

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION, WOMEN'S ISSUES, HEALTH AND  
PUBLIC SAFETY

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June 22, 2009  
Start: 1:15 pm  
Recess: 5:35 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:

KENDALL STEWART  
JOEL RIVERA  
DARLENE MEALY  
PETER F. VALLONE, JR.  
Chairpersons

COUNCIL MEMBERS:

Charles Barron  
Mathieu Eugene  
Julissa Ferreras  
John C. Liu  
Helen Sears  
Maria del Carmen Arroyo  
Inez E. Dickens  
Rosie Mendez  
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Melinda R. Katz  
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## COUNCIL MEMBERS:

Daniel R. Garodnick

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Ramanathan Raju  
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Sarah Ellis  
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Carolien Hardenbol  
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Isolina De La Cruz  
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Rachel Chazin Halperin  
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STEPS to End Family Violence

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Executive Director  
Violence Intervention Program

Deirdre South

Sophia Worrell

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CHAIRPERSON STEWART: Good

3 afternoon. My name is Kendall Stewart and I am  
4 the Chair of the Immigration Committee. I am  
5 joined by my co-chairs Council Member Rivera and  
6 soon to join us would be Council Member Darlene  
7 Mealy, and also Council Member Peter Vallone, who  
8 is the Chair of the Public Safety Committee.

9 Thank you for being here, I would  
10 also like to thank the staff who helped to put  
11 this hearing together. I know that one of the  
12 other chairs will be recognizing the folks as they  
13 come in and we will notify you thereafter.

14 We are here today to determine what  
15 city services are available for immigrant women  
16 who are victims of sexual and domestic violence.  
17 For example, we want to know what efforts city  
18 agencies make to provide culturally competent  
19 services to immigrant domestic and sexual violence  
20 victims. Whether agencies that have language  
21 access, implementation plans, adequately trained  
22 front line employees on the plan or whether  
23 agencies work with community-based organizations  
24 to determine what concerns immigrant communities  
25 may have and best ways to address those concerns.

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3 We are also here today to hear from  
4 community-based organizations of all sizes.  
5 Community-based organizations provide services  
6 directly to immigrant communities and may be able  
7 to provide us with information on the  
8 effectiveness of city services and programs and  
9 point to the areas that need improvement. The  
10 grassroots efforts of so many of these  
11 organizations are crucial to saving women and  
12 families in New York City.

13 Once again I would like to thank  
14 everyone for attending this afternoon's hearing.  
15 With that, I will turn to my co-chair Mr. Rivera  
16 to give his opening remarks.

17 CHAIRPERSON RIVERA: Thank you very  
18 much. Good afternoon, ladies and gentlemen. My  
19 name is Joel Rivera, I am the Chair of the Health  
20 Committee.

21 As my colleagues have said, today  
22 we are discussing a very serious issue affecting  
23 our city--sexual and domestic violence against  
24 immigrant women--and we will examine ways in which  
25 the city can better assist these vulnerable  
individuals.

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3 Immigrant women are  
4 disproportionately affected by sexual and domestic  
5 violence, whether the behavior involves threats  
6 and intimidation relating to one's immigration  
7 status or is culturally motivated, it is clear  
8 that this behavior is unacceptable and not  
9 tolerated in our diverse city. Yet,  
10 unfortunately, these actions do occur and it is  
11 for these reasons that we in government must  
12 ensure adequate resources for these women.

13 The New York City Health and  
14 Hospitals Corporation, our city's public hospital,  
15 provides a myriad of services for immigrant women.  
16 HHC serves approximately 1.3 million individuals  
17 each year and language accommodations and cultural  
18 competency are of the utmost importance. HHC  
19 staff must be able to meaningfully interact and  
20 assist these patients and can only do so through  
21 their network of multilingual staff, the use of  
22 Language Line, TEMIS, and distributing important  
23 patient information in multiple languages.

24 Overcoming cultural and language  
25 barriers is the initial concern when interacting  
and treating immigrant women who were affected by



domestic violence or sexual violence. All HHC acute care facilities are designated by the state as Sexual Assault Forensic Examiner Centers of Excellence. These centers are supposed to ensure that patients receive treatment promptly within one hour of arrival. The affected women will also interact with members of the Sexual Assault Response Team, which may include rape crisis counselors and forensic examiners.

The SART team strives to take care of the needs of the women and also preserve any evidence for law enforcement purposes. HHC also offers as additional victim-related and counseling services. Today we will examine the effectiveness of these services to ensure that the city is doing everything practical to provide quality and appropriate treatment to immigrant women.

I'd like to thank the staff of the committees for their hard work and let me introduce the members of the committee who's here with us today. We have Council Member Dickens, Eugene, Sears, and James, and let me also introduce Council Member Peter Vallone, who is also chairing this hearing today.

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3 CHAIRPERSON VALLONE: Thank you.

4 It's my honor to chair with you, Chair Rivera and  
5 Chair Stewart, we await Chair Mealy.

6 As has been said, we hope to  
7 examine the many services available to domestic  
8 and sexual abuse victims here in the city. We're  
9 fortunate to be served by the, what I believe is  
10 the best law enforcement agency in the world and  
11 one that makes protecting women a priority.

12 In the recent report from the Human  
13 Rights Watch, the NYPD received accolades for  
14 making a concentrated effort over the last decade  
15 to test every rape kit that comes into them.  
16 During that decade, the number of cold hits in  
17 rape cases has risen to about 2,000 and the arrest  
18 rate for reported cases of rape has risen by 40%  
19 to 70%.

20 Today we're discussing how we can  
21 best provide services to members of the immigrant  
22 communities, individuals who frequently encounter  
23 language and cultural barriers in their search for  
24 help. We are doing oversight and, although we  
25 know that you're doing probably more than anywhere  
else in the world, there's always something we

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3 could do more, always something we could do  
4 better.

5 So today we're going to look to  
6 hear from all those different agencies you see  
7 sitting up there, then representatives from the  
8 district attorney's office, then the advocates,  
9 and there are many, many advocates, so as everyone  
10 knows, their testimony, as opposed to the first  
11 two panels, is going to be limited to about three  
12 minutes. It's going to be very tough for us to be  
13 cutting people off with the testimony this  
14 sensitive, so please, in order to get to everyone,  
15 you have to limit your testimony to three minutes.

16 As we said, we're going to hear  
17 from the district attorneys next, and I was a  
18 prosecutor for six years and I can tell you the  
19 difficulties that are faced trying to prosecute  
20 these type of cases, especially when women are  
21 reluctant to prosecute out of fear or fear of  
22 violence, fear of losing their income, all sorts  
23 of reasons. And, unfortunately, sometimes it's  
24 the third or fourth incident where finally,  
25 finally they prosecute and that's something we all  
have to work to overcome. You only have to see

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3 the recent headlines to see that women can be  
4 violently attacked and then change their mind  
5 about prosecuting almost immediately after that,  
6 and that's something we can't allow to happen.

7 So I look forward to this testimony  
8 and I look forward to Darlene Mealy's opening  
9 statement, since she is now here.

10 Welcome, Chair Mealy. You're up,  
11 ready or not.

12 CHAIRPERSON MEALY: Good afternoon  
13 everyone. I'm the Chair of the Women's Issue  
14 Committee and I thank you all for being here today  
15 to discuss these issues faced by immigrant women who  
16 experience domestic violence and sexual violence.

17 Domestic violence affects family  
18 from all sociologies, backgrounds. It does not  
19 discriminate by age, race, thicity, education,  
20 employment status, physical fitness, or marital  
21 status. Victims of domestic violence often feel  
22 trapped--this is particularly true for women with  
23 few economic resources.

24 Immigrants that are victims of  
25 domestic violence have special concerns about  
reaching out for assistance. Some speak little of

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3 English or no English at all and others may not be  
4 aware of the various services available to them.  
5 Some immigrant victims of domestic violence may  
6 not feel comfortable discussing intimate details  
7 of their relationship or with strangers who are  
8 unfamiliar with their culture, beliefs, and  
9 customs. Some immigrant victims are concerned  
10 about their immigration status and assume that  
11 speaking out could endanger their ability to stay  
12 in this country.

13 We need to ensure that services  
14 provided to immigrant victims provide language  
15 access, cruelty sensitivity to their special  
16 needs. The isolation felt by immigrant women,  
17 along with limits on financial resources makes  
18 this challenging and I hope that we can all come  
19 together as one body discussing immigrant and  
20 women issues together, that we could make a  
21 change, 'cause no one with domestic violence  
22 should have to not get help just because of their  
23 status.

24 And I want to thank all the Chairs  
25 here for having this great hearing. Thank you.

CHAIRPERSON STEWART: Once again,

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3 folks, I want to thank you guys for being here and  
4 we would like to call our first panel, we have  
5 Commissioner Yolanda Jimenez, we have Inspector  
6 Theresa Shortell, and we have Assistant Chief  
7 Kathy Ryan, and we have, this is Professor  
8 Ramanahin Raju, did I do justice to that?

9 [Off mic]

10 CHAIRPERSON STEWART: Perfect? All  
11 right. And if you first can identify yourself and  
12 then we get into it. Starting from my right.

13 INSPECTOR THERESA SHORTELL: Good  
14 afternoon, I'm Inspector Theresa J. Shortell,  
15 Commanding Officer of the Special Victims  
16 Division.

17 ASSISTANT CHIEF KATHY RYAN: Good  
18 afternoon, Assistant Chief Kathy Ryan, Commanding  
19 Officer of the Domestic Violence Unit, NYPD.

20 MS. YOLANDA JIMENEZ: Good  
21 afternoon, I'm Yolanda Jimenez, Commissioner of  
22 the Mayor's Office to Combat Domestic Violence.

23 DR. RAMANATHAN RAJU: Good  
24 afternoon, I'm Dr. Ramanathan Raju, the Executive  
25 Vice President and the Chief Medical Officer for  
New York City Health and Hospitals Corporation.

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3 CHAIRPERSON STEWART: All right.

4 Well then we can start with the Assistant  
5 Commissioner and then we can take it from there.

6 MS. JIMENEZ: Great, thank you.

7 Good afternoon Chairpersons Rivera, Vallone, Jr.,  
8 Stewart, Mealy, and members of the City Council's  
9 Committee on Health, Immigration, Public Safety  
10 and Women's Issues. Thank you for the opportunity  
11 to speak with you today about the City's  
12 initiatives addressing domestic violence,  
13 especially the efforts that we are undertaking to  
14 assist immigrant victims.

15 My colleagues from the New York  
16 City Police Department and the New York City  
17 Health and Hospitals Corporation will testify on  
18 the City's response to domestic violence and  
19 sexual assault, in particular.

20 Domestic violence, which can  
21 include physical, emotional, financial, and sexual  
22 abuse, is a significant health and safety concern.  
23 It is a pattern of behaviors designed to maintain  
24 and achieve power and control over another person.  
25 Domestic violence can affect any person,  
regardless of age, race, ethnicity, religion,

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3 income, gender, disability status, or sexual  
4 orientation. Last year alone, the New York City  
5 Police Department responded to over 230,000  
6 domestic incidents, an average of over 600  
7 incidents per day, and the City's Domestic  
8 Violence Hotline answered almost 135,000 calls, an  
9 average of 370 calls per day.

10 While domestic violence remains  
11 pervasive, there is also encouraging news: over  
12 the last seven years we have seen a 24% decrease  
13 in all family-related crimes and an 8% drop in  
14 family-related homicides. Significantly, female  
15 intimate partner homicides have decreased by  
16 almost 30%.

17 The City's efforts encompass the  
18 work of 14 city agencies, including criminal  
19 justice, social service, health, which address the  
20 issue of domestic violence. This administration  
21 spends over \$227 million each year for services,  
22 including social and legal, shelter, housing,  
23 criminal justice intervention, training, and  
24 prevention services, among others. My office has  
25 also secured almost \$10 million through private  
foundations, individual donors and competitive



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grants.

New York City is a vibrant and diverse city with thriving immigration populations. In fact, almost 40% of New Yorkers are foreign-born and 48% speak a language other than English at home. For any person trying to leave an abusive relationship, there are both personal and institutional challenges; for immigrant women, they may face additional unique barriers. They may be unaware of where to get services, fear that they may not be able to find services in their language, or worry that their immigration status will stand in the way of getting help. Through strong public/private partnerships, the city is working to address and eliminate some of those barriers that victims face in seeking and maintaining safety.

One of the most effective ways the city facilitates access to services, especially for immigrants, is through the New York City Family Justice Centers, an initiative of my office in partnership with the district attorney's offices. I would like to take this moment to first to thank the Council, particularly, Council

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3 Member Baez, for their support of this important  
4 initiative. The one-step Family Justice Centers  
5 are where city agencies and community based  
6 organizations have co-located to provide  
7 wraparound services for domestic violence victims  
8 and their children. These innovative centers  
9 enable victims to meet with a prosecutor, speak  
10 with a trained counselor, and apply for housing  
11 assistance in just one visit--all in their  
12 language while their children play safely in the  
13 next room.

14 The city's first center opened in  
15 Brooklyn in July 2005 and since then has had over  
16 43,000 client visits, including over 4,000  
17 children visits. Due to the overwhelming success  
18 of the Brooklyn Center, the city's second center  
19 opened in Kew Garden, Queens in July 2008, and has  
20 had over 4,500 client visits since its opening.  
21 In Brooklyn, 35% of the clients are foreign-born,  
22 and in Queens, nearly 70% of the clients are  
23 foreign-born. The immigrants who visit the center  
24 come from over 140 countries, speak over 50  
25 languages, and a third center is currently under  
development in the Bronx.

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Reaching out for help takes a tremendous amount of courage, so we have made these centers as friendly and accessible as possible. I would like to walk you through the experience that an immigrant client would have at one of our centers. First, the client walks into the centers and sees signs in multiple languages letting them know that the people at the center can speak her language. Next, the client is greeted by a bilingual intake staff person who provides client information written in their own language. In fact, all key documents are currently available in eight languages. Throughout the client's visit she will be assisted by staff who collectively speak 34 languages, including Mandarin, Haitian-Creole, Punjabi, Korean, Arabic, Russian, Spanish, among others. The centers also provide telephonic interpretation services as needed. Additionally, providers who staff the centers complete training on immigrant issues, cultural competency and language access, in addition to domestic violence, logging over 43,000 total training hours to date.

While the client receives services

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3 at the center, her children can visit Margaret's  
4 Place, a children's room funded by the Joe Torre  
5 Safe at Home Foundation, where they can play, read  
6 books available in many languages, and, if  
7 appropriate, be connected to specialized bilingual  
8 counseling.

9 The client is then connected to an  
10 advocate who is linguistically and culturally  
11 appropriate from organizations such as the Korean  
12 American Family Center or TAMKEEN, an Arab-  
13 American clients. The client's advocates can  
14 enroll her in many of the valuable programs at the  
15 center, including a bilingual support group,  
16 bilingual parenting classes, on-site job  
17 counseling readiness programs, English as a Second  
18 Language classes, as well as assisting the client  
19 to complete a housing application or enter  
20 emergency shelter.

21 All of our 21 on-site community  
22 based partners were carefully chosen to reflect  
23 the diversity of populations we serve. We cannot  
24 overestimate the importance of having  
25 organizations onsite such as Dwa Fanm, which  
serves Haitian immigrants in Brooklyn, or New York

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3 Asian Women's Center, which serves Asian clients  
4 in Queens. In addition, if the clients express a  
5 desire to speak with clergy, there is a voluntary  
6 spiritual support program on-site.

