

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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HELD AT: Council Chambers - City Hall

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

Vanessa L. Gibson
Chairperson

COUNCIL MEMBERS:

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

COUNCIL MEMBERS:

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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 11th 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 24th
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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Chair Gibson?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 than at any time since September 11th. ISIL's, ISIS's
2 ability to use social media to motivate lone wolves,
3 which we saw here in Queens, when four cops were
4 attacked by a madman with an ax, has morphed into an
5 ability to direct them, inspire, enable and direct.
6 The attacks in Paris and in Brussels show the carnage
7 that results when moderately equipped, committed
8 terrorists are directed to suddenly take action.
9 Should that action happen here, we'll be able to
10 respond with properly trained, properly equipped,
11 properly deployed resources to handle multiple
12 incidents at any one time. We underscore precision
13 policing constantly, particularly at the weekly
14 CompStat sessions, where Deputy Commissioner Dermot
15 Shea and Chief of Department Jimmy O'Neill and Chief
16 Royce [sic] guide a system with the results, not the
17 numbers, matter. They home in on conditions and
18 problems at the most granular levels, and demand that
19 precinct commanders address them at that level, also.
20 If a park has a robbery problem, then driving
21 everyone out of the park through over enforcement
22 isn't the answer, even if the empty park would indeed
23 have no crime. Instead, the answer is drilling down.
24 Who's committing the robberies? Where and when?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

JAMES O'NEILL: Correct.

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

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

SPEAKER MARK-VIVERITO: Understood.

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

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

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

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

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

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

SPEAKER MARK-VIVERITO: At least 40.

JAMES O'NEILL: Right.

SPEAKER MARK-VIVERITO: Okay.

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

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

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

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

SPEAKER MARK-VIVERITO: Community satisfaction?

JAMES O'NEILL: Yes, yes.

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

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

SPEAKER MARK-VIVERITO: Or surveys with community members?

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

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

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

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

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

SPEAKER MARK-VIVERITO: Okay.

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

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

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

JAMES O'NEILL: So, at your--

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

SPEAKER MARK-VIVERITO: Okay.

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

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

VINCENT GRIPPO: So, operational overtime is overtime that will be incurred in a precinct traditionally, where an officer is asked to remain 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

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

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

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

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

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

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

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

at the 40, which is something we've never done yet in the City is we are designing a very specific space within the precinct that will be utilized for different purposes than the traditional utilization of space you seen in our precincts. It will be specifically targeted to community engagement. So what we've been doing on the front that you're speaking on is really looking at a combination of engaging the community around one of the activities, one of the things that we would want to put in that space to draw people in, and we've been speaking as well to some design, some architectural design people who have some experience doing this in other cities, and either use of community space by the Police Department for joint programs or incorporating community space within the precincts. So the 40 will be the first precinct designed with an eye towards having a physical space that would draw people in and allow for enhanced community interactions, and that's really where we've been focusing our efforts on.

Alright, what does that space look like? What goes into it, and what are the activities we want to have within that space?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Right.

VINCENT GRIPPO: I explained earlier.

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

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

CHAIRPERSON FERRERAS-COPELAND:

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

VINCENT GRIPPO: Absolutely.

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

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

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

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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Okay, good.

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

CHAIRPERSON FERRERAS-COPELAND: Okay.

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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Okay.

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

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

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

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

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

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

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

CHAIRPERSON GIBSON: Okay, great.

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

CHAIRPERSON GIBSON: Good morning.

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

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

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

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

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

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

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

JAMES O'NEILL: [interposing] Yep.

CHAIRPERSON GIBSON: after the evaluation's done?

JAMES O'NEILL: Yep.

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

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

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

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

CHAIRPERSON GIBSON: Okay.

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

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

1
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

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

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

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

CHAIRPERSON GIBSON: Right.

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

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

JAMES O'NEILL: [interposing] Correct.

CHAIRPERSON GIBSON: would be working during the summer?

JAMES O'NEILL: Correct, yes.

CHAIRPERSON GIBSON: Okay, great.

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

CHAIRPERSON GIBSON: Right, right, right.

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSIONER BRATTON: Okay.

