with targeted enforcement zones, new laws, and  
13 new traffic agents. Considering that 2015 saw the  
14 fewest traffic fatalities in over a century, I'm  
15 comfortable saying its working. I'd point out that  
16 last year we had five deaths involving dirt bikes and  
17 off-the-road vehicles. So far this year we have had  
18 none. Precision policing also extends to our  
19 training. We're honing, shaping, and reshaping our  
20 curriculum under our new Deputy Commissioner for  
21 Training, Doctor Tracie Keese. Our recruits benefit  
22 from our state-of-the-art Academy in Queens, from  
23 cutting-edge scenario-based training, and from the  
24 fact that we now give them three months into their  
25 training a 12-day, field orientation assignment for

2 true hands-on learning, and I compliment Commissioner  
3 Ben Tucker for implementing that program. For  
4 veteran officers, we've instituted Continuing  
5 Professional Education. CPE teaches communication  
6 and de-escalation. More than 27,000 cops in all  
7 ranks have received this three-day training, and more  
8 than 80 percent found it useful and relevant. Last  
9 year, you and the Mayor funded the overtime for that.  
10 We have now incorporated that into our operational  
11 budget. Going forward we'll provide five days of CPE  
12 to every officer: two days of firearms training and  
13 three days covering de-escalation strategies,  
14 intervention skills, and changes in the law and  
15 police procedures. We're also instituting an  
16 advanced, four-day course called Crisis Intervention  
17 Training or CIT, also funded by you and the Mayor.  
18 CIT equips our officers with crisis-communication  
19 skills to help people with mental illnesses and those  
20 experiencing emotional crisis. As Chair of the  
21 Committee on Public Housing, Council Member Torres  
22 may be interested in a story from the Housing Bureau.  
23 Not long ago, a sergeant assigned to Police Service  
24 Area Six, who had just completed his first day of CI  
25 Training, responded to a call at the Harlem River

1 Houses. The caller was a mother whose emotionally  
2 disturbed son was repeatedly stabbing the door she  
3 was hiding behind. The sergeant used the de-  
4 escalation techniques he had learned just the day  
5 before to talk the boy into dropping the weapon. No  
6 force, no violence, just talk. Since CIT began, 2,554  
7 uniformed members of the service have been trained;  
8 by year's end approximately 5,500 officers all on  
9 patrol will have received it. The new technology  
10 platforms described in the Five T's, from the  
11 smartphones that turn every officer into a walking  
12 Real Time Crime Center, to the Shot Spotter systems  
13 that tell us exactly where shots are fired, to the  
14 new UHF radio system that was finally implemented in  
15 the Transit system last week-- in 1990, 26 years ago,  
16 we began an effort to fix that problem of not being  
17 able to communicate below ground. It took 26 years,  
18 but this year, this month it has finally happened.  
19 In Chairperson Gibson's District 16, officers  
20 assigned to the 44 Precinct responded to a "burglary-  
21 in-the-past" call. First, they were able to use  
22 their smartphones to contact the complainant directly  
23 on their way to the call. Then they used the Domain  
24 Awareness System on the phones to determine that one  
25

2 of the witnesses was in fact the burglar, who had  
3 returned to the scene of the crime. Yes, that really  
4 happens. There's a reason it's a cliché. The  
5 technology can't do all the work, but it makes good  
6 cops better, faster, and more effective, and  
7 significant compliments to Jesse Tish [sic] our  
8 Deputy Commissioner for information and technology on  
9 her efforts and those of her staff. Our new  
10 Strategic Response Group, under the command of Tommy  
11 Purtell, Chief of the Citywide Operations Bureau,  
12 applies also these new techniques to disorder. The  
13 Emergency Services Unit, made up of the best trained  
14 officers in the world, does it for rescues and  
15 emotionally distressed persons and counterterror  
16 response. Hundreds upon hundreds of times they deal  
17 with emotionally disturbed individuals without harm  
18 to them. We've also honed our counterterror  
19 responses through the Critical Response Command, a  
20 dedicated operational counterterror unit trained for  
21 site protection and active-shooter response, also  
22 funded by you. Counterterrorism responsibilities are  
23 the biggest, most dramatic change to policing in the  
24 past 20 years, along with technology, and these  
25 responsibilities changed more in the past two years

2 than at any time since September 11th. ISIL's, ISIS's  
3 ability to use social media to motivate lone wolves,  
4 which we saw here in Queens, when four cops were  
5 attacked by a madman with an ax, has morphed into an  
6 ability to direct them, inspire, enable and direct.

7 The attacks in Paris and in Brussels show the carnage  
8 that results when moderately equipped, committed  
9 terrorists are directed to suddenly take action.

10 Should that action happen here, we'll be able to  
11 respond with properly trained, properly equipped,  
12 properly deployed resources to handle multiple

13 incidents at any one time. We underscore precision

14 policing constantly, particularly at the weekly

15 CompStat sessions, where Deputy Commissioner Dermot

16 Shea and Chief of Department Jimmy O'Neill and Chief

17 Royce [sic] guide a system with the results, not the

18 numbers, matter. They home in on conditions and

19 problems at the most granular levels, and demand that

20 precinct commanders address them at that level, also.

21 If a park has a robbery problem, then driving

22 everyone out of the park through over enforcement

23 isn't the answer, even if the empty park would indeed

24 have no crime. Instead, the answer is drilling down.

25 Who's committing the robberies? Where and when?

2 That's what CompStat was designed to do when Jack  
3 Maple, Louis Anemone, and I first implemented it 22  
4 years ago, and that's what Commissioner Shea and  
5 Chief O'Neill have returned it to: timely, accurate  
6 intelligence; rapid response; effective tactics; and  
7 relentless follow-up. And now with CompStat Two, the  
8 ability to share all of that information with you and  
9 the public. Finally, and most importantly, precision  
10 policing is embodied by Chief O'Neill's new patrol  
11 model, Neighborhood Policing. The point of  
12 Neighborhood Policing's steady sectors and  
13 Neighborhood Coordinating Officers, or NCO's, soon to  
14 be in over 30 of our precincts and expanding in the  
15 years ahead, is that they get to know their  
16 neighborhood people, its problems, and its potential.  
17 When officers have the intimacy that Neighborhood  
18 Policing fosters and the time to target specific  
19 conditions, they can come up with focused solutions.  
20 I have very purposefully returned direct [sic]  
21 discretion to my officers, something they were  
22 discouraged from exercising for far too long. I want  
23 them to be thinking men and women, to be deliberate  
24 men and women with discretion. They have been hired  
25 and trained and equipped to do a job, and it's my job

2 to let them do it, indeed the job of the leadership  
3 team you see here assembled. It's also our job to  
4 provide the resources they need to do the work we all  
5 want them to do, the work of keeping this city safe,  
6 the Mayor, you and the Department. Turning to  
7 budgetary issues, the Department continues to apply  
8 for and obtain federal assistance to protect members  
9 of the public and critical infrastructure, including  
10 the Financial District, the transit system, bridges,  
11 tunnels, and ports. As mentioned in March, we have  
12 now submitted project for budget proposals under the  
13 Federal Fiscal Year 2016 Homeland Security Grant  
14 Program, as well as under the Transit and Port  
15 Security Grant Programs. It is anticipated that  
16 these grants will be awarded, although we are  
17 battling with our colleagues in Congress that it will  
18 be awarded no later than September 30<sup>th</sup>, 2016 and we  
19 are hopeful that the Police Department will receive  
20 the same amount of funding under the Federal Fiscal  
21 Year 2016 Homeland Security Grant Program than last  
22 fiscal year. As you know, the President has proposed  
23 cutting back. However, our Congressional Leadership  
24 Team has been fighting very aggressively, and we  
25 anticipate that they will be successful in those

2 efforts to restore that funding. As you know, New  
3 York City remains the top terror target in this  
4 country and relies on Homeland Security Grant Funds  
5 to maintain our Terrorism Prevention and Response  
6 infrastructure. New York City uses a portion of all  
7 of our URC funds to support crucial first responder  
8 training efforts. We grew so much in this area in  
9 terms of those funds also paid for the NYPD's entire  
10 Intelligence Analyst Program, our new vapor wake  
11 dogs, cameras monitoring high profile locations, now  
12 almost 10,000 of them, radiological and chemical  
13 sensors, and planning exercises throughout the New  
14 York City metropolitan area. Almost 14 of those  
15 exercises have been conducted since 2014. It also  
16 includes persons [sic] of our heavy weapons teams  
17 that are conducted-- supported by heavy weapons teams  
18 to conduct ongoing patrols at transit hubs, airports,  
19 bridges, subways, waterways, and highly visited  
20 landmarks. Regarding the Executive Budget and its  
21 impact on the Police Department, several of you  
22 already referenced some of its highlights. The  
23 Department's Fiscal Year 2017 City Tax Levy Expense  
24 Budget is 4.9 billion. The vast majority of this, 92  
25 percent is allocated for personnel services.

2 Highlights in the Executive Budget, some of which  
3 have been mentioned include: police communications  
4 technicians, funding in the amount of 4.1 million was  
5 provided beginning FY 17 for 100 additional PCT's at  
6 the new Public Safety Answering Center, SPAC 2  
7 Building in the Bronx which will be opening later  
8 this year. School safety staffing, funding in the  
9 amount of 6.7 million has been provided annually  
10 beginning in FY 17 for 75 SSA's at understaffed  
11 schools where post relief is needed to maintain  
12 coverage. Traffic enforcement agent enhancement for  
13 Block the Box which has become epidemic throughout  
14 the city: Funding in the amount of two and a half  
15 million in FY 17 and two million in the out-years was  
16 provided for an additional 52 traffic enforcement  
17 agents to form a unit that will focus primarily on  
18 preventing traffic congestion and spill back through  
19 the enforcement of regulations that prohibit blocking  
20 the box. Special Victims Division Training: Funding  
21 in the amount of 250,000 provided for FY 17 for the  
22 training of over 200 members within the Special  
23 Victims Division. Training includes Forensic  
24 Experiential Trauma Interview Training which will  
25 allow us to conduct more productive interviews

2 without increasing the trauma for sexual assault  
3 victims. Police Leadership Program: 705,000 dollars  
4 to continue and expand on those leadership  
5 initiatives. Precinct Enhancement Program-- I want  
6 to thank the Council for their consideration of all  
7 that was referenced: new bathrooms, new locker rooms,  
8 the cleaning up of stations that will now occur twice  
9 a year that has resulted in on average in every one  
10 of our precincts taking over 1,000 cartons of files  
11 out of the precincts that cluttered every hallway and  
12 storage room and put them in a central processing  
13 center. Almost four to five Dempsey dumpsters of  
14 trash, and then the repainting, modernization and now  
15 checking every heating and ventilation system in  
16 every facility. First time in history this has been  
17 done in such a comprehensive fashion. It shows you  
18 care for the 52,000 men and women of this Department.  
19 It also shows you care for the public who utilize  
20 those facilities and deserve to enter a first-class  
21 facility to make their complaints, to seek guidance  
22 from the police officers that are neighborhood  
23 officers. So, I won't go into detail on all of that,  
24 but I want to thank you. It's the first time it's  
25 ever been done, and it's something that'll benefit

1 every single member of this Department. Also, our  
2 Vehicle Lifecycle Replacement: Funding in the amount  
3 of 1.7 million in FY 16, 11.4 million in FY 17, 9.7  
4 million in out-years was provided to the Department's  
5 Fleet Budget for vehicle lifecycle replacement, auto  
6 parts, and cameras in prisoner vehicles. Also  
7 included in this allocation is funding for 11,000  
8 ballistic plates being inserted in vests that are  
9 less than five years old and funding for 763 loaner  
10 pool vests. This is on top of the funding that you  
11 provided earlier last year for the replacement of all  
12 outdated vest personnel. On April 26th, the Mayor  
13 released the Fiscal Year 2017 Executive Budget and  
14 Commitment Plan. The total Capital Plan for the  
15 Police Department is 1.7 billion which covers Fiscal  
16 Years 2016-2020. In this Plan, the NYPD was able to  
17 secure an additional 190 million in City and Federal  
18 Capital funds over and above the 2017 Preliminary  
19 Plan. In the current plan, the Administration funded  
20 facility renovations and replacement needs, as  
21 follows: 70 million for the new 116<sup>th</sup> Precinct.  
22 Citywide locker room renovation, 60 million. You  
23 referenced Firearm Tactical Training Center Rooms,  
24 almost 10 million dollars to provide eight state-of-

2 the-art virtual training facilities throughout the  
3 City so our officers don't have to go to Rodman's  
4 [sic] Neck [sic] where they can train constantly in  
5 state-of-the-art virtual training facilities to  
6 increase their skills. These are critically needed,  
7 and again, we appreciate the Council's support for  
8 this. Enhanced camera security at NYPD facilities,  
9 33 million. This will allow us to improve security  
10 around the building but also activities within the  
11 building, particularly focused on our jail cells to  
12 help us in our continuing efforts to prevent suicides  
13 and suicide attempts. Roof repairs at various  
14 facilities, fleet replacement for outdated vehicles,  
15 all of this is in that Capital Budget. The uniformed  
16 headcount increased by 1,297 starting in FY 16 as  
17 part of the Patrol Enforcement Initiative. As of  
18 January 2016, all 1,297 officers have been hired. In  
19 FY 17, the Department will hire four classes and  
20 anticipates an average headcount of approximately  
21 36,000. Let me reference that. Instead of twice a  
22 year doing mega classes of an average 12 to 1,800  
23 officers, we are reducing class size by hiring four  
24 times a year. Four times a year will provide smaller  
25 classes with more intimate hands-on training, but it

1 also has the added benefit of giving us the  
2 equivalent, the equivalent of 250 additional police  
3 officers, because of hiring four times a year instead  
4 of twice a year. So, I want to compliment Bennie  
5 Grippo [sic] and Chief Tucker on that initiative  
6 working with you to come up with 250 additional  
7 officers out of our current workforce. The July 2016  
8 class is estimated at 600 police recruits. The  
9 October, January and April classes will be determined  
10 by the attrition of officers that has occurred since  
11 the prior class. Full-time staffing levels is 16,014  
12 in FY 17 and the out-years. The Executive Financial  
13 Plan added 327 positions starting in FY 17: 52  
14 Traffic Enforcement Agents, 100 Police Communications  
15 Technicians and 175 School Traffic Agents. The part-  
16 time budget currently funds 3,209 positions in Fiscal  
17 Year 2016, including 2,438 School Crossing Guards and  
18 637 Police Cadets. My compliments to Commissioner  
19 Tucker for taking the funding you provided and  
20 growing that program from about 113 cadets to this  
21 year 637, many of whom will become full-fledged  
22 police officers in several years. The number of  
23 part-time authorized positions will increase by 28  
24 part-time Police Administrative Aides in FY'17, 56 in  
25

2 FY 18, and 86 in FY 19 continuing your focus and our  
3 efforts on increased civilianization. Together,  
4 we're helping this city defy national trends and  
5 achieve new levels of crime reduction, particularly  
6 violent crime reduction. What's more, we're doing it  
7 with less enforcement, fewer citizen complaints,  
8 better training, faster service, better facilities,  
9 better technology, and less intrusive tactics. We're  
10 looking back how CompStat was designed to Sir Robert  
11 Peel, but we're moving forward as well to improve  
12 morale, to save the neighborhoods, to renewed  
13 relationships with the communities we serve. We are  
14 working to strengthen our relationship with all New  
15 Yorkers because the public and the police are natural  
16 allies, and we all want you the Council, the Mayor,  
17 myself, the leadership to share one city safe and  
18 fair everywhere for everyone, but it is a shared  
19 responsibility. Thank you. We are now ready for  
20 whatever questions you may have. Thank you.

21 SPEAKER MARK-VIVERITO: Okay. Jumping  
22 right in. Well, first of all I want to thank you for  
23 your testimony. I think we were just commenting on  
24 how complimentary you've been, Commissioner.

2 Appreciate that. Something we're not typically used  
3 to.

4 COMMISSIONER BRATTON: Compliments well-  
5 deserved.

6 SPEAKER MARK-VIVERITO: Lead by behave--  
7 you know, led by example as they say what we're  
8 talking about really. So, changing the way things  
9 are done so that there could be stronger partnership  
10 between our police and our community residents, and  
11 we also have to model the behavior of how we interact  
12 with each other, right? And I think that your  
13 testimony is indicative and reflective of that, and I  
14 have to say that you kind of reinforcing what you  
15 call the-- I'm just sorry. Give me a second. The  
16 Precision Policing, right, is something that we-- I  
17 welcome. You know, I remember many, you know, eight  
18 years of sitting across the table like this with the  
19 prior Commissioner and really butting heads, that we  
20 needed to be smarter about the way that we allocate  
21 our time and attention, and that just doing large  
22 sweeps of our young people in the stop and frisk  
23 aggressive policies of the past was not the smartest  
24 way, and I think you've definitely reinforced that  
25 that vision was a wrong one and that there's

2 definitely a smarter way of policing that, continues  
3 to protect the safety of this city and continues to  
4 build to trust with community members, and that's  
5 essential if we're going to maintain this city's  
6 safe. Is that-- that trust has to be rebuilt, and  
7 you're working towards that, and I'm not going to say  
8 everything's perfect. We have a lot of work that we  
9 continue to do, but there's been incredible  
10 improvement, and I think that definitely has to be  
11 acknowledged. I have just a couple of quick questions  
12 with the NCO program in particular, because we are  
13 talking about-- I think you're-- it's being rolled  
14 out in about 26 precincts and six PSA's, if I'm not  
15 mistaken. Not everything is up and running yet, but  
16 if you could let us know when you believe that every  
17 precinct and every PSA that's been identified for the  
18 NCO program, when will that be in full effect?

19 COMMISSIONER BRATTON: If I could, Jimmy,  
20 before you start. Chief O'Neill has been the  
21 architect and along with Chief Gomez been putting it  
22 into effect. The 1,297 officers you've provided plus  
23 civilianization gave us enough officers over this  
24 past year to get the NCO new sectoring program up and  
25 running and about 30 precincts. Additional

2 civilianization efforts as well as resource re-  
3 engineering within the Department we are hoping over-  
4 -excuse me--the next year will allow the Chief to  
5 expand to a significant number of additional  
6 precincts. We're doing all that we can to working  
7 with the resources that we've been given to maximize  
8 their potential, but I do want to compliment the  
9 Chief before he makes his remarks on the  
10 extraordinary efforts set in a relatively short  
11 period of time have created this effort and to also  
12 compliment Commissioner Tucker on his efforts with  
13 his colleagues to give Jimmy [sic] cops coming out of  
14 the academy that are much better trained, much more  
15 sensitized to the communities that they're going to  
16 be policing. Jimmy?

17 JAMES O'NEILL: Yeah, right now we're up  
18 and running in 20 precincts and five PSA's. By June  
19 of this year we'll be in additional six precincts and  
20 PSA, and the last PSA we'll be going to is PSA Five.

21 SPEAKER MARK-VIVERITO: Thank you. Yes,  
22 I like my PSA. So, basically by June then all the  
23 ones that you initially identified will be up and  
24 running.

25 JAMES O'NEILL: Correct.

2 SPEAKER MARK-VIVERITO: And then what is  
3 the timeline for the other precincts?

4 JAMES O'NEILL: Well, as we move through  
5 the year we'll be putting additional commands online,  
6 we just have to identify additional police officers,  
7 because this is a personnel intensive model.

8 SPEAKER MARK-VIVERITO: Understood.

9 JAMES O'NEILL: We have the same people in  
10 the same sectors every day. So as we do that with  
11 civilianization we'll be rolling out more precincts.

12 SPEAKER MARK-VIVERITO: Alright, so  
13 basically the 26 precincts and six PSA's will be in  
14 effect through basically the end of this fiscal year.  
15 So, for Fiscal Year 17, how many additional precincts  
16 and PSA's are you factoring or thinking that you  
17 would like to implement the NCO model in? Have you  
18 looked at that?

19 JAMES O'NEILL: No, we're looking--

20 SPEAKER MARK-VIVERITO: [interposing] So,  
21 you haven't.

22 JAMES O'NEILL: Yeah, no, we're looking at  
23 this all the time. Eventually, we'd like to have  
24 every precinct to the City going to the NCO model,  
25

2 but in 2017 we're looking to get that up to at least  
3 40.

4 SPEAKER MARK-VIVERITO: At least 40.

5 JAMES O'NEILL: Right.

6 SPEAKER MARK-VIVERITO: Okay.

7 JAMES O'NEILL: And some precincts as we  
8 move through this aren't going to need additional  
9 personnel. We'll be able to do it with the personnel  
10 that they have, but there are additional precincts  
11 that we're looking at. I think we're going to have  
12 to find some more people to put there.

13 SPEAKER MARK-VIVERITO: Okay. And then  
14 what are you utilizing as a metric to determine a  
15 successful NCO program, for instance, in a precinct?  
16 What would be the metrics that you look at?

17 JAMES O'NEILL: And that's part of the new  
18 evaluation system that we have now. It's-- we've  
19 moved from looking just at summonses and arrests and  
20 250's, and we're looking at community interactions.  
21 We're also looking. We're developing a system where  
22 we can get community feedback, real-time feedback to  
23 see how our cops are doing. So there's a number of  
24 different measures that we'll be using going forward,  
25 and that's how we're going to test. It's not just

2 the crime in the precincts that were up and running  
3 and now it's up 1.2 percent, but there's probably  
4 four or five precincts out of the 20 that we still  
5 have to figure out the exact number of people we need  
6 in there. The model seems to be working. The  
7 metrics is crime and the community satisfaction.

8 SPEAKER MARK-VIVERITO: Community  
9 satisfaction?

10 JAMES O'NEILL: Yes, yes.

11 SPEAKER MARK-VIVERITO: So you plan to do  
12 some type of--

13 JAMES O'NEILL: [interposing] Research,  
14 right.

15 SPEAKER MARK-VIVERITO: Or surveys with  
16 community members?

17 JAMES O'NEILL: Survey, survey research,  
18 correct.

19 COMMISSIONER BRATTON: Actually, what  
20 we're looking at and have been moving it well along--  
21 if you recall, last year we did a survey of 17,000  
22 city residents, one of the largest ever conducted,  
23 one of the most intimate down to the 200-person block  
24 level. We, in the process of finalizing our design  
25 for internal constant surveying of our personnel in

2 the Department as well as constant surveying of the  
3 public in our various precincts to basically say how  
4 are we doing. So, when Jimmy's talking about the  
5 measurement of customer satisfaction, citizen  
6 satisfaction that will be able to routinely be  
7 evaluating how we're doing or in times of crisis or  
8 major events or issues would have the ability to get  
9 in there very quickly, and poll and see what's really  
10 going on in that precinct, that neighborhood, that  
11 block. It is nothing quite like it been designed in  
12 American policing, and we're hoping this year to 2017  
13 to get it off the ground and get it in place.

14 SPEAKER MARK-VIVERITO: I mean, it might  
15 be a good way of figuring out how to engage community  
16 members to ask them what would you consider, right,  
17 effective policing--

18 COMMISSIONER BRATTON: [interposing] They  
19 will be involved in the design of the instrument that  
20 we're talking about, just to make sure that we are in  
21 fact getting accurate measurements.

22 SPEAKER MARK-VIVERITO: Okay.

23 JAMES O'NEILL: Can I just add one fact  
24 there?

25 SPEAKER MARK-VIVERITO: Yeah.

2 JAMES O'NEILL: The whole model is based  
3 on that 30 percent off-radio time, and during that 30  
4 percent, part of that time is that to have community  
5 interaction not only with the NCO's but with the  
6 sector cops, too. So we have that familiarity so we  
7 have that interaction.

8 SPEAKER MARK-VIVERITO: Okay. I don't know  
9 if it's me. I don't know if the volume could be  
10 adjusted a little louder. I feel like it's--I'm  
11 having a hard time hearing, or maybe bring the mics  
12 closer to you guys, because it gets a little echoie  
13 [sic] in here. So, just a couple of quick other  
14 questions. On the Uniform Overtime Control Plan, we  
15 had actually--we've been calling for that. So, in  
16 the-- at adoption, the Council had successfully  
17 called for a Uniform Overtime Control Plan that  
18 included projects savings of 63 million dollars in  
19 Fiscal Year 2017. Now, as of March of this year, the  
20 Department has spent 454 million in uniform overtime  
21 and overall, because I know there's civilian overtime  
22 as well, I think the overall budget for Unit Four  
23 overtime is about 530 million dollars. So, could you  
24 talk to us about the different overtime categories,  
25 particularly in the uniform and what areas have you

2 recognized the most savings, and what's the plan  
3 moving forward? What are the strategies that you're  
4 going to implement in this fiscal year to recognize  
5 additional savings?

6 JAMES O'NEILL: So, at your--

7 VINCENT GRIPPO: [interposing] Vinny  
8 Grippo, as you know, Head of Budget and Management.

9 SPEAKER MARK-VIVERITO: Okay.

10 VINCENT GRIPPO: So, in terms of the  
11 Uniformed Overtime Budget, the categories that we are  
12 tracking in terms of the overtime control its arrest  
13 overtime, investigations overtime, operational  
14 overtime, and our events category of a planned event  
15 overtime. So, the events that we can ultimately  
16 control staffing for, not the unplanned event  
17 categories that are more difficult from year to year  
18 to forecast.

19 SPEAKER MARK-VIVERITO: What's operations  
20 overtime? Explain that a little more.

21 VINCENT GRIPPO: So, operational overtime  
22 is overtime that will be incurred in a precinct  
23 traditionally, where an officer is asked to remain  
24 past their tour to do a number of different things.

2 JAMES O'NEILL: There's a vehicle  
3 accident that runs over tour or if there's an aided  
4 [sic] or a crime investigation that runs over their  
5 tour that goes-- that's operational overtime.

6 SPEAKER MARK-VIVERITO: Okay.

7 VINCENT GRIPPO: So what we're doing is  
8 we've now been able to create reporting for the  
9 precincts, for the commands that are now going to be  
10 responsible to managing to budgets within those  
11 categories, operations, investigations, that are  
12 going to drill down and show them within pay periods,  
13 obviously two week periods, where they see  
14 fluctuations in that overtime, and we're going to be  
15 comparing it to activity data within the precinct.  
16 The idea here being to identify as quickly as  
17 possible where we're seeing anomalies that may not  
18 make sense. Give the commanding officers ultimately  
19 a much better view in and therefore a much better  
20 ability to manage that overtime as it ultimately is  
21 incurred. So those reports are really from our  
22 standpoint, the key to meeting what you outline  
23 correctly next year's budget reflects approximately  
24 60 million dollars less than what the overtime budget  
25 has been in prior years, and ultimately the way we

2 intend to deal with that is through controls within  
3 those buckets, operations, investigative overtime,  
4 arrest overtime, which is down relevant to arrests  
5 being down, and then planned event overtime. All of  
6 the overtime categories, some of what we're getting  
7 is some benefit of having the additional officers.  
8 The events category being the biggest. The addition  
9 of the headcount, the 1,300 additional officers means  
10 that you now have more officers available to you on  
11 straight time to cover planned events than you have  
12 in prior years, and what we're doing internally to  
13 even further increase the number of officers that are  
14 assigned back to patrol, all of those headcount  
15 increases are going to help us staff planned events  
16 in a less costly manner because it will be less  
17 reliant on overtime. So, those are the key pieces  
18 for us to the overtime control. The good news this  
19 year is we're forecasting on this year's budget  
20 approximately a 30 million dollars surplus, meaning  
21 we're going to come in 30 million dollars under our  
22 uniformed overtime budget that's separate from  
23 civilians where we do show a deficit, but we're  
24 reflecting a 30 million dollar surplus on uniformed  
25 overtime, and if you look at our overall overtime

2 budget inclusive of civilians, we're projecting a  
3 surplus of approximately six to seven million.

4 COMMISSIONER BRATTON: I'd like to point  
5 out, I think the last time based on our research that  
6 we actually, the Police Department, had a surplus in  
7 the overtime account was back in 1994. Last time I  
8 was the Police Commissioner. That was the first time  
9 in modern times. Back then it was a 10 million  
10 dollar surplus. That 10 million was used to buy  
11 bunker gear for the Fire Department. The new bunker  
12 gear that they all now wear was actually funded by  
13 savings in the Police Department budget.

14 SPEAKER MARK-VIVERITO: Right. And I  
15 think that's obviously something that as we were  
16 discussing the increasing headcount, the concern that  
17 we also not see an increase in overtime, right? To  
18 us, I mean, at least those of us that wanted to be a  
19 little bit more responsible that thought that there  
20 needed to be an adjustment on that end, too. So, my  
21 understanding is that there is a cap, right, that the  
22 Administration has put on overtime in the NYPD for  
23 the next couple of years. So, the goal is still to  
24 go under that is what it sounds like.

2 COMMISSIONER BRATTON: That's correct.  
3 We'll seek to stay under rather than go over  
4 certainly. We've also been able to put in with a  
5 number of changes much more intimate control of  
6 overtime down to the precinct and command level where  
7 Chief Commissioner Grippo, Commissioner Tisch have  
8 been developing systems that allow us a lot more  
9 intimacy on where we're spending it and give our  
10 precinct commanders much more intimacy with the  
11 overtime within their commands.