7 If the client has physical injuries  
8 or expressed a need to be connected to medical  
9 providers, we have formal partnerships with nearby  
10 Health and Hospitals Corporation facilities where  
11 the client can be directly linked to the Domestic  
12 Violence Coordinator at the hospital. This  
13 partnership was consolidated in 2003, through  
14 Project H.E.A.L., a collaboration between my  
15 office and the Health and Hospitals Corporation.  
16 Last year alone, over 2,400 domestic violence  
17 victims disclosed abuse and were assisted by a  
18 social worker at the hospital.

19 If the client does not have legal  
20 status, she can be connected to one of our  
21 immigration attorneys located down the hall. With  
22 the client's permission, the attorney can also  
23 work directly with an Assistant District Attorney  
24 to file for a special remedy called a U visa. The  
25 client can also speak with a police officer on-  
site about her situation and feel comfortable

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3 knowing that, due to Executive Order 41, the New  
4 York City Police Department does not ask victims  
5 or witnesses of crime about their immigration  
6 status. The police officer can explain the  
7 sometimes complicated criminal justice system and  
8 assist the client in filing a complaint, if  
9 needed.

10 Before the client leaves the  
11 center, she may be asked to complete a client  
12 satisfaction survey, currently available in both  
13 Spanish and English. This survey will help us  
14 learn how to better assist our clients. As you  
15 can see, we're committed to making it as easy as  
16 possible for all domestic violence victims to get  
17 the help they need, regardless of their  
18 immigration status, language, or culture.

19 This past July, Mayor Bloomberg  
20 signed Executive Order 120, which requires all  
21 city agencies to designate a Language Access  
22 Coordinator, provide interpretation services and  
23 translation to public documents, and conduct staff  
24 training on language access. For example, our  
25 center has over 450 language interpretation  
services which are provided each month. One

example of a successful language access program was funded by the U.S. Department of Justice Office on Violence Against Women. My office collaborated with the New York City Police Department in this pilot program. It provided telephonic interpretation to allow domestic violence victims who do not speak English to tell their stories to the police and get the help they need. As of July 2005, all city police precincts have direct, instant access to dual handset telephonic interpretation 24-hours a day to assist with the investigation of any crime.

In addition to language access barriers, immigration can also pose a potential barrier to domestic violence victims. We often hear from victims that a common threat made by the batterer is that they will no longer support their victim's immigration application, or they will make false threats of deportation if the victim leaves the relationship.

Throughout New York City, domestic violence organizations funded by the city provide critical immigration legal assistance. These federal remedies include: Violence Against Women

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3 Act Self-Petition in which the victim, if married  
4 to a batterer who is a U.S. citizen or Lawful  
5 Permanent Resident, can petition for their green  
6 card; a Battered Spouse Waiver, in which the  
7 batterer started the immigration process for the  
8 spouse but then refused to continue it; and U  
9 visas, in which neither the victim nor the  
10 batterer needs to have status and do not need to  
11 be married, but the victim needs to cooperate with  
12 prosecution.

13 Recently in 2008, the  
14 Administration for Children's Services began  
15 certifying U visa applications for victims  
16 cooperating with their agency. To date, ACS  
17 certified 16 U visa applications with another six  
18 under review. These remedies are critical for  
19 immigrant victims and their children. At the  
20 Family Justice Centers alone, we have assisted  
21 almost 2,000 clients with their federal legal  
22 immigration needs including filing 118 Self-  
23 Petitions, 375 U visas, and 40 Battered Spouse  
24 Waivers.

25 To illustrate the role that  
immigration legal assistance plays in helping a



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victim reach safety and security, I would like to  
take a moment to tell you about Nadia. Nadia came  
to New York from Eastern Europe and spoke no  
English. She experienced a long history of abuse  
from her husband, including being locked in their  
home, over the course of many years. She was  
finally able to seek help and call one of the  
centers. Through the use of the center's  
telephonic interpretation services, an immigration  
attorney at the center spoke to Nadia and safely  
coordinated a meeting with her. Over the course  
of the next month, Nadia was able to flee her  
abusive husband, entered a confidential domestic  
violence shelter. Since then, she has been able  
to access a variety of services at the center,  
including English as a Second Language classes,  
public benefits with the assistance of the Human  
Resources Administration, and family court  
representation. Nadia now lives in a safe  
location with her two children, she has a work  
permit, attends school, speaks English, and has  
been living free from abuse for almost two years.  
Nadia will soon become a Lawful Permanent  
Resident.

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3 We're currently undertaking several  
4 projects which will help us better understand the  
5 service needs of all domestic violence victims,  
6 and, most importantly, victims like Nadia.  
7 Listening to members of the community is  
8 fundamental to responding to client needs.

9 In June 2005, Mayor Bloomberg  
10 worked with the City Council to create Local Law  
11 61 which established the Domestic Violence  
12 Fatality Review Committee. The Committee is  
13 headed by my office in collaboration with  
14 agencies, including the Administration for  
15 Children's Services, the Bronx and Richmond County  
16 District Attorneys Office, the Department for the  
17 Aging, the Department of Health and Mental  
18 Hygiene, Department of Homeless Services, Human  
19 Resources Administration, the New York City  
20 Housing Authority, the New York City Police  
21 Department, community-based organizations, and  
22 domestic violence survivors. The Committee  
23 reviews and discusses aggregate family-related  
24 homicide data. As a result of this interagency  
25 and community collaboration, we have been able to  
identify several communities in New York that are

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3 disproportionately affected by family-related  
4 homicides. In our fourth year of this work, we're  
5 conducting a Community Needs Assessment in five  
6 districts in the Bronx--in an area from Yankee  
7 Stadium to the Bronx Zoo along the Grand  
8 Concourse. Seventy percent of victims of family-  
9 related homicides that occurred in the Bronx from  
2004 through 2007 resided in this area.

10 Additionally, we will launch  
11 another assessment early next year in an area of  
12 Brooklyn in which there's also a high  
13 concentration of family-related homicides. This  
14 area includes the communities of East Flatbush,  
15 East New York and Cypress Hills. Moreover, at the  
16 request, and in collaboration with the District  
17 Attorney Donovan, my office is conducting an  
18 assessment in Staten Island as well.

19 Through these community assessments  
20 we're learning what barriers exist at the  
21 community level. To date, we have met with over  
22 70 community-based organizations and domestic  
23 violence service providers. Additionally, with  
24 the help of community-based organizations, such as  
25 the Violence Intervention Program, Sanctuary for

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3 Families, SCAN New York, and Seaman's Society, we  
4 have conducted seven focus groups, including  
5 groups in English, Spanish, and a group of recent  
6 African immigrant victims. Initial results  
7 suggest that there still remains a fear that any  
8 contact with law enforcement could lead to  
9 deportation, and this may be further aggravated by  
10 any negative experiences with law enforcement a  
11 victim may have had in their own home country.

12 There is a lack of understanding in  
13 the community about the scope of domestic violence  
14 that goes beyond physical violence, including  
15 financial, verbal, and emotional abuse. And  
16 there's a need to continue to provide services  
17 that are culturally and linguistically sensitive  
18 and appropriate. There's a need to continue  
19 community education and increase those efforts,  
20 especially within immigrant communities. And  
21 there's an acknowledgement within some communities  
22 that the acceptance of relationship violence needs  
23 to be overcome.

24 These assessments are not just  
25 about collecting data, but responding to  
identified needs that can be immediately

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3 addressed. For example, since last year, we have  
4 trained over 300 Department of Homeless Service  
5 shelter employees in the Bronx and Brooklyn  
6 regarding the dynamics of domestic violence,  
7 barriers to services, and resources available to  
8 victims. This summer we will train an additional  
9 120 shelter staff in Queens and Staten Island.  
10 The feedback from these trainings was  
11 overwhelmingly positive--as one participant stated  
12 in their evaluation, I am now one step closer to  
13 being a better case manager. Providing training  
14 to frontline employees at all agencies is critical  
15 for our effort of ensuring appropriate services  
16 for domestic violence victims, especially  
17 immigrant victims.

18 While responding to the needs of  
19 domestic violence victims and ensuring their  
20 safety is crucial, we all know that prevention  
21 really is the key to ending the cycle of violence.  
22 As reported daily in the news, relationship abuse  
23 can happen to anyone. It is for that reason that  
24 the city is working to promote healthy  
25 relationships among teens and to make sure that  
all domestic violence victims know where to get

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help. According to the New York City Department of Health and Mental Hygiene, between 1999 and 2007, teen dating violence among teen high school students increased 58%. In response, we partnered with the Department of Youth and Community Development to form the New York City Healthy Relationship Training Academy which hires peer educators ages, 17-25, to teach other young people and service providers about the dynamics of abusive relationships and characteristics of healthy ones. To date, we have held over 500 workshops, which are conducted in both Spanish and English, reaching over 7,500 young people. Recently, we expanded our program to reach new audiences, including younger participants ages 11 to 13 and parents.

Another key program targeting prevention among youth is the Relationship Abuse Prevention Program, a program coordinated by the Human Resources Administration, who contracts with local domestic violence organizations to educate teens on healthy relationships in 62 middle schools and high schools, reaching over 9,000 young people this academic year.

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3 Last week, the Bronx Borough  
4 President and the Mayor announced the launch of  
5 the Start Strong Bronx program which is part of  
6 the largest national initiative ever funded,  
7 targeting 11 to 14 year olds to promote safe and  
8 healthy relationships and prevent teen dating  
9 violence. My office is participating in this  
10 initiative to create even greater awareness among  
11 teens about dating violence. Since 2002, the city  
12 has launched several citywide advertising  
13 campaigns, including our last bilingual outdoor  
14 campaign, resulting in a 69% increase in calls to  
15 the city's Domestic Violence hotline.

16 In addition, a citywide advertising  
17 campaign, we have distributed over 167,000  
18 brochures, 10,000 posters, 150,000 palm cards in  
19 14 different languages. Our widely circulated  
20 resource directory has over 200 programs listed by  
21 what languages they can accommodate.

22 Additionally, we have produced and  
23 distributed over 5,000 copies of the city's  
24 Medical Providers' Guide to Managing Care of  
25 Domestic Violence Patients within a Cultural  
Context, which equips medical providers with tools

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3 to screen for domestic violence among their  
4 patients.

5 In 2004, the Department of Health  
6 and Mental Hygiene established their Take Care New  
7 York agenda, which outlines 10 priority areas,  
8 including living in a home free of violence. In  
9 addition to monitoring female intimate partner  
10 homicide and hospitalizations, they have a number  
11 of domestic violence prevention initiatives. For  
12 example, the Newborn Home Visiting program visits  
13 first-time parents living in Northern Manhattan  
14 and Bushwick/Bedford Stuyvesant in Brooklyn. The  
15 goal is to assure that infants are living in a  
16 safe environment and parents receive the  
17 additional supportive services they need.

18 Most recently, in February 2009,  
19 the Department of Mental Hygiene launched an 11-  
20 week program on intimate partner violence which  
21 targeted medical providers. During the campaign,  
22 staff conducted over 2,000 one-on-one interactions  
23 with healthcare providers and their staff with  
24 nearly 200 practices. Through these interactions,  
25 healthcare providers and staff enhanced their  
understanding of the importance of their position



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3 as trusted resources. The materials and tools  
4 provided helped them more comfortably addressing  
5 domestic violence with their patients. In  
6 addition, materials for patients included the  
7 Department's recently published Health Bulletin,  
8 Intimate Partner Violence: How to Keep Yourself  
9 Safe, available in multiple languages, including  
10 Spanish, Chinese, Russian, Hindu, Bengali, and  
11 Arabic.

12 In closing, over the past seven  
13 years we have been collaborating with city, state,  
14 and federal, and community partners to help all  
15 victims of domestic violence. We recognize,  
16 however, that there is still more to be done. We  
17 look forward to continuing these efforts and  
18 working with the Council on our shared goal of  
19 reducing domestic violence in our city. Thank  
20 you.

21 Do you have any questions or we'll  
22 just go on to the next presentation?

23 CHAIRPERSON STEWART: Yes, go on to  
24 the next.

25 MS. JIMENEZ: Okay.

ASSISTANT CHIEF RYAN: Good

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3 afternoon. I'm Assistant Chief Kathy Ryan,  
4 Commanding Officer of the Domestic Violence Unit  
5 of the New York City Police Department. I am  
6 joined here today by Inspector Theresa Shortell,  
7 Commanding Officer of the Department's Special  
8 Victims Division, and together we will be pleased  
9 to discuss with you the ways in which the New York  
10 City Police Department addresses the needs of  
11 immigrant women who have been the victims of  
12 domestic violence or sexual assault.

13 We would first like to commend the  
14 Council for bringing to the forefront the need to  
15 support and assist women who may suffer, not only  
16 because of a violent crime, but also because of  
17 their fear of reporting the crime, or their lack  
18 of knowledge that there is help available. As you  
19 have heard from Commissioner Jimenez, we work with  
20 many partners, in government and with community  
21 and advocacy groups, to reach out to as many  
22 victims, or potential victims, as we can, so that  
23 these crimes may not only be investigated, but  
24 prosecuted, but also prevented. Further, we try  
25 to reach out, not only to the victims themselves,  
but also to their communities, which play a key

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3 role in reporting crimes or dangerous conditions  
4 which they may observe, and on supporting the  
5 victims in spite of what might be cultural  
6 barriers against bringing perpetrators to justice.

7 The breadth of the issue before you  
8 today is reflected by the distinct, but  
9 overlapping responsibilities of the Domestic  
10 Violence Unit and the Special Victims Division.

11 We would like to begin by noting  
12 that the reported incidence of domestic violence  
13 and sexual assault has greatly decreased during  
14 the past several years, which is a welcome trend,  
15 due in a large measure to the intense focus placed  
16 upon these crimes by the police department.

17 Domestic violence crimes have decreased by 24%  
18 from 2002.to 2008, and domestic violence homicides  
19 have decreased by 8%, with the Department  
20 conducting over 70,000 home visits each year. In  
21 the fall of 2008, the State Legislature broadened  
22 the family court definition of domestic violence,  
23 to include all intimate relationships, whether or  
24 not the parties live together or have a child in  
25 common. When we include these additional  
relationships in calculating the number of

homicides committed, our statistics show that there was a 32% decrease in adult female homicide victims in 2008, compared to 2002, and so far this year, we have an additional 15% decrease, compared to the same time last year.

Similarly, the Department's vigorous efforts to address and prevent sexual assaults are demonstrated by the fact that in 2008, an arrest was effected in 71% of all rape cases--that is 908 arrests for 1,289 cases. Note also that the overlap between domestic violence and sexual assault is manifested in 313 domestic rape cases in 2008, in which 270 arrests were effected, or 86%. Overall, the incidence of reported rapes has decreased 37% over the last eight years, with a 63% decrease over the last 16 years. This year, there is an additional 15% decrease in reported rapes when comparing 2009 to the same time period in 2008.

We would now like to describe what happens, as a practical matter, when a domestic violence or a sexual assault comes to our attention. We may first become aware of the existence of the crime when a victim or someone

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3 else places a 911 or a 311 call, or they walk into  
4 the station house or a Family Justice Center to  
5 report a crime or an incident, or is referred to  
6 the police department by a medical facility, a  
7 crisis center or a hotline, advocate, or a  
8 community group. Alternatively, a police officer  
9 may observe an incident or a condition while on  
10 patrol, which indicates that a crime is being  
11 committed.