COUNCIL MEMBER MATTEO: Does every--

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

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

COMMISSIONER BRATTON: [interposing] The--

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

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

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

COUNCIL MEMBER MATTEO: Thank you.

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

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

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

COMMISSIONER BRATTON: Vinnie?

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

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

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

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

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

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

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

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

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

COUNCIL MEMBER RODRIGUEZ: Thank you.

COMMISSIONER BRATTON: Thank you.

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

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

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

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

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

COUNCIL MEMBER DEUTSCH: I'm sorry?

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

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

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

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

COUNCIL MEMBER DEUTSCH: Okay.

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

COUNCIL MEMBER DEUTSCH: Oh, okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COUNCIL MEMBER MILLER: would definitely be helpful.

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

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

JAMES O'NEILL: The CRC Team?

COUNCIL MEMBER MILLER: Yeah.

COMMISSIONER BRATTON: CRT.

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

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

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

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

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

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

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

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

COUNCIL MEMBER MILLER: Thank you.

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

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

wondering if the precinct has any plans to request capital funding, to allocate capital funding on behalf of the Administration so that we could have proper parking for the 108th Precinct.

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

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

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

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

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

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

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

JAMES O'NEILL: Correct.

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Thank you, Commissioner.

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

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

CHAIRPERSON GIBSON: Thank you.

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

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

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

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

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

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

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

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

COUNCIL MEMBER ROSENTHAL: Yep.

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: You can follow up after.

COUNCIL MEMBER ROSENTHAL: Yep. Thank you very much.

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

COUNCIL MEMBER ROSENTHAL: Yep, got it.

CHAIRPERSON FERRERAS-COPELAND: for the continuation.

COUNCIL MEMBER ROSENTHAL: Thank you, 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

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

COUNCIL MEMBER LEVINE: [interposing]
Which parks was that? Sorry?

JAMES O'NEILL: Van Cortlandt Park.

COUNCIL MEMBER LEVINE: Yep.

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

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

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

JAMES O'NEILL: PEP, right.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

biggest and most significant cost is the personnel assigned there.

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

VINCENT GRIPPO: Yeah.

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

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

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

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

COUNCIL MEMBER BARRON: Right, so what--

COMMISSIONER TUCKER: [interposing] We--

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

COMMISSIONER TUCKER: Yeah, Tracie.

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

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

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

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

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

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

COUNCIL MEMBER BARRON: Thank you to the Chairs.

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

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

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

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

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

JAMES O'NEILL: Understood.

CHAIRPERSON FERRERAS-COPELAND: Thank you. Chair Gibson?

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

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

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

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

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

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

UNIDENTIFIED: We're working with Safe Horizon--

CHAIRPERSON GIBSON: [interposing] Okay.

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

CHAIRPERSON GIBSON: Right.

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

CHAIRPERSON GIBSON: Okay, great. Thank you.

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

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

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

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

[break]

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

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

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

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

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

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

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

UNIDENTIFIED: I do.

UNIDENTIFIED: I do.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the defense, and there's no trial capacity available.

I mean, being a former judge, I know exactly what

it's like having been a judge waiting and waiting and

waiting for trials. Another thing is also lack of

jurors. Sometimes there are not enough jurors. Court

officers-- you can have a judge. You can have a DA

and a defense attorney with witnesses all ready to

go, but if there's not enough court officers, the

case doesn't go to trial either. So, but I think the

way that we measure how we're encountering that is

how much we get through the back-log. I'm trying to--

I'm finding ways to do it, you know, without the

trial capacity, just going over the inventory of the

office. I inherited this backlog, so I have to go

through it with new eyes meeting with my Bureau

Chiefs once a week, meeting with Deputy Bureau Chiefs

once a week to highlight the oldest cases and the

status of them, the viability of them, and

determining whether or not they're ready to go to

trial, if there needs to be some other disposition.

You know, some of the policies that were-- and

practices that were in place before I took office may

no longer apply in the vision that I have for the

office. So I'm re-evaluating those, and that's some

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

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?"

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Great.

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

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

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

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

21
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

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

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

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

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

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

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

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

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Well, now they have dome.