12 SPEAKER MARK-VIVERITO: A quick question  
13 on something that is much more local for me. Politics  
14 is always local. The 40<sup>th</sup> precinct, I know we've  
15 been talking about the new precinct that happening in  
16 Council Member Richard's district, something he's  
17 been fighting for and we've been supporting for a  
18 long time, but the 40<sup>th</sup> precinct has been one that  
19 there's been a lot of conversation over the years  
20 about getting a new precinct, and there is some land  
21 that has been identified, and there is a process by  
22 which now and in that-- there was money allocated  
23 last year to go into the design phase of that new  
24 precinct, and I think it was about 70 million  
25 dollars, if I'm not mistaken, that have been

2 allocated for the design. So, where are we at with  
3 that process, and could you utilize this also as an  
4 opportunity. I'm someone that is extremely-- likes  
5 to over-engage my community sometimes in things, but  
6 is that an opportunity as you design it to maybe get  
7 community feedback and figure out if there's a way to  
8 have dialogue and engage community in that thinking  
9 as well. So, there's other projects that go through  
10 SHRETS [sic], ask for community feedback as the  
11 buildings are being designed. It might be a good  
12 thing to do it if it hasn't been done, or if you're  
13 not thinking about that. But could you talk a little  
14 bit about where we're at with the 40<sup>th</sup> precinct?

15 VINCENT GRIPPO: Yeah, so you're  
16 correctly stating that we are in the design phase on  
17 that precinct. What we have accomplished already is  
18 a preliminary design of the actual building itself  
19 that we've gotten through the design commission.  
20 We've gotten design commission approval for that.  
21 Now we do the much more detailed internal design. So  
22 we have consultant on board working through the DDC.  
23 As you know, DDC manages these projects for the City,  
24 and they're working on finalizing the design so we  
25 can go out to bid on construction. What we're doing

1  
2 at the 40, which is something we've never done yet in  
3 the City is we are designing a very specific space  
4 within the precinct that will be utilized for  
5 different purposes than the traditional utilization  
6 of space you seen in our precincts. It will be  
7 specifically targeted to community engagement. So  
8 what we've been doing on the front that you're  
9 speaking on is really looking at a combination of  
10 engaging the community around one of the activities,  
11 one of the things that we would want to put in that  
12 space to draw people in, and we've been speaking as  
13 well to some design, some architectural design people  
14 who have some experience doing this in other cities,  
15 and either use of community space by the Police  
16 Department for joint programs or incorporating  
17 community space within the precincts. So the 40 will  
18 be the first precinct designed with an eye towards  
19 having a physical space that would draw people in and  
20 allow for enhanced community interactions, and that's  
21 really where we've been focusing our efforts on.  
22 Alright, what does that space look like? What goes  
23 into it, and what are the activities we want to have  
24 within that space?

2 SPEAKER MARK-VIVERITO: Okay, and I would  
3 just encourage that as you put that out to bid that I  
4 would recommend that part of the expectation of  
5 whoever is selected is that before a final design is  
6 made that there should be some community  
7 conversation. If you're talking about creating a  
8 space that is to be welcoming to the community, well  
9 maybe the community may have some ideas of what would  
10 achieve that, right? So I'm just saying that I think  
11 the dialogue, this is an opportunity to really maybe  
12 get the community involved in an additional  
13 conversation, and I think that that just goes a long  
14 way. I think it really has been very successful in  
15 other models, and sometimes we think the architects  
16 and people that sit-- professionals that sit in a  
17 room have all the answers, and sometimes the feedback  
18 that we get from people on the ground really lends a  
19 different vision or a level of engagement that I  
20 think would be beneficial. So, just, I would highly  
21 encourage that's something to consider I think moving  
22 forward. The--

23 COMMISSIONER BRATTON: [interposing] I  
24 would point out that while it's great one precinct to  
25 be able to put that in, and Noelle Sandy [sic] from

2 my staff has been engaged for a while now on working  
3 on a prototype design for modular construction that  
4 would allow us to actually design for a number of our  
5 precinct the ability to add to the precinct a modular  
6 community facility that could be utilized for the  
7 same purposes we're looking at at the 40. We've had  
8 some design competitions with some of the schools in  
9 the City, and so that project is another way of  
10 looking at the reality is we're never going to  
11 replace all 77 precincts in the near term, but this  
12 might be a more cost-effective way of adding that  
13 feature to some of our existing facilities.

14 SPEAKER MARK-VIVERITO: Thank you,  
15 commissioner, and I want to hand it back to the  
16 Chairs, but I want to make a personal observation as  
17 I'm sitting here, that I'm very proud of the  
18 leadership that these two colleagues of mine have  
19 exemplified in leading these committees. We have  
20 never had a woman or a woman of color to lead the  
21 Public Safety Committee, and we've never had a woman  
22 or a woman of color to lead the Finance Committee,  
23 and so for the three of us to be standing here and  
24 engaging this important hearing and in this important  
25 conversation about the safety of our city, I really

2 am proud of that, and I'm proud of them, and  
3 considering we only have 14 women in this council,  
4 this is a very strong statement that is being made  
5 today. So, thank you. I'll pass it on to my Chairs.

6 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
7 Madam Speaker, and of course, we wouldn't be able to  
8 do this without you. So it was your leadership that  
9 identified our abilities, and we're grateful to you.  
10 So I wanted to talk about citywide savings and then  
11 focus on the Capital Plan before Chair Gibson asks  
12 her questions, and you know, we've been informed that  
13 you have a hard stop time, so we want to be conscious  
14 [sic] and allow our colleagues to be able to ask  
15 their questions. We've been joined by Council  
16 Members Deutsch and Majority Leader Van Bramer. When  
17 OMB first testified on the Executive Budget two weeks  
18 ago, we engaged in a lengthy discussion about the  
19 Administration Citywide Savings Program and the  
20 importance of recognizing a more accurate spending  
21 plan. As an example, the NYPD's 13.3 million in  
22 savings for Fiscal 2017, the Department is  
23 recognizing a 7.7 million for personnel service  
24 accruals related to the civilian hiring delays. From  
25 our perspective, this is not an actual saving, but

2 rather a delay in spending. So that is about 5.6  
3 million dollars in difference if we take out the 7.7.  
4 What other measures or proposals did the Department  
5 submit or is willing to propose to recognize a more  
6 accurate program savings measure?

7 VINCENT GRIPPO: So, we understand the  
8 concern about the savings. The Police Department, if  
9 you look at our budget as we explained on the record  
10 and was explained earlier, a vast majority of the  
11 expenses associated with personnel are largely with  
12 our uniformed personnel. So, our view, and we worked  
13 with the Administration on this, we are-- and as we  
14 explained earlier, in order to roll out the new  
15 policing model working aggressively to identify  
16 police officers who are performing other functions  
17 for the Department, administrative functions, and we  
18 are working to reassign them back to patrol. In  
19 addition to that, we're looking at new initiatives  
20 that will allow us whether it be changes in policy or  
21 changes in operations, allow us to gain the  
22 efficiency of officers who are doing-- performing  
23 certain functions may not be the best use of their  
24 time, freeing them up, having other personnel perform  
25 those functions, and that was giving us more hours

2 for officers on patrol, whether it be to answer radio  
3 calls or to roll out the new policing model. So,  
4 what you don't see reflected in the budget, but what  
5 we view as a significant savings or efficiency  
6 program is we are-- number one, in order to get to  
7 that larger number of 2,000 some odd cops we are  
8 internally doing reassignments of personnel from  
9 administrative commands above what was funded through  
10 civilianization, and we're reassigning cops back to  
11 patrol, which means you have administrative commands  
12 losing staff members, and they're not getting a  
13 replacement. They're ultimately asked to absorb the  
14 work with their existing personnel. In addition to  
15 that, we are self-funding with our own civilian  
16 vacancies, additional civilianization beyond what was  
17 funded by the City Council. So the Council funded  
18 415 positions in this last budget. We're going to be  
19 funding another 100 above that to get the benefit of  
20 the additional 100 cops, again, with our own civilian  
21 vacancies, but not ultimately asking for additional  
22 positions. And then we're working on a series of  
23 other initiatives that involve changes to the way we  
24 train our cops, scheduling training in more  
25 innovative ways. The four classes was an example we

2 put forward. Having traffic enforcement agents  
3 perform functions that police officers are currently  
4 performing, again, without a headcount increase for  
5 traffic enforcement. All of that is going to net  
6 this city out another 1,000 to 1,500/1,600 additional  
7 cops back on patrol or the equivalent of those hours  
8 back on patrol, which helps to fund that neighborhood  
9 policing model, the new policing model without the  
10 much larger headcount increase that would have been  
11 required had we sought to do this all with new  
12 resources.

13 CHAIRPERSON FERRERAS-COPELAND: So, I--  
14 you know, and as was mentioned by the Speaker, and we  
15 all agree I think we're moving in the right  
16 direction, but do you have a timeline to-- because we  
17 see the ramp up in the plan for the uniform. What's  
18 the plan for the civilians? When do you bring--  
19 start bringing them in? Because we're here a year  
20 later and that number really-- at least we haven't  
21 seen that the number has changed much. So, it would--  
22 - one would beg to highlight that if you don't bring  
23 on the civilians, you're not going to be able to  
24 achieve all the savings and everything that you've  
25 mentioned because while you're moving officers to

2 different types of duties, we don't want our  
3 precincts to be overburdened. We want the civilians  
4 to be there. So, what's the timeline for civilians?

5 VINCENT GRIPPO: We agree. We are at 123  
6 of the 415 civilians that were needed to fund the--  
7 to manage the civilianization program. One hundred  
8 and 23 have been hired, but that number, though it  
9 seems low, we have quite a long and involved  
10 applicant processing process we have to go through  
11 with our candidates. We have another 200 some odd  
12 positions where we have candidates being processed.  
13 So we expect that number to jump again this summer  
14 where we're going to end up very close to the 300  
15 positions, civilian positions that we had planned to  
16 hire by the end of this fiscal year. We will see  
17 that number sometime this summer. The delay, as I  
18 explained last time, was really related to the hiring  
19 of the 1,300 cops. That was priority number one for  
20 the first six months of the year. So once we were  
21 able to complete that, the last four months we've  
22 bene focused exclusively on those civilian positions,  
23 and we're just right on the cusp of realizing, like I  
24 said, that number of about 300. That 300 number for  
25

2 civilians is really going to end up being 600 because  
3 of the other two programs that--

4 CHAIRPERSON FERRERAS-COPELAND:

5 [interposing] Right.

6 VINCENT GRIPPO: I explained earlier.

7 CHAIRPERSON FERRERAS-COPELAND: So do you  
8 expect 600 by FY 18, or is 600--

9 VINCENT GRIPPO: Six hundred within  
10 Fiscal 17 would ultimately be where we have  
11 civilianized or we've permanently transferred those--

12 CHAIRPERSON FERRERAS-COPELAND:

13 [interposing] So, by this time next year you'll be  
14 testifying to 600.

15 VINCENT GRIPPO: Absolutely.

16 CHAIRPERSON FERRERAS-COPELAND: Okay. I  
17 wanted to talk about the 116<sup>th</sup> precinct and the  
18 Capital Plan. This Executive Capital Plan includes  
19 70 million to build the new 116<sup>th</sup> precinct in  
20 southeast Queens. And I know that we've been joined  
21 by Council Member Miller. What other precincts are  
22 overburdened or have been similar-- or you have seen  
23 similar increases in crime that may require a  
24 satellite or a new precinct?

2 VINCENT GRIPPO: We currently do not have  
3 another precinct identified for this. We, as you  
4 know, the last time we did this it was the one to one  
5 in Staten Island. This precinct in the last year or  
6 so-- we've been looking at the 105 and the activity  
7 in the 105, and based on our assessment, we thought  
8 it merited consideration through the Mayor's Office  
9 for an additional precinct. So we did a more  
10 thorough analysis which confirmed the position we  
11 had, and that's why we ultimately received the  
12 funding for the precinct. The 70 million dollars  
13 will cover both design and construction. We'll have  
14 a much better sense on the construction cost once we  
15 go through design, but the challenge right now on the  
16 116<sup>th</sup> is finding a piece of property, and that's the  
17 first step in that process, unlike in other instances  
18 like the 40 where we had a property identified, we  
19 don't have a property identified for the 116. So, we  
20 have a geographic boundary in, I think, the southern  
21 part of the 105 that we've given-- we shard with  
22 DCAS, and DCAS is now going to help us in terms of  
23 identifying an appropriate piece of land.

24 CHAIRPERSON FERRERAS-COPELAND: I'm sure  
25 that the local Council Members and elected officials

2 can also help out. We're constantly engaging with  
3 the School Construction Authority when we have to  
4 identify sites for schools. So, they may also be a  
5 good partner. In previous hearings we have often  
6 discussed the need for precincts across the City to  
7 be renovated or rehabilitated. In fact, the Council  
8 has often called for additional capital funds to  
9 improve the quality of the precincts as was mentioned  
10 by your testimony. I'm glad to see that funding was  
11 added to the locker room renovations, that the  
12 Department continues to improve bathrooms across its  
13 facilities. However, I am concerned about other  
14 precincts that require additional capital funds to  
15 complete renovations or rehabilitation. Which  
16 additional precincts need renovations or rehabs that  
17 are not included in the, you know, bathroom or clean-  
18 up, or you know, assess-- I know that you're going  
19 out and doing assessments. Have the assessments  
20 identified precincts that may need a little bit more?

21 COMMISSIONER BRATTON: Last year, as you  
22 recall, that you funded in the civilianization effort  
23 a number of positions that allowed Vinnie Grippo to  
24 create four teams that deployed around the City,  
25 carpenters, electricians, HVAC specialists, and those

2 teams have been working very hard as part of the  
3 clean-up program to get in and do some of the quick  
4 clean-up. Vinnie has also identified utilizing a lot  
5 of in-house resources. Approximately 25 precincts  
6 that we're going to be able to do more extensive work  
7 on in addition to the clean-up, HVAC, and so I'll ask  
8 him to speak to that. This would be using internal  
9 resources that you've already provided and funding  
10 that he will seek to identify.

11 VINCENT GRIPPO: So, I prior years, we  
12 were taking the approach of ultimately trying to  
13 identify buildings that were in need of capital  
14 repairs, asking for funds or using a lump sum, so to  
15 speak, but what the Commissioner is speaking to, this  
16 year we've taken a very different approach.  
17 Ultimately, our goal this year was to get to every  
18 single building, all 100 commands, precincts, transit  
19 districts, and PSA's, and to do a deep thorough  
20 cleaning is the first time we've ever done that  
21 thanks to the funding that the City Council and the  
22 Mayor provided. We were able to outsource a deep  
23 thorough cleaning. We knew that that would be almost  
24 impossible to complete, if we asked those crews to go  
25 in with the buildings in the condition they were. So

2 what we did up front before those crews went in was  
3 offsite files, tons of boxes. You walk through a  
4 precinct, you see them. They're in the hallways.  
5 They're everywhere. Files that don't really need to  
6 be on site. So we were able to offsite those files  
7 which really opened up the space, made it easier to  
8 clean. A lot of debris that needed to be removed  
9 that hadn't been removed for years. Ultimately, use  
10 of dumpsters, getting rid of stuff that 30-40 years  
11 old that should have been thrown away a long time  
12 ago. We were able to clean up the buildings, allow  
13 the crews to come in and do the deeper cleaning, and  
14 then we did paint. We did repair work. We did other  
15 things in those precincts that really haven't been  
16 done in many years. What we're looking at next year-  
17 - again, thanks to the funding we received in this  
18 year's budget. Last year we self-funded a lot of  
19 those initiatives with a goal that this really needed  
20 to happen. This year, with the funding that was  
21 provided, we're now going to look at 25 of those  
22 commands. So the idea is within a four-year period  
23 we'll be able to get to everyone. We're starting  
24 with the 25 commands that are the oldest, that are  
25 the most overcrowded, and with the funding that we

2 have here, since we've done phase one, we're now  
3 going to go in and do a much deeper repair and  
4 maintenance program for those 25 commands that are  
5 most in need, more paint, more-- better upgrade of  
6 lighting fixtures, new flooring, furniture that was  
7 provided. So, the new locker rooms and the new  
8 bathrooms will be a citywide thing, and it will be  
9 done in a span of three or four years, and it will be  
10 integrated with this program of identifying the 25  
11 precincts in each year. We're going to do a bigger  
12 investment to really clean them up, to modernize  
13 them, to bring them back to a condition that we think  
14 is necessary for the cops and for the public  
15 ultimately when they come there.

16 CHAIRPERSON FERRERAS-COPELAND: Great.

17 Can you share with both of our committees, the 25  
18 precincts so that we know which are the first 25?

19 VINCENT GRIPPO: Today we don't have  
20 those, but we can share them, yes.

21 CHAIRPERSON FERRERAS-COPELAND: No, you  
22 can share them with the committee, that's fine. How  
23 does the Department determine which precincts it  
24 prioritizes? For example, you're committing 5.97  
25 million towards the four-year project to renovate as

2 you had just mentioned. So, the 25, you said that  
3 it's the oldest or the ones in worse conditions. Are  
4 there any other metrics that you're using to  
5 identify? For example, if there's a precinct that  
6 has no HVAC, it might not be in the oldest building,  
7 but the heating and cooling systems aren't up to par,  
8 would that trigger being one of the priority?

9 VINCENT GRIPPO: Yeah, I think your answer  
10 is actually better than mine.

11 CHAIRPERSON FERRERAS-COPELAND: Okay,  
12 good.

13 VINCENT GRIPPO: And yes, my--the people  
14 that work for me I think have a better sense of the  
15 inner workings of this, but what we laid out was a  
16 combination of-- when I say the age of the building,  
17 it's really the condition of the building.

18 CHAIRPERSON FERRERAS-COPELAND: Okay.

19 VINCENT GRIPPO: Because some of our older  
20 buildings may be in better condition. It's the  
21 condition of the building, which we're intimately  
22 aware of the buildings that are really outdated that  
23 haven't been invested in in quite some time, but then  
24 combining that with the activity, because ultimately  
25 the buildings that have the highest staffing levels

2 and the highest activity, we want to prioritize those  
3 as well. So, we're using those two factors together  
4 to come up with the 25 we think make the most sense.

5 CHAIRPERSON FERRERAS-COPELAND: Of course  
6 [off mic]. Great. And, you know, I feel like I  
7 always have to ask this, but the update on the 110<sup>th</sup>  
8 Precinct, it's a conversation we've engaged with for-  
9 - you know, for me it's been a very long time. As  
10 Finance Chair, this is our third time bringing it up.  
11 It's a precinct that is in a-- probably the worst  
12 location in my district. Officers don't know where  
13 to park. The community doesn't know where to park.  
14 The building is falling apart. So what's the plan?

15 VINCENT GRIPPO: I think certainly the 110  
16 will be a candidate early for the program that I just  
17 mentioned, but in terms of the--

18 CHAIRPERSON FERRERAS-COPELAND:  
19 [interposing] I don't think you need to clean it. I  
20 think you need to move it.

21 VINCENT GRIPPO: Yeah, right. Well, in  
22 terms of that I think really at this point what's  
23 needed would be a different site selection. The  
24 issue with the current site, we've never been able to  
25 move past the issues. In terms of it being on Parks

2 land, having to return parks land if we were to  
3 utilize that property has been problematic. The Hall  
4 of Science, it has a 99-year lease for the particular  
5 part of the property that we're looking to put the  
6 precinct. I think at this point, similar to what  
7 we're doing in the 116, if we're going to replace the  
8 110 we likely need to find another location outside  
9 Flushing Meadow Park that could serve as a  
10 replacement. So, it's something we can speak to your  
11 office about.

12 CHAIRPERSON FERRERAS-COPELAND: Okay.

13 Well, let's speak off-record. I mean, not-- well,  
14 yes, after the hearing, because we-- I probably have  
15 some suggestions of where we can move this facility.  
16 I'm going to now ask the Co-chair to ask her  
17 questions, and then we will begin with our  
18 colleagues.

19 CHAIRPERSON GIBSON: Okay. Thank you  
20 very much. Thank you Madam Speaker, and thank you  
21 Chair Julissa Ferreras-Copeland, and I too want to  
22 just say we are a mighty strong 14 in the City  
23 Council, and it's certainly an honor and privilege  
24 working with my colleagues, and I thank you for being  
25 here. And thank you Commissioner, for your

2 testimony. I have several questions, a lot of which  
3 you outlined in your testimony, and I really  
4 appreciate the efforts that we have made collectively  
5 to invest in training, technology, new tech tactics,  
6 de-escalation, fighting against terrorism, and making  
7 sure that at the end of the day all New Yorkers are  
8 extremely safe. I do know that in the past two  
9 years, overall crime in our seven major crime  
10 categories has been down by about 5.6 percent. I  
11 think that's great. So I know that we're making a  
12 lot of progress and certainly are looking forward to  
13 more success stories. I wanted to ask a two-part  
14 question on recruitment and diversity. Working with  
15 Chief Royster and I know our new Deputy Commissioner  
16 Tracie Keese, we have made a number of changes to  
17 the recruitment effort to ensure that we are hiring  
18 and attracting the brightest and the best. I do know  
19 that this three-year process from applicant to  
20 recruit, you have committed to reducing in half to a  
21 year and a half. So, I wanted to find out now with  
22 the smaller classes in January, April, July, and  
23 October, and having a smaller setting of recruits.  
24 What further efforts are we looking to do to ensure  
25 that we are recruiting a diverse community of police

2 officers that are reflective of the City, which we  
3 have made significant progress now? And I also wanted  
4 to ask about the Candidate Assessment Unit and where  
5 we are with that? And my third part of the question  
6 is promotional path. Wanted to make sure that we are  
7 encouraging diversity among the higher ranks of  
8 officer, and we're encouraging officers taking a  
9 sergeant's exam and rising through the ranks of the  
10 Department to ensure that as we get to the top of  
11 executive staff we continue to focus on quality as  
12 well as diversity.

13 COMMISSIONER BRATTON: I'm going to ask  
14 Commissioner Tucker to speak to the three issues you  
15 raised, but in an overall response, that we have been  
16 focusing a lot of time and attention on this. One,  
17 trying to clear up the 50,000 candidate backlog that  
18 we have during the 2008/2009 recession. The  
19 Department, although it ws not hiring police  
20 officers, kept testing. So we created a huge backlog  
21 that contributed to the fact it takes on average  
22 three years to become a New York City Police Officer  
23 from the time of application. Good news there is  
24 that we get a more mature candidate, because they  
25 come in at an average age 25 or 26. Bad news is we

2 lose a lot of candidates, particularly from the now  
3 the millennial generation which we're recruiting  
4 from. That's a population that tends to move very  
5 quickly if they're not able to meet their needs. So,  
6 what we've been engaged in is getting rid of that  
7 backlog, committing to trying to get somebody hired  
8 within 18 months of being first exposed to the  
9 testing process as well as new recruiting  
10 initiatives, multiple recruiting initiative to appeal  
11 to what is now the millennial generation. Old  
12 traditional methods are just not going to work for  
13 that population. Additionally, on the promotional  
14 track that we've been doing a lot to incentivize  
15 particularly at our Captain's level. The roadblock  
16 we had on quotient of minorities on up to the  
17 executive ranks of the Department, the blockage was  
18 principally lieutenant to captain where many of our  
19 minority candidates would be in lieutenant spots,  
20 lieutenant specialist positions, and the captain's  
21 rank was seen as a step back rather than a step  
22 forward for a variety of reasons. Working with our  
23 Captains Endowment Association we have changed that  
24 significantly. So, the captain's rank now has a lot  
25 of added benefits to it over time-- executive car

2 privileges. We are expanding significantly the  
3 number of Deputy Inspectors and inspectors in our  
4 precincts to open up even more promotional  
5 opportunities. So, I think that that effort in years  
6 ahead is going to be an investment that'll pay great  
7 dividends. But if I could ask Commissioner Tucker to  
8 give you a brief summary of what he and his team have  
9 been working on, a lot of exciting initiatives.

10 CHAIRPERSON GIBSON: Okay, great.

11 COMMISSIONER TUCKER: Good morning. Good  
12 morning, Madam Chair.

13 CHAIRPERSON GIBSON: Good morning.

14 COMMISSIONER TUCKER: So, just on  
15 recruitment, let me start there. So, we are in the  
16 process of this and in connection with your point  
17 about the reduction in the time it takes from the  
18 time a person takes the exam to the time they get  
19 hired, that three and a half to four year period  
20 we've been working with DCAS to-- we've frozen the  
21 exams, as you may recall. We haven't given an exam  
22 in several months now. People were able to walk in.  
23 So, we asked DCAS to just shut down the pipeline on  
24 giving exams so that we can reduce the almost 50,000  
25 people over the past almost year that we're sitting

2 on those lists. So we have moved that number with the  
3 hiring of our 1,297 and every probationary officer  
4 since that time. That number's come down. We've  
5 hired off those lists, and we've been holding off  
6 until we reduce that number, that excess, that  
7 surplus number of people on those lists until before  
8 we roll out a new recruitment campaign. So, that's  
9 our goal. So that number's come down substantially,  
10 and we can-- I can ask Chief Spinella, our Chief of  
11 Personnel, to give you some of the specifics, but in  
12 any case, we are very close to reducing that number  
13 somewhere under 20,000, and over the next--between  
14 now and the time we give the next exam, which may be  
15 some time in February, then we will-- in the fall we  
16 will begin to hire off of-- we'll roll out the  
17 campaign probably in late summer, and then we'd begin  
18 to attract the people that we are looking to go after  
19 with that new campaign. We can brief you and show  
20 you what that campaign will look like. So, on  
21 recruitment, we're moving in that direction. With  
22 respect to diversity, certainly as part of the  
23 recruitment plan, we will be directing our campaigns  
24 to almost every neighborhood around the City and be  
25 very specific about the kinds of people that we're

2 looking for, but we can send-- our ads will reflect  
3 the kinds of folks that we're looking for, both in  
4 terms of gender, in terms of race and ethnicity and  
5 so forth. So, that's the goal. The community-- the  
6 Assessment Division that you mentioned, the Candidate  
7 Assessment Division, you may recall we had an-- we  
8 started an effort a little more than close to a year  
9 ago of thinking about how we increase our customer  
10 service, and encouraging people to come into the  
11 Department and taking that process. Right now, we've  
12 begun to reduce the number of sites that individuals  
13 go to. We had multiple sites as you may recall where  
14 candidates would go to process both not just for a  
15 physical testing, but also for psychological testing  
16 and so forth. We've now combined those units into  
17 one location at the 20<sup>th</sup> Street Police Academy, the  
18 old police academy. That process has begun. Medical  
19 Division is still out in Lefrak City, but our  
20 recruitment division, our investigators and our  
21 processing, the JTS exam and so forth, all of that is  
22 now centralized in the old academy. Commissioner  
23 Grippo has been very helpful in helping us both clean  
24 up the academy, put in new furniture, clean up the  
25 floors, build new space out so that we can

2 accommodate the psychologists when they arrive  
3 several months from now as well. So, we have this  
4 process that's sort of all connected to the whole  
5 recruitment effort and all of the candidate  
6 processing efforts as well, and we will-- we're  
7 moving in that direction, and we'll keep that going  
8 over the next several-- over the next several months.  
9 As--

10 CHAIRPERSON GIBSON: [interposing] Okay,  
11 great. No, no, I just want to move one. I appreciate  
12 that, and we are planning to have a further  
13 discussion about it. I appreciate the efforts that  
14 are being made to really reduce the process and make  
15 it easier for New Yorkers to join the NYPD. I think  
16 it's a great step of progress and look forward to  
17 more dialogue on that. I wanted to get an update on  
18 the homeless shelter security and the assessment and  
19 evaluation that the Department is doing in  
20 conjunction with DHS. Could you tell us where we are  
21 with the taskforce, the working group, and have we  
22 started the evaluation in where we are?

23 JAMES O'NEILL: Sure, I'll take care of  
24 that. So, we selected the executives from the NYPD  
25 to go over to DHS. Chief Ed Thompson has been over

1 there for about a month. He's got his team fully in  
2 place. He's got a Deputy Inspector and a sergeant  
3 over there. The first thing he looked at was  
4 staffing. He gave me a Preliminary Assessment Report  
5 and he's only been there for a month. So, he's doing  
6 a great job so far. Trying to figure out where the  
7 staffing's assigned, where they're located, which  
8 peace officers are part-time and fulltime, and a big  
9 component of this, they have private security at a  
10 lot of the shelters. So, he did a preliminary  
11 assessment there, and then he's-- right now he's in  
12 the process of talking to the key personnel within  
13 DHS to see what the issues are. He met with the DHS  
14 Captains. He's got a meeting with DHS headquarters  
15 this week. We are working on the training. It's  
16 five days for our supervisors and four days for DHS  
17 officers, and some of the things that were in the  
18 program, our use of force, EDP protocols, take-downs,  
19 de-escalation training, handcuff training. They have  
20 a-- actually have a Warrant Division in DHS, so  
21 they've been getting training also. Looking at all  
22 their policies, we have-- looking at how they're  
23 collecting the data to make sure that we can staff-up  
24 all of the shelters properly to see where the issues  
25

1 are, and he's looked at 30<sup>th</sup> Street and Ward's Island  
2 so far, which are the two biggest shelters. So, he's  
3 been there for about a month. He's going at a good  
4 pace, and we should be able to get a full assessment  
5 probably within six months.