12 In the case of a call to 911, our  
13 call takers and radio dispatchers are trained to  
14 ask the right questions to determine the reason  
15 for the call, and to recognize where there is a  
16 language or other barrier that the caller faces so  
17 that proper police response may be provided. Our  
18 911 personnel utilize Language Line Services,  
19 which provides immediate translation for over 150  
20 languages. A large number of our 911 staff is  
21 comprised of bilingual Spanish speakers, allowing  
22 nearly two-thirds of calls from Spanish speaking  
23 individuals to be handled internally, by our own  
24 personnel.

25 If a call for help is made to 311  
rather than 911, unless the call is clearly a non-

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3 emergency request for information, rather than a  
4 report of a crime, the 311 operator will  
5 immediately transfer the call to 911, staying on  
6 the line until the call is successfully  
7 transferred. The 311 system also utilizes  
8 Language Line, and also has some in-house  
9 translation capacity for Spanish-speaking callers.  
10 Depending on the circumstances, the 911 call will  
11 result in the dispatch of a police sector car to  
12 the victim's location, with the highest priority  
13 being given to a violent crime which is actually  
14 in progress.

15 When a victim walks into a police  
16 facility to report a crime or is met by the sector  
17 car which has been dispatched by 911, or  
18 encounters a police officer who observes something  
19 that seems wrong, it is vitally important that the  
20 victim and the responding officers be able to  
21 communicate effectively, not only because of  
22 language issues but also because of social and  
23 cultural issues.

24 For language issues, the police  
25 department was an early and ambitious participant  
in language access policies, ultimately reflected

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3 in Mayor Bloomberg's Executive Order No. 120,  
4 mandating that city agencies implement effective  
5 Language Access Plans. All responding police  
6 officers have immediate access to Language Line  
7 Services through cell phones carried by  
8 supervisors in the field, as well as through dual-  
9 handset telephones maintained in every precinct,  
10 stationhouse, and housing police service area.  
11 Beyond the use of Language Line, however, the  
12 police department has created a Volunteer Language  
13 Program, administered by the Chief of Personnel in  
14 which nearly 14,000 members of the police  
15 department are registered, capable of providing  
16 translation services for 50 different languages,  
17 including American Sign Language. If there is no  
18 member of the service who speaks the relevant  
19 language working in the immediate command, a  
20 translator may be requested through a notification  
21 to the Department's Operations Unit on a 24-hour  
22 basis.

23 Note that the depth of the police  
24 department's ability to provide its own  
25 translation services is a testament to the ever-  
increasing diversity of the membership of the

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department; in fact, our last Police Academy class had recruits born in 56 different countries.

Also, as part of the implementation of the mayor's Executive Order, the department is increasing the ability to identify the language that a person with limited English proficiency is speaking in order to provide an appropriate translation. We will be issuing memo book inserts and posting signs in every stationhouse, police service area, and transit district, allowing individuals to point to a sentence written in one of 22 languages, to identify their language.

For the more complex issues presented by social and cultural barriers preventing victims from reporting crime or cooperating with investigations, the Department has developed and implemented extensive training in cultural competency to accompany the thorough training that officers receive in both domestic violence and sexual assault crimes.

We encourage you to review the training materials we routinely send to the City Council.

From the very start of their



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careers, recruits in the Police Academy receive extensive training in the nature of domestic violence and sex crimes, with guidance on how to interact with victims and how to overcome obstacles to communication and cooperation, whatever they may be. But perhaps most relevant to today's topic is the emphasis in recruit training on what we call "Policing a Multicultural Society," which emphasizes the importance of understanding the diversity of the city and the ways in which communication with police is affected by the differences in language, cultural backgrounds, and social conditions.

Among other topics, immigration patterns, different perceptions of police authority, Executive Orders 34 and 41 regarding the confidentiality of information about immigration status, and the effect of honor or shame relating to family matters or sex offenses are discussed thoroughly, enabling the recruits to understand how to encourage the reporting of criminal complaints and cooperation with the police. Recruit training culminates in an advanced course of intensive multicultural

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3 immersion training, designed to enhance  
4 understanding of the communities the new officers  
5 will serve.

6 For patrol officers, in-service  
7 training continues on a monthly basis, addressing  
8 a wide variety of topics which regularly include  
9 domestic violence and sex crimes. Topics will  
10 vary depending on the issues that arise since  
11 training is designed to respond to identified  
12 needs. As laws change and best practices evolve,  
13 training is designed to communicate that  
14 information to members of the service. Training  
15 on these issues, as well as on cultural competence  
16 and diversity, is also included in promotion  
17 courses and tactical courses, again, depending on  
18 the circumstances and for the need.

19 For crimes of domestic violence and  
20 sexual assault, specialized training and  
21 procedures are in place which transcend the  
22 experiences of routine patrol. Returning to the  
23 discussion of practical experience of victims,  
24 there are different resources available, tailored  
25 to the crime which has been committed.

First, in order to specifically

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address domestic violence, the department has assigned at least one police officer in each precinct and each housing police service area, and sometimes there are multiple officers and a domestic violence sergeant, depending on the need, dedicated strictly to addressing domestic violence. These officers and sergeants are specially trained to recognize and assist victims in any way possible--helping them to obtain orders of protection, to have them served, making appropriate referrals for shelter and services, and helping them develop safety plans. Domestic Violence Officers conduct outreach and maintain strong relationships with community groups and advocacy organizations in their areas so as to ensure that victims' needs are identified and supported by the available social services. The Domestic Violence Officer also ensures that Domestic Incident Reports are completed for every incident, whether or not an arrest is made, confers with the Precinct Detective Squad investigating the crime, and conduct follow-up home visits to ensure that the victim, and the perpetrator, know that the police will remain

involved to help prevent further abuse.

The seriousness with which domestic violence is treated by the police department is also demonstrated by the establishment of the Domestic Violence Unit within the Office of the Chief of Department--the highest ranking uniformed commander of the NYPD. My office coordinates policy and provides support and training to officers in the field, also serving as a point of contact for other government agencies and to the community. Once a year, in November, we hold our annual conference for Domestic Violence Officers, advocacy groups, district attorneys, and other partners in our work. We also conduct extensive outreach, including meeting with community groups, visiting locations where women congregate, such as hair and nail salons, making presentations for advocacy groups, participating in National Night Out Against Crime, and attending Precinct Community Council meetings to encourage the reporting of domestic violence and the cooperation of victims.

With respect to sexual assaults, the primary responsibility for investigating the

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3 crime rests with the Special Victims Division,  
4 whose Special Victim Squads are located in each  
5 borough. When a victim of sexual assault is  
6 identified by patrol personnel, the case is  
7 immediately referred to a detective assigned to  
8 the local Special Victims Squad for investigation.  
9 Special Victims Division personnel are highly  
10 trained in the substance of the investigation of  
11 sex crimes, as well as in the interviewing of  
12 victims, the medical aspects of sexual assault,  
13 and the collection and preservation of evidence,  
14 including DNA evidence.

15 The Division conducts a biannual,  
16 five-day sex crimes training course, worth three  
17 college credits, with lecturers who are highly  
18 trained and experienced in their fields. These  
19 include hospital directors, district attorney  
20 bureau chiefs, forensic biologists, advocacy  
21 groups, and FBI sex crimes personnel.

22 Special Victims Squad detectives  
23 also receive extensive cultural diversity  
24 training, as do the other members of the  
25 department, but, importantly, they also engage in  
continuous communication and mentoring within

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3 their own Division, based on the cumulative  
4 experience in handling sexual assault cases whose  
5 victims reflect the City's diversity. Like  
6 Domestic Violence Officers, they themselves  
7 reflect the diversity of the department, including  
8 the availability of female officers and detectives  
9 for victims who are uncomfortable discussing the  
10 crime with a male officer. However, all Special  
11 Victims detectives are highly aware of the  
12 language, cultural, and social barriers that  
13 victims may suffer in even disclosing that they  
14 were assaulted, much less discussing the event in  
15 detail. The detectives will spend as much time as  
16 is necessary to gain the victim's trust and to  
17 facilitate communication. They use dolls,  
18 gestures, drawings, or other means of making the  
19 victim comfortable enough to reveal in whatever  
20 manner possible what has happened to her.

21 The Special Victims Division also  
22 staffs the Rape Hotline, (212) 267-RAPE, on a 24-  
23 hour basis, in order to help victims obtain  
24 information and medical aid, encourage them to  
25 report the crime, and to give them a list of  
available resources, including crisis centers and

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3 hospitals. Many of the officers answering calls  
4 are bilingual, with instant availability of  
5 Language Line services if needed.

6 The Special Victims Division  
7 conducts extensive outreach, meeting with  
8 community groups, conducting joint training with  
9 the district attorney's offices, hospital  
10 personnel and advocacy group, providing speakers  
11 at schools at all levels, attending Precinct  
12 Community Council meetings and lecturing at the  
13 Citizens' Police Academy. Both the Special  
14 Victims Division and the Domestic Violence Unit  
15 also work with the Department's Chief of Community  
16 Affairs, Clergy Liaisons and the New Immigrant  
17 Outreach Unit in order to coordinate outreach and  
18 identify communities where the availability of  
19 help can be reinforced.

20 The New Immigrant Outreach Unit,  
21 especially, provides a vital link to immigrant  
22 populations in New York City through its work with  
23 local community leaders and its coordination of  
24 training efforts, bringing community members into  
25 the department to share their experiences and  
guidance for dealing with a diverse population.

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3 For both domestic violence and  
4 sexual assaults, it is imperative that the victim  
5 be treated with sensitivity and awareness of  
6 barriers to communication. This is not a  
7 situation unique to immigrant women, but it's true  
8 for all victims who may be unable to communicate  
9 for many reasons--perhaps language, or emotional  
10 or mental disability, or for fear, or for shame.  
11 It is also embedded in the police department's  
12 culture and training, and consistent with the city  
13 policy that the immigration status of a victim is  
14 irrelevant. It is our responsibility to get to  
15 know the victim as well as we can, and to give the  
16 victim as much time and support as she needs in  
17 order to allow her to tell her story and to help  
18 us apprehend the perpetrator.

19 We will continue to strive to  
20 improve our training and to learn from our  
21 partners in and out of government to better serve  
22 the needs of immigrant women and of all victims of  
23 domestic violence and sexual assault.

24 Thank you.

25 DR. RAMANATHAN RAJU: Good  
afternoon. My name is Dr. Ramanahin Raju, I am



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3 the Executive Vice President and the Corporate  
4 Chief Medical Officer for the New York City Health  
5 and Hospitals Corporation. I'm pleased to have  
6 the opportunity to provide a testimony on behalf  
7 of Health and Hospital Corporation's procedures to  
8 treat victim of sexual abuse, sexual assault, and  
9 domestic violence.

10 Our corporation facilities serve a  
11 broad and diverse patient population that come  
12 from many different ethnic and cultural  
13 backgrounds and speak many different languages  
14 other than English. In calendar year 2008, Health  
15 and Hospital Corporation facilities provided care  
16 to more than 1.3 million New Yorkers; of this, 725  
17 were treated in the emergency departments as the  
18 victims of rape or sexual assault. We also  
19 treated another 175 sexual assault victims in our  
20 clinics.

21 Rape or sexual assault is a crime  
22 whereby the victim is forced into sexual activity  
23 against his or her will. It is a significant  
24 social and medical problem and considered by  
25 society as one of the worst crimes committed to an  
individual. The perpetrator may be an unknown

individual, an intimate partner, an acquaintance,  
or a family member. The victims are predominately  
women and represent diverse ethnic, cultural, and  
socioeconomic backgrounds and speaks a myriad of  
different languages.

In order to be able to treat these  
patients, Health and Hospital Corporation has  
enhanced medical and social service to meet the  
needs of rape and sexual assault victim in  
accordance with the Sexual Assault Reform Act of  
2000. The Act requires the Commissioner of New  
York's State Department of Health to develop  
programs to address sexual assault and designate  
hospitals in the New York state as providing 24-  
hour SAFE, Sexual Assault Forensic Examiner,  
programs.

All our hospital's emergency  
departments are designated by the State Department  
of Health as a SAFE Centers of Excellence and each  
of our Sexual Assault Response Teams, SART,  
program. The SART program is made up of an on-  
call multidisciplinary team of sexual assault  
forensic examiners that includes doctors, nurses,  
and other clinical staff, and trained rape crisis

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3 advocates and is sponsored by the Mayor's Office  
4 of Criminal Justice Coordinator. As a designated  
5 SAFE sites, all our hospitals have established,  
6 demonstrated, and maintained all requirements set  
7 forth in the State Public Health Law, and other  
8 program standards and requirements developed by  
9 the New York State Division of Criminal Justice  
10 Services. In 2004, Health and Hospitals  
11 Corporations in North Central Bronx Hospital was  
12 the first hospital in the state to receive the  
13 SAFE designation.

14 The SAFE and SART programs are  
15 designated, are designed to provide timely medical  
16 care and services to victim in a compassionate and  
17 culturally sensitive environment in order to  
18 further reduce the trauma. The SAFE consists of  
19 specially-trained forensic examiners and volunteer  
20 advocates that provide professional medical care,  
21 expert forensic evidence collection, and aftercare  
22 services that include psychosocial and legal  
23 counseling. In addition, an essential part of the  
24 SAFE or SART program is to ensure that the staff  
25 has a very high level of competency and provide  
state of the art medical and psychological care

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3 that is culturally congruent with the patient  
4 population.

5 When a rape or sexual assault  
6 victim arrives in one of our emergency  
7 departments, a SART is activated. Of the 725  
8 victims treated in our emergency departments in  
9 2008, 98% of them were examined and treated within  
10 one hour of their arrival to our emergency  
11 department. Health and Hospital Corporation's  
12 hospitals in Bronx--Jacobi, Lincoln, and North  
13 Central Bronx--treated the highest number of rape  
14 victims, followed by our hospitals in Brooklyn,  
15 which is Coney Island, Woodhull and Kings County.  
16 Citywide, more than half of all the rape  
17 complainants seek treatment in our SAFE Centers of  
18 Excellence.

19 In addition to trauma that a victim  
20 has experienced, there are issues of race,  
21 culture, religious preference, and sexual  
22 orientation that a SART team member must be aware  
23 of while providing services. For example, a  
24 patient's culture may place restrictions on  
25 discussing sexual issues or being examined by  
health care provider of opposite gender. Proper

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3 communication and training are critical components  
4 of the success of the SART program and achieve  
5 optimal patient outcomes.

6 Health and Hospital Corporation  
7 provides training on cultural competency, which  
8 includes recognition and respect for different  
9 cultural norms, assessment of language, and issues  
10 of sensitivity and diversity, and the ethnic-  
11 specific effects of rape and sexual assault. For  
12 our patients whose primary language is not  
13 English, professional medical interpreter services  
14 are readily available through in-person  
15 interpreters or the use of telephonic services,  
16 which is CyraCom phone. The CyraCom phone is an  
17 interpreting device that provides immediate  
18 communication in any language. The communications  
19 services allow the caregivers to effectively  
20 provide care to patients with language needs.