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

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

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

CHAIRPERSON FERRERAS-COPELAND: Yes.

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

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

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

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

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

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

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

CHAIRPERSON GIBSON: [interposing] It should be.

CYRUS VANCE: as it should be.

CHAIRPERSON GIBSON: Right.

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

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

CHAIRPERSON GIBSON: Okay.

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

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

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

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

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

CYRUS VANCE: It's our pleasure.

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

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

DARCEL CLARK: Yes.

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

DARCEL CLARK: Yes.

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

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

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

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

CHAIRPERSON GIBSON: Right.

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 161st
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

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

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

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

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

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

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

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

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

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

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

1 to really help us enhance the cases that we have. So
2 more funding in that area, and I have request for a
3 number of detective investigators specifically for
4 helping us with the vertical prosecution because each
5 bureau would love to have-- I can't tell you, when I
6 came in each bureau said if we had dedicated, you
7 know, DI's to our bureau, that would help, and I'm
8 looking forward to being able to do that with more
9 funding, but also with Rikers Island I need also
10 detective investigators to help the staff and the
11 DA's as we do the Rikers Island prosecution. As far
12 as the turnover of the Assistant DA's, it's the seven
13 to 10 year group that we're really, really losing
14 people, and we're losing them not to firms, but again
15 to the Attorney General's office pays better.
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COUNCIL MEMBER MILLER: So essentially
it's pay issues, that you're not competitive. Do you
think it--

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

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

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

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

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

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

COUNCIL MEMBER MILLER: Thank you, Madam 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

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

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

hoping to get some of this one shot to catch up, and then every year with whatever the increase is, that would keep us online. In terms of TASC, TASC is Treatment Alternatives for Safe Communities. They are the not for profit. It's under EAC, and they are our partner in our drug treatment court. So they are basically the case managers. After the case comes to the drug treatment courts, they are the ones who do the assessments of the defendant to figure out what program makes sense, and then on a weekly basis there are meetings held with our office and people from TASC. The head of the program and the court and the judge himself, Judge Alan Meyer [sp?] who does a fantastic job, and the cases are assessed, and we see how the program is going. It's a rigorous program. It's generally an 18-month program where there are certain challenges that are put forth and the defendants have to meet them, and then they're monitored very closely, and TASC does that. They do that case management. Without them in place we could not do the drug treatment court, and everyone believes that one of the tools in our arsenal, in our tool kit to fight this crisis is drug treatment 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 Without TASC as the partner there, it would to be
17 possible, and you're just putting us very much on
18 equal footing so that every borough has that drug
19 treatment court, and some of the numbers cited
20 before, which I'll just give one that is the success
21 rate of about 74 percent with 118 defendants
22 successfully completed. That's with the help--
23 without TASC that would not be possible. So that's
24 why we urge you to keep that in place. And then in
25

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

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

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

COUNCIL MEMBER MATTEO: Great. Special Prosecutor?

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

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

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

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

8
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?

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

COUNCIL MEMBER GENTILE: Yes.

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

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

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

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

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

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

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

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

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

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

COUNCIL MEMBER GENTILE: Thank you.

CYRUS VANCE: But we got to deal with it.

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

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

JACK RYAN: Yes.

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

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

COUNCIL MEMBER GENTILE: Okay.

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

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

JACK RYAN: [interposing] Correct.

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

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

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

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

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

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

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

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

COUNCIL MEMBER BARRON: Okay. Thank you.

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

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

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

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

5
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

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

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

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

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Thank you.

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

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

This Finance Committee will conclude its Executive Budget hearings for Fiscal 2017 tomorrow, May 24th at 10:00 a.m. in this room. Tomorrow, the Finance Committee will hear from the Office of Management and Budget, the Department of Finance, the Department of Design and Construction, the Comptroller, and the Independent Budget Office. As a reminder, the public will also be invited to testify tomorrow, May 24th at approximately 2:30 p.m. in this room. Any member of the public who wishes to testify but cannot make it to the hearing, you can email your testimony to the Finance Division at financetestimony@council.nyc.gov and the staff will make it a part of the official record. Thank you, and this hearing is now adjourned.

[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