7 CHAIRPERSON GIBSON: Okay, great. So  
8 we'll have another chance to talk further about it--

9 JAMES O'NEILL: [interposing] Yep.

10 CHAIRPERSON GIBSON: after the  
11 evaluation's done?

12 JAMES O'NEILL: Yep.

13 CHAIRPERSON GIBSON: Okay, great. I know  
14 our Chair talked a little bit about civilianization,  
15 and I know Deputy Commissioner Grippo, you talked a  
16 little bit about the process by which we're looking  
17 to get to 600 civilian staff. I wanted to ask with  
18 the request of hiring additional TEA's and with PSAC  
19 Two opening next month, are we on time to hire the  
20 additional PCT's that we're looking to work at PSAC  
21 Two, the 100 PCT's that you're looking to hire? Is  
22 that on track? In terms of hiring?

23 COMMISSIONER BRATTON: We'll ask Deputy  
24 Commissioner Jessi Tisch who has the responsibility

2 for that project to answer that question for you.  
3 Jessi?

4 JESSICA TISCH: Well, we just got the  
5 approval to hire the Administration PCT's. We just  
6 got the funding. So, that effort is starting in  
7 Ernest now. We're bringing in another class of 60  
8 new PCT's this month, and in terms of whether that's  
9 going to delay the opening of PSAC Two, the answer is  
10 absolutely not. We'd always planned for a phased  
11 roll-out of PSAC Two. So, on day one, we're not going  
12 to have a full complement of PCT's working out of  
13 PSAC Two. We're going to phase them in slowly.

14 CHAIRPERSON GIBSON: Okay.

15 JESSICA TISCH: But it-- that phasing  
16 will not be limited or impacted in any way by  
17 headcount issues.

18 CHAIRPERSON GIBSON: Okay, great. School  
19 crossing guards, I love talking about school crossing  
20 guards. We have baselined 80 new spots for school  
21 crossing guards, and I wanted to find out where we  
22 are and your partnership with DOE in identifying any  
23 schools that do not have a school crossing guard, and  
24 further, we've had multiple conversations around some  
25 of the issues regarding benefits and hourly wages and

2 some of the annualization [sic] of health benefits  
3 for our school crossing guards. So, do you have an  
4 update for us to provide?

5 VINCENT GRIPPO: Yeah, so we're working  
6 on this issue trying to tackle it from a number of  
7 different fronts. You're aware we've been working on  
8 the wage, and ultimately there has been an increase  
9 in the wage, and ultimately we're going to continue  
10 to work on that issue, whether that's sufficient or  
11 not. We may revisit it. We've looked at things like  
12 providing metro cards for people who have to commute.  
13 All those issues are being worked out with the union  
14 and between our labor people and the union, but we're  
15 doing more. We've just commissioned OMAP in my  
16 office to do a study of all the school crossing  
17 locations to get a better sense of which-- where  
18 they're assigned currently, whether those make sense,  
19 what the criteria are for that. Also, prioritizing  
20 the school crossing locations so that on any given  
21 day we know what the most critical locations are, and  
22 we're looking at different models in terms of the  
23 management structure that sits on top of the school  
24 crossing guards. Part of what OMAP will do we'll do

2 assess whether we need additional supervision, what  
3 that additional supervision might look like.

4 CHAIRPERSON GIBSON: Okay, great. And I  
5 just have two final questions before I get to my  
6 colleagues. We are gearing up for the summer season.  
7 I know that there is a plan to roll out Summer All  
8 Out again. I wanted to find out if you can give us an  
9 update on the number of officers and where you expect  
10 them to be for the duration of the summer.

11 JAMES O'NEILL: So, this year we're  
12 looking at something a little bit different. The  
13 last two years we've been putting out people  
14 temporarily, 90-day temps.

15 CHAIRPERSON GIBSON: Right.

16 JAMES O'NEILL: Last year we had about  
17 350. This year we're going to be looking at, and it  
18 hasn't been finalized yet, to permanently put 200  
19 administrative people out back out to patrol, and  
20 they'd be put into the Neighborhood Policing  
21 Commands.

22 CHAIRPERSON GIBSON: So, they would be  
23 permanently assigned to the locations they--

24 JAMES O'NEILL: [interposing] Correct.  
25

2 CHAIRPERSON GIBSON: would be working  
3 during the summer?

4 JAMES O'NEILL: Correct, yes.

5 CHAIRPERSON GIBSON: Okay, great.

6 JAMES O'NEILL: We do have a big class  
7 coming out the end of June.

8 CHAIRPERSON GIBSON: Right, right, right.

9 JAMES O'NEILL: So we took that into  
10 consideration.

11 CHAIRPERSON GIBSON: Okay, great. School  
12 safety is something else that we've been doing a lot  
13 of work around, and I wanted to find out the School  
14 Leadership Climate Team and all the work we're doing  
15 on de-escalation, working with our SSA's, is there  
16 any update you could give us because there were a  
17 couple of stories that came out about school violence  
18 and the accuracy of some of the data, and I wanted to  
19 find out if you could respond to that in terms of the  
20 work we're doing with our schools, SSA's? I know  
21 there are some schools that don't have enough, and  
22 we're looking to hire an additional 175. I would  
23 love to get a list of those particular schools that  
24 need additional SSA's and a further update.

2 COMMISSIONER BRATTON: Yeah, I'd point out  
3 that as you're well aware that there has really not  
4 been an increase in the strength of school safety  
5 agents, safety officers, over the last number of  
6 years while the number of schools or campuses has  
7 grown by almost 200. So, we're operating at a  
8 significant deficit in the sense of the growth of the  
9 school system while the growth of the officers  
10 assigned for security have not grown as  
11 exponentially. So that's something that they  
12 constantly wrestle with. We are seeking an  
13 additional number of officers as reflected in the  
14 budget presentation to help make up for some of that  
15 deficit, but it in no way makes up for what we feel  
16 we truly need for the whole school system. The crime  
17 statistics that very much in debate, some of the  
18 activist groups, advocacy groups seeking to bring  
19 their own numbers into play. I go by my numbers, and  
20 my numbers clearly indicate that over the last number  
21 of years crime is clearly down in the schools,  
22 reported crime. We pointed out last week that  
23 weapons seizures are up during the same period of  
24 time, but I don't see that as a negative, much the  
25 same as weapon seizures in the City as a whole are

2 up, and we see that as a positive, more assertive  
3 policing, more effective policing similarly in the  
4 schools. The issue of weapons in the schools is a  
5 shared responsibility. Parents ensuring that their  
6 children are not taking from the home environment  
7 guns, which when we find a gun on a young person, it  
8 invariably comes out of the home environment. Two,  
9 stun guns which seem to very popular among parents to  
10 buy for their children. Schools are not a place to  
11 bring those devices. So, shared responsibility  
12 working with parents on that issue. And then the  
13 prevalence unfortunately of other types of weapons  
14 that-- cutting types of weapons also is something  
15 that parents working with their children need to work  
16 with school officials, principals, Police Department.  
17 If their children are being bullied to the extent  
18 they feel they need to carry a weapon to school to  
19 defend themselves, we can work with them on that  
20 effort also. But while there's no denying that any  
21 violence in our schools is too much, that what we  
22 report, what we receive, and what we investigate has  
23 been continuing to go down over the last several  
24 years.

2 CHAIRPERSON GIBSON: Thank you very much,  
3 and as I turn this over to our Minority Leader, I did  
4 want to just mention that I do know that we have been  
5 getting information about the Police Disability  
6 Pension issue, and with all of the work we're doing  
7 to attract a diverse population of NYPD officers,  
8 many of them obviously face dangers each and every  
9 day, so it's an issue that, you know, is coming to  
10 the Council that we certainly want to have  
11 discussions with you about, because we want to make  
12 sure officers are protected, and should they get  
13 injured, we want to make sure that their disability  
14 is sufficient so that they're still able to maintain  
15 their lifestyle. Unfortunately, with the horrific  
16 fire that we had in Brooklyn and the tragic death of  
17 our Detective Guerra [sp?] and the horrific injury of  
18 Officer Rodriguez, I think for me it highlighted the  
19 inconsistency we have in our disability pension  
20 system. So, I just wanted to let you know that I am  
21 definitely very, very committed to working with you  
22 and this Administration on making sure that we can  
23 equalize the process so that disability pension is  
24 equal in the entire Department.

2 COMMISSIONER BRATTON: We have a shared  
3 interest in the welfare of our personnel and their  
4 families.

5 CHAIRPERSON GIBSON: Thank you. I'd like  
6 to acknowledge that we've been joined by Council  
7 Member Helen Rosenthal and Council Member Rafael  
8 Espinal, and now we will get to our Minority Leader  
9 Steve Matteo.

10 COUNCIL MEMBER MATTEO: Thank you, Madam  
11 Chair. Welcome, Commissioner. I just want to quickly  
12 begin by thanking Chief Delatorre and our four CO's,  
13 Pequino [sic], Harrington, Washington, Noonan [sp?].  
14 They do a great job and always on-call for us, and  
15 just-- I just want to make sure that you know how  
16 great of a job they're doing on Staten Island. Just  
17 to begin, obviously, drug overdose on Staten Island.  
18 Forty-eight fatal drug overdoses as of May 20<sup>th</sup>. You  
19 know, we are rightfully-- have been having discussion  
20 and adding resources for treatment. We want to talk  
21 a little bit on the enforcement end, if the PD-- what  
22 is the-- any resources that are coming to Staten  
23 Island in terms of narcotic detectives, and just what  
24 is the PD's plan in general how to deal with the drug  
25 overdose?

2 COMMISSIONER BRATTON: In general, it's a  
3 collaboration. It's a combination health issue, law  
4 enforcement issue, shared responsibility issue, the  
5 families of those people that are becoming addicted,  
6 shared responsibility with the medical community,  
7 which in many respects created this crisis with the  
8 over-prescribing of drugs in the first place. It has  
9 become a horrendous problem nationally, and one that  
10 we are feeling particularly Staten Island  
11 interestingly enough is not the most serious problem  
12 in the City. I believe that's up in the Bronx, but  
13 it gets a lot of attention in Staten Island, and to-  
14 date I think there's been 46 or 47 overdose deaths.  
15 The Department is taking significant efforts to equip  
16 all of its officers with the appropriate antidote  
17 when encountering an overdose to try and bring them  
18 back. The problem then becomes that it doesn't stop  
19 them from going right out the next day and overdosing  
20 again. So, that's where the collaboration with the  
21 City Government, the Mayor, yourselves is going to be  
22 essential. But on the law enforcement side, we are  
23 working in close coordination with our colleagues at  
24 the federal level, special narcotics prosecutor  
25 focusing on the distribution of the drugs, both in

2 terms of the drug dealers as well as those medical  
3 practitioners who are unscrupulous in their  
4 prescription behavior. So, it's a multi-faceted,  
5 multi-headed problem, but we are focusing a lot of  
6 attention and resources. In the case of Staten  
7 Island, Chief Delatorre is probably one of the top  
8 experts in the country now on that issue. He will  
9 actually be addressing the Major City Chiefs this  
10 week when they come in about what he's been doing on  
11 Staten Island, because it's been recognized the  
12 partnership he's formed with the DA as well as  
13 political leadership that all that can be done at  
14 this time is being done with the understanding that a  
15 lot more is going to need to be done.

16 JAMES O'NEILL: I can jump in and add. So,  
17 we just actually had a CompStat last Thursday. It  
18 was actually a NORCO stat, and Mike McMahon from  
19 Staten Island was-- attended. So there's a couple  
20 things we're doing. We're going to move additional--  
21 we're redeploying some people from NORCO boroughs  
22 outside of Staten Island back into Staten Island so  
23 they'll have 15 additional investigators coming to  
24 Staten Island.

25 COUNCIL MEMBER MATTEO: You said 15?

2 JAMES O'NEILL: Fifteen. And then we're  
3 also taking cases on all OD's in Staten Island. If  
4 there's an OD, our detectives are going to  
5 investigate that to see where that came from and see  
6 if we can get some prosecutions out of that.

7 COUNCIL MEMBER MATTEO: Thanks, Chief.  
8 And do you know when the 15 will be in place?

9 JAMES O'NEILL: What we're going to do is  
10 we're taking seasoned investigators from the other  
11 boroughs and moving them into Staten Island. So, we  
12 have to train up 15 new investigators. So it'll  
13 probably be a month or two and they'll be there.

14 COUNCIL MEMBER MATTEO: Okay, I appreciate  
15 it. Just jumping around some issues. I appreciate  
16 Chief Chan's work working in the Battery Tunnel  
17 getting our folks home, opening another lane. I  
18 appreciate that. In the morning, HOV lane it's  
19 becoming clogged with single-occupancy vehicles.  
20 It's a three plus HOV. All I'm asking is that if you  
21 can increase some patrols in the morning rush. I  
22 know you have in the past. Lately, it's just been--  
23 the issue's just getting worse. If we could just get  
24 a few more patrols in the morning, I think it would  
25 help the commute especially for our express bus

2 riders, which the HOV, you know, is intended for.  
3 So, I'd appreciate it if you can send some patrols.  
4 And in terms of some of the issues that are arising  
5 in the northern part of my district, the Northshore.  
6 We had a few stabbings this weekend. Just, you know,  
7 additional resources that you're using to combat some  
8 of it. I know a lot of it's the domestic violence  
9 issues that are difficult, and I know the PD's doing  
10 a good job. Just wondering any additional resources  
11 to deal with that and how the Council can be  
12 collaborative in helping provide some of those  
13 resources?

14 COMMISSIONER BRATTON: No additional  
15 resources to deal with that. I think sufficient  
16 resources are there. Again, a shared responsibility  
17 that on this issue, domestic violence in particular.  
18 We will be, this year as you know, putting into every  
19 precinct two victim's advocates that will be very  
20 helpful in dealing with some of these issues which  
21 are generational in terms of both neighborhood  
22 disputes, domestic violence disputes which fuel a lot  
23 of the violence in your community. So, additional  
24 resources that you've already funded will be coming  
25 online once we get the contracts up and running this

2 year. So, it's something that--anything that deals  
3 with violence, we focus on, but on your issue, it's a  
4 shared issue around the City at the moment.

5 COUNCIL MEMBER MATTEO: And one final  
6 question. The Narcan, every officer has Narcan  
7 training or are they going through the process of  
8 having Narcan training. Narcan? Naloxone?

9 COMMISSIONER BRATTON: Okay.

10 COUNCIL MEMBER MATTEO: Does every--

11 COMMISSIONER BRATTON: [interposing] We  
12 all mispronounce that. Did you notice I don't even  
13 attempt to pronounce--

14 COUNCIL MEMBER MATTEO: [interposing] I do  
15 the simplistic Narcan so we don't--

16 COMMISSIONER BRATTON: [interposing] The--

17 COUNCIL MEMBER MATTEO: [interposing] But  
18 is every officer trained already or are they going  
19 through the process and that they have it--

20 COMMISSIONER BRATTON: [interposing] I  
21 think most of your Staten Island has already been  
22 trained. What we're also doing is doubling the  
23 dosage they carry. Unfortunately, the drugs they're  
24 overdosing on now, the opiates that are so strong,  
25 that one dose is not enough to bring some of them

2 back. So, we're actually doubling the dose that the  
3 officers are carrying for that purpose.

4 COUNCIL MEMBER MATTEO: Thank you.

5 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
6 Minority Leader. We've now-- we'll now hear from  
7 Council Member Vacca followed by Council Member  
8 Rodriguez followed by Council Member Deutsch.

9 COUNCIL MEMBER VACCA: I wanted to bring  
10 up Rodman's Neck again, Commissioner. We had  
11 previous discussions when you came to this committee  
12 at previous hearings. I know that your Department  
13 identified capital needs there. Three options were  
14 given I understand, ranging from 150 million to 950  
15 million. As you know, this is the police training  
16 facility bomb detonation site. It's falling apart.  
17 Of the three estimates that your department gave to  
18 the City, to the Administration, they funded nothing,  
19 and this is despite the fact that we've had  
20 commitments to rehab this site from the days of David  
21 Dinkins. The buildings that the police officers use  
22 are falling down. There is lead contamination in the  
23 ground, the extent of which we do not know. Bombs go  
24 off and the community shakes from the noise. I was  
25 very dismayed that nothing was allocated in the

2 Executive Budget by the Mayor, and I'd like to know  
3 your reaction and where do we go from here, and what  
4 are your plans?

5 COMMISSIONER BRATTON: Vinnie?

6 VINCENT GRIPPO: So, we-- the numbers  
7 that you're citing are not-- we do not have official  
8 estimates. What we have, what you're referencing is  
9 we are in design through what's called the Capital  
10 Project Scope Development Program. We think this is  
11 a very good program that the Mayor's Budget office  
12 established that allows us to use expense dollars to  
13 go through the design phase for projects like this  
14 before we officially submit capital budget requests,  
15 because it gives us a much better sense of what the  
16 actual and true construction cost will be once we've  
17 completed design.

18 COUNCIL MEMBER VACCA: This is the answer  
19 that we received previously. At the previous hearing  
20 on the Preliminary Budget you said that by April 15<sup>th</sup>  
21 or so, before the Executive Budget was released, you  
22 would have an estimate on the capital cost to this  
23 project. You submitted three-- you're aware of three  
24 estimates, the lowest of which is 150 million. My  
25 community cannot accept that this is in a never-

2 ending design review process, and yet there's no  
3 money in the budget, which means that there's not  
4 commitment to this project to do anything. We know  
5 that this has been spoken about. We know that you've  
6 had meetings. Where is the money that we were told?  
7 We were told you were going to submit to the  
8 Administration a range of what was needed based on  
9 your conversations and designs. It appears to me you  
10 submitted a range and we got nothing, not even the  
11 minimal amount of 150 million dollars.

12 VINCENT GRIPPO: No, what's not correct  
13 is we do not have final design plans with a finalized  
14 cost. The options-- this is common in a design  
15 process is that we've hit certain milestones within  
16 design where we've had to make certain decisions, and  
17 we've discussed those with the design consultant.

18 COUNCIL MEMBER VACCA: I only have five  
19 minutes and I'm sorry to interrupt, because you're a  
20 gentleman, and I want to be a gentleman. Let me tell  
21 you something. Nowhere else in the City of New York  
22 do we await for final design before we put capital  
23 money in the budget. Capital money is put in the  
24 budget so that final-- so that a design can be  
25 initiated. We don't design a new playground until

2 there's capital money in the budget. We don't design  
3 a new library until there's capital money in the  
4 budget. You wouldn't be designing that new precinct  
5 in Queens unless there was 70 million dollars of  
6 capital money in the budget. My community has been  
7 told wait. I'm not waiting anymore. I want to know  
8 when this is going to be done. When are we going to  
9 have a facility that our cops can be proud to train  
10 in? When am I going to know how much damn lead is  
11 in the ground on park land of the City of New York?  
12 When am I-- is my community not going to be shaken by  
13 bombs that police detonate within one hour's notice?  
14 Now we're getting notified. Within one hour we get a  
15 notice a bomb's going off. Thank you. I'm not  
16 accepting what I'm listening to, and I want something  
17 to be done the way it's done in any other agency. I  
18 want my community treated the way everybody else in  
19 this city would be treated, and I want police  
20 officers treated the way that they should be treated  
21 respectfully. I'm not happy with this. The  
22 Administration failed to allocate one cent, one cent.  
23 I waive the rest of my time because I've had it with  
24 this.

2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you, Council Member, and both Chairs will be  
4 following up on the Council Member's issue. Now we  
5 will hear from Council Member Rodriguez followed by  
6 Council Member Deutsch followed by Council Member  
7 Miller.

8 COUNCIL MEMBER RODRIGUEZ: Thank you,  
9 Chairs. First of all I would like to thank Mayor de  
10 Blasio and Commissioner Bratton for their leadership.  
11 As I say when we had the meeting, I heard a lot of  
12 people, those New Yorkers who were part of the  
13 Dinkins Administration how a lot of the good things  
14 that Mayor Giuliani took credit for started during  
15 the Dinkins time. Sometimes the Mayor gets to start  
16 a certain initiative, and Commissioner-- and you  
17 know, as what New York is, it's a city of men and  
18 women with vision. When I visited the Academy and  
19 went visiting [sic], the training that we saw in the  
20 academy for the men and women in charge of keeping  
21 our community safe for me was impressed. As someone  
22 that carry on both hat [sic], the one that have been  
23 organizing since Leono Bompers [sic] was killed, Juan  
24 Rodriguez, Anthony Baez [sic], as someone that have  
25 been arrested as a result of a stop-and-frisk, but

2 also as someone that now have two daughters, and as  
3 someone that also has the responsibility to work with  
4 the leadership of our city, taking our city to  
5 another level, and as a former teacher for 13 years,  
6 but I never sent one of my student to the principal  
7 office, and all of them have my cellphone number, the  
8 same one that I have today, I believe that that  
9 approach or training of the men and women who are  
10 patrolling our streets, who are interacting with our  
11 communities is very important the way on how those  
12 police officers are trained to respect and to  
13 address, even in the most uncomfortable situation.  
14 So, for me, again, what I saw in that training was  
15 impress [sic], and I believe that I hope that we  
16 have-- that we are so lucky to have Commissioner  
17 Bratton for many years, because you are building a  
18 legacy that I know that is already starting creating  
19 that trust between police officers in the community,  
20 but it's going to be the future generation that will  
21 be seeing police officers such as one of my brother  
22 who did a year in the 42<sup>nd</sup>, knowing that patrolling  
23 our street should not come with a lot of stress.  
24 That happening right now in the community to know  
25 that who they have walking in the street taking care

2 of safe of our street is a friend of them. So, how  
3 can we-- what can we expect to see developing from  
4 the training that you started in the academy with a  
5 great team, knowing that one thing is a theater  
6 [sic], the other thing is how do we get, you know,  
7 the men and women that had to deal and confront not  
8 only good citizens, but also criminals in the street?  
9 How can we persuade? What can we expect? What is  
10 your plan to continue expanding those value of police  
11 officer interacting with community members, even in  
12 the difficult situation in a way where they should be  
13 polite or they should be introducing themselves as a  
14 friend of the community, different from what we have  
15 in the past?

16 COMMISSIONER BRATTON: Well, I think you  
17 can see what we have attempted to do is identify  
18 every area that needs to be addressed to achieve what  
19 you are talking about. On recruiting, that we are  
20 changing our recruiting efforts to ensure that we are  
21 attracting the best and the brightest from the new  
22 generation, but that we're also attracting the best  
23 and the brightest from all of the many population  
24 groups that are in the City. We are trying to  
25 improve our treatment of them when they come in,

2 improving the facilities, the 20<sup>th</sup> Street where  
3 they're examined, where they are interviewed, and to  
4 mentor them through that process coming into the  
5 Department. In the Department at the Academy level we  
6 have totally revamped how we train, the topics we  
7 train on. We are moving toward as we've already  
8 referenced, smaller classes for more personal  
9 training, 400 instead of 1,200 or 1,600. We have  
10 changed the training regime, Chief O'Neill,  
11 Commissioner Tucker, that three months into the  
12 Academy they go into the precincts for 12 days, work  
13 a week of nights, work a day's, work a night-- in the  
14 morning watches so that they see firsthand what  
15 policing is really like apart from what they're  
16 learning in the Academy. They go back into the  
17 Academy for the next three months, and then when they  
18 graduate they go back to those same precincts. We no  
19 longer have Impact [sic]. We have done away with  
20 that. It was a program that had its usefulness for a  
21 period of time, but it also had many problems as we  
22 all know. So that program is now done. It's gone.  
23 When they come out of the Academy they go into the  
24 field training program where right now it's one field  
25 training officer for each of the two recruits. When

2 we get the smaller classes, we can reduce that to one  
3 field training officer each recruit so that for the  
4 first six months in the field they never work in the  
5 field by themselves. With the Neighborhood Policing  
6 Program that Chief Gomez, Chief O'Neill have  
7 designed, while they're in that six-month training  
8 program, they'll get exposed to the Sector Policing  
9 Program where they will get to interact with the now  
10 over 800 community partners that we have, volunteer  
11 community members who will show them the ropes, show  
12 them the neighborhood, welcome them to the  
13 neighborhood. Additionally, through your funding we  
14 will be training on average every police office in  
15 the New York City Police Department for five days a  
16 year, although in reality many of them are getting 10  
17 days a year these next several years. That's an  
18 increase from two days a year of firearms training.  
19 Now going up to three days of additional training.  
20 In addition, many of them are going to get that four-  
21 day Crisis Intervention Training that allow our  
22 officers-- recruits are getting all of this, but  
23 existing officers will get it also so that they know  
24 they can identify an autistic child. They can  
25 identify different symptoms of different drugs that

2 they might be encountering. You don't deal with a  
3 drug addicted person who is in crisis in one-size-  
4 fits-all. There's different things you have to do for  
5 different people. So in sum, in substance-- I've  
6 chewed up a lot of your time. We are attempting at  
7 every aspect of the Department to retrain, refocus,  
8 learn from the past what worked, what didn't work,  
9 and learn from what's going on around the country.  
10 We are continually developing best models here, but  
11 also learning from best models elsewhere.

12 COUNCIL MEMBER RODRIGUEZ: Thank you.

13 COMMISSIONER BRATTON: Thank you.

14 CHAIRPERSON FERRERAS-COPELAND: Thank  
15 you, Council Member. Council Member Deutsch followed  
16 by Council Member Miller followed by Minority Leader-  
17 - by Majority Leader Van Bramer.

18 COUNCIL MEMBER DEUTSCH: Thank you, Madam  
19 Chair. Good afternoon, Commissioner. First of all, I  
20 want to commend your NCO program under the leadership  
21 of Captain Palumbo and the 70 precincts. I was very  
22 impressed with what-- they had a-- they had all the  
23 NCO officers who are part of the program lined up and  
24 they each gave a brief history of themselves, and I  
25 believe the program is working very well in this, in

2 one of the precincts that overlap that's in my  
3 district, which is the 70 precinct. So, I want to  
4 thank you for that. Also, I wanted to speak about  
5 our auxiliary offices. I rely on the auxiliary  
6 offices, the volunteers that are out there each and  
7 every day who patrol my commercial districts, my  
8 residential districts, and I believe that they deter  
9 crime. They deter probably terrorism as well. They  
10 patrol our trains, outside our trains, our commercial  
11 areas, and my question-- my first question is  
12 currently how much is the allowance, the uniform  
13 allowance and equipment allowance for auxiliary  
14 officers?

15 COMMISSIONER BRATTON: Vinnie, do you know  
16 that or Chief Jaffe for that manner?

17 VINCENT GRIPPO: Yeah, well, we can get  
18 you-- I can get you that number right after the  
19 hearing.

20 COUNCIL MEMBER DEUTSCH: I'm sorry?

21 VINCENT GRIPPO: I can get you that  
22 number right after the hearing. I don't have it with  
23 me.

24 COUNCIL MEMBER DEUTSCH: Alright. So, I  
25 believe that allowance is 250 dollars per year, and I

1 believe that that allowance has been the same amount  
2 for I can-- probably for many, many years, probably  
3 10-15 years or 20 years, as far back as auxiliary  
4 program has been started. Is that correct? Do we  
5 have that number? How far does that 250--

6  
7 COMMISSIONER BRATTON: [interposing] we'll  
8 have to get that for you after this hearing also.

9 COUNCIL MEMBER DEUTSCH: Okay.

10 COMMISSIONER BRATTON: We're not prepared.  
11 We're not prepared to discuss that information. It  
12 was not-- that question was not asked of us prior to  
13 the hearing, so anything relative to that, we'll  
14 discuss with you after the hearing.

15 COUNCIL MEMBER DEUTSCH: Oh, okay.

16 COMMISSIONER BRATTON: We just don't have  
17 it, sorry.

18 COUNCIL MEMBER DEUTSCH: Okay, so we'll  
19 discuss that. On a second issue, the Argus cameras  
20 that we spoke about in the past, the last hearing,  
21 there were many Argus cameras that were  
22 malfunctioning, inoperable, and we also spoke about  
23 updating them and upgrading them. So, what has been  
24 done since then? And I don't see anything in the  
25 Executive Budget regarding that.

2 COMMISSIONER BRATTON: Deputy Commissioner  
3 Tisch can speak to that.

4 COUNCIL MEMBER DEUTSCH: Thank you.

5 JESSICA TISCH: A lot is going on in the  
6 Argus front right now. As many of you probably know,  
7 the Department has had I think since like 2013 a huge  
8 amount of funding on our books for Argus cameras, and  
9 the last-- that has gone unused, and the last time I  
10 came and spoke to you about the topic I said we were  
11 not expanding Argus at that moment. We were fixing  
12 all of the broken cameras and the un-network cameras  
13 that were up on poles and not sending any video. So  
14 I'm very pleased to tell you that that remediation  
15 work is nearly complete, and we are in the process  
16 now of putting up new Argus boxes. We've started in  
17 Brooklyn and the Bronx. I can get you the precinct  
18 numbers where the new boxes are going up, but we're  
19 working on about 150 new cameras now, and we hope to  
20 have all of the unexpended funds on our books for  
21 Argus spent and therefore like cameras up on poles in  
22 the first quarter of next year. So, I can get back  
23 to you on the specific plans for the 70, but I feel  
24 really good about where Argus is now.

2 COUNCIL MEMBER DEUTSCH: Okay, thank you  
3 very much. And I really-- I still have another  
4 minute left, and I really want to go back to  
5 auxiliary police officers, auxiliary or volunteers,  
6 and go back and to make sure that we continue  
7 discussing this, and you know, we spoke about minimum  
8 wage being raised, inflation. Minimum wage is being  
9 raised and inflation, and auxiliary officers take out  
10 money out of their own pocket for their uniform  
11 allowance and equipment allowance, and this is  
12 something I think we need to bring on the table  
13 during this budget to ensure that that allowance is  
14 raised to what is needed. Thank you.