21 Health and Hospital Corporation's  
22 SART staff meet quarterly with the staff of the  
23 Mayor's Office of Criminal Justice Coordinator and  
24 work collaboratively to coordinate action amongst  
25 our hospitals. We also coordinate with NYPD,  
district attorney's offices, and FDNY, and EMS.

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3 These partnerships and collaborations allows  
4 Health and Hospital Corporation to continuously  
5 make improvements to a service we provide to rape  
6 and sexual assault victims every year.

7 In addition to providing services  
8 to victims on rape and sexual assault, Health and  
9 Hospital Corporation facilities also address the  
10 unique problem of facing victims of domestic  
11 violence that require concerted and coordinated  
12 efforts by our clinicians. As you know, domestic  
13 violence pose a serious problem nationwide and it  
14 occurs across all religious, socioeconomic,  
15 education, ethnic backgrounds. Both victims of  
16 rape or sexual assault and victims of other form  
17 of domestic violence are predominately women  
18 between the ages of 14 to 44.

19 On average, social workers at the  
20 Health and Hospital Corporation facilities assist  
21 more than 2,500 domestic violence victims each  
22 year. Our corporation has the extensive domestic  
23 violence identification program in place since the  
24 early 90s. This program has been enhanced through  
25 our partnership with the Mayor's Office to Combat  
Domestic Violence efforts with the Project

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3 H.E.A.L., Hospital Emergency Assistant Link, at  
4 all of our acute care hospitals. Project H.E.A.L.  
5 is a comprehensive plan provided to victims of  
6 domestic violence through forensic photography  
7 that documents injuries and connects victims to  
8 social and legal services immediately.

9 Screening for domestic violence is  
10 provided in all of our emergency departments,  
11 inpatient units, OB services, and ambulatory care  
12 clinics. As a part of a history and physical  
13 assessment, all patients are screened for domestic  
14 violence by asking two questions: Do you ever feel  
15 unsafe at home and/or has anyone at home hit you  
16 or tried to injury you in any way? If the answer  
17 is yes: Would you like to speak to a social  
18 worker?

19 All of our employees receive  
20 domestic violence education during their  
21 orientation and annually as a part of continuing  
22 education to ensure competency in managing the  
23 victims of domestic violence. Training include  
24 identifying the signs and symptoms of domestic  
25 violence, proper treatment techniques, referral  
procedures, and other components. Our

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3 corporation's domestic violence coordinators and  
4 other trained staff who serve as the healthcare  
5 educators participate in community health fairs  
6 and conduct outreach to centers of worship,  
7 cultural or community centers, and at neighborhood  
8 events to disseminate the domestic violence  
9 educational information service resources  
10 information.

11 Health and Hospital Corporation is  
12 committed to providing the highest quality care  
13 and services in a cultural and linguistically  
14 appropriate manner to all rape or sexual assault  
15 and domestic violence victims and will continue to  
16 partner with others to appropriately serve this  
17 population.

18 We thank you for the opportunity to  
19 provide this testimony and would be happy to  
20 answer any questions that you may have.

21 CHAIRPERSON STEWART: Well first of  
22 all, we have been joined by Council Member Mendez,  
23 Council Member Liu, Council Member Ferreras,  
24 Council Member Eugene Mathieu--or Mathieu Eugene,  
25 Council Member Sears, Council Member Dickens,  
Council Member Crowley, Council Member Barron, and



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3 Council Member Arroyo. Also Council Member Katz,  
4 sorry.

5 I think you all have spoken and  
6 you're the only one, you're not going to be  
7 testifying. We have a few questions, but before I  
8 call on my colleagues I have some simple questions  
9 that I wanted to ask going back to Commissioner  
10 Jimenez. It has to do with, you spoke about the  
11 center that was currently opened, one in Brooklyn  
12 and one in Queens, and you mentioned that there is  
13 going to be one in the Bronx. Could you tell me  
14 when will that be open?

15 COMMISSIONER JIMENEZ: The center  
16 in the Bronx is currently under development,  
17 construction is going on as we speak, and we  
18 expect to open the center during this next fiscal  
19 year, so within a couple of months.

20 CHAIRPERSON STEWART: Within a  
21 couple of months. You say within six months?

22 COMMISSIONER JIMENEZ: Yes.

23 CHAIRPERSON STEWART: All right,  
24 thank you. You also spoke of the help that you--  
25 to help victims of domestic violence and there are  
two basic matters in which you used to help those

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3 who are victims in terms of their immigration  
4 status. Could you tell me how many of the U visas  
5 that you have attempted so far?

6 COMMISSIONER JIMENEZ: We filed  
7 collectively over 370 U visas. There's been  
8 interaction with our immigration attorneys and  
9 over 2,000 clients, so they each have different  
10 needs and, depending upon their circumstances,  
11 they file for different federal remedies--it may  
12 be a U visa, it may be the self petition, but in  
13 total with the U visas, it's 375.

14 CHAIRPERSON STEWART: Three  
15 seventy-five. Within that 375, there is another  
16 form of visa to deal with the juveniles, people  
17 who are under 15 years old, the visa called SIJ,  
18 from the federal government. Do you know anything  
19 about that?

20 COMMISSIONER JIMENEZ: No, I don't  
21 believe we filed--

22 CHAIRPERSON STEWART: [Interposing]  
23 SIJS?

24 COMMISSIONER JIMENEZ: --I don't  
25 believe we filed any of those.

CHAIRPERSON STEWART: You haven't--

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2 COMMISSIONER JIMENEZ: No.

3 CHAIRPERSON STEWART: --you haven't  
4 filed any.

5 COMMISSIONER JIMENEZ: No.

6 CHAIRPERSON STEWART: Do you work  
7 in conjunction with the ACS--

8 COMMISSIONER JIMENEZ: We do, yes.

9 CHAIRPERSON STEWART: You work in  
10 conjunction with ACS and you don't know much about  
11 the--

12 COMMISSIONER JIMENEZ:

13 [Interposing] Well I mentioned earlier that ACS  
14 had already started filing U visas as well.

15 CHAIRPERSON STEWART: All right.  
16 The reason why I ask that is that with juveniles,  
17 they age out most of the time and never really had  
18 the opportunity and this opportunity was created  
19 by the federal government to help those youngsters  
20 who might be eligible for that, and I think we  
21 should really jump on it when we have such cases  
22 and make sure that those youngsters are not caught  
23 up and being aged out and then you find that it's  
24 much more difficult for them to get a visa.

25 I will ask my colleague, Council

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3 Member Rivera, who wants to ask a few questions,  
4 now to step in.

5 CHAIRPERSON RIVERA: Thank you very  
6 much, Council Member Stewart. I guess my question  
7 is also for Commissioner Jimenez. We spoke  
8 briefly about the Bronx Family Justice Center and  
9 the fact that it will open up in a couple of  
10 months. What's the location of the Family Justice  
11 Center?

12 COMMISSIONER JIMENEZ: The location  
13 is 198 East 161st Street, so it's the building  
14 where the DA's office is currently housed. We're  
15 working with the Bronx Borough President's office  
16 and the Bronx District Attorney's office, so we'll  
17 have the entire second floor of that building.  
18 About 16,000 square feet of space in that building  
19 to really be able to co-locate the entire DV unit  
20 of the Bronx DA's office, as well as be able to  
21 locate many of the community partners, members  
22 from the New York City Police Department,  
23 Department of Probation, Department for the Aging,  
24 civil legal attorneys, immigration attorneys.

25 CHAIRPERSON RIVERA: And you'll of  
course be working with HHC as well in that effort.

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3 COMMISSIONER JIMENEZ: Absolutely.

4 CHAIRPERSON RIVERA: Now, what type  
5 of outreach will you be doing to let Bronx sites  
6 know that this new center is going to be  
7 available? Will you be reaching out to News 12,  
8 the local newspapers, community boards?

9 COMMISSIONER JIMENEZ: Absolutely,  
10 we've already have begun that work, I mentioned  
11 earlier that we're doing an assessment in an area  
12 in the Bronx that we're all concerned about, and  
13 that's that area sort of that we've defined as  
14 between Yankee Stadium and the Bronx Zoo along the  
15 Grand Concourse where, over the last four or five  
16 years, we have seen that 70% of all homicides,  
17 domestic violence related homicides are occurring  
18 in that corridor. So we're out there talking to  
19 community members, we're out there talking to  
20 members of the community boards, we're talking to  
21 clergy, and we're talking to survivors, quite  
22 frankly, to see why that is, we want to make sure  
23 that we understand what are the barriers to  
24 services so that we can, by the time that we open  
25 the center we should have a very clear  
understanding as to how to best reach the entire

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3 Bronx community, quite frankly.

4 CHAIRPERSON RIVERA: Now, in terms  
5 of that section that you're talking about where  
6 48, you know, people out of 71 come from that  
7 area, now what is the age demographic? Is it  
8 younger population, older population?

9 [Crosstalk]

10 COMMISSIONER JIMENEZ: I can get  
11 you the specifics, but I think--and maybe the  
12 chief might have this in terms of age--but most of  
13 the homicide victims that we have seen are really  
14 in the age range of--and it's a big age range--20  
15 to 45.

16 CHAIRPERSON RIVERA: Okay. All  
17 right. And that just leads into my next question,  
18 under New York City Healthy Relationships Training  
19 Academy, these academies you mentioned go from 17  
20 to 25, that age demographic, and you said you  
21 teamed up with DYCD now, why not the Department of  
22 Education?

23 [Crosstalk]

24 COMMISSIONER JIMENEZ: We're  
25 working with the--oh, we're working in the schools  
as well.

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3 CHAIRPERSON RIVERA: And CUNY, do  
4 you work with CUNY as well?

5 COMMISSIONER JIMENEZ: We work with  
6 CUNY on a number of our programs, and I also  
7 mentioned we're actually starting even younger  
8 with the Start Strong program--

9 CHAIRPERSON RIVERA: The 11 to--

10 COMMISSIONER JIMENEZ: --the 11 to  
11 14, because what we find, unfortunately, when we  
12 go in to high schools and you're talking to young  
13 men and you're talking to young women, you do get  
14 a very real sense--and I've sat in on some of  
15 these sessions--that young women are identifying  
16 with what's being said in terms of feeling that  
17 they are involved in potentially an unhealthy or  
18 an abusive relationship and that young men are  
19 identifying the behaviors that clearly can lead to  
20 a situation where there is domestic violence. So  
21 we think we have to go even younger so that we can  
22 really have an opportunity to reach young people  
23 and highlight, not just what an unhealthy  
24 relationship looks like, but, I think more  
25 importantly, highlight what a healthy relationship  
looks like to really--you know, I don't know how

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3 many of us sort of learned that when we were  
4 younger, but really to talk about what healthy  
5 relationships are really all about--gender  
6 equality, respect.

7 CHAIRPERSON RIVERA: I mean, that's  
8 good, and obviously you're delving into the  
9 emotional or mental side of domestic violence as  
10 well, besides the physical as well.

11 COMMISSIONER JIMENEZ: Yes.

12 CHAIRPERSON RIVERA: 'Cause that's  
13 obviously something that most people think of  
14 domestic violence and think of the physical  
15 aspects, but don't realize the verbal abuse is a  
16 form of domestic violence, and, you know, other  
17 types of mental abuse as well can qualify. And  
18 the signs, I think that's the biggest key, how can  
19 teachers in the schools identify the signs of a  
20 victim of domestic violence; how can a parent  
21 identify a sign if their child is becoming a  
22 victim of domestic violence as well, and sometimes  
23 the mental side predates the physical.

24 So that's some of the information  
25 that I hope will be given out, not only with DYCD,  
Department of Ed, and with the Family Justice



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3 Centers.

4 COMMISSIONER JIMENEZ: Absolutely.

5 CHAIRPERSON RIVERA: Perfect, thank  
6 you.

7 COMMISSIONER JIMENEZ: Thank you.

8 CHAIRPERSON STEWART: Council  
9 Member Dickens.

10 [Off mic]

11 CHAIRPERSON STEWART: I'm sorry, I  
12 have to defer to the Chairs first, Ms. Dickens, so  
13 I call on Chair Mealy.

14 CHAIRPERSON MEALY: Good afternoon.  
15 I would like to ask the police department--thank  
16 you--does the NYPD do sensitive training so  
17 officers can communicate with all different kind  
18 of cultures, and what type of training do you  
19 specifically do for each precinct? If it's a  
20 precinct that just be Creole, how do you do that  
21 training just for that precinct?

22 ASSISTANT CHIEF RYAN: Well, to  
23 begin with, as we mentioned the New York City  
24 Police Academy has a big program for training for  
25 the officers to be aware of the diversity in all  
the populations within the city and we are a very

diverse city. So taking it further from there, once they leave the police academy, these new officers get assigned to precincts within the city. Each of those precincts--and that includes, not only these new officers, but also officers who are currently assigned--they then become, I guess, we have roll call training, well we have in-service training and then in addition, we have roll call training. So it's included in the in-service training where we would invite these different community groups and we have a very strong relationship, particularly with domestic violence--and, I have to say, also with the sexual crimes as well--with the advocacy groups that we work in the various communities. So that's where we have that network and that collaboration, it's very important.

CHAIRPERSON MEALY: Okay, okay. If someone has domestic violence, they come into the precinct, they speak a different language, how do your officers handle them?

ASSISTANT CHIEF RYAN: Well first of all, when--

CHAIRPERSON MEALY: [Interposing]

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3 What's the first step, what they say to the...

4 ASSISTANT CHIEF RYAN: Well the  
5 first step is to find out what is the language and  
6 do we have an officer or someone in that station  
7 house--

8 CHAIRPERSON MEALY: [Interposing]  
9 And if you do not.

10 ASSISTANT CHIEF RYAN: And if we do  
11 not, we have a dual handset phone--and I didn't  
12 bring the yellow sheet, but there's a yellow sheet  
13 in the office which then opens up and it has all  
14 of the languages that Language Line will have and  
15 we'll ask the victim if they can identify a  
16 language if it's not obvious to us. And--

17 CHAIRPERSON MEALY: I have to  
18 disagree, we have to think about when people call  
19 the police department--when I call personally 911  
20 or the police department, the phone rings, rings,  
21 ring.

22 ASSISTANT CHIEF RYAN: At 911?

23 CHAIRPERSON MEALY: Not 911, the  
24 precinct itself. So when someone come in, if  
25 someone at the front desk they call to that phone-

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3 ASSISTANT CHIEF RYAN: Right.

4 CHAIRPERSON MEALY: --and if they  
5 don't understand what language it is, where do you  
6 send that individual? Normally you ask someone to  
7 translate it.

8 ASSISTANT CHIEF RYAN: Right.

9 CHAIRPERSON MEALY: Right. And  
10 sometimes it's the abuser who is translating to  
11 them. So I'm trying to find out what procedure  
12 you have that that would never happen, that should  
13 never happen to anyone with domestic violence. Or  
14 you have, if they came in with children, the  
15 children would start translating for the abuser--  
16 for the victim--

17 ASSISTANT CHIEF RYAN: Right.

18 CHAIRPERSON MEALY: So I'm trying  
19 to find out what is the a procedure like plan B.  
20 If the phone does not work, how do you find out  
21 what this language is and how can you help them  
22 immediately?

23 ASSISTANT CHIEF RYAN: Well to the  
24 best of our ability we try to find what the  
25 language is, if we have a person in that command  
to help to translate--

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3 CHAIRPERSON MEALY: [Interposing]

4 And if you do not.

5 ASSISTANT CHIEF RYAN: You also  
6 mentioned--excuse me?

7 CHAIRPERSON MEALY: If you do not  
8 have anyone there.

9 ASSISTANT CHIEF RYAN: Well, then  
10 we would try and you also mentioned if they're  
11 coming in with family members. Our first priority  
12 is not to use family members, we try not to do  
13 that. Obviously we're having an emergency and  
14 somebody's trying to get something communicated,  
15 we're going to try to the best of our ability, so  
16 if we need to use a family member, at least to  
17 find out where are we going, like, what do we have  
18 the immediate emergency. And then as I had  
19 mentioned each patrol supervisor has a cell phone,  
20 it's a Nextel cell phone, and that cell phone is  
21 programmed to enable that supervisor to call  
22 Language Line and it has a speakerphone  
23 capability. So every officer does not have the  
24 phone, but if they have this circumstance, they  
25 are directed and they are trained to call that  
supervisor to the scene, get on that Language Line

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3 and have that communication, if need be, on a  
4 speakerphone, so now we have the translation being  
5 done.

6 In addition, in the station house,  
7 if somebody was present in the station house  
8 there's a dual handset phone and the--

9 CHAIRPERSON MEALY: That's it.

10 ASSISTANT CHIEF RYAN: --protocol  
11 is that the desk officer, if the desk supervisor  
12 needs to be involved and the supervisor should be  
13 getting involved, and then direct the parties to  
14 use that dual handset phone where the victim is on  
15 one side of the phone--

16 CHAIRPERSON MEALY: And--

17 ASSISTANT CHIEF RYAN: --and the  
18 police officer is on the other side and then  
19 they're both talking to Language Line so that the  
20 translation service can happen.

21 CHAIRPERSON MEALY: Okay. Thank  
22 you. I have one more question--

23 INVESTIGATOR SHORTELL:

24 [Interposing] Excuse me, I'm sorry, in addition,  
25 we also as a backup have a operations unit at One  
Police Plaza and in that operations unit, we can

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3 call and it's the database to all the members of  
4 the service, and at times in special victims, I  
5 have had people from [off mic] patrol respond to  
6 my precinct or my special victims need for  
7 Language Line. So the database does tell the  
8 languages.

9 ASSISTANT CHIEF RYAN: Right, and  
10 not only--like she's saying, we have over a number  
11 of officers who are certified with certain  
12 language. So if there--and again, if time is  
13 allowing for this, depending on the emergency that  
14 we have, we can reach out, maybe there is somebody  
15 who speaks that language two precincts away--

16 CHAIRPERSON MEALY: Okay.

17 ASSISTANT CHIEF RYAN: --we will be  
18 able to bring that person into the station house  
19 to help facilitate the investigation.

20 CHAIRPERSON MEALY: Okay. I have  
21 one more question--I know we have not that much  
22 time--for HHC. You said as part of the history of  
23 physical assessment, all patients are screened for  
24 domestic violence by asking two questions: Do you  
25 ever feel unsafe at home or has anyone at home hit  
you or tried to injure you in any way. Do you

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2 really feel that's a question that someone would  
3 just say yes if they have been abused? Have you  
4 all thought about changing it? Or do you get a  
5 counselor to ask them or someone from the hospital  
6 ask them?

7 DR. RAJU: No, what we do is  
8 everybody who comes in the intake as it is [off  
9 mic] this question is asked--

10 CHAIRPERSON MEALY: [Interposing]  
11 Who asks that question?

12 DR. RAJU: The nurse who takes--  
13 [Crosstalk]

14 CHAIRPERSON MEALY: [Interposing]  
15 The nurse asks that--

16 DR. RAJU: --nurse ask the--

17 CHAIRPERSON MEALY: --question?

18 DR. RAJU: Yes.

19 CHAIRPERSON MEALY: So has the  
20 nurse had training--

21 DR. RAJU: Yes.

22 CHAIRPERSON MEALY: --sensitivity  
23 training--

24 DR. RAJU: Yes.

25 CHAIRPERSON MEALY: --just



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3 specifically for that?

4 DR. RAJU: Absolutely, all the  
5 nurses--

6 [Crosstalk]

7 CHAIRPERSON MEALY: Okay. Thank  
8 you.

9 CHAIRPERSON VALLONE: Thank you.  
10 First I want to thank my fellow Council Members  
11 all here and waited a long time. They're not just  
12 here because we have four committees, but they're  
13 waiting throughout all this testimony patiently  
14 and it's a testament to their concern and their  
15 involvement in this issue. And especially Council  
16 Member Arroyo, who was very instrumental in  
17 getting this hearing done in the first place.

18 So I'll only ask one question  
19 because I want to hear from the DAs and the  
20 advocates and my fellow Council Members.  
21 Commissioner Jimenez, you said something that was  
22 startling here in your testimony--teen dating  
23 violence has increased 58% from 1999 and 2007, I  
24 was not aware of that, I have two teenagers so  
25 it's very alarming. Why is that happening?

COMMISSIONER JIMENEZ: Well I

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think, you know, young people are becoming involved in relationships at an earlier age. Perhaps this is something that they have seen at home and they're modeling this behavior. We talk about also not just abusive relationships, but at the other spectrum, but also unhealthy relationships, so we're talking about young people who are constantly, you know, it used to be you might beep somebody 50 times, maybe they're texting somebody wanting to know where they are, who they're with, what they're wearing, where they can go, and this controlling behavior is starting at a much younger age. And I think that having these discussions and having these conversations, because one of the things that I think we're always surprised by is the fact that many young people don't even identify or don't even recognize that they are in fact in an unhealthy relationship. They may equate having somebody texting them 50 times as he really cares about me, he wants to know where I am every other second as opposed to, perhaps this isn't a healthy way to be communicating with someone.

And so we really have to start with

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3 some of the very basics and I think these  
4 workshops are very helpful to get that discussion  
5 going.

6 CHAIRPERSON VALLONE: I'm not going  
7 to ask what you do about it because you spent a  
8 page discussing it, but what else can be done? Is  
9 there anything that City Council can do or anyone  
else can do--

10 [Crosstalk]

11 COMMISSIONER JIMENEZ: You know--

12 CHAIRPERSON VALLONE: --assist you.

13 COMMISSIONER JIMENEZ: --awareness  
14 is key. We have done awareness campaigns every  
15 two, three years, this is key to conducting  
16 awareness in the community about--and the state  
17 has a very good campaign right now about respect  
18 and there was a page on it yesterday for Father's  
19 Day in terms of what men can teach their young  
20 boys and teaching young boys about respect and  
21 about how to treat women. I mean, I think this is  
22 something that we as a society have to play a role  
23 and it does begin at home teaching that respect  
24 for one another.

25 CHAIRPERSON VALLONE: Police

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3 department testified domestic violent crimes have  
4 decreased by 24% from 2002 to 2008, yours were a  
5 little different, but are these numbers included  
6 in domestic violence or is it a separate category?

7 COMMISSIONER JIMENEZ: No, that's  
8 separate. The 58% refers to a survey that's  
9 conducted every year by the Department of Health  
10 and Mental Hygiene in which they're asking young  
11 people a series of questions whether or not  
12 they've experienced certain abusive behaviors.  
13 No, those are two different numbers.

14 CHAIRPERSON VALLONE: Okay. Like I  
15 said, I just wanted to be brief, I have a lot more  
16 questions, but we need to move on. So now we'll  
17 go to Council Member Dickens, thank you for  
18 deferring.

19 COUNCIL MEMBER DICKENS: Thank you  
20 so much, Chairs. And thank you to all of you for  
21 that testimony.

22 Commissioner Jimenez, and I didn't  
23 see, and maybe I'm wrong, anything that was  
24 addressed--and also this is going to be posed to  
25 HHC--about emancipated youth from within the  
immigrant community where they are under 15, they

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3 are not within a household where their parents  
4 either have a green card or do not have a green  
5 card, they're removed from the household, they're  
6 in the streets or living with friends, living with  
7 neighbors, and I didn't see how that's addressed.  
8 Because with that alarming rate of 58% for teen  
9 rape and abuse, this is a community that is  
10 targeted. And so I didn't see that addressed here  
11 how you handle that and how HHCs handle it when an  
12 emancipated youth comes in to HHC and has been a  
13 target of abuse and yet is underage and doesn't  
14 have health insurance.

15 COMMISSIONER JIMENEZ: Our Healthy  
16 Relationship program really started a couple of  
17 years ago from a grant from the U.S. Department of  
18 Health and Human Services, which really asked us  
19 to go out and find and target if you will, and  
20 host workshops with youth at risk. And clearly we  
21 worked with Covenant House in other areas and went  
22 out into the community to try to identify some of  
23 these young people because we knew that many of  
24 them were possibly involved in unhealthy  
25 relationships--abusive relationships,  
prostitution--a whole host of risky behaviors and

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3 so that has emanated from that original program  
4 and we're continuing to work with that community.

5 COUNCIL MEMBER DICKENS: I'm  
6 nervous about that because such Covenant House and  
7 others that have focused on groups such as this,  
8 their funding has been severely decreased. I  
9 referred a young girl to Covenant House that had  
10 been the victim of abuse, and, although they took  
11 this child in, there was a lot of paperwork, a lot  
12 of problems, and then they really wanted to go and  
13 talk to the parents who had just thrown her out in  
14 the street. So I have some concerns about how  
15 it's handled, particularly if you're reliant upon  
16 programs that have been--and Covenant House is  
17 moving to a smaller location. So it means that  
18 there are less and less young people that they  
19 will be able to take in as part of sleeping. So,  
20 you know, I'm very concerned about that and I  
21 think we need to start thinking ahead of how we're  
22 going to address that.

23 HHC, Mr. Raju?

24 DR. RAJU: Sure. All of our nurses  
25 and doctors [off mic] physicians are extremely  
sensitive to these issues and they also get the

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3 same culturally, cultural and language training on  
4 how to deal with this as a part of it.

5 So in the corporation and the [off  
6 mic] in the emergency department, out in the  
7 clinic, immediately social workers gets assigned  
8 to that particular patient and that patient is  
9 under the care of social worker and then they do  
10 the complete background and examination of the  
11 patient and making sure that patients are  
12 appropriately, not sent back to a place where  
13 there's the violence takes place.

14 COUNCIL MEMBER DICKENS: I'm  
15 pleased you said that because page 4 of your  
16 testimony you indicate that the questions that are  
17 asked, there are two questions, and one of them is  
18 that you ask if anyone tried to injure you and  
19 then you ask, would you like to speak to a social  
20 worker.

21 DR. RAJU: Yes.

22 COUNCIL MEMBER DICKENS: You think  
23 that that is the best way to handle it, to ask?  
24 Because if I'm from the immigrant community and  
25 you ask me--

DR. RAJU: Mm-hmm.

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3 COUNCIL MEMBER DICKENS: --do I  
4 want to speak to anybody I'm likely to say no.

5 DR. RAJU: I agree with you, I  
6 think probably the way this is that if they ever  
7 have an inclination to [off mic] domestic violence  
8 then our social workers automatic [off mic] for  
9 them and, even if they say I don't want to talk to  
10 anybody about it, it could be other reasons, then  
11 we do engage them in the care and make sure  
12 they're being taken care of, you're right.

13 COUNCIL MEMBER DICKENS: Now,  
14 Commissioner, on page 4 of your testimony, you  
15 talk about Brooklyn and Queens and the Bronx soon  
16 to be opened, is there one in Manhattan? And if  
17 not, is there one planned to be open in Manhattan?  
18 And if not, why not or is it that Manhattan--the  
19 administration feels that Manhattan doesn't have  
20 domestic abuse?

21 COMMISSIONER JIMENEZ: No, the  
22 opening of the centers clearly coincide with the  
23 fact that when you look at the statistics in  
24 Brooklyn and you look at the statistics in the  
25 Bronx, there is a greater number of domestic  
violence incidents reported in those boroughs--the



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3 Bronx even higher than Brooklyn, quite frankly,  
4 when you adjust it to population.

5 But, you know, the commitment has  
6 been to work with all of the district attorney's  
7 offices and to find ways in which we can find a  
8 location and co-locate services with other  
9 agencies. And so I look forward to, you know,  
10 working with the district attorney's office from  
11 Manhattan to see if there's a way in which we can  
12 enhance some of the services that they already  
13 have--they do have a satellite office, as you  
14 know. But we're working with the Staten Island  
15 District Attorney's office as well and looking at  
16 ways in which we can conduct an assessment in  
17 Staten Island, and if the need is there, also open  
18 a Family Justice Center there as well.

19 COUNCIL MEMBER DICKENS: All right,  
20 because I am very concerned about Manhattan and,  
21 considering that in 2009 Manhattan is going to get  
22 a new district attorney, then I'm going to ask,  
23 would you please work with the new district  
24 attorney to ensure because I don't see anything  
25 that is really addressing Manhattan and I really  
just don't believe that Manhattan is the lowest

borough. It would be great if it was, but the borough that has the lowest percentage of domestic abuse maybe that is reported would be more like the case.

Also, I was very concerned because I didn't see anything in your testimony when you discussed about all the various languages about for persons with disabilities. I did see in the testimony from Assistant Chief Ryan that you did mention about American Sign Language. Can you tell me a little something about that? Because I saw one short little sentence about that, and I'm concerned about persons with disabilities who are definitely subjected to domestic violence.

COMMISSIONER JIMENEZ: We have Barrier Free living, which is one of our partners, which works with victims of domestic violence that may also be disabled at our centers both in Queens and in Brooklyn, and through our language access program we do provide those services.

COUNCIL MEMBER DICKENS: So sign language is readily available just as it is in other languages that are spoken.

COMMISSIONER JIMENEZ: It's part of

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3 our language access, yes, strategy.

4 COUNCIL MEMBER DICKENS: And  
5 lastly, I'm glad to see about the Newborn Home  
6 Visiting program because frequently you can  
7 ascertain domestic violence when you go in to see  
8 to the health of a newborn. Do you have any data  
9 on that particular program as it relates to  
northern Manhattan?

10 COMMISSIONER JIMENEZ: I don't have  
11 specific data, I can get that to you. I do know  
12 that when this program was first piloted by the  
13 city, it was tremendously successful and so the  
14 idea is to go into neighborhoods where you have--  
15 low income neighborhoods where, for the first time  
16 you have a young woman who is parenting a child  
17 and these nurses are able to provide support of  
18 assistance for that newborn, for that new mom, and  
19 also really to provide supportive services for  
20 that household. And if there is any indication  
21 that there's domestic violence happening in that  
22 household, they can provide, obviously, the needed  
23 services as well.

24 COUNCIL MEMBER DICKENS: Would you  
25 provide the Chairs with that data once you get it,

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3 please, because that may support what I'm going to  
4 ask the Council to support and your office and  
5 getting a center for Manhattan.

6 COMMISSIONER JIMENEZ: Absolutely.

7 COUNCIL MEMBER DICKENS: Thank you.  
8 Mr. Raju?

9 DR. RAJU: As a part of Health and  
10 Hospital Corporation, we use a nurse family  
11 partnership, nurses visiting the first time  
12 mothers, as well as they use the [off mic] of our  
13 home and health care, homecare nurses visiting the  
14 newly delivered mothers to offer the same kind of  
15 service and they look for domestic violence, any  
16 kind of indication of that.