15 JAMES O'NEILL: Thank you. We'd be happy  
16 to discuss that with you.

17 CHAIRPERSON FERRERAS-COPELAND: Thank  
18 you, Council Member. Miller followed by Majority  
19 Leader Van Bramer followed by Council Member  
20 Rosenthal.

21 COUNCIL MEMBER MILLER: Thank you, Madam  
22 Chairs. Commissioner, good to see you and your team  
23 again as usual. Let me just go back to the camera  
24 allocation really quick. And so I have some  
25 allocations that predate my time here in the Council

2 in my district, and if we could get an update on  
3 those obviously in the areas of 113, 105 and 103,  
4 please, and we'd love to have that information. You  
5 don't have to give it to me now, but we certainly  
6 want to make sure that those dollars are doing what  
7 they intended for them to do. And then on the human  
8 capital side, as we talked about the civilianized  
9 positions that we're looking to those 600 positions,  
10 have exams been given or is there a pre-existing  
11 list? Where are with that along in that process?

12 VINCENT GRIPPO: I can say that there are  
13 three. There's the PAA title, which yes, we are  
14 hiring off the list. We've hired 120 PAA's. There's  
15 motor vehicle operators and-- do you know what the--  
16 the motor vehicle operators, is there a list for  
17 that? Yeah, there's a list for motor vehicle  
18 operators. We're hiring 100 of them. And what was  
19 the other title? Evidence Property Control  
20 Specialist and Crime Statistician, all those have  
21 lists? No. So those last two titles do not have  
22 lists.

23 COUNCIL MEMBER MILLER: So, if we get  
24 that, we can reach out to DCAS and make sure that's  
25 facilitated, expedited so that we can move this

2 along. So, I have a precinct in the district that  
3 has the Shot Spotters. Also, it has the NCO program.  
4 It also has a really great Community Precinct  
5 Council, but it doesn't appear to be doing very well  
6 in terms of preventing gun violence. How do we  
7 quantify the work that is being done with these  
8 programs and this investment, and how do we also kind  
9 of move forward if in fact they aren't doing what  
10 they were intended to do? I was really excited about  
11 the Shot Spotter, but appears [sic] to be violence in  
12 the precinct where this is located has taken on new  
13 levels.

14 JESSICA TISCH: I don't-- is-- I don't  
15 think we have--we don't have Shot Spotter in Queens.

16 COUNCIL MEMBER MILLER: No?

17 JESSICA TISCH: No.

18 COUNCIL MEMBER MILLER: 113?

19 JESSICA TISCH: Not yet, no. That's in  
20 our plans for expansion. We currently have 24--

21 COUNCIL MEMBER MILLER: [interposing] It  
22 was in last year's plans. It's not there yet?

23 JESSICA TISCH: No. we have 24 square  
24 miles of the City covered in Manhattan North,  
25 Brooklyn and the Bronx, and Queens is part of phase

2 three which is an additional 36 square miles. That  
3 contract is being registered now at the Comptroller's  
4 Office. We should start on the build-out in Queens  
5 really soon.

6 COUNCIL MEMBER MILLER: I think those--  
7 yeah. I think the activity would certainly justify  
8 that, so whatever we can do to expedite that--

9 JESSICA TISCH: [interposing] It's in the  
10 plan.

11 COUNCIL MEMBER MILLER: would definitely  
12 be helpful.

13 JAMES O'NEILL: I have the crime stats for  
14 the 113. Overall index crime, major crime is down 14  
15 percent year-to-date. It is up two shootings. We  
16 had 12 last year at this time. Now he's got 14. And  
17 we just added Queens South into CompStat a couple of  
18 weeks ago, and most that violence is being driven by  
19 a few gangs that you probably know all too well.

20 COUNCIL MEMBER MILLER: Yep, and it's--  
21 the last few weeks have not been good. On your  
22 Tactical Response Team, are those the 400 new  
23 officers that were hired last year involved in  
24 counterterrorism?

25 JAMES O'NEILL: The CRC Team?

2 COUNCIL MEMBER MILLER: Yeah.

3 COMMISSIONER BRATTON: CRT.

4 JAMES O'NEILL: Yeah, those are the--  
5 part of the people that were hired, that was a  
6 headcount. The CRC officers that we have, those are  
7 seasoned officers out in the field already that we  
8 took from the precincts and we gave them new people  
9 to replace the people that we took.

10 COUNCIL MEMBER MILLER: Was there-- is  
11 this a part of the counterterrorism unit as well?

12 JAMES O'NEILL: Yes, it is. CRC is a  
13 counterterrorism unit.

14 COUNCIL MEMBER MILLER: Could you speak  
15 to the productivity of that and as it relates to, and  
16 if in fact you can respond to some of the settlements  
17 around the counterterrorism activity?

18 JAMES O'NEILL: I can talk about CRC. CRC  
19 is a unit-- prior to the CRC we had the Critical  
20 Response Vehicles, which is we took an RMP, a sector  
21 car, from each precinct around the City and brought  
22 that in to Manhattan to be used to be cover sensitive  
23 locations and locations throughout the city that we  
24 felt that we needed an additional uniform presence.  
25 So we created the CRC unit. Now it's a dedicated

2 cadre of trained seasoned police officers that do  
3 that work, thereby leaving more people back in the  
4 precinct, and we don't need the sector cars anymore.

5 COUNCIL MEMBER MILLER: So, in my last 10  
6 seconds, does this-- any of this work include  
7 surveillance?

8 JAMES O'NEILL: The CRC, no they're  
9 uniformed presence.

10 COUNCIL MEMBER MILLER: Thank you.

11 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
12 Council Member. Majority Leader Van Bramer followed  
13 by Council Member Rosenthal followed by Council  
14 Member Levine.

15 COUNCIL MEMBER VAN BRAMER: Thank you  
16 very much, Madam Chairs, Commissioners and Chiefs. I  
17 wanted to ask quickly about the 108<sup>th</sup> Precinct which  
18 is a terrific unit, but police community relations  
19 are so important. We pride ourselves in western  
20 Queens as having terrific police community relations.  
21 One of the issues surrounding 108<sup>th</sup>, of course, is  
22 parking. It's an old precinct house that was built  
23 long before tens of thousands of folks lived there,  
24 and that is a real issue that both Captain Travaglia  
25 and the officers face and the community. So I'm

2 wondering if the precinct has any plans to request  
3 capital funding, to allocate capital funding on  
4 behalf of the Administration so that we could have  
5 proper parking for the 108<sup>th</sup> Precinct.

6 VINCENT GRIPPO: WE don't have capital  
7 funds allocated specifically for that project, but we  
8 will look at the 108. We'll have our people do an  
9 assessment, and ultimately if parking's the issue  
10 we'll see if we can come up with an accommodation.  
11 In some instances we've been able to find offsite  
12 parking facilities that we've utilized, so we can  
13 look to see if that's something we can do at the 108.

14 COUNCIL MEMBER VAN BRAMER: It's a real  
15 challenge for the officers and for Captain Travaglia,  
16 and also when there are collisions and crashes, some  
17 of those vehicles also are stored, if you will, on  
18 the sidewalk outside the precinct. Again, no fault  
19 of the officers in the command, but an issue of  
20 parking and space allocation which then can impact  
21 police community relations. I was just explaining  
22 the situation to members of the community yesterday.  
23 So, I urge the precinct to seek that funding and that  
24 long-term solution, and that precinct house is one of  
25 the oldest I believe in Queens. I don't know if it's

2 on your list of 25. I realize you'll get that to the  
3 committees, but certainly anxious to see improvements  
4 at the 108<sup>th</sup> precinct. I do want to say, Captain  
5 Travaglia and the 108<sup>th</sup> do a terrific job, and Deputy  
6 Inspector Fortune and the 114<sup>th</sup> equally terrific  
7 commitment there on behalf of the communities of  
8 Astoria, Long Island City, Sunnyside, and Woodside. I  
9 also want to thank Chief Boyce. I had occasion to  
10 work with him recently on an issue, and I just want  
11 to thank him publicly for his personal outreach on  
12 that. PSA Nine, covering my public housing  
13 developments, Queensbridge, Ravenswood and the  
14 Woodside Houses, also covering the Astoria Houses  
15 just out of my district. I believe we came to a good  
16 compromise with the creation of PSA 10 and I was just  
17 wondering if there was any updates on how that's  
18 going to go with the PSA's in western Queens.

19 JAMES O'NEILL: So, this is all out of--  
20 this all came out of the SADCCOM [sic] model. So we  
21 moved in a different direction with obviously with a  
22 lot of your input and the many meetings we had with  
23 you. I think we did come up with a great compromise.  
24 So, the housing-- right now, the Housing Bureau is  
25 going to remain the Housing Bureau. That's not going

2 to be incorporated into PSB, so it's' going to stay  
3 status quo.

4 COUNCIL MEMBER VAN BRAMER: And will it  
5 be named PSA 10 still, or is still--

6 JAMES O'NEILL: [interposing] Captain  
7 Bogle [sic] down in PSA 10. I don't-- we didn't make  
8 it an official designation yet, but that's something  
9 that we're going to be looking at in the future.

10 COUNCIL MEMBER VAN BRAMER: Okay, and all  
11 the same resources that we talked about in fact  
12 additional resources will be there in what was PSA  
13 Nine.

14 JAMES O'NEILL: Correct.

15 COUNCIL MEMBER VAN BRAMER: That's a good  
16 result again. I just want to say we have a terrific  
17 precinct, the 108<sup>th</sup> Precinct. We are one of the  
18 safest in the City. Great work that's being done,  
19 and obviously you have a city to care for, but we  
20 hope and continue to get additional resources. I know  
21 we have some additional young police officers that I  
22 met. They always bring them into our office, so we  
23 get to meet the new officers, and 114<sup>th</sup> Deputy  
24 Inspector Fortune as well, we want to make sure that  
25 we keep all of the precincts as incredibly safe in

2 our neighborhoods, protected, and just want to thank  
3 all of you for that work. Without getting into the  
4 specifics of how many officers you're allocating to  
5 the 108 and the 114, but would love it Chief O'Neill  
6 if you can talk to that about-- though we are among  
7 the safest, we still need and are getting some  
8 additional resources.

9 JAMES O'NEILL: So, with the last couple  
10 of classes that came out of the academy, we made sure  
11 that every precinct and every PSA and every district,  
12 transit district throughout the City got additional  
13 personnel, and that'll be the same coming with this  
14 class graduating in June.

15 COUNCIL MEMBER VAN BRAMER: Thank you  
16 very much, and the group that I met at the 108<sup>th</sup> in  
17 particular, was incredibly diverse. So, I just want  
18 to thank you all on behalf of the City of New York.

19 COMMISSIONER BRATTON: Madam Chair, per  
20 our agreement, I'm going to have to step away to get  
21 up to my commitment uptown. Commissioner Tucker will  
22 stay for the remainder of the time, which I believe  
23 is 'til 12:30 with some of the leadership team, and  
24 he'd be very capable of answering any questions that  
25 might be forthcoming.

2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you, Commissioner.

4 COMMISSIONER BRATTON: Just want to thank  
5 you, both of you for your courtesy this morning, and  
6 our commitment to working with you going forward on  
7 your issues and priorities that I think as we clearly  
8 see working together we get a lot more done.

9 CHAIRPERSON FERRERAS-COPELAND: Thank you  
10 very much, Commissioner.

11 CHAIRPERSON GIBSON: Thank you.

12 COMMISSIONER BRATTON: It's in your  
13 capable hands. Thank you.

14 CHAIRPERSON FERRERAS-COPELAND: we will  
15 now hear from Council Member Rosenthal followed by  
16 Council Member Levine.

17 COUNCIL MEMBER ROSENTHAL: Well, I'm  
18 going to start with Commissioner Bratton as you're  
19 walking out I want to thank you for your top team.  
20 I'm looking at them, and they've been incredible, and  
21 they've changed the City. So thank you for that.  
22 I'd like to ask about overtime. Who's the right  
23 person? Hi. So, I'm wondering even with your  
24 overtime plan, it's still about a half a billion  
25 dollars, which is the size of other agencies or many

2 other agencies combined if we were to look at some of  
3 the social service providers, and I'm wondering if  
4 you-- I'm wondering fundamentally why it's a half a  
5 billion dollars. If you were to sort of stop time  
6 and start planning for an NYPD starting tomorrow,  
7 what is-- why would overtime be a half a billion  
8 dollars, especially after we put in a thou-- you  
9 know, 1,700 ostensibly new cops?

10 VINCENT GRIPPO: The vast-- the driver of  
11 overtime in the way that you're referencing, what  
12 makes that number so significant-- we've looked at  
13 this historically and when we were establishing a  
14 different, a reformed overtime budget working with  
15 the Mayor's Office, we looked historically at  
16 overtime, and you see a direct correlation between  
17 overtime and staffing levels at the NYPD. So, though  
18 we're very grateful for the increase of 1,300 police  
19 officers that we received last year, we are still  
20 down almost 5,000 police officers from our headcount,  
21 our peak headcount.

22 COUNCIL MEMBER ROSENTHAL: And at your  
23 peak headcount, what was overtime?

24 VINCENT GRIPPO: Overtime was  
25 approximately-- was about 150 million. Now,

1 remember, dollars-- the equivalent of what the police  
2 officers are paid has changed, but if you look at it,  
3 it's a direct correlation tied to a coverage for  
4 event, events either planned or unplanned in the  
5 City. You see that when the headcount was 5,000 to  
6 6,000 higher, that meant that we had more cops  
7 available to perform coverage at events citywide.  
8 What we've seen over time is the number of events in  
9 the City have increased, and the risk level, the  
10 threat when you combine in the counterterrorism  
11 issues we face now as opposed to what we faced when  
12 we were at peak headcount before 9/11, you have that  
13 staffing model that becomes reliant depending on how  
14 many cops assigned in each precinct to overtime to  
15 cover the differentials. So, when you look at our  
16 discretionary overtime where we're focused, things  
17 like operational investigative overtime, those are  
18 areas we're looking to reduce, but those budgets in  
19 general are a smaller piece of the overall picture.

20  
21 COUNCIL MEMBER ROSENTHAL: Yep.

22 VINCENT GRIPPO: The event is the major  
23 driver, and that's why you're seeing that 500 million  
24 dollar number; we're sort of stuck there because part  
25 of event coverage is tied to overtime assignments

2 that we can't get out of with our current staffing  
3 levels.

4 COUNCIL MEMBER ROSENTHAL: And there's no  
5 federal money to cover the additional police that are  
6 required at parades?

7 VINCENT GRIPPO: There is some federal  
8 money for very specific events, but that gets worked  
9 into this budget. So when you see the budget right  
10 now of five-- so it's really going to end up being--

11 COUNCIL MEMBER ROSENTHAL: [interposing]  
12 No, I'm just saying that you can't really include  
13 that. If you get federal money to cover that, you  
14 know--

15 VINCENT GRIPPO: It still ends up being  
16 overtime assigned that the feds pay for instead of  
17 the City pays for. The example, the Papal visit, we  
18 were thoroughly reimbursed.

19 COUNCIL MEMBER ROSENTHAL: They pay for  
20 it in the context of overtime or in the context of  
21 people?

22 VINCENT GRIPPO: They pay for it in the  
23 context of overtime, overtime deployments.

24 COUNCIL MEMBER ROSENTHAL: Why wouldn't  
25 you turn those into police officers? Why would you

2 use that money for overtime in lieu of an officer  
3 given that you know that if the federal government  
4 thinks it's paying for additional staffing for  
5 heightened, you know, security, the need for  
6 heightened security at events, why wouldn't you hire  
7 people?

8 VINCENT GRIPPO: We-- where it's  
9 eligible, we apply for reimbursement. So, if the  
10 feds are allowing reimbursement for our percent [sic]  
11 of the time [sic], we would apply for it. In most  
12 instances, what we're-- we're eligible in terms of  
13 our-- in terms of being compensated relates to  
14 overtime or equipment supplies that are needed to  
15 support events.

16 COUNCIL MEMBER ROSENTHAL: Sure. Why  
17 wouldn't you suggest-- why wouldn't you work with  
18 them to turn that into officers, then?

19 VINCENT GRIPPO: Yeah, we-- I mean--

20 COUNCIL MEMBER ROSENTHAL: [interposing] I  
21 mean, I'm serious. I mean, so tell the federal  
22 government this is the way-- you don't need overtime.  
23 You need bodies on the street, right?

24 VINCENT GRIPPO: Right, but these are for  
25 events. I'm not sure if you're saying we would apply

2 to the feds to get more officers that we would hire.  
3 They're only going to compensate you for cost related  
4 to the time period at which the event is going on.  
5 The salary then would have to be either picked up by  
6 the City or the feds would have to continue to  
7 support that, and there's no model for that on either  
8 side, the City either picking up the salaries--

9 COUNCIL MEMBER ROSENTHAL: [interposing]  
10 Sounds like-- it just sounds like it's overcomeable  
11 [sic], but I'm sure you guys are working on that.  
12 Either second round or can I have one more?

13 CHAIRPERSON FERRERAS-COPELAND: You can  
14 follow up after.

15 COUNCIL MEMBER ROSENTHAL: Yep. Thank you  
16 very much.

17 CHAIRPERSON FERRERAS-COPELAND: After the  
18 hearing we have-- the DA's are actually waiting in  
19 que.

20 COUNCIL MEMBER ROSENTHAL: Yep, got it.

21 CHAIRPERSON FERRERAS-COPELAND: for the  
22 continuation.

23 COUNCIL MEMBER ROSENTHAL: Thank you,  
24 Chairs. Thank you.

2 CHAIRPERSON FERRERAS-COPELAND: Thank you.  
3 Council Member Levine followed by Council Member  
4 Barron.

5 COUNCIL MEMBER LEVINE: Thank you to our  
6 two Chairs. Wonderful to see you all, Chief. We've  
7 now got data available on crime in parks. This  
8 didn't use to be publicly available, but City Council  
9 passed legislation, and you all have implemented  
10 updates on the CompStat website which breakdown crime  
11 numbers in parks for the thousand largest parks,  
12 roughly, and also aggregate numbers. This has been in  
13 place for about a year and a quarter or so, but long  
14 enough that we can now have the first glimpses of  
15 trends, and if you compare the first quarter of 2015  
16 and the first quarter of 2016, the numbers show, I  
17 believe, that total crimes are up 27 percent in  
18 parks. I believe mostly driven by property crimes,  
19 theft of smart phones, etcetera. I wonder if you can  
20 comment on this trend, if I have the numbers  
21 accurately, and if you have any explanation for what  
22 might be driving it.

23 JAMES O'NEILL: So, except for Central  
24 Park, all the other parks are incorporated into  
25 precincts, and on the individual command level it's

2 up to-- and we've been pushing the decision-making  
3 down to that borough and precinct level to make sure  
4 that the precinct commanders have the ability to put  
5 the people where they need to, where they need to be.  
6 SO, as far as parks, I did take a look at one park in  
7 particular up in the Bronx. I took a look at the 50,  
8 and then one of numbers presented--

9 COUNCIL MEMBER LEVINE: [interposing]

10 Which parks was that? Sorry?

11 JAMES O'NEILL: Van Cortlandt Park.

12 COUNCIL MEMBER LEVINE: Yep.

13 JAMES O'NEILL: While the numbers, I  
14 mean, percentage-wise it looks big, but it's four  
15 crimes this year compared to one crime last year, and  
16 one of the crimes this year was an auto break-in, but  
17 there were two robberies, and there was a slashing in  
18 Van Cortlandt Park. There's a new precinct commander  
19 up there, Inspector O'Toole, and he does put in a  
20 sergeant and four police officers every afternoon  
21 after school to make sure that we can-- where his  
22 problem is he's got the proper deployment. That  
23 should be done all over the City. I know Riverside  
24 Park is a big concern too. So, the 24, the 26, 30,

2 they have to make sure that they put enough personnel  
3 in there to keep crime down.

4 COUNCIL MEMBER LEVINE: The Parks  
5 Department of course has its own law enforcement  
6 force, which is the PEP officers.

7 JAMES O'NEILL: PEP, right.

8 COUNCIL MEMBER LEVINE: There are  
9 relatively few of them compared to the size of the  
10 PD, under 300 even once all the current academy  
11 classes are placed. Can you talk about how you  
12 interface with PEP and to what extent you see PEP as  
13 critical to crime prevention in the parks?

14 JAMES O'NEILL: And PEP-- I was a former  
15 commander with the Central Park Precinct, and they  
16 were an integral part of what we did. We didn't have  
17 a lot of cops at that time in Central Park. So, we  
18 do work with them. We figure out deployment with  
19 them, especially at large events they're extremely  
20 helpful, and I know down in the first precinct  
21 they're doing a lot of work down in Battery Park  
22 also.

23 COUNCIL MEMBER LEVINE: PEP officers are  
24 more commonly tasked with enforcing park rules, but  
25 if they should stumble onto the scene of a robbery or

2 other violent incident, are they instructed to  
3 intervene in a way that a precinct officer would?

4 JAMES O'NEILL: They don't have the  
5 training that we have. We are the crime fighting  
6 department in New York City. So it would be  
7 incumbent upon them to get on the radio and make sure  
8 that a sector car or a foot post responded to that.

9 COUNCIL MEMBER LEVINE: They do have the  
10 power to make an arrest, is that correct?

11 JAMES O'NEILL: Yes, they do. They do.

12 COUNCIL MEMBER LEVINE: So with only 300  
13 officers-- we've got 1,900 parks around the city,  
14 about 2,900 acres. They're spread pretty thin. In  
15 some shifts in the Bronx there may only be as few as  
16 two officers actually out in the field at any given  
17 moment by the time you consider that there's multiple  
18 shifts and there's vacations and other factors. Are  
19 you at all engaged in a debate from a budget  
20 perspective about whether in light of the numbers  
21 we're seeing on crime trends and parks that we need  
22 to increase the ranks of the PEP officers?

23 JAMES O'NEILL: I'm not part of that  
24 discussion. But there are-- there are certain parks  
25 around New York City such as Prospect Park where we

2 do put a detail in over the summer and down in Coney  
3 Island. We do put a detail in there. So, in the  
4 larger parks we do have summer details.

5 COUNCIL MEMBER LEVINE: So this means  
6 foot patrol essentially. Essentially the park  
7 becomes a beat, is that right?

8 JAMES O'NEILL: Foot patrols, it could be  
9 bicycle patrols, could be scooter patrol, it could be  
10 RMP patrol.

11 COUNCIL MEMBER LEVINE: And will the  
12 Neighborhood Policing Program in some cases place--

13 JAMES O'NEILL: [interposing] We do have  
14 NCO's that are responsible for parks.

15 COUNCIL MEMBER LEVINE: Do you know how  
16 many parks in the City have such staffing?

17 JAMES O'NEILL: I'd have to get back to  
18 you with that number.

19 COUNCIL MEMBER LEVINE: But it does tend  
20 to be the largest parks, is that right?

21 JAMES O'NEILL: With the sectors, yes.  
22 With detail assignments.

23 COUNCIL MEMBER LEVINE: My time is up, but  
24 I would love to hear at some point if you're--if the  
25

2 Department could get back to us on which parks  
3 actually have a detail on them from--

4 JAMES O'NEILL: [cross-talk] Well--

5 COUNCIL MEMBER LEVINE: [interposing]  
6 That'd be helpful.

7 JAMES O'NEILL: We'll furnish that  
8 information.

9 COUNCIL MEMBER LEVINE: Thank you, Chief.  
10 Thank you, Chair.

11 CHAIRPERSON FERRERAS-COPELAND: Thank  
12 you, Council Member. Council Member Barron?

13 COUNCIL MEMBER BARRON: Thank you to the  
14 Chairs for this session and thank you to the panel  
15 for coming. We know that there is money that is set  
16 aside for training for police officers. I wanted to  
17 know what percent of the budget goes for training, or  
18 what is the dollar amount that's assigned for  
19 training?

20 VINCENT GRIPPO: That's going to be--  
21 we'd have to get back to you to calculate that  
22 because of just the cost of the staffing level for  
23 training which is a vast majority of those costs. We  
24 also fund the special programs, some on overtime, but  
25 generally the cost for the Training Bureau, the

2 biggest and most significant cost is the personnel  
3 assigned there.

4 COUNCIL MEMBER BARRON: So, generally  
5 it's the cost of the person that was assigned to do  
6 the training?

7 VINCENT GRIPPO: Yeah.

8 COUNCIL MEMBER BARRON: And what kind of  
9 evaluation is dedicated to finding out how efficient  
10 that training has been? The reason I ask the  
11 question is because Officer Liang claimed that he was  
12 not adequately trained in CPR, and he did not offer  
13 any assistance. So what kind of training is done  
14 that is-- what kind of evaluation is done so that we  
15 can know that what is purported to be the training  
16 that is offered is in fact effective?

17 COMMISSIONER TUCKER: We train-- we  
18 evaluate the instructors in a variety of ways, but  
19 since the Liang case and the issue around CPR  
20 training, we've looked at that and now have a  
21 different system in place, and so we look at the  
22 officers. We make sure that we have enough trainers,  
23 instructors to accommodate the number of officers who  
24 have to go through that particular training. So, that  
25 was a specific instance. Generally, the instructors

2 are evaluated on a regular basis based on  
3 observations of their teaching in the classroom,  
4 their-- and whatever assignment they're teaching,  
5 whether they're teaching tactics or they're teaching  
6 academics, but we also get feedback from the  
7 students, from the-- whether they're recruits or  
8 whether in particular they are in service training  
9 exercises that are taking place.

10 COUNCIL MEMBER BARRON: So, is there any  
11 objective tool that would in fact say all of those  
12 who have graduated have in fact mastered a basic  
13 level or a certain threshold?

14 COMMISSIONER TUCKER: Yeah, there are a  
15 number of tools. They have to do with the exams that  
16 we give and how well the students do on the exams,  
17 and so I can ask Commissioner Keese to give you some  
18 of the more specifics as we've begun to look at  
19 revamping these platforms for evaluating the students  
20 and evaluating as well the instructors and their  
21 performance.

22 COUNCIL MEMBER BARRON: So we can say now  
23 that every officer who has completed the training has  
24 been adequately trained and that no officer will be  
25 able to say I wasn't properly trained.

2 COMMISSIONER TUCKER: Well, the officers  
3 can always say they weren't properly trained.

4 COUNCIL MEMBER BARRON: Right, so what--

5 COMMISSIONER TUCKER: [interposing] We--

6 COUNCIL MEMBER BARRON: [interposing]  
7 What mechanism do you have that can in fact refute  
8 that?

9 COMMISSIONER TUCKER: Yeah, Tracie.

10 TRACIE KEESEE: Well, a couple of things  
11 that would refute that, and that would be of course  
12 the training records. So, as, you know, we stated,  
13 when we have officers going through or we have  
14 recruits going through training they are tracked as  
15 they go through the training. They're also  
16 evaluated. So, you know, again, you cannot keep  
17 officers from saying they did not receive the  
18 training. What we have are the records and the  
19 performances of those trainings that they received in  
20 the Academy.

21 COUNCIL MEMBER BARRON: And what is the  
22 policy as it relates to vertical patrols, because I'm  
23 not clear. Well, first, to get back to the training.  
24 In your brochure it says graduates, Academy  
25 graduates, are now assigned to precincts where they

2 patrol with seasoned veteran field training officers  
3 who expose them to the full range of police  
4 functions. So my question is does that always-- is  
5 that always a fact that no two rookies are paired, or  
6 is in fact there an occasional occurrence? I want it  
7 on the record, because we asked the question before  
8 and I did not get a definitive answer, so I want to  
9 know.

10 COMMISSIONER TUCKER: No, well, we do not  
11 pair rookies together.

12 COUNCIL MEMBER BARRON: So there would not  
13 be any instance where two rookies would be paired  
14 together?

15 COMMISSIONER TUCKER: That's correct. We  
16 have field training officers who work with our  
17 probationary police officers, and we've looked at it  
18 again since the Gurley case, and so there are no  
19 rookies working together, and that's especially true  
20 as it relates to our public housing.

21 COUNCIL MEMBER BARRON: And in terms of  
22 the vertical patrols, we talk about the training, so  
23 at a previous hearing, Chief Gomez said that that the  
24 training is: "Do not unholster [sic] your weapon;  
25 keep your finger away from the trigger, and if you

2 encounter anyone, ask them what they're doing in the  
3 stairway." That was his testimony. So, obviously  
4 the training that was given to police officer Liang  
5 didn't penetrate or wasn't absorbed. It wasn't  
6 efficient. It wasn't effective, because he had his  
7 gun out. He applied enough pressure to discharge the  
8 bullet, which resulted in the death of an innocent  
9 person. So, my question is, the training that's  
10 being given, how can we improve it or what can we do  
11 to make sure that officers follow the training or  
12 know that when they don't there will be severe  
13 consequences? But that's for the next panel, but  
14 what can we do?

15 COMMISSIONER TUCKER: Well, we're doing  
16 some things right now. I mean, as you certainly know  
17 we have the Federal Monitor that we've been working  
18 with to look at the remedial measures that have been  
19 ordered by the court, and so these issues and your  
20 questions fall squarely within the conversations  
21 we've been having with the monitor and the  
22 plaintiff's counsel in all of the three cases with  
23 regard to the training and what that will look like.  
24 And so we're in the process of resolving those issues  
25 with plaintiff's counsel and my personnel out of the

2 Risk Management Bureau who have the liaisons with the  
3 Federal Monitor to put together new training and new  
4 policies to address the issues that you're talking  
5 about now.

6 COUNCIL MEMBER BARRON: Thank you to the  
7 Chairs.

8 CHAIRPERSON FERRERAS-COPELAND: Thank  
9 you, Council Member. We don't have any additional  
10 members to ask questions. I just had one follow up  
11 question on gangs. Council Member Dromm and my  
12 district have been seeing a rise in gangs, and this  
13 is pivoted off the Chair of Parks, his question.  
14 We've seen a rise in gangs in our parks, in  
15 particular. It seems like there's an initiation.  
16 Most recently, a young man was stabbed in the park  
17 while playing. A gang member comes up to them and  
18 ask them do you belong to a certain gang. They said  
19 no, and they were stabbed. So, it just seems that  
20 we're seeing a rise in activity where it might not  
21 traditionally be seen. So, what is the Department  
22 doing to be able to fight back? We heard the  
23 Commissioner saying that gangs are going to cyber-  
24 attack or cyber theft now-- cyber-crime. However,  
25

2 for neighborhoods like ours, we're still seeing the  
3 very traditional forms of recruitment.

4 JAMES O'NEILL: And this is why we evolved  
5 into the Unified Investigative Model. As you  
6 probably know, there was an Organized Crime Control  
7 Bureau that was absorbed into the Detective Bureau.  
8 So now on the gang front, it's not just the Gang  
9 Division looking to do the gang take-downs. It's the  
10 detective bureaus, the precinct detectives, Narcotics  
11 and Gang along with patrols. We're putting all our  
12 resources into gang take-downs. As you saw over the  
13 last month or two we had some pretty substantial  
14 take-downs. We had 120 people taken down in the 47  
15 and 49, and as you'll see over the next couple of  
16 weeks there'll be additional gang take-downs. So,  
17 once we identify them, we muster up all of our  
18 resources to make sure we can take them down as soon  
19 as possible, but that sometimes that takes some time.

20 CHAIRPERSON FERRERAS-COPELAND: I just  
21 wanted to make sure that we continue to engage with  
22 the schools, because a lot of these gangs or crews--  
23 they might not even be gangs, but they're just crews  
24 that are being created-- start in the schools and a  
25 lot of our young people are just afraid to walk home,

2 in particular this is the 110 and the 115, and our  
3 commanders are doing a great job, it's just sometimes  
4 they need that additional resource to fight this type  
5 of crime.

6 JAMES O'NEILL: Understood.

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you. Chair Gibson?

9 CHAIRPERSON GIBSON: I wanted to ask a  
10 follow-up question. In addition to a lot of the gang  
11 activity-- and we see a lot of operation with  
12 different crews. I think in my area I've identified,  
13 you know, several dozen in the Bronx. We have faced  
14 some recent take-downs in the 40, in the 42, the 44,  
15 recently the 47 and the 49, so it's, you know, it's  
16 expansive across the Bronx. What I wanted to ask the  
17 Department is if we could have a conversation as well  
18 as partnering with our DA's in reference to the  
19 after-effect of take-downs, how it affects the  
20 community, and what our message is for the families  
21 and the young people that are left behind. I think,  
22 you know, in the past when Bridget Brennan's office  
23 has done some of these take-downs, we were able to  
24 use asset forfeiture dollars and institute PAL's and  
25 other teen programs for young people, because we all

2 know that whenever you take down those at the top,  
3 there's always a likelihood of a hierarchy of someone  
4 rising to that position, and so it continues. So,  
5 I'd like to have a conversation with the Department  
6 to find out, especially since it's happened quite a  
7 bit and in such a large fashion in the Bronx, if we  
8 could talk about post take-downs and what our  
9 response is to the community that's left behind. Can  
10 I get a commitment on that?

11 JAMES O'NEILL: Sure. Absolutely.

12 CHAIRPERSON GIBSON: Okay. I have some  
13 good ideas that I want to just bring to you guys in  
14 my conversations with the CO's of those areas. I  
15 wanted to ask about the same topic.

16 COMMISSIONER TUCKER: Yeah, we can give  
17 you some specifics--

18 CHAIRPERSON GIBSON: [interposing] Okay,  
19 sure.

20 COMMISSIONER TUCKER: on what we're doing  
21 currently on the take-down.

22 CHAIRPERSON GIBSON: Oh, great, you have  
23 some ideas for me?

24 UNIDENTIFIED: We have something more  
25 than that. We have a prototype in the works as we're

2 speaking. We met with the four CO's who recently  
3 undergone take-downs. We've been working with  
4 Mayor's Office of Criminal Justice and our Detectives  
5 Bureau, and we've come up with a protocol for what to  
6 do post-take-down, and it is a number of steps. The  
7 first step is the notification to the strategic  
8 community stakeholders soon thereafter. The second  
9 is a community briefing with all law enforcement  
10 involved that would also provide information about  
11 seniors available. It will also include a protocol  
12 for the CO's which will address the need of the  
13 community to feel safe post take-down and to increase  
14 patrols. So, it's a very specific protocol, and then  
15 it's a third step looking at how do we prevent those  
16 who might come into the vacuum created and helping to  
17 focus on those we're calling the next generation.  
18 So, we have a protocol in the works and we'd love to  
19 work with you and see about weaving in the ideas that  
20 you would like to share with us.

21 CHAIRPERSON GIBSON: Okay, great. I'm  
22 happy to hear that, and I certainly will work with  
23 you on further conversation. I do think it's great  
24 that we do have a response and it's not just a mass  
25 arrest of dozens of young people that we know and see

2 in the community, but that there is attention that's  
3 still given to the community in a partnership fashion  
4 with community services. So, I appreciate that. I  
5 wasn't aware of that. Okay. Victim's services, I'm  
6 very happy to hear that we have selected Safe Horizon  
7 as the provider of victim's services and not just  
8 domestic violence services, but for all victims of  
9 crime. We as a council have been extremely committed  
10 to focusing on ending gun violence and the effects it  
11 has on families as well as the young people in those  
12 communities. So, I'd like to know-- I know there was  
13 a delay in the RFP. Is there a timeline that you  
14 could provide on implementation of victims services  
15 advocates in each of the commands and where we are at  
16 this point? Right, this is her baby, I know.

17 UNIDENTIFIED: There was no delay  
18 actually in the RFP. We asked for three years of  
19 funding which did not anticipate the procurement  
20 process which didn't include. So we're right on  
21 schedule. We have selected Safe Horizon. We are  
22 working through actually getting the contract in  
23 order through the Comptroller's Office and OMB.  
24 We'll have a brief planning period after the contract  
25

2 starts, and we should have the first phase of  
3 advocates in place by late summer.

4 CHAIRPERSON GIBSON: Okay. Do you know  
5 how you're going to start and which precincts you're  
6 starting with?

7 UNIDENTIFIED: We're working with Safe  
8 Horizon--

9 CHAIRPERSON GIBSON: [interposing] Okay.

10 UNIDENTIFIED: to make sure that we are  
11 putting advocates across the city.

12 CHAIRPERSON GIBSON: Right.

13 UNIDENTIFIED: There'll be 27 precincts  
14 the first year. The second year, another 29, and the  
15 third year 31 places which includes 22 precincts and  
16 9 PSA's.

17 CHAIRPERSON GIBSON: Okay, great. Thank  
18 you.

19 UNIDENTIFIED: So it'll be phased in over  
20 three years.

21 CHAIRPERSON GIBSON: Over three years.  
22 Okay, thank you. Thank you, Madam Chair.

23 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
24 Chair Gibson. We have additional questions. We'll  
25 get them to you. If you can get them back to this

2 committee expeditiously because we'll be using them  
3 to negotiate on the budget. We would really  
4 appreciate it, and any follow-up that we committed to  
5 throughout the hearing, we'll also be following up  
6 with you today. Thank you very much for coming to  
7 testify. We will take a five minute break before we  
8 begin with our District Attorneys.

9 [break]

10 CHAIRPERSON FERRERAS-COPELAND: We will  
11 now resume the City Council's hearing on the Mayor's  
12 Executive Budget for Fiscal 2017. The Finance  
13 Committee is joined by the Committee on Public Safety  
14 Chaired by Council Member Gibson. We just heard from  
15 the Police Department, and now we will hear from the  
16 Manhattan District Attorney, Cyrus Vance, the Queens  
17 Chief Assistant Jack Ryan, and Brooklyn Chief of  
18 Staff Leroy Frazer, the Bronx District Attorney  
19 Darcel Clark, and the Staten Island District Attorney  
20 Michael McMahon, and the Special Narcotics Prosecutor  
21 Bridget Brennan. In the interest of time I will  
22 forgo making an opening statement, but before we hear  
23 testimony I will open the mic to my Co-Chair, Chair  
24 Gibson.

2 CHAIRPERSON GIBSON: Thank you very much,  
3 Chair Ferreras-Copeland, and good afternoon to all of  
4 our City's prosecutors. It's good to see you back  
5 here at City Hall. Thank you so much for being here.  
6 I am Council Member Vanessa Gibson of the 16<sup>th</sup>  
7 District in the Bronx, and I am proud to serve as  
8 Chair of the Committee on Public Safety. I welcome  
9 each and every one of you here to our hearing on the  
10 Executive Budget for FY 2017. Last time at the  
11 Preliminary Budget hearings that we had, we had a  
12 lengthy discussion in the budgetary needs of each of  
13 our District Attorney. Each of them discussed at  
14 length the purpose of their request, their priorities  
15 and their vision for their offices as well as the  
16 impact that they would have on the infrastructure of  
17 each of their offices. In the City Council's  
18 Preliminary Budget Response, we highlighted many of  
19 their funding needs as a necessity and a public  
20 safety priority. I am extremely disappointed to see  
21 that none of these requests were added into the FY  
22 2017 Executive Budget. The City Council is making  
23 significant impacts to criminal justice reform, but  
24 none of this will matter if the City does not support  
25 our District Attorneys. The critical role that their

2 offices play in the criminal justice system can only  
3 be enhanced by providing the funding that each of our  
4 DA's has requested. Though I applaud the efforts  
5 that the Administration's significant priority to  
6 fund other law enforcement agencies such as the NYPD,  
7 it is irresponsible to not include funding for our  
8 City's prosecutors. I hope this afternoon that we  
9 can get clarity on each of their requests and remind  
10 the Administration of the important role that our  
11 City's prosecutors play in criminal justice reform  
12 and overall public safety for the City of New York.  
13 And before you begin your testimony, I certainly want  
14 to thank all of our DA's. thank you to DA Vance, to  
15 Judge Brown, to DA McMahon, to DA Clark, to our  
16 Special Narcotics Prosecutor Ms. Brennan, and to DA  
17 Thompson, because each of our DA's has recognized the  
18 important role that they play. They have implemented  
19 a number of community service programs. They have  
20 been creative and innovative in their approach to  
21 dealing with criminal justice from a holistic  
22 perspective and I applaud all of you for doing that,  
23 but in order for us to enhance the work that our DA's  
24 do each and every day not only to prosecute cases,  
25 but to make sure that their offices operate

2 efficiently and effectively, we must give them the  
3 funding that they need. I want to thank our Speaker  
4 and all of my colleagues for recognizing the  
5 importance of our City's prosecutors because we  
6 outlined those requests in our Budget Response, and  
7 here we are several weeks later having a conversation  
8 around the Executive Budget. Not only did I make my  
9 voice heard in several editorials, but I've also  
10 written a letter to the Mayor of this city asking for  
11 consideration of our District Attorney's budgets,  
12 especially every five District Attorney as well as  
13 our Special Narcotics Prosecutor has a specific  
14 request, but I especially want to highlight the  
15 boroughs of Richmond County and Bronx County, two new  
16 District Attorneys coming into an office that has  
17 been severely underfunded that need attention. All  
18 of our offices need attention, but specifically  
19 Staten Island and the Bronx, and so I want to thank  
20 all of you for the multiple conversations that we  
21 have had as well as the engagement and partnerships  
22 that we've had over the course of my tenure as Chair  
23 of this committee. I look forward to hearing from  
24 you this afternoon and certainly to working with you  
25 in the future, and hope that at the end of this

2 budget process we can come back and say job well done  
3 and you're getting the funding and support that all  
4 of your offices need. Thank you so much, Madam  
5 Chair.

6 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
7 Chair. Thank you, Chair Gibson. You may begin your  
8 testimony in the order that you've decided, I guess,  
9 after my Counsel swears you in.

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

13 UNIDENTIFIED: I do.

14 UNIDENTIFIED: I do.

15 CYRUS VANCE: Good afternoon Chairs  
16 Gibson and Ferreras and to members of the Public  
17 Safety and Finance Committees. I thank you again for  
18 the opportunity to speak to you about our 2017  
19 Executive Budget issues, and thank you for the strong  
20 support and words of support that you have made  
21 public in editorials and in other meetings with our  
22 offices and in the community. We are genuinely  
23 appreciative. As part of the Executive Budget this  
24 year, my Office, the Manhattan DA's Office, requested  
25 600,000 dollars in baseline funding for the creation

2 of an Alternatives to Incarceration Unit within the  
3 DA's Office. In an attempt to further reduce the  
4 unnecessary incarceration of individuals at Rikers  
5 Island and state prisons, we've worked with our City  
6 and State criminal justice partners to create more  
7 community-based supervision and diversion options. As  
8 prosecutors, we must develop also the institutional  
9 capacity within our offices to evaluate these  
10 programs so that we can encourage their utilization,  
11 as well as monitor their effectiveness. This new unit  
12 will serve as a resource for the entire Office of--  
13 which is a large one, obviously, and it will identify  
14 programs that are worthy diversion options and  
15 identify defendants who can benefit from them without  
16 compromising public safety. Staff from this unit will  
17 also follow up with defendants who have been diverted  
18 from the court system to check on their progress in  
19 the communities. And lastly, the unit will collect  
20 information on the effectiveness of the programs and  
21 share it with other city agencies and yourselves.  
22 Developing this capacity within the Manhattan DA's  
23 Office, we believe, is critical to achieving a shared  
24 goal shared by the Office and the City Council, we  
25 believe, to improve the likelihood of successful

1  
2 outcomes for those exiting the criminal justice  
3 system. Now, as a status on this, Chair Gibson, we  
4 have had discussions and fruitful ones with the  
5 Office of Management and Budget and the Mayor's  
6 Office of Criminal Justice regarding this resource  
7 need. We do not have an answer on that, and we are  
8 very appreciative of your support and of the Finance  
9 Committee's support in securing baseline funding for  
10 this unit. Second, we are working in collaboration  
11 extensively with the Mayor's Office and thankfully  
12 and proudly with my fellow District Attorneys on a  
13 coordinated approach to combating gun violence  
14 throughout the City. In addition to agreeing to  
15 information-sharing protocols and participating in  
16 regular strategy meetings, I requested expanding my  
17 Office's Violent Criminal Enterprise Unit with three  
18 additional assistant DA's and two intelligence  
19 analysts to support their work. These additional  
20 staffing resources will enable this unit, the VCEU,  
21 to expand the breadth and depth of its caseload.  
22 Now, this is a unit that I think has been very  
23 productive in terms of enhancing safety. In the past  
24 six years, this unit alone has indicted-- had 18  
25 separate indictments against 19 different gangs, as

2 well as 22 indictments brought against gun  
3 traffickers, all of which has been a critical part in  
4 our ability to control violence and shootings in  
5 Manhattan. This comprehensive review would ensure  
6 that no shooting goes unsolved due to lack of  
7 resources, and again, discussions with MOCJ regarding  
8 this collaboration are ongoing. I am optimistic that  
9 working collectively we can successfully tackle the  
10 gang-related gun violence and continue to reduce it.  
11 In closing, I just want to take one more moment to  
12 update the committee regarding the recently launched  
13 summons initiative, which was discussed when I  
14 testified here earlier this year. As you know, as of  
15 March 7<sup>th</sup>, our office no longer prosecutes in  
16 criminal court most low-level, non-violent violations  
17 and infractions, unless there is a demonstrated  
18 public safety reason to do so. Rather than being  
19 arrested, violators are given criminal summonses.  
20 When I last appeared before this committee in March,  
21 I explained, I hope, how this initiative, which we  
22 developed over the past year in partnership with the  
23 NYPD and New York State Office of Court  
24 Administration called OCA, that it will help to  
25 prevent unnecessary detention and jail-time for low-

2 level, nonviolent violations committed by those who  
3 pose no threat to public safety. Now, although this  
4 initiative is only in its third month, the results  
5 to-date are promising, and I want to share them to  
6 you, because I think they are relevant to the  
7 discussions we had. Low-level, non-violent violation  
8 arrests are down dramatically. Since this initiative  
9 has started, violation and infraction arrests are  
10 down by nearly 80 percent in Manhattan for March and  
11 April, from 1,842 during this time period in 2015 to  
12 390 in 2016. Importantly, at least as of this date,  
13 this initiative has not led to a surge in crime, as  
14 some feared or predicted. In fact, the past month,  
15 according to NYPD CompStat numbers, index crimes in  
16 Manhattan have decreased by 4.1 percent compared to  
17 the same point last year. This initiative, along  
18 with others like the two Clean Slate events hosted by  
19 my Office-- Chairman Gibson, it was great to have you  
20 at that event in Lower East Side-- and were done in  
21 connection with and conjunction with the NYPD, OCA,  
22 and Legal Aid Society. They have really helped  
23 individuals to clear outstanding warrants that pose  
24 no risk to public safety from becoming unnecessarily  
25 entangled in the criminal justice system, and in

2 doing so, we believe freeing up law enforcement and  
3 the courts to focus on more serious offenses. We're  
4 going to continue to monitor the impact of these new  
5 summons policies and will report our findings as we  
6 learn them. I want to thank you again for affording  
7 me the opportunity to provide a written testimony and  
8 to speak with you today, and I'm happy to answer  
9 questions when my time is up.

10 DARCEL CLARK: Thank you. Good  
11 afternoon. I am Darcel Clark, Bronx District  
12 Attorney, and thank you so much Chairwoman Gibson and  
13 Chairwoman Ferreras-Copeland and members of the  
14 Public Safety and Finance Committees. It is my honor  
15 to appear before you today as well. As I noted when  
16 I appeared in this chamber on March 8<sup>th</sup>, Rikers  
17 Island has been the focus of unprecedented national  
18 scrutiny for high levels of violence, pervasive  
19 corruption and a chaotic environment. One only had  
20 to watch this past Friday's expose by Diane Sawyer on  
21 ABC to get just a glimpse of what is happening on  
22 Rikers. It is a sad fact of life for our city, so I  
23 am not telling you anything new in that regard, but  
24 what I can tell you is this, with the very limited  
25 resources that my office currently have, we have

2 already made some progress. Indeed, DOI Commissioner  
3 Mark Peters and I working together have taken down 17  
4 defendants, including three Department of Corrections  
5 employees who were embroiled in a deeply rooted  
6 smuggling scheme involving inmates, officers, a DOC  
7 cook and people on the outside of Rikers Island.  
8 Drugs and contraband including scalpels, dangerous  
9 items capable of causing death, serious physical  
10 injury and disfigurement were being smuggled into  
11 Rikers by Corrections Officers. This prosecution  
12 puts on notice that it will no longer be criminal  
13 business as usual at Rikers Island. Now, I ask you,  
14 would you like these important investigations and  
15 take-downs to continue? Of course you would. We  
16 cannot hold people in jail and not take every  
17 reasonable step to protect them against those who  
18 would smuggle instruments of death and destruction  
19 into Rikers jails. Commissioner Peters and  
20 Commissioner Ponte both stand ready to work with me  
21 on important investigations that will, not may, but  
22 will lead to the arrest and prosecution of networks  
23 of people on the inside and outside who smuggle drugs  
24 and contraband into Rikers Island. This will  
25 directly reduce the violence inside and help ensure

2 the safety of officers, staff, inmates, and  
3 civilians. In fact, both Commissioners and their  
4 high level staff members regularly meet with me. I  
5 have also met with and will continue to meet with  
6 Norman Seabrook [sp?] and the other unions and  
7 stakeholders who believe that it is critically  
8 important to keep the hardworking and honest  
9 correction officers and civilians as well as the  
10 inmates on Rikers Island safe from wrong-doers. I  
11 will bring all of them together to discuss how best  
12 to respond to incidents of violence against  
13 corrections officers by inmates and allegations of  
14 excessive force by officers. We will develop a  
15 comprehensive strategic plan on how to investigate  
16 and prosecute those cases swiftly and effectively.  
17 Last, but certainly not least, we will discuss  
18 healthcare on Rikers Island, specifically mental  
19 healthcare and other intelligent proposals of reform  
20 to reduce violence and despair and to increase trail  
21 capacity and hope. So, what does the Bronx District  
22 Attorney's Office need? We need exactly what this  
23 esteemed Council recommended. I need my budget  
24 request fulfilled. I need a Rikers Island  
25 Prosecution Bureau. I need Assistant District

2 Attorneys who can responds swiftly to incidents of  
3 violence on Rikers Island I need to send prosecutors  
4 to where the problem is in real time and that means  
5 physical presence on the island. We need the office  
6 that is currently being built, but without Assistant  
7 DA's, investigators, staff, and investigative tools  
8 and equipment, the building means nothing. Now,  
9 there are those who would close Rikers Island to  
10 build new facilities elsewhere. I respectfully  
11 submit that if that would solve the problem at all,  
12 it certainly would not solve it now. The Council's  
13 proposed bail reform for low-level nonviolent  
14 offenders can help by reducing the number of inmates.  
15 Please remember, most of those held at Rikers Island  
16 are pre-trial detainees. So the immediate answer is  
17 not to think of new places to confine them, but a way  
18 to try them quickly, fairly and efficiently. This is  
19 not only the right thing to do, which should be our  
20 main concern, but if OMB's primary focus is  
21 economics, remember that every delayed trial is a  
22 potential lawsuit; memories fade, witnesses  
23 disappear. I will tell you that when juries come  
24 back with not guilty verdicts, the civil lawsuits  
25 follow, particularly if an acquitted defendant has

2 been injured or worse while retained awaiting trial.  
3 To avoid lawsuits and a potential for staggering  
4 money judgements, but most importantly to complete  
5 our mission of dispensing justice swiftly and fairly,  
6 the City should provide the Bronx DA's Office with  
7 the necessary funds to conduct vertical prosecutions.  
8 It will delay-- it will reduce delays. When I last  
9 appeared I discussed the daunting backlog of cases  
10 that I inherited when I took office. In fact, it is  
11 so bad that a federal lawsuit has been filed against  
12 the courts alleging that the lack of resources in the  
13 Bronx criminal justice system is violating the  
14 constitutional rights of those accused. The delays  
15 are undoubtedly also unfair to the thousands of  
16 victims of crimes in the Bronx who also do not  
17 receive their timely day in court. Now, this backlog  
18 is something of great interest to the Mayor's Office  
19 of Criminal Justice. Representatives of that office  
20 call and meet us repeatedly, sometimes alone and  
21 often with representatives of the courts and defense  
22 organizations, repeatedly asking about the backlog of  
23 cases. That office is aware of the problem, and we  
24 respond to all of their questions, often quite  
25 quickly. Yet, we tell them our attrition rate is

1 growing. We have lost 37 Assistant District  
2 Attorneys so far this year, a figure we usually do  
3 not reach until the fall, and quite frankly it did  
4 not help us when the New York Law Journal announced  
5 recently on the front page that the City's Executive  
6 Budget has allocated absolutely nothing for the  
7 District Attorney. Just this week yet another mid-  
8 level Assistant District Attorney announced his  
9 imminent departure, and not for some fancy law firm,  
10 but for another public agency. We are a new  
11 Administration. We need our budget to implement our  
12 vertical prosecution plan I order to retain and  
13 attract prosecutors. This is how we will reduce the  
14 backlog, one Assistant District Attorney to handle a  
15 prosecution from beginning to end. It has been very  
16 difficult to plan a restructure without having a  
17 sense of what the budget will be in the next fiscal  
18 year. Once we have an idea of what the figures will  
19 be, we will be able to announce our restructuring  
20 plan and implement it hopefully during the early  
21 summer while many judges are away so as to cause  
22 minimal disruption in the courts. Notwithstanding  
23 the difficulties I've mentioned, we have accomplished  
24 much. As I have said, my team has worked  
25

2 collaboratively with Commissioner Peters. In  
3 addition, without even restructuring, we identified a  
4 list of nearly 1,100 of our oldest cases, and since  
5 February have disposed of more than 412 of them,  
6 which is nearly 40 percent, but we need to do so much  
7 more. Without resources we cannot get the job done.  
8 We also investigated a huge violent narcotics  
9 operation which resulted in the largest state take-  
10 down to date, and involved more than 84 defendants.  
11 We have done a considerable amount of work despite  
12 the fact that we are a new Administration suffering  
13 from a somewhat accelerated attrition rate and a lack  
14 of resources. I attribute our success to the  
15 wonderful Assistant District Attorneys and support  
16 staff within our office who have embraced my VISTA  
17 Plan, which is a vertical prosecution model, internal  
18 controls, standing up to corruption, time sensitive  
19 prosecutions, and active investigations. I  
20 appreciate the work of the City Council and the  
21 support that you have given to our office by  
22 recommending the adoption of our budget plan. In  
23 particular, I would like to publicly thank  
24 Councilwoman Gibson for her May 9<sup>th</sup> editorial  
25 entitled "District Attorneys Deserve More Resources

2 to Serve New Yorkers.” I can only ask that you  
3 continue to do so and urge OMB and the Mayor to give  
4 us the financial assistance that we need in order to  
5 get this job done. Historically, the citizens of the  
6 Bronx have not asked for all that much in the way of  
7 financial support for its District Attorney Office. I  
8 am now asking on behalf of the 1.4 million people of  
9 the Bronx that they be given what they deserve, a  
10 criminal justice system that is fair, swift and  
11 efficient. Thank you so much.

12 MICHAEL MCMAHON: Thank you and good  
13 afternoon. Michael McMahon on behalf of the Office  
14 of the Richmond County District Attorney and the  
15 people of Staten Island. It’s great to be back.  
16 It’s good to be home here in the City Council, and  
17 when we came up in March we presented a very detailed  
18 proposal as to what we think our financial needs are  
19 in the District Attorney’s Office in Staten Island,  
20 and so rather than go into those details, I thought I  
21 would just update you on some of the things that have  
22 happened since we were here, and I think, in fact,  
23 give reinforcement for the ask that we presented to  
24 this august body, the City Council of the City of New  
25 York. But before I begin, I really want to take a

2 moment to thank Chairwoman Ferreras-Copeland,  
3 Chairwoman Gibson, the other members of the City  
4 Council, certainly the lead of our delegation from  
5 Staten Island Steve Matteo together with Debbie Rose  
6 and Joe Borelli, and I see my friend and colleague  
7 Vinnie Gentile here from Brooklyn and Council Member  
8 Barron and Council Member Miller for your time and  
9 effort on behalf of our efforts and what we do, and  
10 it's quite clear that the message that we  
11 collectively brought to you in March was heard, and  
12 resounding so, because in your response to the  
13 Mayor's Preliminary Budget, you put in those things  
14 that we were asking for and clearly you understand  
15 that we cannot reform the justice system of the City  
16 of New York, we cannot make that system fairer and  
17 better and more efficient unless the District  
18 Attorneys are part of that enhancement and that  
19 improvement, and so from the bottom of my heart, on  
20 behalf of the people of Staten Island, I thank you  
21 for that. If there's any other message you get about  
22 Staten Island and its-- the situation of the criminal  
23 justice, let it be this, that Staten Island is no  
24 longer a bucolic hamlet within the City. I presented  
25 those words to you when I came in March, and

1  
2 unfortunately the statistics that I've pointed to  
3 have only gotten worse. My colleagues, the people of  
4 Staten Island are faced with an epidemic that has  
5 become a plague when it comes to the heroin and  
6 opioid crisis. When I came to you in March I talked  
7 about an initiative that we just begun with the NYPD  
8 to treat each drug overdose as if it were a crime  
9 scene and to better track those numbers, and I regret  
10 to say that since January 1<sup>st</sup>, 48 Staten Islanders  
11 that we know of have died from drug overdoses, and we  
12 estimate that at least a third more should be  
13 included in that number but we are not capturing that  
14 number because the data does not come into the NYPD  
15 or into our office. And this is an incredibly  
16 widespread problem across the island, and I brought  
17 with me a chart. Now, my colleagues might get mad.  
18 I'm kind of breaking the rules by bringing charts,  
19 but I want people to see the map of Staten Island,  
20 and if you look at that map, you'll see red circles  
21 and green triangles. The green triangles are those  
22 who dies before March 1<sup>st</sup>. the red circles are those  
23 who have died since March 1<sup>st</sup>, just because they're--  
24 we are now going back and tracking those from January  
25 1<sup>st</sup> to March 1<sup>st</sup>, but we hadn't been doing that

1 initially, but now we are and we're including them in  
2 our data, and there are 46 marks on that map. There  
3 should be 48. There are two more we're not quite  
4 sure the location where it happened, but what you see  
5 is this is a problem that spans the geography of  
6 Staten Island, from the north shore to the south  
7 shore, east shore, west shore, rich and poor, black  
8 and white, old and young. The ages-- the spar-- the  
9 breadth of the ages is incredible, from 18 years old  
10 to 52 and beyond. It is across our society. It is  
11 across our island, and quite frankly, we need your  
12 help to fight this plague, to fight this scourge on  
13 Staten Island. Just to put it into perspective, in  
14 2014, the Department of Health reported that there  
15 were 74 deaths attributed to overdoses in the entire  
16 year, and with those numbers, Staten Island led the  
17 city's overdose rate with 74. Right now, with the  
18 numbers that we have, we are on track to double that  
19 amount, and that is just shocking and it's  
20 unacceptable. Last spring, a year ago, projections  
21 were that someone was dying every five days of an  
22 overdose. This year, in a span of eight days from  
23 May 3<sup>rd</sup> to May 12<sup>th</sup> there were eight overdoses  
24 reported to my office. That's an average of one  
25

2 every day. This is a critical point in the heroin  
3 and prescription drug crisis and we need the  
4 resources and tools necessary to fight this problem,  
5 and as you heard today from the NYPD, we're very  
6 happy that they're going to give us 15 new detectives  
7 to our Narcotics Bureau, and that's why I put a  
8 request in our budget proposal of a million dollars  
9 to give me the DA's and the support staff and the  
10 community advocate and a navigator so that we can  
11 deal with this crisis in our office as well, because  
12 just to put the police on the street is not going to  
13 fight the epidemic unless we have the prosecutors and  
14 the support staff and the navigators and the  
15 community advocates to fight this scourge. Another  
16 problem that we face that is raging close to out of  
17 control is in the issue of domestic violence. It's  
18 increasing faster in Staten Island than any other  
19 borough in the City. According to DCJS, from 2009 to  
20 2014 Staten Island reported an astounding 64 percent  
21 increase in domestic violence victims, by far the  
22 most of any other borough. We are on pace this year  
23 to outreach-- to reach 2,600 domestic violence  
24 arrests, which would be at the highest recorded in  
25 history for Staten Island. We are the only borough

2 that does not have a separate and dedicated Domestic  
3 Violence Bureau and which does not yet have an open  
4 family justice center. However, I'm quite thrilled  
5 to say that we are looking forward to opening our  
6 Family Justice Center within the next month, but we  
7 are in dire need of a separate Domestic Violence  
8 Bureau that can handle this growing caseload and  
9 adequately provide the level of attention and care to  
10 these cases that victims deserve. Now, how does this  
11 increase in domestic violence manifest itself?