17 COUNCIL MEMBER DICKENS: Thank you  
18 so much for your testimony.

19 ASSISTANT CHIEF RYAN: Council  
20 Member Dickens, I just wanted to add one other  
21 thing for Northern Manhattan, the police  
22 department is a partner in a grant with the  
23 Manhattan District Attorney's Office, so in  
24 addition to working in Brooklyn and Queens with  
25 police officers in the Family Justice Center, we  
coordinated with the Bronx, Brooklyn, New York

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3 District Attorney's Office and the advocate groups  
4 and we had monies that were funded for this  
5 program. So we also partner with the advocate  
6 groups by giving them, sometimes the names, the  
7 contact information only to reach out in addition  
8 to our outreach to victims, to find out if, in  
9 fact, they need further assistance. And they also  
10 have monies to go forward and do further outreach  
11 into the different communities in Manhattan.

12 COUNCIL MEMBER DICKENS: Thank you  
13 so much, thank you.

14 CHAIRPERSON STEWART: All right, we  
15 have been joined by Council Member Gentile from  
16 Brooklyn. But before I call on Council Member  
17 Eugene, I just want to follow up on a question  
18 that Council Member Dickens asked.

19 We spoke about Brooklyn, we spoke  
20 about Manhattan, we spoke about the Bronx, and we  
21 spoke about Queens. Isn't Staten Island a part of  
22 New York City? What's the program you have for  
23 there?

24 COMMISSIONER JIMENEZ: Absolutely.

25 CHAIRPERSON STEWART: Don't they  
have domestic violence too?

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3 COMMISSIONER JIMENEZ: They do,  
4 they do, unfortunately.

5 CHAIRPERSON STEWART: All right.

6 COMMISSIONER JIMENEZ: I spoke  
7 earlier that we're currently doing an assessment--  
8 and this was at, both at the request of District  
9 Attorney Donovan--we're doing an assessment in  
10 Staten Island as we speak to try to, again,  
11 understand barriers to services. We have  
12 collaborated with his office, they're providing us  
13 with information, so we're actually mapping where  
14 all the incidents are occurring, where all the  
15 arrests are occurring, and we're looking to be  
16 able to go back into the community to make sure  
17 that anyone who is a victim of domestic violence,  
18 they know where to get help, where to get  
19 assistance, and the district attorney is as eager  
20 as we are, quite frankly, to look into the  
21 possibility of opening up a Family Justice Center  
22 in Staten Island.

23 CHAIRPERSON STEWART: All right. I  
24 have another concern of what I've learned by  
25 trying to investigate the types of domestic  
26 violence and issues that happen in central

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3 Brooklyn, but I found out that in many cases,  
4 based on the community that you belong to, it may  
5 or may not be reported or, in some cases, the  
6 police work in conjunction with that community and  
7 sometimes it never reaches to the system. Let's  
8 put it this way, in some of our Jewish community,  
9 the rabbis handle some of the domestic violence  
10 issues and so it never really gets to be a  
11 statistic--it's settled, whatever, it's come to  
12 they go before the rabbi in conjunction with  
13 working out that situation. But in other  
14 neighborhoods, like my, let's say my Haitian  
15 community or my Caribbean American community, that  
16 never happens. So don't you see there's a line in  
17 terms of the statistics that you may have that you  
18 may collect that you'll get a lot of statistics  
19 about Caribbean and Haitian and other folks and  
20 you don't have the statistics as far as the Jewish  
community is concerned?

21 COMMISSIONER JIMENEZ: Statistics  
22 regarding reporting or--

23 CHAIRPERSON STEWART: Reporting,  
24 because what happens is that if someone call about  
25 a domestic violence with the police, 90% of the

time if it's in a Caribbean community, it's going before the system, it will be part of a statistic, but if it's in a Jewish community, it's being settled by the rabbi. I'm trying to figure out, don't you see that if you look at the statistics, you wouldn't see that?

COMMISSIONER JIMENEZ: Well I know that there'll be testimony here from the Brooklyn District Attorney's office because they have a program, a very aggressive program, that reaches out to the Orthodox Jewish community and they have been working with many of the leaders there, I know DA Hynes has been working with many of the clergy out there. We don't keep statistics per se by different groups, if that's what you mean.

CHAIRPERSON STEWART: Well I know that, but my point I'm trying to allude to is the fact that we may not, in some of our communities, we may not have a system whereby we can settle a simple domestic thing may be able to be settled in the Jewish community and it's never reached that far; whereas, in the Caribbean community, someone calls without even anything asked, that person has been arrested, even if it's just an accusation,



whatever it is, and it blows up to more than what it is, that person will have to lose maybe, first, a day to go through the system, then he has to go back and forth, and it might be just a complaint.

My point is basically is that it's based on the community how some of these issues are being handled, I'm not saying it should be-- it should not be taken seriously, but, based on the community, you'll find that you have problems-- a lot more statistics in the Caribbean community rather than in the Jewish community. And I'm not saying that one has more problems than the other, it's just the way it's being settled.

COMMISSIONER JIMENEZ: When we go out into the community, we want to really bring a very clear message to anyone who's a victim of domestic violence to let them know that they can get help and if, for any reason, they choose not to report it to the police that they can come to any of the Family Justice Centers, that they can go into any of the medical facilities and report. And then for batterers, you know, we also have a message that domestic violence, that there will be accountability, domestic violence is a crime and

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3 that cuts across all communities.

4 CHAIRPERSON STEWART: All right,  
5 but my last statement on that is the fact that  
6 how--we talk about training, I am not too sure  
7 that our officers are being trained adequately in  
8 the sense that I have had several complaints where  
9 an officer being called, called by the husband  
10 that there's something wrong here, come out and  
11 check it out, the husband becomes the one that is  
12 being arrested without even any questions asked  
13 because he's the husband. And to me, I'm not too  
14 sure that our officers are being trained properly  
15 to at least listen to both sides or get the full  
16 story. They take one side of the story and he  
17 goes through the system, he goes through the  
18 system and then, even if it's been thrown out  
19 afterward, but he goes through the system. And,  
20 to me, I'm not too sure that our offices are being  
21 trained properly as to when they go out on a call,  
22 even if it's the husband that did call.

23 ASSISTANT CHIEF RYAN: Well first  
24 of all, I just want to say, and I think everybody  
25 appreciates the fact that domestic violence and  
the crimes of domestic violence are very complex

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3 and we are talking about relationships that are  
4 really very intense and close relationships.

5 First, I'd just like to also mention that on any  
6 given year, 74%, sometimes it could be as high as  
7 78%, of our homicide victims never had a police  
8 report on file--that includes no 911 call, not  
9 even a DIR for a verbal dispute. So, again, you  
10 mentioned certain communities where the police  
11 aren't called, and we also mentioned at this  
12 Council hearing--and I think this is incredibly  
13 important--is that everyone needs to know what  
14 these crimes are and that the entire New York City  
15 population, we all need to be educated and know  
16 what the resources are so that we can help each  
17 other. And how many times--and when we do do the  
18 training, and you talk about training police  
19 officers, when we do the training and we go out to  
20 community groups and the outreach, we show  
21 sometimes the newspaper front-page where it will  
22 say, I knew something was going to happen.

23 So, again, I think that is  
24 incredibly important and we do try and we  
25 encourage, and by all means, we open our arms to  
anybody who would like to--for us, the Domestic

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3 Violence Unit and we'll go and partner with the  
4 respective precinct domestic violence officers to  
5 do presentations, whether it be at community  
6 centers, churches, wherever, we are more than  
7 happy and we're always asking the community to  
8 help us to bring us into those respective areas so  
9 that we can show what services and also to  
10 understand how do the police respond.

11 You know, I can't answer--you're  
12 mentioning a specific incident, I wasn't there, we  
13 do look--and, again, I encourage anyone who may be  
14 dissatisfied with the way the police--either to  
15 reach out to my office, if they want to make a  
16 complaint, we have a venue to do that with CCRB,  
17 as well as if need be the Internal Affairs Bureau.

18 But a lot of times, a lot of people  
19 don't really understand what is going on and the  
20 police officers are trained. They're coming into  
21 a scene, sometimes there's a lot of yelling and  
22 screaming, sometimes there's injuries involved.  
23 They are trained to separate the parties as best  
24 possible using whatever communication tools we  
25 need to have, get each story separate. Before  
something was mentioned about children, we try not

to include the children to get a story, we really want to get it from that person themselves. The police are also held to a law--it's the Mandatory Arrest Law, and that's a must arrest in a misdemeanor or felony situations. They're also trained on primary physical abuser. Now, what happens is, we take a lot of things into consideration, so this one incident that we're going to, if there's a history there, there's a lot of things that have to be put together, so it is very complex. So a lot of times something may not look exactly what it is, but every incident is different.

And we also are trying to get better and we learn from certain situations. We hold domestic violence COMSAT meetings, we discuss issues, we discuss them with the detectives, the domestic violence officers. I encourage the community to get to know each of their domestic violence officers, because, again, we're aware sometimes the frustration, somebody may be coming in and want to find out something and they feel, well what's going on, maybe the sector car is running out. But I encourage everybody to get to

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3 know the domestic violence officers in the  
4 respective precincts.

5 CHAIRPERSON STEWART: All right,  
6 thank you. We call on Council Member Eugene.

7 COUNCIL MEMBER EUGENE: Thank you  
8 very much, Council Member Stewart.

9 Let me first and foremost thank you  
10 and I commend you for the wonderful job that you  
11 are doing in addressing domestic violence. It  
12 seems that you partner with many organization  
13 institution, and this is exactly what we have to  
14 do as a society. We have the moral obligation,  
15 all of us, to work together to address that  
16 crisis. And domestic violence should be seen, not  
17 only as a crisis, for me, it should be seen as a  
18 serious disease that traumatize the children, the  
19 members of the family, and put a burden on the  
20 society. You have been doing a lot of effort  
21 towards the issue, but it seems that much more  
22 needs to be done.

23 And we all know that, you mentioned  
24 that there's a decrease, 24% decrease in the  
25 family related crime and also homicide, but we  
know also the domestic violence is not only

physical, there are other forms of domestic violence--intimidation and... But do you have a way to quantify the other form or technique of domestic violence, in other [off mic] to appreciate the decrease or increase of domestic violence? Do you have any other technique to measure or to quantify the other form of domestic violence, like intimidation, like...?

ASSISTANT CHIEF RYAN: Well, again, even if we have a verbal dispute, all right? But if you are describing something and the officers are trained on this, so if somebody is under emotional distress, if they're under--may be threatening, if somebody is always threatening them, there may be something beyond. And then we also have, if you have more than one instance and it starts building up, then it starts to become stalking, then there are remedies.

But as far as measurements--and I am encouraged by the trend and we're all challenged to encourage everyone to report more, to get help. As Commissioner Jimenez said, and I always throw this out there also, if you're not comfortable with coming to the police, at least

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3 get some help with some of the great advocacy  
4 groups that we have out there, we work in partners  
5 with Safe Horizons, Sanctuary for Families, I can  
6 go on and on, there's a whole list of all the  
7 community groups that help domestic violence  
8 victims.

9 But when I even look at the  
10 numbers--and we really look at this, really hard-  
11 line as to what's going on, we actually look at  
12 our 911 calls and say is there more crime or  
13 something going on that we're not accounting these  
14 numbers. But I also have to believe, and I'm  
15 hoping that more people are coming forward and  
16 reporting, and the numbers are still showing that  
17 the numbers are down.

18 So, I mean, we are trained on that  
19 as police to go and to listen to people and to  
20 encourage the help for exactly what you're  
21 mentioning, and we do measure it because some of  
22 that does add up to be a crime.

23 COUNCIL MEMBER EUGENE: Thank you  
24 very much. Also--

25 COMMISSIONER JIMENEZ:  
[Interposing] Let me, let me just--



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3 COUNCIL MEMBER EUGENE: I'm sorry.

4 COMMISSIONER JIMENEZ: --I just  
5 want to add in Brooklyn, we have to seen over the  
6 last year 42% increase in the number of victims  
7 coming to the center. Now, they can come to the  
8 center for some of the things that you just  
9 alluded to, if they're not reporting a crime, but  
10 they can come in and receive counseling services  
11 and a whole host of other services to address  
12 their situation.

13 And, you know, as Chief Ryan  
14 mentioned, we are encouraged by the fact that if  
15 people are reporting, that means they're getting  
16 help, or if people are coming to one of these  
17 centers or people are coming back for services,  
18 that means that they are in fact reaching out,  
19 which is I think what we want. You look at the  
20 numbers to our hotline--370 a day, police  
21 responding to 600 a day, those are still very high  
22 numbers.

23 So we are encouraged by the fact  
24 that, if we continue to put a spotlight as you  
25 have and I think we should, you know, thanking all  
the committees that have joined here today to

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3 really put a spotlight on this issue--public  
4 safety, health. And you can see the complexity by  
5 the fact that we have four committees here looking  
6 at this issue, you know, I've also testified  
7 before the Welfare Committee on this issue. So  
8 it's a complex issue that cuts across a number of  
9 areas and the more we can talk about it, discuss  
10 it, the more I think people will be encouraged to  
11 come out and to seek the help that they need.

12 COUNCIL MEMBER EUGENE: Thank you  
13 very much. When you receive a call regarding  
14 domestic violence, it seems that you are trying to  
15 enforce the law to prevent that. But do you have  
16 any other ways, technique in term of mediation,  
17 you know, prevention, education for the members of  
18 the family, to let them understand that domestic  
19 violence is not the way to go and that to protect  
20 the unity of the family?

21 COMMISSIONER JIMENEZ: Well the  
22 city funds a number of batterers programs that are  
23 mandated by the courts.

24 But I mentioned earlier that we  
25 have a hotline 24 hours, seven days a week, where  
somebody can call, they'll be talking to someone

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3 who is specially trained to be a counselor and to  
4 advise them in terms of what other services may be  
5 pertinent in that particular situation. So it may  
6 be safety planning, it may be referring them to a  
7 counseling group, it may be again visiting one of  
8 these centers. So it's not all just reporting, it  
9 may not always rise to that level, but when it  
10 does, we do encourage people to report if a crime  
11 in fact has occurred.

12 COUNCIL MEMBER EUGENE: I'm sorry.

13 CHAIRPERSON STEWART: I'd just like  
14 to butt in here a little. I was reminded that we  
15 have at least seven more panels, so we should be  
16 aware of the time, especially since so many--

17 COUNCIL MEMBER EUGENE:

18 [Interposing] Let me just--

19 [Crosstalk]

20 CHAIRPERSON STEWART: --advocates  
21 have been waiting patiently, just to provide us--

22 [Crosstalk]

23 COUNCIL MEMBER EUGENE:

24 [Interposing] Just a very quick question. In term  
25 of health, we know that most of the victim of  
domestic violence are immigrant and most of them

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3 don't--they are not documented. In case of  
4 domestic violence, you know, they're a victim,  
5 when they go to hospital to receive services, if  
6 they are not documented, will they be receiving  
7 the appropriate medical services, regardless of  
8 the immigration--I'm not talking only going to  
9 emergency, in term of follow-up and measure of  
10 medical services.

11 DR. RAJU: Yeah, absolutely. In  
12 our corporation we take care of everybody  
13 irrespective of their insurance status and  
14 immigration status, so that is our mission and we  
15 continue to do that.