12 Certainly in those numbers that we've seen, but also  
13 in Staten Island and in dramatic increase in  
14 homicides that we've had over the last five months of  
15 this year. In 2015, the whole year, there were 14  
16 total murders on Staten Island. To date, as we sit  
17 here today in mid-May there have already been 16  
18 homicides, many of which are rooted in causes related  
19 to domestic violence. There have also been 11  
20 shootings with victims and an 11 additional shootings  
21 without victims this year. In fact, the 121 Precinct  
22 on the west shore of Staten Island currently is  
23 second in the entire city for homicides. So, as you  
24 can see, Staten Island is no longer the quiet suburb  
25 it has been portrayed as in the past. We faced all

2 of the significant trials and tribulations of big  
3 city crime, and indeed we are confronted by some of  
4 the most serious criminal justice challenges in the  
5 city each and every day. As a newly elected District  
6 Attorney I'm proud that I have found the public  
7 servants and ADA's in the Richmond County District  
8 Attorney's Office to be some of the brightest and  
9 most dedicated in the country, and I'm honored to  
10 lead them on a daily basis, but unfortunately years  
11 of underfunding has left our office unable to keep  
12 pace with the changing times and rising needs of  
13 crime in our borough. And I regret to report to the  
14 City Council that is currently structured and  
15 operated, the Richmond County DA's Office is woefully  
16 behind in staffing, technology and resources to meet  
17 the safety need of our citizens. Again, we have no  
18 fully functioning case management system, no separate  
19 Domestic Violence Bureau, no community partnerships  
20 unit, no Elder Abuse Unit, no Asset Forfeiture Unit,  
21 and Financial Crimes Unit, and a skeleton of an  
22 arrest alert system in a nascent Crime Strategies  
23 Unit, and so we are again respectfully requesting  
24 your assistance to address these critical needs, and  
25 I ask that you work with us to provide adequate and

1 fair funding to our office. And again, we have  
2 submitted an overall request of an increase of 3.6  
3 million dollars which includes 2.8 million in  
4 additional personnel funding and 500,000 in OTPS, and  
5 250,000 to baseline TASC [sic], an alternative to  
6 incarceration program for addicted defendants. And I  
7 know that in and of itself that sounds like a lot of  
8 money, but in the grand scheme of things in this  
9 city's budget, it's not as much when we're talking  
10 about a father who was highlighted on Channel Four  
11 last night who lost his daughter to the drug crisis  
12 and now has a son who finds himself addicted to it as  
13 well. It's not too much to ask when we think about a  
14 pregnant mother at 22-years-old in the throes of  
15 addiction who sticks a needle in her arm and kills  
16 herself and the baby that's she's carrying. It's not  
17 too much when we think about a little one-year-old  
18 baby who becomes the victim of a month-long torture  
19 because of the domestic violence failings and our  
20 inability to provide the support for that family.  
21 It's not too much to ask when we think of all the  
22 lives that are lost on Staten Island because we  
23 cannot protect the innocent and prosecute the  
24 criminals. And so again, on behalf of the people of  
25

2 Staten Island, I thank you for your attention, for  
3 your support and your commitment, and I know that  
4 together we will beat this drug epidemic. We will  
5 bring down those domestic violence numbers, and we  
6 will bring true criminal justice reform to all  
7 corners of the City including Staten Island. Thank  
8 you very much.

9 BRIDGET BRENNAN: Thank you. I'm Bridget  
10 Brennan. Am I on? How about now? Good? I'm  
11 Bridget Brennan, the City's Special Narcotics  
12 Prosecutor, and my thanks to Chair Gibson for your  
13 support throughout the year and for your impassioned  
14 support of the District Attorney's Office. You have a  
15 deep understanding of our needs and the way the  
16 system works, and we know we have a true partner in  
17 you. You have excellent staff as well who are always  
18 available to us, and I'd like to give them a shout-  
19 out as well. Thank you to Chair Copeland. I  
20 appreciate your attention, and thanks to the other  
21 committee members who join us today. I'm not going  
22 to be asking for money today. Funding, to me, has  
23 been generous, and I have been able to use it, I  
24 think, to make some big advances in the work that  
25 we're doing, but I'm going to take time today to ask

2 you to support something else. I'm asking you to  
3 breathe life into drug prevention efforts in this  
4 City and to support law enforcement strategies that  
5 are directed strategically at reducing the street  
6 drug markets and that are directed at reining in the  
7 heroin and the pills that are just flooding this  
8 city. In my submitted testimony at page six you'll  
9 see a chart of the office, my office's heroin  
10 seizures. In page six of my submitted testimony  
11 that's bound in plastic you'll see that there's a  
12 chart of my heroin seizures for the last 10 or so  
13 years, and you see a huge spike in 2014 and 2015  
14 showing about 800 pounds of heroin seized in 2015.  
15 That heroin is flooding the city in amounts never  
16 seen before. I've talked about my predecess-- talked  
17 to my predecessors who were here during the time of  
18 the last heroin epidemic. No one has ever seen this  
19 amount of heroin flooding the City. Overdose deaths  
20 in New York City are at the highest rate in 15 years.  
21 In April, the City Health Department released  
22 statistics showing a dramatic jump in heroin-- in  
23 overdose deaths, most of them attributed to heroin  
24 and prescription pills. That's up 10 percent, and  
25 that number will only rise as the Health Department

1 refines its information. And a grave concern, of  
2 course, is the increase in deaths attributable to  
3 Fentanyl. Fentanyl is a very potent opioid. It's 50  
4 times more potent than heroin, and it is often sold  
5 as heroin or mixed in with heroin to users who are  
6 completely not knowledgeable of what it is that  
7 they're using, and often the dealers don't even know  
8 what it is that they're selling. Fentanyl is  
9 attributed in 15 percent of the overdose deaths. Now  
10 to put that in perspective, there were about 890  
11 deaths attributed to overdose last year. There were  
12 350 homicides and 230 traffic deaths. The number one  
13 cause of preventable death in New York City is  
14 overdose. There are more overdose deaths than  
15 traffic deaths and homicides combined, and if you  
16 look at the chart on page three of the same testimony  
17 you'll see that homicides and traffic deaths are  
18 going in the right direction. They're going down,  
19 and overdose deaths are going in absolutely the wrong  
20 direction. They keep increasing. New York City is  
21 justifiably proud of the success it's had in reducing  
22 homicides and reducing traffic deaths but we need to  
23 devote new energy and new strategies to combatting  
24 overdose, to combatting drug abuse and addiction.  
25

1 Vision Zero is a great effort. It targets traffic  
2 deaths, and it's been successful. The violence  
3 reduction focus has been tremendously successful. We  
4 need to devote that same kind of laser focus on  
5 reducing addiction in our city, and there are two  
6 challenges that we face, and sometimes I think we  
7 overlook one of those challenges. There is what I  
8 call the backend, the treatment side, treating those  
9 with addiction and preventing their deaths, but at  
10 least equally important is the front end, preventing  
11 addiction from ever taking hold, and to date, most of  
12 the city's efforts have been directed at the backend.  
13 Increasing funding for naloxone, I fully support  
14 that. Increasing funding for methadone like  
15 treatment programs, again, I support that, and  
16 increasing funding for overall treatment programs, we  
17 are wholly in support of that, but far, far too  
18 little resources have been invested in getting a  
19 clear, unambiguous message out there. Every time you  
20 abuse addictive pills, every time you use one of  
21 those little envelopes of heroin, you are risking  
22 death. That message needs to be put out forcefully  
23 by the City. Where are the school programs? Where  
24 is drug education? I encourage the City Council to  
25

1  
2 take a close at that, because the overdose deaths in  
3 the age group 15 to 24 increased by 33 percent last  
4 year. We need to target that group. Are we  
5 effectively educating our children about these drugs?  
6 I encourage you to take a look at the messages out  
7 there. On the subway, for instance, one of my top  
8 attorneys comes into the office incensed on a daily  
9 basis because on his train there's a solicitation for  
10 participation in a research program, and what is it  
11 looking for? What does it say? It says, "Looking  
12 for healthy heroin users." What kind of messaging is  
13 that? What kind of messages are we sending on a  
14 daily basis to commuters, to children, to teenagers  
15 going off to school every day? We have to take a  
16 close look at that. You'll hear stories, and I hear  
17 stories about young people who go to parties to abuse  
18 heroin and pills and they bring naloxone in their  
19 pocket, because they believe that's going to keep  
20 them safe. I believe in naloxone. I believe that  
21 people should be revived, of course I do. I believe  
22 in anything that's life-saving, but let's not muddle  
23 the message. The message has to be unambiguous.  
24 What's the most successful anti-addiction message  
25 program that was ever out there? The program to

2 combat smoking. And what was the bottom-line message  
3 in that program? It was smoking kills. If you  
4 smoke; quit. If you haven't started, don't start.  
5 Clear, unambiguous. It doesn't mean that we  
6 stigmatize users. It means we send a very clear  
7 message, and I don't think we've been doing that  
8 enough. For the past 30 years, my office has been a  
9 big proponent of treatment programs. We were in the  
10 forefront of it, and we need to continue to offer  
11 treatment programs that's clearly targeted at what's  
12 needed. What we find so often is that people who are  
13 addicted need programs that will help detox them and  
14 help transition them, but those programs are not  
15 available and certainly not available on demand.  
16 It's critically important, treatment is, but so is  
17 prevention, and this city is just not doing enough.  
18 If we don't do enough on the prevention end, it's  
19 really like shoveling sand. We may be able to pull  
20 some of those victims of addiction out of that black  
21 hole, but unless we send a clear unambiguous message  
22 to young people, more and more will just fall into  
23 that hole, even as we struggle to pull the victims  
24 out. Now, I'm working with the City Health  
25 Department on this, but I'm asking the City Council

1  
2 to lead the way. The Mayor's recent initiative to  
3 reduce drug overdose allocated an additional half  
4 million dollars to prevention efforts, and that's  
5 good, but much more is needed, and Chair Gibson, you  
6 of course know how deeply affected your borough is by  
7 this problem. Your borough saw the biggest increase  
8 in overdose death. There was a 39 percent increase  
9 in overdose death in the Bronx 2015 over 2,014. And  
10 we also need to infuse our City's narcotics  
11 enforcement strategy with energy and direction. If  
12 drugs are cheap and plentiful, they will be consumed  
13 by an ever-increasing numbers of people. We must  
14 protect the vast majority of people in this city who  
15 are not yet addicted, but who may be dabbling in  
16 these drugs as they become increasingly available and  
17 normalized with messages like healthy heroin users.  
18 I know the Police Department shares my concern and  
19 I'm meeting with them in a couple of days to discuss  
20 a focused strategy to reduce the street supply of  
21 heroin and pills. And finally, we must engage our  
22 medical community in reducing the number of addictive  
23 pills, which are often the gateway to heroin. Over  
24 the weekend, it was reported that nationwide and  
25 statewide in New York State there was a reduction for

2 the prescription of addiction pills. That's cause  
3 for optimism, because as I said, the pills are the  
4 gateway to heroin. Unfortunately, New York City  
5 prescriptions for the most commonly abused medication  
6 oxycodone are headed in the wrong direction. In  
7 2015, for the second time in many years, oxycodone  
8 prescriptions were up six percent over 2013. We need  
9 to do much, much more to engage our medical community  
10 to the dangers of overprescribing. Prescribing  
11 nationwide is declining, and yet, here in the City  
12 we're showing an increase. What can we do better?  
13 The Mayor's initiative again allocated 800,000  
14 dollars to this, and that's a good start, but again  
15 on this front, I ask the City Council to exercise  
16 leadership, and I am working closely with the  
17 leadership of our highly respected Health Department  
18 on this issue. I think they can really lead the way,  
19 but I think we need to look at what others are doing,  
20 because again, clearly we're not doing enough.  
21 Accurate information is the cornerstone of an  
22 effective prevention program, yet, some seem  
23 squeamish about saying that heroin and addictive  
24 pills destroy lives, but that tragedy unfolds day in  
25 and day out in Staten Island, in the Bronx, and in

2 every borough in this city, and a straightforward  
3 unvarnished information message is critically  
4 important to get out this message to those who are  
5 toying with the idea of abusing these deadly drugs.  
6 The message should not be conflated with messages on  
7 how to reduce the harm caused by drugs. A strong  
8 prevention message is not inconsistent with  
9 advocating naloxone treatment and Bupomorphine for  
10 those already addicted. The campaign to reduce  
11 tobacco smoking was the most effective campaign ever  
12 to reduce an addiction, and I suggest we adopt that  
13 model. Because my office has a ringside seat on drug  
14 issues, we are able to see emerging trends very  
15 clearly. We anticipated the pill crisis and saw the  
16 flood of heroin smuggled into this city beginning  
17 about seven years ago. Because of what I'm seeing,  
18 my message today is urgent. We must do more, and we  
19 must try different strategies, not the same old, same  
20 old over and over again when all the indicators are  
21 going in the wrong direction. If heroin trafficking  
22 breaks wide open, we will see an escalation in crime  
23 that we have not seen in decades, and the addicted  
24 and their families will suffer untold tragedy.  
25 Please recognize the urgency of this issue and

2 support expanded prevention efforts and a focus on  
3 shutting down the street drug markets. Thank you  
4 very much.

5 JACK RYAN: Good afternoon. I knew it  
6 would be difficult to follow Bridget, but I also knew  
7 she would deliver an unambiguous and strong message,  
8 and I certainly endorse the message that she's  
9 delivered, and I think I'm probably speaking for my  
10 colleagues. Good afternoon. My name is Jack Ryan.  
11 I'm District Attorney Brown's Chief Assistant. He  
12 sends his deep regrets for being here. A last-minute  
13 conflict came up that he couldn't get out of. It was  
14 so last minute I had to read his notes on the way  
15 here, so I hope I will do him justice. I know he  
16 wanted to come because he wanted to extend his  
17 personal thanks to both Chairs and to the members of  
18 the committee for their support. When the District  
19 Attorney was last here at the initial hearings he  
20 noted that while significant strides had been made in  
21 our budgets in recent years, we still had a ways to  
22 go. Unfortunately, as we stand here today, sit here  
23 today, nothing has changed from that time, and the DA  
24 does draw solace from the support he's gotten from  
25 the Council from the support as the Law Journal

1 mentioned, as many have mentioned so far today, so  
2 far there is no change in the Executive Budget which  
3 is a great disappointment. The District Attorney was  
4 very-- appreciated very much the op-ed piece that the  
5 Chair did and the supportive piece from other members  
6 of the Council. We're also, and maybe we're overly  
7 optimistic. We've had reasonably good conversations  
8 with the Mayor's Office of Criminal Justice. They've  
9 told us we're moving on the right track. We would  
10 appreciate it more if those conversations were more  
11 substantive, if they were earlier on, but we are  
12 where we are on May 23<sup>rd</sup>, and we're hopeful certainly  
13 with the Council's strong support that we can move  
14 forward, and that is a great hope to us. I believe  
15 the combined request from the five District  
16 Attorney's offices is 28 million dollars. Our  
17 request is for slightly under five million. I have  
18 been in government long enough that I'm going to say  
19 28 million isn't much to me. It's still a lot of  
20 money, although in the cons-- in the contrast of the  
21 City's overall budget, it is a reasonable amount of  
22 money. I did hear the discussions in the last panel  
23 about the Police Department overtime, and again, they  
24 make the arrest. We do not control our inflow of  
25

2 cases, the Police Department does. When those cases  
3 come in, we have to deal with them and deal with them  
4 as best we can, and in that regard, our requests are  
5 relatively modest. In the budget crises that it  
6 seemed like were unending through the 90's, the early  
7 parts of 2000, well we can see they've gotten a  
8 little bit better. What we did in our office, what  
9 District Attorney Brown did was to concentrate on our  
10 core mission. We concentrated on that above all  
11 else. We concentrated on making sure we had enough  
12 assistance in the criminal court making sure we had  
13 enough assistance in Supreme Court and to do that  
14 task. As a result, other parts of the office did  
15 suffer, and it is now we-- and can only deal with  
16 that suffering for so long, and one of the things--  
17 some of the things we're asking for don't fall into  
18 the glamorous categories, but it is something we put  
19 off too long. As many of you know, we have a serious  
20 space crisis in the Queens District Attorney Office.  
21 In addition for being spread out pretty much all over  
22 the Q [sic] Gardens area, our space is very short.  
23 We have assistants working two, three, four, five to  
24 an office at times. We-- the District Attorney,  
25 again, is an internal optimist. He has not given up

1 his hope for the Queens House of Detention. We think  
2 it's a natural fit for us, but even if that were to  
3 be approved tomorrow, it wouldn't resolve everything  
4 we need in a sufficient amount of time. By the  
5 City's own standards, we are down approximately  
6 90,000 square feet. We have money currently  
7 authorized in the budget that would fund  
8 approximately half of that space. It's very difficult  
9 to deal with DCAS to get them to move forward and  
10 find you additional space. I guess one of the first  
11 questions they ask is, "Do you have money in the  
12 budget to fund it?" And so we would ask among the  
13 other requests we've made is that the council impose  
14 upon the city to fund those requests so we can put  
15 our people in professional space. Again, we don't  
16 believe it's as natural a fit as the Queens House of  
17 Detention would be, but it is a fit. We have had  
18 funding some time now to form the Cybercrime Lab, and  
19 in an area where theft of service and credit card  
20 fraud is rampant, we have the money to hire the  
21 people to forensically analyze those devices. We  
22 don't have the space to put them. Other areas that  
23 we need is, you know, our Appeals Bureau. We have  
24 suffered an attrition of many of our Senior Appeals  
25

2 people. Also there is an influx in the-- you know,  
3 there is very little that can be said today that  
4 amounts to the finality of judgement. Every case is  
5 appealed. There's then Article 440's. There are  
6 then Federal Habeas'. We need more appeals people.  
7 We've also-- our NYPD squad has shrunk approximately  
8 two-thirds from its height. We've wound up replacing  
9 them with our own detectives. We're requesting 10  
10 detectives to fill the ranks there, and these are the  
11 major requests that we've made. Again, we thank the  
12 Council for its support. We need your support.  
13 We're hoping that the Mayor and the Mayor's Office of  
14 Criminal Justice that you have their ear, and we're  
15 hopeful we're moving in the right direction. Thank  
16 you.

17 LEROY FRAZER: Good afternoon, Madam  
18 Chairpersons and members of the Committee.  
19 Initially, I must also apologize for District  
20 Attorney Thompson who is unavoidably away. However,  
21 he asked that I as his Chief of Staff come and  
22 deliver and read, that is, his remarks into the  
23 record. Thank you Chairwoman Gibson and the Public  
24 Safety Committee for this opportunity to address you  
25 on the Mayor's Executive Budget, its impact on my

2 office and the fiscal challenges facing my office  
3 going forward. As part of the Executive Budget plan,  
4 my office so no change from the previous budget plan.  
5 As part of the January budget plan, my office  
6 submitted a summary of new needs to OMB requesting  
7 1.8 million in baseline funding. However, none of  
8 those needs were addressed. We have reached a  
9 critical point in the budget process where the lack  
10 of funding has left our office unable to plan  
11 properly for the upcoming fiscal year 2017. The  
12 Council has always shown steadfast support for the  
13 District Attorneys in the past. It is my hope that  
14 as the Council negotiates with the Mayor and OMB to  
15 finalize the budget for Fiscal Year 2017, it will  
16 help secure our requested funding. In January my  
17 office requested approximately 957,000 dollars in  
18 personnel funding to enhance and expand our crime  
19 strategies and forensic science units and to upgrade  
20 our administrative divisions to ensure compliance and  
21 procurement and fiscal matters and back-fill loss  
22 grant funding from the state for our highly  
23 successful drug treatment diversion program. As  
24 mentioned in our previous testimonies, these  
25 personnel needs are in response to case and

2 administrative needs that have been identified in the  
3 last two years. Our effort now remains the same as  
4 it was in January 2014, to continue transforming this  
5 office into a leading law enforcement agency. These  
6 resources are essential to that effort.

7 Additionally, we have to the Council in the last four  
8 testimonies to discuss the serious need of the  
9 funding for our records management warehouse. This  
10 need was expressed to both OMB and to the Mayor's  
11 Office of Criminal Justice as the highest priority in  
12 our new needs request due to the critical nature of  
13 file storage and maintenance. Brooklyn's caseload,  
14 highest in the City, leads itself to a higher amount  
15 of files that are required to be retained and made  
16 available upon request. Record management standards  
17 on case files which haven't been updated in the last  
18 25 years to account for the digital standards require  
19 retention of 25 years on average. In some cases, we  
20 are required to retain case files indefinitely.

21 Based on caseload, we generate approximately 9,000  
22 boxes of felony case files annually, and 11,000 boxes  
23 of misdemeanor case files. With retention  
24 requirements of 25 years, our office can have up to  
25 500,000 boxes of case files in our possession at any

2 given time. This doesn't include the retention of  
3 administrative files including HR, payroll and fiscal  
4 files that each have their own lengthy requirements.  
5 As an agency, we are responsible for ensuring our  
6 compliance with all retention requirements. We have  
7 previously discussed in detail the struggles of DARS  
8 [sic] managing our long-term file storage. However,  
9 it is ultimately the responsibility of our office to  
10 manage these files. Because we take that  
11 responsibility seriously, we requested 600,000  
12 annually to secure a single warehouse managed by our  
13 office in order to consolidate the current file  
14 management operations. This will allow our office to  
15 store case and administration files more efficiently  
16 and effectively. As we are losing a floor at our  
17 current storage location 210 Joralemon Street, our  
18 current state of file storage will only continue to  
19 deteriorate with every day that goes by without this  
20 funding. In closing, I once again thank Chairwoman  
21 Gibson and all the members of the Public Safety  
22 Committee and Finance Committee and the entire  
23 council for your tireless support of my office as we  
24 make the case for these additional resources. Our  
25 needs are critical, and the window for receiving

2 funds for fiscal 17 is shrinking. We again come to  
3 the Council in hopes that these vital needs will be  
4 addressed during the budget adoption process. We  
5 remain committed to transforming the Kings County  
6 District Attorney's Office into the leading law  
7 enforcement agency that the people of Brooklyn expect  
8 and deserve. Thank you.

9 CHAIRPERSON FERRERAS-COPELAND: Thank you  
10 very much for all of your testimonies. You know,  
11 this is a different hearing for us, because usually  
12 it's the Commissioners and we're demanding for their  
13 efficiencies, but here we're all on the same page.  
14 So basically this is really about documenting you  
15 helping us be able to advocate even stronger for you.  
16 We put it in the Budget Response, because this  
17 Speaker had really led an effort of reform and  
18 criminal justice, and you are an integral part that  
19 often isn't talked about. It's either, you know, NYPD  
20 or Rikers, but you're the in-between and often times  
21 the ones that probably need most support, and as is  
22 evident by all of your testimonies and the very  
23 obvious different needs that each and-- you all share  
24 very similar needs, and then some of you have very  
25 different needs. So, I think it very appropriate

2 that we go through this process during these  
3 hearings. I wanted to talk about several items, but  
4 before we do that I wanted to acknowledge that we've  
5 been joined by Minority Leader Matteo, Council Member  
6 Barron, Council Member Miller, and Council Member  
7 Gentile, and other members will be coming in and out  
8 throughout the hearing. Usually at the Preliminary  
9 Budget hearings we discuss the Preliminary Mayor's  
10 Management Report with city agencies. Since the DA's  
11 and Special Narcotics Prosecutors are not included in  
12 the PMMR, the City funds make up more than 90 percent  
13 of your budgets. I would like to discuss how your  
14 offices measure success and efficiencies so that  
15 we're able to-- for us, the metrics is so that we're  
16 not here again, so that we're able to see what the  
17 flags are as you go through your process. How do we  
18 ensure that you constantly getting the support that  
19 you need? Can you each of you discuss one metrics or  
20 example of a metrics that you have in your office to  
21 measure success and also how you measure  
22 efficiencies? So, one example for each so we're not,  
23 you know.

24 CYRUS VANCE: Thank you, Chair, Madam  
25 Chair. One of the biggest issues that we face, which

2 I believe is probably mirrored in the other boroughs,  
3 is lack of trial capacity, particularly in our  
4 criminal courts. This is not often spoken about, but  
5 it is in my personal opinion one of the biggest  
6 challenges that we face, people who are either  
7 victims or accused or crimes or witnesses to crimes  
8 expect that these cases will be managed and will be  
9 disposed of and tried where necessary. But in recent  
10 information we've given to the Chief Judge and Office  
11 of Court Administration, I believe we had over a  
12 thousand cases last year where both the defense and  
13 the prosecution showed up in trial at court ready to  
14 try a misdemeanor case and there were no-- there were  
15 either not enough judges, enough court officers or  
16 enough support personnel. So, how do we do this?  
17 How do we deal with it? Well, first of all, when I  
18 became DA we started to maintain our own records of  
19 trial adjournments and everything that dealt with the  
20 proceeding of the case, enabling us to go to the  
21 court and give them data on where we were having  
22 these significant problems with regard to trial  
23 capacity. Secondly, by understanding what cases, the  
24 length of adjournments and the ultimate outcome of  
25 cases, we were able to show OCA that, for example,

2 and this is a hypothetical, if an assault case goes  
3 past a third adjournment, the likelihood of that case  
4 ultimately being dismissed is x percentage higher, so  
5 that they could understand that there's a cost and a  
6 consequence which no one wants. When cases are  
7 stalled and are not going forward. As I've described  
8 it before, you can't clear a swamp through a pinhole,  
9 unless you have adequate judicial resources that can  
10 handle the regular and appropriate flow of cases.  
11 Cases back up. They aren't adjudicated. It's neither  
12 fair to the defense nor the prosecution nor the  
13 witnesses, because cases fall apart. So we focused  
14 on getting data and managing that data in our office,  
15 which we've, I think, done a good job, and as I've  
16 learned from other offices what they're doing, I've  
17 shared out data management system on very specific  
18 information on trials and a number of cases  
19 maintained by agencies [sic] and throughout the  
20 office.

21 CHAIRPERSON FERRERAS-COPELAND: Thank you.

22 DARCEL CLARK: I echo the remarks of DA  
23 Vance. Of course, the Bronx has the largest back-log  
24 of any of the counties, so we also are keeping our  
25 own numbers as to how often we're ready as well as

2 the defense, and there's no trial capacity available.  
3 I mean, being a former judge, I know exactly what  
4 it's like having been a judge waiting and waiting and  
5 waiting for trials. Another thing is also lack of  
6 jurors. Sometimes there are not enough jurors. Court  
7 officers-- you can have a judge. You can have a DA  
8 and a defense attorney with witnesses all ready to  
9 go, but if there's not enough court officers, the  
10 case doesn't go to trial either. So, but I think the  
11 way that we measure how we're encountering that is  
12 how much we get through the back-log. I'm trying to--  
13 I'm finding ways to do it, you know, without the  
14 trial capacity, just going over the inventory of the  
15 office. I inherited this backlog, so I have to go  
16 through it with new eyes meeting with my Bureau  
17 Chiefs once a week, meeting with Deputy Bureau Chiefs  
18 once a week to highlight the oldest cases and the  
19 status of them, the viability of them, and  
20 determining whether or not they're ready to go to  
21 trial, if there needs to be some other disposition.  
22 You know, some of the policies that were-- and  
23 practices that were in place before I took office may  
24 no longer apply in the vision that I have for the  
25 office. So I'm re-evaluating those, and that's some

2 of the ways I'm getting through the backlog, but  
3 without the resources of having more assistance to do  
4 the actual vertical prosecution which will help  
5 because the way that the office was set up builds in  
6 delays just because four and five assistants are  
7 handling one case. So, with one DA on the case from  
8 beginning to end that will also cut down the backlog,  
9 but without the resources to do the vertical  
10 prosecution, I'm just going to remain in the same  
11 pattern.

12 CHAIRPERSON FERRERAS-COPELAND: Thank  
13 you.

14 MICHAEL MCMAHON: Thank you for that  
15 question, Madam Chairwoman, and for us it's a real  
16 challenge, because you're absolutely right in asking  
17 how do we-- what metrics do we use to measure success  
18 and how do we figure out who needs what, but right  
19 now we're not in any position to answer that in our  
20 office, because when I came in I discovered that we  
21 do not have a functioning case management system,  
22 okay? So when I sat down and interviewed each  
23 Assistant District Attorney, they came with their own  
24 little spreadsheet and their own stubby pencil, and I  
25 was able to ask each, "How many cases do you have?"

2 How many misdemeanors? How many felonies? How many  
3 have been indicted? How many are waiting? How many  
4 are awaiting disposition? How many post-conviction  
5 waiting sentence or plea deal?" And you'd have to  
6 kind of add them all up to figure out how many cases  
7 there are, and I couldn't tell you exactly how many  
8 domestic violence cases there are out of our 2,400  
9 open misdemeanors except by asking each ADA how many  
10 we have. So, what I did was-- and we don't have the  
11 money to get a system. We don't have a programmer.  
12 So, I went to the State District Attorneys  
13 Association, and they do have a program called  
14 Prosecutors Case Management System, and as of April  
15 4<sup>th</sup>, we launched that in the office, but the problem  
16 is it's not programmed to accept the feed from the  
17 Police Departments. All of their numbers don't come  
18 into it yet, but at least we're starting, and one of  
19 my requests is to have a program so that we can sort  
20 of convert that to make it compatible with the system  
21 that everybody else uses so that I can-- next year, I  
22 promise to come back with a sheet saying-- with pie  
23 graphs and everything showing you how many cases in  
24 each department, what their arrest arraignment time  
25 is. We do have some of those statistics, but they

2 come from OCA, but I can't rely-- I should not be  
3 relying on a third party agency to give us that, so  
4 but that's how we're functioning right now. But I--  
5 so we're working on that, and I promise next year I  
6 will come back to you and I will give you those  
7 numbers that you want. I give you my word. But  
8 another thing that I think we can look at metric of  
9 success is how we're doing in drug treatment court,  
10 especially given the problems that we have in Staten  
11 Island, and right now with working with TASC [sic],  
12 which is an agency that is a case manager that's in  
13 the court that's working on a drug treatment court.  
14 Right now, we have 171 defendants who are in, who  
15 referred to TASC, and it resulted in 133 defendants  
16 being diverted from jail and into community-based  
17 treatment, and right now we have a success rate of 74  
18 percent, and 118 defendants were successfully  
19 completed. That's all in the last year. So, we show  
20 some significant numbers there, and that's something  
21 where I think we can measure the success because  
22 we're taking people who are addicted to drugs, and  
23 based on possession or low-level sale of controlled  
24 substances, we're diverting them and we're getting  
25 them the treatment they need, and we can measure

2 success there. What I'd like to do and what I  
3 proposed in another document that we sent to the  
4 Administration is increasing those efforts and  
5 finding a way in our justice system to divert people  
6 sooner. There are concepts out and our programs out  
7 there like the LEAD program, which is law enforcement  
8 assistant diversion, which is seeking to get people  
9 earlier into the treatment that they need, whether  
10 it's at the time of arrest or at the time of  
11 appearance on a desk appearance ticket or a time of  
12 arraignment, and those are things that the City  
13 should be looking at because we've even found in the  
14 five months that I've been in office we've had two  
15 deaths of people who were awaiting treatment or  
16 awaiting admission into the drug treatment court, if  
17 you will, or in that time from arraignment to  
18 reappearance in court. So, that's how bad the  
19 addiction is, and that's something that we could all  
20 work on together. Again, if you have the staff that  
21 can do that, if you have the navigators who can take  
22 people and put them into programs sooner. Bridget  
23 Brennan is absolutely correct. We need better  
24 education to prevent anyone going down this road. We  
25 need better enforcement to get the big dealers and

2 get the drugs off the street, but we also need to  
3 help those who are in the throes of addiction, and I  
4 think those three elements could be a way that we can  
5 measure lives saved, and perhaps that's the greatest  
6 metric of all.

7 CHAIRPERSON FERRERAS-COPELAND: Great.

8 BRIDGET BRENNAN: In terms of measuring  
9 our effectiveness, I think that was your first  
10 question, right?

11 CHAIRPERSON FERRERAS-COPELAND: Yeah, it's  
12 basically being able to measure your success and your  
13 efficiencies.

14 BRIDGET BRENNAN: The way we measure our  
15 success probably is related to whichever issue we're  
16 focusing on. For example, we've devoted a lot of  
17 resources to violent reduction-- violence reduction  
18 cases where the Police Department has targeted  
19 certain drug dealing crews as being responsible for a  
20 great deal of violence in a community. And so when  
21 those people are targeted, I get a notice of it. My  
22 Chief Assistant who's here gets notice of it, and we  
23 kind of hunker down on those cases. We make sure  
24 that whatever support is needed for that case is in  
25 place, that they have the analyst, that they have

2 additional investigators if they need it. They have  
3 whatever they need to really make an impact on those  
4 cases, and we make sure that there's an indictment.  
5 We follow it all the way through. We require regular  
6 recording, and we use that same model whatever the  
7 area of focus is, whether it's our Heroin  
8 Interdiction Unit or whether it's our prescription  
9 drug Investigation Unit, it's the same kind of model  
10 where there's oversight, resource support and  
11 counting, in a sense, to make sure that what's  
12 getting done is what needs to get done. In terms of  
13 efficiency, we're fortunate to have in place some  
14 case management tools, which allow us to track, for  
15 example, how old a case is, and again, they'll just  
16 be monitoring. The Chief Assistant monitors it. The  
17 Bureau Chiefs monitor it. They speak to the  
18 assistant when they see that there's an old case just  
19 to make sure everything moves swiftly and quickly  
20 through the system. Those are the kinds of models  
21 that we use.

22 JACK RYAN: Thank you. We try and  
23 measure everything we can measure. I'll start with  
24 say arrest, arraignment and complaints sworn to where  
25 there are arcane parts of the system, but has an

2 impact both on the people arrested, the defendants,  
3 and also has an impact on the courts and the amount  
4 of police time spent. We measure how long it takes  
5 for the police to arrest-- the complaints, so called  
6 complaint sworn time. They complete the complaint  
7 and also how long it takes to get the person  
8 arraigned. We quite frankly are somewhat proud of  
9 our arrest arraignment and complaint sworn time  
10 numbers. Traditionally, they've always been the  
11 lowest, and it's in part because the DA made that a  
12 focus as soon as he took office. He gets notified  
13 twice a day as to what the numbers are. We get a  
14 file report each day during the course of the month.  
15 We don't wait for the monthly report. We keep tracks  
16 as each day goes along. Obviously, if the defendant  
17 gets arraigned faster, they have the opportunity in  
18 most-- a good number of defendants get either  
19 released or the case is disposed of at arraignment.  
20 It gets them out faster and it gets the police back  
21 on the street faster. So that's one of the things we  
22 do. The District Attorney has a meeting three  
23 mornings a week where you have three major divisions,  
24 trials, major crimes, and investigations. Each one  
25 of those divisions has a day that's theirs.

2 Tuesday's is major crimes. Wednesday is  
3 investigations. Thursday's is trials. A different  
4 bureau from each of those bureaus comes in on a  
5 regular basis, and one of the things they have to  
6 account for is the number of cases they have over a  
7 certain age and why they're over that age, and we  
8 keep track of that as well. We pretty much measure  
9 every assistant as to how many cases they have  
10 assigned. The age of the case is going to vary by  
11 the type of the case it is. The homicide case is  
12 going to take longer than another case. We have a  
13 plea system, or policy where over half of our felony  
14 cases in Queens are disposed of by superior court  
15 information s. That means they don't have to go to  
16 the Grand Jury. The SEI's [sic], in order to get an  
17 SEI, you need consent of the three parties. We have  
18 to agree. The defendant has to think it's a good  
19 deal and the court has to think it's a good deal, and  
20 the way our system is set up, we have an opportunity  
21 to, we think, fairly and reasonably without a gun to  
22 anybody's head, discuss it, and come to a real  
23 conclusion as to what should occur. And in the cases  
24 that we do indict are the cases where most plea  
25 bargaining has been already been tired and exhausted,

2 and those cases that we do indict having a higher  
3 likelihood of going to trial than another case. And  
4 I would echo what everybody else has said about trial  
5 capacity, particularly in the criminal court. Our  
6 Chief of our trial division testified at a hearing in  
7 the Council not all that long ago about how bad the  
8 criminal court is.

9 LEROY FRAZER: Yes, while Brooklyn has  
10 led the City in shootings, we continue to do major  
11 takedowns of organizations responsible for gun  
12 trafficking and for gang violence, but we don't just  
13 stop with the takedowns. We also monitor those areas  
14 geographically through our Crime Strategies Unit to  
15 see the change in the stats both before the takedowns  
16 and after. We measured that to see-- make sure that  
17 things don't repeat and a new gang doesn't rise up in  
18 that place. Additionally, with the Crime Strategies  
19 Unit we are in constant contact with the precincts in  
20 their particular areas where the DA's are in those  
21 units to make sure to know who the drivers of crimes  
22 are in those areas. In terms of efficiency, our Chief  
23 Assistant meets regularly with the chief of  
24 Administrative Judge has been looking at, all the  
25 cases and jail cases over a year and over two years,

2 and have made a dramatic reduction in the inmates in  
3 those particular cases. And another way that we look  
4 to measure it is by partnering with agencies. You  
5 may know that we recently opened a Young Adult Court  
6 in Brooklyn for ages 16 through 24, but in so doing  
7 we also partnered with the Center for Court  
8 Administration to act as a research partner to  
9 measure how things are at the beginning and how  
10 things are perceived all along the line. So by don't  
11 that with that grant and with any others that we'll  
12 get, we'll continue to look at the job we're doing  
13 and to make sure that we're doing it to the best of  
14 its abilities.

15 CHAIRPERSON FERRERAS-COPELAND: Thank you  
16 very much, and again, this was more for getting it on  
17 the record so that we're able to use it as a tool. I  
18 do want to give my colleagues an opportunity to ask  
19 their questions, but I wanted to highlight that we  
20 understand the trial struggles, and we're knowing  
21 that this with this influx that we're trying to fight  
22 in the budget for you for-- it'll be a whole new day  
23 for you after we-- you know, you see us shake the  
24 hands, shake the Mayor's hands during the budget  
25 process. Hopefully we're able to deliver one exactly

1 the resources that you need. I wanted to also  
2 briefly acknowledge the Queens DA. I know you've  
3 done work for years with the US Open and young  
4 people. So when you talk about drug addiction and  
5 helping our young people get educated, it's just been  
6 a very natural partnership. Often times it goes  
7 under the radar, but maybe we can use some more of  
8 our sports themes in New York City. We're very proud  
9 of our city through sports but the Queens DA has  
10 managed to figure out a nice synergy with our local  
11 tennis teams.  
12

13 MICHAEL MCMAHON: I mean, it's wor-- you  
14 kwon, the US Open has to be complimented as well.  
15 They were very open to this. I believe we're over 20  
16 years of doing this now. We have programs where our  
17 assistants go into the school during the year and  
18 they have session with them, for a lack of a better  
19 term, and the assistants learn I think sometimes more  
20 than the students, because they come back with you  
21 know young people coming and told them how their  
22 brother brought home a gun, what should they do.  
23 There person next door got shot. What should they  
24 do? And they try and work through those issues, and  
25 the reward for the participants in the program is

2 they get to go to the US Open for a day of tennis,  
3 and we've been reasonably lucky on the weather. I  
4 don't know if the US Open--

5 CHAIRPERSON FERRERAS-COPELAND:

6 [interposing] Well, now they have dome.

7 MICHAEL MCMAHON: Well, I was going to  
8 say, I'm not sure they're going to-- hopefully  
9 they'll make the dome stadium available to us as  
10 well.

11 CHAIRPERSON FERRERAS-COPELAND: Well, we  
12 can work on that.

13 MICHAEL MCMAHON: Yeah, and they've been  
14 very cooperative.

15 CHAIRPERSON FERRERAS-COPELAND: Yes.

16 MICHAEL MCMAHON: So, I assume they will,  
17 and it's very good for the kids. It gives them  
18 something to look forward, and it gives them-- many  
19 of them probably would not have played tennis before  
20 but for that, and some of them, for kids who have  
21 never been on a court, look pretty good out there.

22 CHAIRPERSON FERRERAS-COPELAND: You're  
23 right. You're absolutely right. Thank you again for  
24 your testimony. I'm going to follow up with questions

2 after, but now we'll hear from Chair Gibson followed  
3 by some members that also have questions.

4 CHAIRPERSON GIBSON: Thank you very much,  
5 Chair Ferreras-Copeland, and thank you again for all  
6 of your testimonies. I think by my opening you know  
7 and understand how passionate I am, and I work with  
8 all of you and your offices, so I mean, obviously  
9 making sure that we put our concerns and priorities  
10 on the record. It's certainly my goal, but I assure  
11 that from, you know, the beginning to the end of this  
12 budget conversation I will absolutely do my very best  
13 to make sure that all of your offices get as you have  
14 requested. I think it's important. I think sometimes  
15 we lose sight and not recognize the full picture of  
16 criminal justice that involves the NYPD law  
17 enforcement, our prosecutors and the courts. I mean,  
18 we all have to work together. all of the ingredients  
19 have to work together in order to make this work, and  
20 we want New Yorkers to understand the process that we  
21 go through, but we also want to make sure that we can  
22 begin to restore their faith in government and in the  
23 criminal justice system. And so I think, you know,  
24 coming here and recognizing your budget needs each  
25 and every year is important not just for the Council,

2 but really for members of the public to understand  
3 what our District Attorney, what they do and not just  
4 about prosecuting cases, but the multitude of  
5 community partnerships from PAL programs, the  
6 Midnight Basketball, and the community centers, and  
7 the teen academies and everything that your officers  
8 really do to not only engage residents, but recognize  
9 the communities that are really left behind after the  
10 mass arrests, after the arrests of our relatives and  
11 you know, young people. There are people that are  
12 behind that that still need assistance. So, I just  
13 wanted to make sure if you didn't understand before,  
14 you understand my passion for supporting your budget  
15 needs this year. So, I have a few questions, but for  
16 each of you that I'll just go through, and I wanted  
17 to start with DA Vance. In your testimony, your  
18 request for this year is the Alternatives to  
19 Incarceration. I am a huge fan of ATI and ATD  
20 programs. They do an incredible job keeping young  
21 people and young adults out of the pipeline to  
22 prison. I wanted to find out right now what types of  
23 resources are you currently devoting to ATI and ATD  
24 services and with this expansion of this new unit  
25 that you're going to create, how many young people,

2 how many individuals do you think you would be able  
3 to target with the ATI unit?

4 CYRUS VANCE: Madam Chair, we currently  
5 focus on Alternative to Incarceration programs in a  
6 variety of levels in our office, but it's not focused  
7 and coordinated as I believe--

8 CHAIRPERSON GIBSON: [interposing] It  
9 should be.

10 CYRUS VANCE: as it should be.

11 CHAIRPERSON GIBSON: Right.

12 CYRUS VANCE: And I think in our current  
13 system, the real understanding or knowledge about  
14 Alternative to Incarceration programs is mostly left  
15 to the court and the defense counsel, but of course,  
16 I think given that we are active proponents of  
17 diversion and other ways of avoiding unnecessary  
18 incarceration, this is something that we believe we  
19 should take a principle role in able to make it work  
20 and to make it work and measure its effectiveness.  
21 So, we are, with regard to our request, seeking for  
22 funding for a staff of seven, a unit director, two  
23 assistant DA's, a program coordinator, two case  
24 managers, and a paralegal. I'm not sure I can-- I  
25 will get back to you with the specific number, but

2 I'm not sure I can give you a specific number today  
3 of how many more individuals are going to be able to  
4 take advantage of ATI's. It's going to be more.  
5 I'll get you the best number I can by the end of  
6 today or tomorrow.

7 CHAIRPERSON GIBSON: Okay.

8 CYRUS VANCE: But most importantly, I  
9 think it's going to be enabling our office to be  
10 making more informed and better judgements and for us  
11 to have more confidence in programs that may be  
12 mention by the court or defense counsel, because we  
13 will have had a better ability to study their  
14 effectiveness and measure their success and be more  
15 comfortable in making those recommendations.

16 CHAIRPERSON GIBSON: Okay. And in  
17 addition to the staff you described, is there a  
18 database that you currently use now or will that be  
19 formulated with the new staff to coordinate and  
20 really integrate all of the ATI services and put them  
21 together?

22 CYRUS VANCE: I think that one of our  
23 principle goals is our feeling that the ATI programs  
24 have been a, you know, a michigost [sp?]. They're  
25 scattered over. They're scattered around. They're

2 not centrally located. So we do not yet have a  
3 current database, and obviously with funding and with  
4 the support that we're asking for in terms of  
5 personnel, we will, I believe, be able to measure,  
6 you know, to provide a measureable set of options and  
7 willing to share that with the Council and with other  
8 DA's if they wish.

9 CHAIRPERSON GIBSON: Okay, great. Thank  
10 you. And I certainly want to thank you for your  
11 support of all of the DA's as well through the  
12 sharing revenue program and certainly the asset  
13 forfeiture funds that have been going to NYCHA on  
14 public safety enhancements and cameras and things of  
15 that nature. I really want to thank you and your  
16 office for recognizing the partnership and the fact  
17 that yes, you know, you are the Manhattan DA, but  
18 serving, you know, all of the city in that way  
19 through necessary funds. I really appreciate.

20 CYRUS VANCE: It's our pleasure.

21 CHAIRPERSON GIBSON: DA Clark, you're  
22 next. The recent announcement of the indictment of  
23 17 individuals, at the press conference you were  
24 asked if you thought you had a sufficient number of  
25 resources and staff, and you indicated you did not,

2 and you would bring that to our attention at today's  
3 hearing.

4 DARCEL CLARK: Yes.

5 CHAIRPERSON GIBSON: I wanted to find out,  
6 I believe it's Bronx County and Richmond County are  
7 the only two DA's right now that do not have vertical  
8 prosecution in the model, and in your budget request  
9 that is something that's at a high priority, which I  
10 recognize.

11 DARCEL CLARK: Yes.

12 CHAIRPERSON GIBSON: Can you just tell me  
13 a little bit about how that would work in terms of  
14 streamlining the process so you have one ADA assigned  
15 to a case from beginning to the end, and as well as  
16 what's currently devoted right now to dealing with  
17 Rikers Island, because the Rikers Island Prosecution  
18 Unit would be a targeted approach, but what do you  
19 have right now that deals with Rikers Island cases?

20 DARCEL CLARK: What I have now that deals  
21 with Rikers Island, I have a number of maybe 10  
22 assistants who have regularly been assigned to those  
23 crimes that happen on Rikers Island. They're part of  
24 the Investigations Bureau right now, but they're not  
25 concentrated solely on doing Rikers Island cases.

1  
2 They do other types of investigation. What I want is  
3 a bureau that's concentrated only on Rikers Island  
4 prosecutions. That's whether its inmates that are  
5 being prosecuted for the crimes that they commit  
6 while in Rikers Island. It has a public integrity  
7 part of it, meaning any corrections officers or staff  
8 who are charged with committing crimes on Rikers  
9 Island. That's any visitors that come and may be  
10 involved in any smuggling of cases of crimes that go  
11 into Rikers Island, as well as people on the outside  
12 who are connected to any type of conspiracy of  
13 smuggling in items to Rikers Island. So, those are  
14 10 who have the responsibilities of not only Rikers,  
15 but others. I'd like to have 20 dedicated assistants  
16 that will handle Rikers Island cases only, in  
17 addition to a Bureau Chief, who I've already  
18 identified and brought someone on board, but you  
19 know, it's not part of my budget. It's knowing that  
20 I have to get the work done, I had to get somebody  
21 special in that, and I've hired somebody who worked  
22 for the Department of Corrections, who's very  
23 knowledgeable, and she has just been a, you know, a  
24 gem in helping us identify the issues that are  
25 happening in Rikers Island. So I would like to have

2 20 assistants, and not only would they be assigned to  
3 Rikers cases, but they will actually be on Rikers  
4 Island in a rotating fashion, sometimes in the Bronx  
5 presenting to the grand juries and standing up in  
6 court, and others who will be on the island ready to  
7 respond to any instances that are happening so they  
8 can be right there on the ground in real time, along  
9 with investigators, and you know, working in  
10 conjunction with the Department of Investigation  
11 investigators as well as my own investigators and  
12 DOC. So that's what I need for Rikers, and that  
13 particular case just showed the depth of the  
14 corruption that is happening in Rikers. That's one  
15 of the visions I had when I was candidate. I said  
16 there's got to be bigger than just the inmates there.  
17 This is happening because there's a lot of people  
18 involved, and this is a direct demonstration of how  
19 it's happening. There's more cases like that and  
20 whole lot of other cases that need to be investigated  
21 in and prosecuted in Rikers. I just don't have the  
22 means to do it right now. So, that's why I need  
23 that.

24 CHAIRPERSON GIBSON: Right.  
25

2 DARCEL CLARK: The vertical prosecution  
3 will be something that I need more assistants in  
4 order to handle the number of cases there are in the  
5 Bronx, and how we will redesign it is that there will  
6 be four to six bureaus or depending on what we get,  
7 and each bureau will be assigned to the cases for the  
8 Bronx on a particular day. That means they will man  
9 the complaint room as the cases come in so those  
10 assistants when they write up those cases, those are  
11 the cases that will be their cases from beginning to  
12 end. They'll be arraigned and then after arraignment  
13 will go back to that particular bureau for that  
14 assistant to handle it either in criminal court or in  
15 the grand jury to indict it and then so forth to go  
16 to trial. That's the vertical system. The way it is  
17 now, one assistant writes it up in the complaint  
18 room. Another assistant arraigns it. Another  
19 assistant gets it when it goes to a different bureau.  
20 It stays there. If it's a felony, it goes to the  
21 intake bureau. They indict it, and then after the  
22 indictment it goes to another assistant. Built in  
23 delays.

24

25

2 CHAIRPERSON GIBSON: Have you gotten OCA  
3 on board yet for the Rikers Island Prosecution Unit  
4 concept of the courtroom that we want on the island?

5 DARCEL CLARK: In-- we've had  
6 conversations, and Chief Judge DiFiore's office has  
7 indicated that they are willing to do that. We'd have  
8 to figure out the logistics of it, but I think in  
9 concept we agree that it's needed to speed up. The  
10 problem is now is that when there is a re-arrest on  
11 Rikers Island, those inmates have to be arraigned,  
12 and right now arraignments is in the Bronx on 161<sup>st</sup>  
13 Street. When they're taken to the Bronx, those  
14 inmates who are already incarcerated cannot be mixed  
15 with those people who are recently arrested by the  
16 Police Department. They have to keep them separate,  
17 and because there's so many cases coming in on a  
18 daily basis in the court, what happens is that the  
19 court administration has decided that they will only  
20 arraign five Rikers Island inmates per day four days  
21 a week. So that would be a total of 20 cases, if we  
22 get those in, and they don't always do it. So that  
23 creates a backlog in the Rikers cases. If we have a  
24 courtroom on Rikers Island, the assistants will be  
25 there to write up the case. Assistants will be there

2 to arraign the case right on Rikers Island, and they  
3 don't have to be moved and transported to the Bronx  
4 criminal court. So it would be tremendous savings.

5 CHAIRPERSON GIBSON: Okay. Thank you very  
6 much. Thank you. DA McMahon, so Minority Leader is  
7 here, so he'll ask many questions, but I did want to  
8 ask, you are requesting a Community Partnership Unit.  
9 So I wanted to know what you envisioned with this  
10 particular unit, and then the IT piece, very, very  
11 disturbing to hear. I mean, it almost sounds like  
12 your ADA's have an Excel spreadsheet and that's how  
13 they track their cases. So, I recognize this is  
14 something that obviously is a big priority for your  
15 office in order to have 21<sup>st</sup> Century technology, a  
16 database that's integrated with the other DA's so  
17 that you can get cases and track cases. So, please  
18 tell me a little bit about the Community Partnership  
19 Unit and what you envision, and then the IT  
20 infrastructure, I wanted to find out the existing  
21 case management system that you have, how does it  
22 affect your operations, and how many people do you  
23 have dedicated to IT right now?

24 MICHAEL MCMAHON: Thank you, Madam  
25 Chairwoman, and I want to just begin by thanking you

2 again for your advocacy on behalf of all of us, and I  
3 know that as a chairwoman you have a citywide  
4 position, but you also come from a borough, and yet,  
5 I feel it is not coming from the Bronx, that you're  
6 championing for all the people of New York and for  
7 fair-- a better criminal justice system, and I know  
8 Minority Leader Matteo and the rest of the Staten  
9 Islander delegation, and I appreciate it very much.  
10 In terms of the Community Partnership Unit, and as  
11 you opened you talked about the need to have the  
12 programs in the communities for the sports, and all  
13 of that is about building a connection between law  
14 enforcement and the community, right? So that we  
15 make sure that there are people throughout the City  
16 of New York, and in our case Staten Island, who know  
17 that law enforcement is on their side, that they are  
18 friends and neighbors who are working in law  
19 enforcement, and that is done through different  
20 things and the other boroughs through the sports  
21 league that DA Vance has, Friday Night Lights, I  
22 think-- Friday Night Lights, and I know in Brooklyn  
23 there's such a program, in Queens as well, and in the  
24 Bronx as well, and that's something that we don't  
25 have in any way shape or form. And so that helps to

2 build connections and trust between the office and  
3 the community. It means that people can go out to  
4 Community Board meetings and Precinct Council  
5 meetings, and that we can have a presence at those  
6 different events and so that there's better  
7 communication between our office and the rest of the  
8 community, and that's something that I very much  
9 believe in, and having that connection between our  
10 office and the community means that we-- it can be  
11 done through that Community Partnership Unit. But  
12 it's not just about-- you know, the sports leagues  
13 are very important and having the presence in the  
14 community is very important, but having that trust in  
15 the community be it's also dealing with law  
16 enforcement and fighting crime. We need to get tips  
17 from people. We need people to call with complaints.  
18 We need them to feel that they know who their  
19 District Attorneys are, that they're members of the  
20 community as well and they can trust us, and so  
21 that's a very important tool, and right now-- and  
22 also about education, because we talked about the  
23 situation with drugs and how we need to better  
24 educate. Right now, my Assistant District Attorneys  
25 are going sort of on their extra time and their spare

2 time and their, you know, carved out time and their  
3 time away from families just to go into schools and  
4 talk to the communities about things like drug  
5 prevention, drug education, driving while intoxicated  
6 prevention. We have a 30 percent increase in DWI's  
7 in Staten Island over the last year. So we're out  
8 there spreading the word, if you will, but we'd like  
9 to do it more systematically, and we'd like to have  
10 the people to do it, and that's why we've sked for  
11 that particular unit. And then in terms of  
12 technology, as I said, when we came in I discovered  
13 that there really is not an operating case management  
14 system. So that means we're operating very  
15 inefficiently, and that's in terms of tracking cases  
16 and being able to provide statistics, but also  
17 working within the cases themselves. We're  
18 generating documents, cutting and pasting rather than  
19 using forms that have populated from data that are--  
20 that's in each file. We were relying on paper files,  
21 so literally clerks were spending hours looking for  
22 files before we could go into court and present on  
23 cases, and now with the new system that we've  
24 implemented as of April 4<sup>th</sup>, we can scan documents  
25 and populate them into the electronic file and it's

2 much more efficient. So, it means that we can be  
3 more efficient in prosecuting each case, but it also  
4 means that we as an office can work better in  
5 functioning as a team. We have in our office three  
6 people who do IT. It's a very small unit for an  
7 office that big, and there's no programmer. So we  
8 cannot program anything ourselves. We have some  
9 pretty outdated computer systems which we need to  
10 upgrade as well. DA Vance has given us the tools to  
11 try to set up a more modern crime strategies unit.  
12 So we're implementing those tools now, but it's very  
13 labor intensive and very difficult, and so that's why  
14 we have a request in in our budget request for the  
15 Crime Strategies Unit as well as to be able to  
16 upgrade not only the team, but the tools that they  
17 have to bring the office out of the 19<sup>th</sup> century,  
18 maybe into the late 20<sup>th</sup> century, and hopefully  
19 eventually into the 21<sup>st</sup> century.