16 COUNCIL MEMBER EUGENE: Thank you  
17 very much. Thank you, sir.

18 CHAIRPERSON STEWART: Our next  
19 Member is Council Member John Liu.

20 COUNCIL MEMBER LIU: Thank you, Mr.  
21 Chairman. Thank you, Commissioners, for joining  
22 us today.

23 I've got two questions, one has to  
24 do with the community-based organizations that we  
25 often rely upon to help victims of domestic  
violen

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3 there's been a great deal of scrutiny on many of  
4 the community-based organizations and yet by their  
5 very nature some of these organizations that  
6 provide assistance to victims of domestic violence  
7 cannot be as open with their documentation, even  
8 their location. So is there a list of recognized  
9 domestic violence organizations that you help--  
10 that you have recognized and do you transmit that  
11 information to all the contracting agencies that  
12 are out there just so that the city is not looking  
13 for information that either should not be made  
14 available, or perhaps should not be asked of these  
15 organizations?

16 COMMISSIONER JIMENEZ: We have  
17 developed a resource guide, it has 240  
18 organizations throughout the city that provide  
19 some level of assistance for domestic violence  
20 victims. So we have made this available to  
21 community organizations, we have made this  
22 available to other city agencies and to Council  
23 members' offices as well.

24 COUNCIL MEMBER LIU: So if funding  
25 is provided to any of these 240 organizations on  
your list, then generally speaking, the funding

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3 should not be questionable?

4 COMMISSIONER JIMENEZ: Funding  
5 provided by the city, funding provided by the  
6 Council--

7 COUNCIL MEMBER LIU: [Interposing]  
8 Right, provided for example through City Council  
9 allocations.

10 COMMISSIONER JIMENEZ: Well, you  
11 know, I'm sure you have your own vetting process,  
12 but what I'm saying is--

13 [Crosstalk]

14 COMMISSIONER JIMENEZ: --or not, I  
15 don't know.

16 COUNCIL MEMBER LIU: Well all  
17 right, then I mean, this is far beyond your area  
18 of expertise, I don't think we can expect you to  
19 know that firsthand. But if you would, I would  
20 ask that you provide that list of organizations to  
21 the Mayor's Office of Contracts, as well as the  
22 Comptroller's office so that they have that list  
23 and that would really serve toward to helping with  
24 some of the documentation that is now necessary  
25 for organizations that receive funding.

COMMISSIONER JIMENEZ: The Mayor's

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Office of Contracts has this list and when they put out any RFPs, they have taken into account this list of providers, but we will make that available to--

[Crosstalk]

COUNCIL MEMBER LIU: [Interposing]  
Okay, so they do take that list into account.

COMMISSIONER JIMENEZ: Yes, they do.

COUNCIL MEMBER LIU: Is that...

COMMISSIONER JIMENEZ: For RFPs, yes.

COUNCIL MEMBER LIU: For RFPs.

COMMISSIONER JIMENEZ: For public notices.

COUNCIL MEMBER LIU: Okay. To invite them to respond to RFPs.

COMMISSIONER JIMENEZ: Correct.

COUNCIL MEMBER LIU: All right, it would be helpful if they know--if the Mayor's Office of Contract knows that those are organizations that are recognized as being capable of providing these kinds of services, because it would be helpful for them to expedite the funding

that, for example, City Council members direct  
towards many of these organizations.

The other question, Mr. Chairman, I  
have for the commissioners is that, there was some  
discussions about the U visas?

COMMISSIONER JIMENEZ: Yes.

COUNCIL MEMBER LIU: And you said  
something like 375, were they applications or were  
they U visas granted?

COMMISSIONER JIMENEZ: They were  
applications, filed, filed applications.

COUNCIL MEMBER LIU: Have any of  
these actually been approved?

COMMISSIONER JIMENEZ: Yes, that  
number I don't have, but I can get that to you.

COUNCIL MEMBER LIU: Would that be  
a majority of these 375 cases or a very small--

COMMISSIONER JIMENEZ:  
[Interposing] Well the 375 is just--let me just be  
clear what that is for, those are filings within  
the Brooklyn Family Justice Center and the Queens  
Family Justice Center. So those were three years  
ago when we opened up--well four years ago when we  
opened up the Brooklyn Center and, as you know,



procedures were just promulgated for the U visa  
last year or year and a half.

COUNCIL MEMBER LIU: Right. So is  
this something that your office proactively does  
on the part of victims of domestic violence?

COMMISSIONER JIMENEZ: Yes, yes, we  
have immigration attorneys, the city has contracts  
with organizations that have attorneys that  
specialize in immigration law, and when a victim  
of domestic violence comes to either the Queens  
Center or the Brooklyn Center, they can meet with  
these attorneys and they can file for any one of  
the remedies, including the U visa or the self  
petition.

COUNCIL MEMBER LIU: Okay. But you  
don't know roughly what percentage of these U visa  
applications actually get approved?

COMMISSIONER JIMENEZ: I don't, but  
I can make that available to you.

COUNCIL MEMBER LIU: Okay. I think  
that would be very helpful. Thank you very much.  
Thank you, Mr. Chairman.

CHAIRPERSON STEWART: I just want  
to follow up on that question before I call on

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3 Council Member Ferreras. You said that you file  
4 375 of these, but we also have those executive  
5 orders that say, don't ask any questions about  
6 your immigration status and things like that. How  
7 do you get the information then? And would it be  
8 fair to say that the number of folks who may come  
9 to you with domestic violence issues, you may not  
10 know about the immigration status and you may not  
11 have reached out to them to help them?

12 COMMISSIONER JIMENEZ: We don't ask  
13 the immigration status--

14 CHAIRPERSON STEWART: So--

15 COMMISSIONER JIMENEZ: -- but they  
16 come to us, they meet with an advocate. In the  
17 course of meeting with that advocate, they will  
18 disclose to that advocate any particular issues  
19 that they may have, so they may very well say, you  
20 know, this is my current status, at which point,  
21 we let them know--we have a list of services, we  
22 let them know that we have an immigration attorney  
23 on site to assist them.

24 CHAIRPERSON STEWART: So the reason  
25 why I'm asking it's conceivably that a lot of  
folks may have problems with domestic violence and

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they might be getting help as far as domestic violence is concerned, but as far as immigration is concerned, they might be that fearful not to talk about the immigration status and so they may not ask that--may not even reach out there because they're fearful that they might be, what we call quote unquote deported or be reported to the immigration. So isn't that something to be concerned about?

COMMISSIONER JIMENEZ: No we're very clear that when somebody comes into any of these centers that if they have an issue with regard to their immigration status, that we're saying to them we have somebody there that can actually help you and we make that clear when somebody comes in. And we don't know their status when they come in, but we let them know that if you have an issue, if you have a concern with regards to your immigration status, we have attorneys here on site that you can meet with that can help you and then they have that one-on-one meeting and there's an assessment done at that point.

CHAIRPERSON STEWART: All right.

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3 Thank you. Council Member Ferreras.

4 COUNCIL MEMBER FERRERAS: Good  
5 afternoon. I want to say that my district is the  
6 home to one of the most diverse communities, zip  
7 codes in the country, which is Jackson Heights,  
8 Elmhurst, Corona. So I'm looking forward to  
9 working with you, Commissioner, and getting these  
10 resources into the community.

11 And what I have found is that often  
12 time in immigrant groups, it is the nontraditional  
13 form of communication, it is getting information  
14 out there through the families, but maybe at a  
15 restaurant or within the church, as opposed to  
16 what may be deemed traditional ways of getting  
17 information out there helping to partner and  
18 identifying ways that we can work together.

19 I have two short questions, 'cause  
20 I know we have testimonies, and this is actually  
21 for Chief Ryan. Are there any fees at any point  
22 throughout the process of reporting a domestic  
23 violence incident where a victim has to pay a fee  
24 to get a report?

25 ASSISTANT CHIEF RYAN: No, they can  
come to the precinct station house and if it is

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3 the victim and they want a copy of their report,  
4 again, the best person would be the domestic  
5 violence officer, but if the domestic violence  
6 officer is not there, another office would be able  
7 to help them and if they're having a problem, they  
8 should ask for a supervisor. But they should not  
9 be charged anything for a copy of that, of a  
10 report that belongs to them, because, again,  
11 confidentiality, we will not give it to anyone  
12 else other than that victim.

13 COUNCIL MEMBER FERRERAS: Okay.

14 And any type of identification can be used for  
15 them to prove that it's them.

16 ASSISTANT CHIEF RYAN: Yeah, as  
17 long as--

18 COUNCIL MEMBER FERRERAS: Because--

19 ASSISTANT CHIEF RYAN: --as we feel  
20 confident that in fact, this is the victim--

21 COUNCIL MEMBER FERRERAS: Oh--

22 ASSISTANT CHIEF RYAN: --you know,  
23 we gave them their report.

24 COUNCIL MEMBER FERRERAS: Now one  
25 of the things in another hearing that we had which  
we'll kind of partner up with this hearing is,

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after the initial report that is made, many agencies require this report, for example, NYCHA or HRA, and one of the biggest issues that came up is that oftentimes a report is not filled out accurately or all the way to the bottom. How often is there a process of training on how to fill out this intake form or report that you have and what the process is, so that we can ensure that we don't have our victims of domestic violence having to go back and forth from agency to agency because the first report wasn't initially filled out properly.

ASSISTANT CHIEF RYAN: Well, as you can imagine, good report taking is critically important. We again emphasize this in the police academy, in-service training, roll call training, and we follow up even ourselves with COMSAT, DOMSAT, internally. We're kind of like, I would say, even following up with quality assurance as best to our ability to ensure that the officers are taking good reports and filling out all the captions as necessary. But, again, we're not going to be 100% correct, but we strive to be that.

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3 So we were just talking about this  
4 the other day, because, again, the more and more  
5 online databases we have, this information and  
6 being entered, we're only as good sometimes as the  
7 information that is taken and is entered and it's  
8 critically important for the victims.

9 I, again, encourage victims if in  
10 fact, you know, they do need to come back, to  
11 please do that and get to know the domestic  
12 violence officer, because that's the best person  
13 who really is going to help the domestic violence  
14 victims particularly in following up and helping.

15 COUNCIL MEMBER FERRERAS: Now when  
16 you take down the report initially, if there is a  
17 translator on the phone helping assist, which is  
18 the language access--

19 ASSISTANT CHIEF RYAN: Right.

20 COUNCIL MEMBER FERRERAS: --how  
21 does that translate into actually documenting from  
22 another language to English or if an officer is  
23 taking down a statement, is there a point where  
24 the victim themselves can write a statement in  
25 their own language?

ASSISTANT CHIEF RYAN: Yes, the

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new--it's called the Domestic Incident Report--

3 COUNCIL MEMBER FERRERAS: DIR, yes.

4 ASSISTANT CHIEF RYAN: --and the  
5 Domestic Incident Report is a two-page and on the  
6 first page is as best possible the officer is  
7 going to get as much information as he and she can  
8 get from the victim and we're going to fill that  
9 out. And if it's a communication translation,  
10 hopefully, we will have that translation service  
11 and the officer is able to write his or her story  
12 as what is being told to them. In addition, there  
13 is an affidavit on the second page and we  
14 encourage all victims to write their own story in  
15 their own language, whatever they're comfortable  
16 with, and they have been doing that, and we have  
17 been also looking to translate those, whether it  
18 be through the Language Line or through the  
19 services, most importantly more so through our own  
20 offices who can do these translations. So, yes,  
21 and we'll get them a copy of that as well.

22 COUNCIL MEMBER FERRERAS: Okay,  
23 thank you very much.

24 COMMISSIONER JIMENEZ: I just want  
25 to add that we recognize the importance of some of



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3 these documents for housing and for other  
4 requirements and we work with NYCHA on some of  
5 those.

6 At the centers, we also, because we  
7 have officers at the center from the police  
8 department, they've provided over 7,100 copies of  
9 domestic incident reports over the last three  
10 years. So they can go there and obtain a copy as  
11 well.

12 COUNCIL MEMBER FERRERAS: Okay.

13 Thank you.

14 CHAIRPERSON STEWART: All right, we  
15 have our next person who's going to ask questions  
16 is Council Member Arroyo.

17 COUNCIL MEMBER ARROYO: Thank you,  
18 Mr. Chair. Not a question, just an expression of  
19 gratitude for the four committees.

20 An issue came up in my district in  
21 a community that Council Member Foster and I  
22 share, a sexual assault incident where the  
23 individual, because they were not English dominant  
24 and had a speech impediment in their own language,  
25 there was potentially or has been potentially an  
opportunity for there to be no prosecution in the

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3 case because the police department, the hospital,  
4 and the district attorney's office all failed to  
5 provide appropriate translation for the victim.

6 So I'm happy that you're all here and I want to  
7 thank the Committee Chairs for agreeing to this  
8 hearing because, currently, victims are falling  
9 through the cracks because the system sometimes  
10 does not provide access to those individuals  
11 involved in sexual assault, domestic violence  
12 situations.

13 It is a conversation that is very  
14 complex and has a great many tentacles if you  
15 will, but one that we must have because as early  
16 as three months ago, a young girl in Council  
17 Member Foster's district was the victim of a  
18 sexual assault and I believe that there will  
19 probably be no prosecution, although they know who  
20 the perpetrator is, because of the lost  
21 opportunities to collect evidence at the hospital,  
22 translation of services to the individual and her  
23 family were not adequate, and misinterpreted, her  
24 statements were misinterpreted. A young woman's  
25 life is forever changed and our system failed to  
provide for her any opportunity that she could

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3 have had to--and her family to deal with the  
4 issue.

5 So I want to thank you all for  
6 agreeing to this hearing, and certainly for  
7 agreeing to look into this issue, not just this  
8 case, but cases like this, a little bit deeper so  
9 that we can identify opportunities within the  
10 different systems involved in these cases to  
11 improve the ability of the system to bring  
12 perpetrators to justice and get justice for the  
13 victims involved. Thank you.

14 CHAIRPERSON STEWART: Thank you. I  
15 want to follow up with the question and that is,  
16 is it only police officers that can take a report  
17 or do you have civil servants who can take a  
18 report as to a complaint about domestic violence?  
19 I'm talking about where it's not something that is  
20 hostile now, someone just wants to talk about  
21 something that has happened and they want to make  
22 a report. Is it only the police officers that can  
23 do that?

24 ASSISTANT CHIEF RYAN: No, we also  
25 have civilian members of the department who we  
also train on domestic violence and they work in

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3 the police precincts and the housing service  
4 areas, that if somebody comes in and they want to  
5 just make a report, the civilian sometimes also  
6 will take that report and hopefully within that  
7 station house, if the domestic violence officer is  
8 there, you know, they will advise the officer to  
9 come down so that we can provide even further  
10 services and maybe work out a safety plan. But  
11 the civilian members of the department also take  
12 reports in the station houses and they're trained  
13 on this as well.

14 CHAIRPERSON STEWART: Is there any  
15 time that you can have the civil servant going out  
16 with an officer to take the report at the home or  
17 at the venue other than the precinct?

18 ASSISTANT CHIEF RYAN: Usually we  
19 don't, no, they don't go out on patrol with the  
20 officers.

21 CHAIRPERSON STEWART: I think that  
22 might be an idea you need to explore because  
23 sometimes going to the precinct itself is  
24 intimidating to some people and it might be a good  
25 idea to have the civil servant going out as social  
work and to get--

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2 ASSISTANT CHIEF RYAN:

3 [Interposing] Oh, you're talking about the social-  
4 -

5 CHAIRPERSON STEWART: Well to take  
6 the report.

7 ASSISTANT CHIEF RYAN: I thought  
8 you were talking about the police civilian who  
9 works for the police department.