20 CHAIRPERSON GIBSON: Okay, great. Thank  
21 you. So, for the sake of time, I'm going to get to  
22 my colleagues, but Ms. Brennan, I just wanted to  
23 thank you for your suggestions on focusing on  
24 prevention and drug treatment programs and really the  
25 messaging and how we can really have a targeted

2 message that focuses on prevention dealing with our  
3 school system and health professionals, and you know  
4 that our office working with the Staten Island  
5 Borough President, we are a part of the Mayor's  
6 Taskforce on Heroin and Opioid Use. So we've been  
7 working with DOHMH and MOCJ and others. So, I  
8 certainly want to have further conversations with you  
9 offline, okay? And you guys are off the hook  
10 because my colleagues will ask questions of Judge  
11 Brown and DA Thompson. So, thank you all once again,  
12 and now I'm going to get to-- alright, thank you,  
13 colleagues. We're going to start with Council Member  
14 Miller. Thank you.

15 COUNCIL MEMBER MILLER: Thank you so  
16 much, Madam Chair, and thank you to my colleagues for  
17 allowing me this opportunity. Thank you. And thank  
18 you for your insight there because you touched on so  
19 many things there and one of the things that you  
20 touched on in particular was some of the initiatives  
21 and programs that address the preventive need whether  
22 it's treatment or how we deal with our young people,  
23 which is very important, that often what we see in  
24 criminal justice is really a byproduct of not being  
25 able to provide education training in all the other

2 things that are going on. So we want to talk about  
3 the resources again that are necessary in being able  
4 to deliver those services as opposed to the emphasis  
5 that has been put on the trial portion and so forth.  
6 But I think I asked this question last year, but we  
7 talked about the retention of staff in each  
8 individual offices, and I know I received some of  
9 that information back. One of the things that we  
10 talked about last year was the investigators  
11 internally. I know there was some labor issues going  
12 on and whether or not we were being able to retain  
13 them because of the low salaries. Hopefully that has  
14 been resolved and then as DA Clark mentioned, the  
15 turnover within the Assistant District Attorneys.  
16 What have we seen and what can we do to prevent that  
17 from occurring in the future?

18 DARCEL CLARK: Well, the Detective  
19 Investigators labor issue have been resolved, so  
20 hopefully that will help us to recruit once again,  
21 but it's still nearly not enough as the money that  
22 they should have based on the work that they have to  
23 do because there's some-- you know, investigations  
24 are getting more and more sophisticated and we need  
25 detective investigators that have certain skill sets

2 to really help us enhance the cases that we have. So  
3 more funding in that area, and I have request for a  
4 number of detective investigators specifically for  
5 helping us with the vertical prosecution because each  
6 bureau would love to have-- I can't tell you, when I  
7 came in each bureau said if we had dedicated, you  
8 know, DI's to our bureau, that would help, and I'm  
9 looking forward to being able to do that with more  
10 funding, but also with Rikers Island I need also  
11 detective investigators to help the staff and the  
12 DA's as we do the Rikers Island prosecution. As far  
13 as the turnover of the Assistant DA's, it's the seven  
14 to 10 year group that we're really, really losing  
15 people, and we're losing them not to firms, but again  
16 to the Attorney General's office pays better.  
17 Dutchess County DA, we lost people to. Rockland, the  
18 Department of Education is always taking a lot of  
19 people. Corrections as well as the US Attorney's  
20 Office has taken some.

21 COUNCIL MEMBER MILLER: So essentially  
22 it's pay issues, that you're not competitive. Do you  
23 think it--

24 DARCEL CLARK: [interposing] Not  
25 competitive, yeah. We need to pay them more,

2 especially that seven to 10 year group because we've  
3 invested in them. They have the knowledge. They know  
4 the borough. They know the work, and we need to be  
5 able to do more to keep them.

6 COUNCIL MEMBER MILLER: Okay, Chief Ryan,  
7 I have a question. In terms of-- you know the type  
8 of cases that we look at, we're seeing in the outer  
9 boroughs, particularly in Queens and Brooklyn as  
10 well, around deed fraud and things of that nature  
11 there. How are we addressing that?

12 JACK RYAN: We have a unit within our  
13 Economic crimes Bureau that concentrates on that, and  
14 we have a-- for our size office, a rather large  
15 component of financial investigators and accountants  
16 which is critical in those type of cases, and the  
17 assistants handling those cases have developed an  
18 expertise in it. They work with many different  
19 agencies including the New York City Sheriff who has  
20 people assigned from the Department of Finance, which  
21 has worked out very well for us, but those are  
22 difficult cases and they're time consuming, and it  
23 requires a lot of investigative work.

24 COUNCIL MEMBER MILLER: So, I would hope  
25 that you have the resources, and if we had an

2 opportunity to kind of prioritize our resources, I  
3 think that's something that's prevalent throughout  
4 the borough, and I would hope that, you know, that we  
5 could take a look at that.

6 JACK RYAN: It certainly is. It's one of  
7 our priorities.

8 COUNCIL MEMBER MILLER: Okay, and here's  
9 the other-- so, I know also that I had-- there was a  
10 question about how services get delivered and who our  
11 target audiences were. In particular as it pertains  
12 to preventive when we're talking about Alternatives  
13 to Incarceration and things of that nature there. We  
14 thought that-- but it was also a conversation about  
15 cultural sensitivities and folks coming from  
16 communities that they were serving, and there was a  
17 question applied about the diversity of offices  
18 throughout all five boroughs there. Could we-- I  
19 know you don't have that documentation now. If you  
20 do, we'd love to have it, but again, we'd like to  
21 know about the diversities of staff, not just ADA's,  
22 but throughout all the offices.

23 COUNCIL MEMBER MILLER: Thank you, Madam  
24 Chair.

2 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
3 Council Member. We will hear from Council Member  
4 Minority Leader Matteo followed by Council Member  
5 Gentile followed by Council Member Barron.

6 COUNCIL MEMBER MATTEO: Thank you, Madam  
7 Chairs. Welcome to all District Attorneys. Thank  
8 you for coming. You know, I want to start off by,  
9 you know, recognizing that unfortunately, you know,  
10 the Staten Island District Attorney's Office has  
11 been, you know, historically underfunded, and that is  
12 something that we need to address as well as other  
13 District Attorney's Offices throughout the City, and  
14 one that this council and this committee is making  
15 sure that that is a priority. So, I want to thank  
16 you for bringing it up. I want to bring up two  
17 points, one directly to District Attorney McMahon,  
18 and I thank you for your leadership and advocacy  
19 District Attorney, and the point I want to bring to  
20 you is if you could just go-- and you've done a great  
21 job of talking about what the resources are going to  
22 be used for case management. As you know, TASC  
23 hasn't been baselined over the years. This council  
24 has done a great job of baselining it. Could you  
25 just go over the importance of TASC and some of the

2 other programs that the additional money is going to  
3 be used for and that you need to combat domestic  
4 violence, drug overdose, and my second point, Special  
5 Narcotics Prosecutor Brennan, I thought your  
6 testimony on Narcan was right on. So I'd ask  
7 District Attorney McMahon as well as you-- I agree  
8 with you on Narcan. It's a life-saving treatment.  
9 We've had discussion in the past. My concern is what  
10 are we doing when someone has Narcan, has already  
11 used it? How are we going to follow up? How are we  
12 going to get them the treatment they need? And I  
13 think in your testimony, in your remarks you really  
14 made it clear when you said someone may be bringing  
15 it with them in their pocket, you know, to be used as  
16 a crutch if, you know, they plan on using drugs and  
17 have an overdose, and I think that's so important  
18 that you said it. So I'd ask that DA McMahon weigh  
19 in on that, and then Special Prosecutor, it was a  
20 great point, and I-- we need to work together to make  
21 sure that we're getting those who use Narcan-- we're  
22 getting the information. We know who they are, and  
23 we're getting them treatment. So, if you could both  
24 respond.

2 MICHAEL MCMAHON: Sure, thank you. Okay,  
3 thank you, Minority Leader Matteo, and thank you for  
4 your leadership, and thank you for, you know, helping  
5 spread that word. All of my colleagues are  
6 phenomenal public servants, and their offices  
7 definitely need more funding across the board and the  
8 staffs across the city are really woefully underpaid,  
9 and someone who's been in the City Council and been  
10 in Congress I've seen government payrolls, and the  
11 numbers are very low, especially that 10 year salary.  
12 You know, if you're working 10 years in a District  
13 Attorney Office trying homicide cases and you're  
14 getting paid 78,000 dollars a year like in our office  
15 as it was when I got there, that's a problem, and  
16 that's something that has to be addressed, but as  
17 Staten Island's underfunding, it's historic, and I  
18 don't say it as a political statement, but both of  
19 those-- my predecessors, did not as aggressively  
20 pursue the process here at City Hall I think as was  
21 needed to kind of stay up to par with the change in  
22 times, and as I said the change in conditions in  
23 Staten Island, and if you look at case rates, crime  
24 rates, arrest rates, our population rates, you'll see  
25 a very dramatic underfunding, and that's why we're

2 hoping to get some of this one shot to catch up, and  
3 then every year with whatever the increase is, that  
4 would keep us online. In terms of TASC, TASC is  
5 Treatment Alternatives for Safe Communities. They  
6 are the not for profit. It's under EAC, and they are  
7 our partner in our drug treatment court. So they are  
8 basically the case managers. After the case comes to  
9 the drug treatment courts, they are the ones who do  
10 the assessments of the defendant to figure out what  
11 program makes sense, and then on a weekly basis there  
12 are meetings held with our office and people from  
13 TASC. The head of the program and the court and the  
14 judge himself, Judge Alan Meyer [sp?] who does a  
15 fantastic job, and the cases are assessed, and we see  
16 how the program is going. It's a rigorous program.  
17 It's generally an 18-month program where there are  
18 certain challenges that are put forth and the  
19 defendants have to meet them, and then they're  
20 monitored very closely, and TASC does that. They do  
21 that case management. Without them in place we could  
22 not do the drug treatment court, and everyone  
23 believes that one of the tools in our arsenal, in our  
24 tool kit to fight this crisis is drug treatment  
25 court. It's not perfect, but it certainly works in

1 many cases, and without it we'd certainly go back in  
2 time. We just met with representatives from American  
3 University who are doing an assessment of our  
4 program, and we're working to make it better, but we  
5 cannot do it without TASC. The reason that the  
6 Staten Island DA's office has to come up every year  
7 and ask for this baseline for TASC is because I think  
8 it was in 2008 or 2009 when there was the recession,  
9 there were budget cuts and TASC was hit with a budget  
10 cut of 250,000 dollars, and they directed it all  
11 towards the Staten Island office to eliminate that  
12 program, and thus they rely on us to come every year  
13 and ask for that money. So, by baselining it, you're  
14 basically just saying that okay, the people of Staten  
15 Island should have this drug treatment court.  
16

17 Without TASC as the partner there, it would to be  
18 possible, and you're just putting us very much on  
19 equal footing so that every borough has that drug  
20 treatment court, and some of the numbers cited  
21 before, which I'll just give one that is the success  
22 rate of about 74 percent with 118 defendants  
23 successfully completed. That's with the help--  
24 without TASC that would not be possible. So that's  
25 why we urge you to keep that in place. And then in

2 terms of what we've asked for, the extra funding just  
3 to-- I'll be brief and just say that certainly I need  
4 to enhance staffing in the Narcotics and  
5 Investigations Bureau so that we can go after the  
6 drug dealers, make sure that we're giving the highest  
7 plea offer possible, and that we're prosecuting those  
8 cases to their full extent, and I can only do that if  
9 I have the personnel who can go in court and make  
10 sure that the drug dealers are not getting back on  
11 the street, and that's certainly issue, number one. I  
12 mentioned the TASC baselining. We also, in terms of  
13 the domestic violence right now-- and the misdemeanor  
14 ADA's and the Special Victims Unit, I don't have a  
15 separate Domestic Violence Unit, but they have  
16 caseloads of up to 200 cases each, and that's not  
17 healthy or responsible in, you know, regular non-  
18 special victim cases, but when you have a special  
19 victims case, you have a victim. It's actually more  
20 work for the District Attorneys because you have to  
21 make sure that they're being taken care of and they  
22 have the support that they need. Now, when we get  
23 our Family Justice Center, which should happen in the  
24 next month or so, that'll be a good thing because the  
25 victims will have-- that'll be an awesome thing

1  
2 because the victims will have the support that they  
3 need so they can stay with us as complainants and  
4 help us prosecute those who have battered them or  
5 abused them, but it's labor intensive is what I'm  
6 trying to say. So we need the personnel to do that  
7 as well. We have asked for money to deal with the  
8 elder abuse as well. We don't have anyone who really  
9 deals with those cases, and so we have a total ask on  
10 that as well. The Community Partnership Unit which  
11 we talked about and building, integrating our  
12 technology into the offices as well and increasing  
13 the-- our use of intelligence-driven prosecution  
14 which the Manhattan District Attorney has sort of  
15 championed and been a trailblazer on. A perfect  
16 example of where we're not doing that and where we  
17 failed, it was the murder over the past weekend where  
18 it's become famous because the defendant whose now  
19 been captured was moving the body through the  
20 neighborhood on the dolly, right, the dolly case.  
21 Now, that's a defendant who has been arrested 52  
22 times, and yet for some reason the system has failed  
23 because he's still on the street and he's still in  
24 this relationship, and some of those arrests were for  
25 domestic violence, and what happens in an

2 intelligence-driven prosecution is a flag or a light  
3 that goes off and says this is someone that we have  
4 to work more aggressively, you know, not within the  
5 constraints of the constitutional rights, but we have  
6 to get people who are recidivist or drivers of crime.  
7 We have to go after them more systematically and more  
8 efficiently to make sure that they are not continuing  
9 to do the crimes that they're doing, and obviously it  
10 resulted in this murder. So, these are some of the  
11 tools that are available to us. We will implement  
12 them and make the office much more effective and  
13 efficient as well, but these are very basic things  
14 that we're asking for, not you know, really bells and  
15 whistles, just basic crime fighting tools and basic  
16 crime prevention tools as well.

17 COUNCIL MEMBER MATTEO: Great. Special  
18 Prosecutor?

19 BRIDGET BRENNAN: The question you asked  
20 with respect to naloxone is a very difficult one.  
21 Naloxone is a miracle. It immediately reverses the  
22 effects of an overdose, but it's just a band aid, and  
23 to a certain extent, I think that's the way we need  
24 to make sure that the user is understanding it. I  
25 think because of its miraculous effects, we've been

1           touting it as a solution, which we have seen it is  
2           not. It is also not 100 percent effective against,  
3           for example, Fentanyl. Fentanyl is a synthetic  
4           opioid. It's not heroin, and so it may not be  
5           effective. Remember, the user doesn't know what  
6           they're getting, and if it's mixed with Fentanyl, it  
7           may not even treat that overdose. So we have to make  
8           sure that the way we're approaching it, we're being  
9           truthful and clear about exactly what it is. It also  
10          makes you more sensitive to an opioid the next time  
11          you use it because you immediately go into  
12          withdrawal, and so if the user, the person who's  
13          continuing to use drugs isn't knowledgeable about  
14          that, they could very easily overdose yet again. And  
15          so on the other hand, we don't want to discourage use  
16          of something that can save a life, but I think we  
17          have to be careful in how we're portraying it. I  
18          think that's the key, and I suggest that at the  
19          taskforce you discuss whether or not a protocol can  
20          be developed. You can't force someone into treatment  
21          because they're not charged with a crime. We don't  
22          have civil commitment for treatment anymore, and that  
23          didn't really work out so well to begin with, and so  
24

2 I do think you want to set up a protocol, and we want  
3 to stop selling it as a miracle answer, too, I think.

4 MICHAEL MCMAHON: And I didn't address  
5 that question, but I agree 100 percent with what  
6 Special Prosecutor said, and just to add that what  
7 we're doing in Staten Island now with the overdose  
8 response initiative where we've investigating now the  
9 deaths, we are now getting with the new detectives  
10 that you heard. Two more detectives will be assigned  
11 to that initiative, and what we're going to try to do  
12 at least in those cases where the police apply the  
13 naloxone to follow up with the person that received  
14 it to do outreach and see if we can sort of bring  
15 them in. Of course it would be voluntary because we  
16 don't want to, you know, people to think that-- to be  
17 afraid from using it. If someone is in the throes of  
18 an overdose, we want it used. There's no question  
19 about it, but we want to follow up with those whom it  
20 saved to see if we can get them into treatment to see  
21 what we can do in terms of outreach. So we will be  
22 doing that as well because we have seen cases. You  
23 know, we had a case where someone was found in the  
24 bathroom of a Perkins Pancake House on Staten Island.  
25 Two weeks before, that gentleman had overdosed in

2 the-- a different diner on Nudoor [sic] Plane [sic],  
3 and had been saved by Narcan. So you saw immediately  
4 that it didn't-- it didn't solve the problem or in  
5 any way save that person, and so we're not-- there  
6 are better ways to do it. We have to follow-up with  
7 it as well. It's not going to be as effective as we  
8 could hope it-- as it could be, I believe.

9 COUNCIL MEMBER MATTEO: Great, thank you,  
10 and we will continue to work with you on all the  
11 initiatives. Thank you.

12 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
13 Minority Leader. Council Member Gentile followed by  
14 Council Member Barron.

15 COUNCIL MEMBER GENTILE: Thank you--

16 CHAIRPERSON FERRERAS-COPELAND:  
17 [interposing] And we've been joined by Council Member  
18 Cumbo.

19 COUNCIL MEMBER GENTILE: Thank you. Five  
20 minutes goes quickly, so let me try to be rapid fire  
21 here. Special Narcotics Prosecutor Brennan, your  
22 comments were great on prevention. I'm just curious  
23 as far as the state law now that requires physicians  
24 to send prescriptions electronically, has that had  
25 any impact on the pharmacy shopping?

2 BRIDGET BRENNAN: Its' hard to tell yet. I  
3 think-- did it just go into effect March 1<sup>st</sup>? It's  
4 just recently gone into effect. [off mic] No, you're  
5 talking about electronic prescriptions.

6 COUNCIL MEMBER GENTILE: Yes.

7 BRIDGET BRENNAN: Electronic  
8 prescriptions. So we'll have to wait and see how  
9 that plays out.

10 COUNCIL MEMBER GENTILE: I see, okay.

11 Okay, we'll come back to that. In terms of the  
12 backlog of cases that DA Vance and DA Clark have been  
13 talking about, let me just make sure I have this  
14 right. Are you saying that the Speedy Trial  
15 Provision, CPL 3030 are in effect being neutered  
16 because of lack of trial capacity or availability of  
17 court personnel that the speedy trial provisions that  
18 guarantee a defendant a trial in a certain amount of  
19 time are really become neutered because of all the  
20 other problems that are happening the courthouse?

21 DARCEL CLARK: I guess in a sense I am  
22 saying that, yes, because it did-- that's the only  
23 way to put it. Both sides are ready to go. The  
24 trial should be able to. There's not enough judges,  
25 or even if there is a judge, there's not enough court

1  
2 officers. They don't have interpreters. There's not  
3 enough interpreters, court reporters. It's a number  
4 of things. They all affect the speedy trial, yes.

5 CYRUS VANCE: Council Member, I would say  
6 that there are statutory provision which exclude from  
7 speedy trial time charged to the people, adjournments  
8 for a variety of reasons, but the net consequence of  
9 an inadequate number of trial parts is that cases are  
10 adjourned more often than they should be to the point  
11 where they would be resolved.

12 COUNCIL MEMBER GENTILE: Right. I mean,  
13 the time is charged to the people when you're not  
14 ready, but if you are ready, that's no guarantee  
15 you're going to go to trial.

16 CYRUS VANCE: It would be a court's  
17 adjournment.

18 COUNCIL MEMBER GENTILE: It would be a  
19 court's adjournment, which is not charged against  
20 3030. So, I guess, as much as the PS money is needed  
21 by each of your offices, the fact that you would get  
22 or might get it, might not actually solve a lot of  
23 the backlog problem. Am I correct on that?

24 CYRUS VANCE: My view is that ultimately  
25 this is a system change that the Office of Court

2 Administration needs to analyze and address. I'm not-  
3 - I feel it's important also that we make sure that  
4 the Mayor's Committee appointing judges makes sure  
5 that those spaces that are eligible and open are  
6 filled as quickly as possible, but I do think though  
7 that it's not enough for DA's to blame judges.  
8 That's not the way forward. What we can do and what  
9 we did do was first analyze through our data what the  
10 flow of these cases was, how many adjournments had  
11 what effect on which case, and that it really  
12 changed-- we realized that we were, you know, we  
13 should make some accommodations. We should lower the  
14 charges on cases that would be "A" misdemeanors and  
15 making them "B" misdemeanors so either they would be  
16 more eligible to a proper resolution or a judge could  
17 try the case without a jury. So there's a lot of  
18 things that the DA's can and should and I think we  
19 did do, but at the end of the day it is true that a  
20 thousand plus adjournments for lack of trial parts is  
21 not what OCA wants. It's not what we want.

22 COUNCIL MEMBER GENTILE: Thank you.

23 CYRUS VANCE: But we got to deal with it.

24 COUNCIL MEMBER GENTILE: Thank you. I'm  
25 running out of time. I just want to get to a few

2 more. To my former supervisor, our Chief Assistant  
3 Ryan in Queens, do you lead the City in SEI's?

4 JACK RYAN: Yes.

5 COUNCIL MEMBER GENTILE: You do. So how  
6 many cases is there data? How many cases you dispose  
7 of through SEI's?

8 JACK RYAN: I'm sure I have it here. I can  
9 give you the exact number.

10 COUNCIL MEMBER GENTILE: Okay.

11 JACK RYAN: It's about 50 percent of our  
12 cases that are felony cases disposed of by SEI's.

13 COUNCIL MEMBER GENTILE: Interesting.  
14 Now, this may be a budget issue, but I saw in your  
15 booklet, the line-up supervised went from 696 in 2007  
16 to 348 in 2015. Is that-- when you say lineup  
17 supervised--

18 JACK RYAN: [interposing] Correct.

19 COUNCIL MEMBER GENTILE: Is that the lack  
20 of detectives that you have?

21 JACK RYAN: No, it's the lack of lineups.  
22 We have had a program now for over 10 years, I think  
23 we're the only office that sends an ADA to every  
24 lineup. So we probably have the most accurate  
25 statistics on lineup around. We've spoken to a

2 number of people who have studied this, and there are  
3 other issues on that I can explain to you separately  
4 that I think is significant. The number of lineups  
5 has gone down, and the exact cause of which I'm--  
6 I'll check with Jim Quinn who knows everything and  
7 get back to you, but they've gone down.

8 COUNCIL MEMBER GENTILE: Yeah, okay. I  
9 thought it had to be something on that line. I have  
10 more questions, but I have no time. So, thank you.

11 CHAIRPERSON FERRERAS-COPELAND: Thank you.  
12 We can add them to the questions that we'll be  
13 getting to them from the committees, if you-- any  
14 additional question you have, we'll take them from  
15 you. Council Member Barron?

16 COUNCIL MEMBER BARRON: Thank you, Madam  
17 Chairs. Thank you to the panel for coming. My  
18 questions are for Mr. Frazer from the Kings County  
19 DA's office. As we're talking about speedy trials,  
20 there was an issue which we brought to the DA's  
21 attention of an Officer Page who put a seven-month  
22 pregnant women into a chokehold, and we brought  
23 information, photos, video of the incident to the DA.  
24 So, as we talk about a speedy trial, do you know what  
25

2 the status is of that case? It happened. We brought  
3 the information about 18 months ago.

4 LEROY FRAZER: I'm sorry, Council Member  
5 Barron, I don't have that information here. I'll get  
6 it to you, and I'll get to you by the end of the day.

7 COUNCIL MEMBER BARRON: Okay. Thank you.

8 And now the question was asked about a measure of  
9 success, how do we measure success in the DA's  
10 office, and I would gather that part of that measure  
11 of success is that as you bring cases and you get  
12 indictments and go forth and get convictions, that  
13 that would be counted as a measure of success. Is  
14 that appropriate to say that that's a measure of  
15 success?

16 LEROY FRAZER: That would be one of the  
17 factors, yes.

18 COUNCIL MEMBER BARRON: Okay. Well, the  
19 other thing we want to look at is as we talk about  
20 our youth and we talk about programs that have  
21 diversions and community supervision programs,  
22 there's been recent study release of the brain  
23 activity and psychological development which  
24 indicates that for males-- this is what the data  
25 said, not me. For males, they don't mature at the

2 same rate as females, and that it's not until about  
3 the age of 23 that their brains are actually fully  
4 matured. What role do you think that that should  
5 play in deciding how to prosecute a teenager?

6 LEROY FRAZER: That's a very appropriate  
7 question. I mentioned earlier that we have recently  
8 announced our Young Adult Court there in Brooklyn.  
9 That was based on a smart prosecution grant that we  
10 received from DOJ, and part of our application for  
11 that grant, we outlined issues that you are just  
12 describing now, the fact that there is this issue  
13 about brain development, and that's one of the  
14 reasons why with that grant-- and I think we were one  
15 of four jurisdictions across the country to get an  
16 award of that Smart Prosecution Grant. We talked  
17 about the need to focus on that particular age group.

18 COUNCIL MEMBER BARRON: Okay.

19 LEROY FRAZER: And so that's why the  
20 court has ages 16 through 24.

21 COUNCIL MEMBER BARRON: Okay. Now, I'm in  
22 no way trained in law, but my understanding of  
23 manslaughter is that it's that it's unjustifiable,  
24 inexcusable, unlawful killing of another person  
25 without premeditate-- without premeditation or malice

2 or forethought. So, as the facts of the case came  
3 out, the charge that was leveled against Officer  
4 Liang was that of manslaughter. So, this body-- some  
5 of the members of this body sent a letter to the  
6 District Attorney Ken Thompson saying that judged on  
7 the facts of that case we would hope that we would  
8 see adequate justice. We think that it's very  
9 troubling that a District Attorney would equate jail  
10 time with revenge. We don't think that revenge is  
11 something that should be a part of the criminal  
12 justice system. Revenge is something that's a one-  
13 on-one personal person-to-person situation. So, we  
14 wondered why the District Attorney would say that.  
15 His recommendation for no jail time was not a matter  
16 of revenge, and we say that as we just talked about  
17 teenagers not having fully developed brains or not  
18 fully matured brains. I shouldn't say full  
19 developed, fully matured brains. That the fact that  
20 a teenager who set a mattress on fire resulting in  
21 the death, the unfortunate death of a police officer  
22 and the injury to another is now facing or now has  
23 been sentenced to 25 years to life. As we weigh that  
24 against a police officer trained by the NYPD to not  
25 unholster your gun, not put your finger on the

2 trigger, not fire that weapon and cause the death, as  
3 we weigh those two sentences and recommendations,  
4 we're very, very troubled. And we don't see that  
5 that's justice. We talk about restoring faith in our  
6 community for the District Attorney's Office. We  
7 don't see that happening there, and notwithstanding  
8 the work that the District Attorney has done in  
9 overturning those wrongful convictions,  
10 notwithstanding that, he has done-- he's undone the  
11 work of what his predecessor did, and we're glad for  
12 that, but notwithstanding that he has now created a  
13 situation which never existed before, and we are very  
14 troubled by that, and we think that it's indicative  
15 of a system that is oppressive to people of color and  
16 does not regard their lives in the same manner as the  
17 lives of police officers, and we say that police  
18 officers are not granted an immunity for the crimes  
19 that they commit, and that cops convicted of killing,  
20 manslaughter should serve time in jail, and we think  
21 that it's also indicative of Carter Woodson's  
22 statement that a certain mindset will allow people to  
23 create a situation to keep them in oppression. So  
24 we're very troubled by that, and we hope that as  
25 going forward we will sit down and have an

2 opportunity to talk with the District Attorney about  
3 what we see as a grave miscarriage of justice, and  
4 also we think that there needs to be a special  
5 prosecutor investigating these issues as that bill is  
6 before the state, because the relationship--

7 CHAIRPERSON FERRERAS-COPELAND:

8 [interposing] Thank you.

9 COUNCIL MEMBER BARRON: between the NYPD  
10 and the District Attorneys is troubling. Thank you,  
11 Madam Chairs.

12 CHAIRPERSON FERRERAS-COPELAND: Thank  
13 you, Council Member. Thank you, Council Member  
14 Barron. Okay, well thank you very much for coming to  
15 testify today. We do have some additional questions  
16 that in the interest of time we will not be posing  
17 here, but we will get them, the questions, all to  
18 you. If you can get them back to us because we're  
19 going to be using them for negotiating purposes as  
20 soon as possible, I would greatly appreciate. Do I  
21 have your commitment? Excellent. Well, now you can  
22 go have lunch. Thank you very much. This concludes  
23 our hearing for today. I want to thank my Co-chair  
24 Gibson for having this hearing with us together.  
25 Please give me a second. I have to close this out.

2 This Finance Committee will conclude its Executive  
3 Budget hearings for Fiscal 2017 tomorrow, May 24<sup>th</sup> at  
4 10:00 a.m. in this room. Tomorrow, the Finance  
5 Committee will hear from the Office of Management and  
6 Budget, the Department of Finance, the Department of  
7 Design and Construction, the Comptroller, and the  
8 Independent Budget Office. As a reminder, the public  
9 will also be invited to testify tomorrow, May 24<sup>th</sup> at  
10 approximately 2:30 p.m. in this room. Any member of  
11 the public who wishes to testify but cannot make it  
12 to the hearing, you can email your testimony to the  
13 Finance Division at [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov)  
14 and the staff will make it a part of the official  
15 record. Thank you, and this hearing is now  
16 adjourned.

17 [gavel]

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C E R T I F I C A T E

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



Date June 15, 2016