10 CHAIRPERSON STEWART: Yeah, well  
11 someone who can take a report. Take a report and  
12 take a report, a proper report. We just hear  
13 about proper reports not being taken.

14 ASSISTANT CHIEF RYAN: Right. But  
15 again, I have to--

16 CHAIRPERSON STEWART: And--

17 ASSISTANT CHIEF RYAN: --I have to  
18 just emphasize the importance of the fact that  
19 when this report is being given and then, again,  
20 if you're talking about at the residence or  
21 whatever and if the perpetrator is there and if  
22 it's a mandatory arrest situation, you know, that  
23 would be--

24 [Crosstalk]

25 CHAIRPERSON STEWART: [Interposing]

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3 Well you might be going to the extremes, I'm  
4 talking about simpler stuff. I'm not talking--  
5 domestic violence includes a parent might be ill-  
6 treating their child and that's part of domestic  
7 violence, too.

8 ASSISTANT CHIEF RYAN: But--

9 CHAIRPERSON STEWART: Or it could  
10 be something where it's a verbal--it don't have to  
11 be violent in terms of--there could be reports  
12 that were made and those reports, if they're not  
13 made out properly and done the right way, that may  
14 jeopardize that person in terms of immigration or  
15 something else.

16 So I am saying that if you use  
17 civil servants to do it and they are properly  
18 trained to do it, you might be able to use them to  
19 do a proper report and they don't have to be at  
20 the precinct. So it might be a way of looking at  
21 your policy and see if we can explore whereby some  
22 of these folks can be--a report can be taken  
23 properly and they don't have to be at the  
24 precinct.

25 INVESTIGATOR SHORTELL: I think you  
might be speaking about, it's called an IRT, an

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3 Instant Response Team. We do as police officers  
4 and detectives respond with Administrative  
5 Children's Services for jobs, you had said a child  
6 injury or child abuse case, yes, that would, we  
7 would have a civilian from Administrative  
8 Children's Services go with us.

9 CHAIRPERSON STEWART: All right,  
10 thank you. I want to thank you folks are coming  
11 in. We'll be following up with something that  
12 deals more with immigrants and be recalling on use  
13 later.

14 Our next panel is Sarah Ellis from  
15 Kings County District Attorney's Office and we  
16 want to have Leroy Frazer, Jr., [off mic] from  
17 Manhattan District Attorney's Office.

18 [Off mic]

19 [Long pause]

20 CHAIRPERSON STEWART: Do we have  
21 Sarah Ellis from the Kings County District  
22 Attorney's Office? Yeah? And how about Leroy  
23 Frazer? All right.

24 Yeah, take care of these.

25 [Long pause]

[Off mic]

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3 CHAIRPERSON STEWART: All right, is  
4 there anyone else from the other district  
5 attorney's office that is here to testify? If  
6 not, let's begin.

7 What I would like you to do is  
8 first identify yourself and which office you're  
9 from and so we can may begin.

10 MS. SARAH ELLIS: Good afternoon,  
11 can you hear me?

12 My name is Sarah Ellis, I am  
13 Director of Victims Services for the Kings County  
14 Brooklyn District Attorney's Office and I am  
15 delighted to be here. And on behalf of District  
16 Attorney Charles Hynes, I want to thank the  
17 Chairpersons and Committee members for inviting us  
18 here today to talk about this important, this  
19 vital issue that we all have to deal with.

20 I'm going to try not to repeat any  
21 information that's been talked about previously,  
22 so in my document, some of the information in  
23 there has already been discussed so I'm not going  
24 to cover that, but I obviously would be happy to  
25 answer any questions on that.

And I suppose I want to start with



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3 by saying that we've come a long way, we really  
4 have. And I want to say that to the whole group  
5 here that I've been working in this area for many  
6 years, we have a great deal further to go, but we  
7 have made significant progress. And I'll start by  
8 just talking very briefly about a case that I  
9 worked on some 10 years ago and now which is well  
10 before we opened our Family Justice Center, an  
11 immigrant case, a young woman from Syria, who came  
12 to our attention. I was called early in the  
13 morning to a situation, she was in hospital. She  
14 had been assaulted and tortured by her husband,  
15 she was a young woman with two small children.  
16 She had been beaten from head to toe. She was in  
17 the hospital, he had imprisoned her in the home  
18 and tortured her for over six hours on the basis  
19 that he had believed that she was having an affair  
20 with another man.

21 During the time she was imprisoned  
22 and being tortured by him, which included him  
23 burning her over most of her body, her sister-in-  
24 law came into the house and witnessed what was  
25 going on and asked him what he was doing and he  
explained that he was angry with her and punishing

her for what he believed she had been doing and the sister-in-law noted what was happening and left saying, well this is a family matter, it's not my business, and I need to move out.

In fact, the sister-in-law was so deeply disturbed by what she saw that she did some hours later finally call 911 and that's how it came to our attention. The police responded and made an arrest of the perpetrator at the time and the young woman went to hospital.

And I say all of this because I responded to the hospital and at the time had been given the heads up that this was an immigrant woman, so I was able at the time to call the Arab-American Family Support Center and get a counselor to come with me from that center so that she could talk to this woman in an appropriate fashion and in her language. The woman, of course, was not really in the right mind to be talking at length, but was certainly able to answer some initial questions.

Some of the issues she was facing was that she was here in this country without any of her family present and that is very common for

our immigrant families. She was living with her husband's family, her husband's mother is a wealthy woman and owned quite a bit of property in the city. So shortly after this incident happened, some of the issues this woman was facing was the family started contacting her, the defendants, the batterers family was contacting her, the mother was saying, look, if you drop the charges, if you don't go forward with this, if you don't cooperate with the police and the prosecutors, I will give you your free housing for the rest of your life. However, if you don't do that, if you continue to go forward and cooperate, then not only will you not have housing, but I will go to family court and I will get the children removed from you. This was an enormously disturbing situation for this young woman who's just gone through this horrific ordeal.

And I'm saying all this because the advantage of having somebody working with her alongside her, this woman who was totally isolated from her own family was enormous. Her family in fact, back in Syria said that she wasn't able to come home to them because her brothers had decided

that maybe there was some grounds for the husband's abuse and if she came back to that country, they would kill her so she was no longer welcome in her home country either.

She was very isolated, we spent a great deal of time, both my office, the district attorney's office, and the Arab-American Family Support Center working to support her through years of dealing with this issue while we continued with the prosecution. We were able fortunately to go forward with the prosecution, because obviously we had significant medical evidence and, as Chairperson Vallone said earlier on, prosecution of domestic violence cases and sexual assault cases are incredibly difficult and complex in most situations.

So it was a big struggle for her to be participating in the prosecution, but she had a great deal of support from our community agency and subsequently from Sanctuary for Families who supported her application for asylum in this country and was successful doing. But this took years, and in the meantime, this young woman had to, not only deal with the effects of the abuse,

but also going through these various systems.  
Without the support of advocates, I'm not sure if  
she would have been able to continue with that.  
So we've come away since then, and I believe even  
that was a reasonable response to her back some 10  
years ago.

District Attorney Hynes has always  
recognized the complexity of domestic violence  
situations. He speaks, as many people know,  
publicly about his own experience of domestic  
violence as a child at the hands of his father and  
his mother being a domestic violence victim, so  
this is an issue very close to his heart.

Back then, as I say, 10 years ago,  
he established the Victims Services Unit with  
counselors to deal with this very issue knowing  
that to go forward on a prosecution in domestic  
violence was incredibly difficult for victims.  
And he says often when people say to him, you  
know, colleagues around the country, why do you  
work with social workers in a prosecutor's office,  
he says he can't believe anybody can say that, how  
could you not work with social workers and  
advocates on domestic violence cases.

So he established a unit to work with victims and in those days back 10 years ago, we were working with community agencies and he invited a number of them into the office. New York Asian Women used us early on as a satellite place, CAMBA came in, sent two advocates to our office to be there for victims of domestic violence, Safe Horizon have worked with us for many, many, many years.

So we have a long history of partnering with community agencies and that model of partnering with community agencies was so successful, we were delighted when the Mayor's Office to Combat Domestic Violence invited us to be part of their application for a Family Justice Center. We knew only too well that co-locating advocates, social workers, prosecutors, police in a one-stop shop project was going to be an excellent idea. Up until then, we'd been meeting with people in our offices, we'd been giving them a laundry list of appointments to go to, so they'd be leaving our office with help for getting them through the criminal justice system, but this list of referral appointments that they then had to

deal with. Now, with the Justice Center, they finish with the Assistant District Attorney and our social worker in the DA's office and they walk a few feet across the floor to meet with all of the community advocates in our center in Brooklyn.

I believe the Commissioner gave you quite a lot of information on our Brooklyn Center, but I'm happy to answer any specifics that you might have that she might not have dealt with.

The other project that we've currently got going which we're finding great results from is what we call EVE, our Early Victim Engagement program, and that also is something that we're doing in liaison with the Mayor's Office to Combat Domestic Violence. And on our EVE program we have what we're calling victim liaisons located in the arraignments court part and they are getting cases as they're immediately coming through the system and they're making calls to the victim on those cases at the earliest possible point, immediately after arrest, as they're about to meet with an arraignment judge. And our victim liaisons there are giving victims vital information about orders of protection, what

it means for them, what services are available at the Justice Center because that point in time after the defendant has been arrested is often a tense period of time for our victims, they're often not getting information, they don't understand that an order for protection has been issued in many cases, the defendant is being given a copy of the order but she may not be there at the arraignment court, so she's unaware of that. The EVE program aims to address that gap and provide her with all the information she needs and information about the Justice Center where she can come and receive services.

We work hard in the DA's office to try to get word out, I know there were questions about how do we get this out to the community. We're constantly going to the community, to precinct council meetings, to community board meetings, we're working with the faith community; we're working with hospitals, schools, community agencies of any kinds to try to get the word out about the services that are available.

We utilize all of the cultural and language services that the Family Justice Center



is offering, which are enormous and incredibly invaluable.

These coordinated efforts are so crucial, no single discipline can address this complicated issue. We have to come together, we have to come together with a variety of disciplines that every family is going to need in order to address this particular problem and we believe at the Brooklyn District Attorney's Office that the Family Justice Centers are an excellent model. We're always striving to improve them, but we have an enormous increase in our traffic, so to speak, that's coming through, and we see this as a model that we're really interested in developing in the future in whatever ways seem appropriate.

We urge you to look at funding for community agencies that are desperately needing funding to be present in these centers and provide the staff that we so, so dearly need for this particular issue.

There were a couple of questions asked about other specific populations. One was the Orthodox community, and I want to just address what we've done in Brooklyn with the Orthodox

community. DA Hynes, back in 2003, I believe it was, set up Project Eden, which is a program specifically to reach out to the Orthodox community who, I think as you indicated, are reluctant to come forward to the police, they want to use rabbis to resolve their cases. But we've been working within the community by means of speaking at groups, becoming known to the agencies that are working within that community, offering culturally appropriate services, and we've been able to identify many cases that have been appropriate to refer on to criminal services, but also many of the cases we've been able to help maneuver through family court as well. So we found that to be a really beneficial program in that particular community.

We also have a very active strong disability program within the office. We partner with Barrier Free Living, which was mentioned by the Commissioner, I believe, but we provide a full range of services for victims of domestic violence with disabilities. And our aim in that particular program is to make sure that they are provided with the appropriate access to systems and

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3 services that they so badly need.

4 I want to thank you very much for  
5 inviting us today.

6 CHAIRPERSON STEWART: Thank you.  
7 You have the next witness?

8 MR. LEROY FRAZER: Good afternoon,  
9 my name is Leroy Frazer, Jr., I'm First Assistant  
10 District Attorney of Manhattan. I want to join  
11 with others in thanking you for inviting us and  
12 thank you for having this hearing today.

13 New York County District Attorney's  
14 Office has long recognized the special  
15 vulnerability of documented and undocumented  
16 immigrants to predators, abusers, and fraudsters.  
17 Indeed, serving immigrant crime victims is one of  
18 the office's priorities.

19 Because sex crimes and domestic  
20 violence call for specialized training and  
21 appropriate sensitivity, this office established a  
22 Sex Crimes Bureau and founded a Family Violence  
23 and Child Abuse Bureau to prosecute these crimes  
24 and connect victims to resources. As with all  
25 cases in the office, the cases are vertically  
prosecuted, that meaning the Assistant District

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3 Attorney who originally picks up the case at  
4 intake retains that case and establishes  
5 relationship with the victim and has the case all  
6 the way through until the case is brought to a  
7 close. This allows a level of continuity that  
8 enhances relationships and trust between victims  
9 and prosecutors.

10 Both the Family Violence Bureau and  
11 Child Abuse Bureau and the Sex Crimes Bureau make  
12 it a priority to join with multidisciplinary task  
13 forces throughout Manhattan that include service  
14 providers that are best able to meet the needs of  
15 immigrant women and from different cultural  
16 backgrounds. For example, we work with the Upper  
17 Manhattan Domestic Violence Cooperative, which  
18 includes Manhattan Legal Services, Connect, Harlem  
19 Hospital, Columbia Presbyterian Hospital, New Day,  
20 and St. Luke's Roosevelt Hospital, among others.  
21 One of the initiatives of this group is to provide  
22 resources, support, and education for African  
23 immigrant women who have experienced domestic  
24 violence. There are similar groups throughout  
25 Manhattan serving specific immigrant populations.

The face-to-face contact our office

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3 establishes when working with community groups  
4 makes it possible for service providers to refer  
5 victims to our office, and for our office to reach  
6 out to those same providers when a woman comes  
7 forward to report a crime and is in need of vital,  
8 and often immediate, services.

9 Yet, despite the high volume of  
10 cases this office sees, immigrants, perhaps even  
11 more so, undocumented immigrants, are more  
12 hesitant to come forward to report crimes. The  
13 reasons are myriad: fear of deportation, financial  
14 reliance on the abuser, cultural norms that  
15 discourage reporting family members or divorce,  
16 distrust of law enforcement and government  
17 services, and lingual and geographic isolation are  
18 some of the main concerns.

19 In order to provide focused  
20 assistance with matters that specifically affect  
21 immigrant community, in December 2007 the office  
22 launched an Immigrant Affairs Program. The main  
23 purpose of the program is to investigate and  
24 prosecute frauds, such as impersonating an  
25 immigration attorney, real estate fraud, or  
prevailing wage cases. The program has a hotline,

accepts referrals, and takes walk-ins. Since its inception less than two years ago, we have had approximately 900--a little over 900 intakes just via the telephone.

There is more that the city as a whole can do to help immigrants who are crime victims. First, a lot has been said today, so I'll try not to repeat it, but education and outreach initiative is needed to help on two fronts. One, of course, addressing deportation concerns. Many undocumented immigrants fear that if they report a crime they will be deported. Even though we're not a mayoral agency, our office has a policy similar to Mayor Bloomberg's Executive Order 41 which prohibits confidential information, such as immigration status, from being disclosed by city employees. Mr. Morgenthau has indicated repeatedly that our policy is that we will refer no individuals to ICE, formerly federal immigration authorities. In some cases, our office even works with crime victims to apply for the U visa, which would allow someone living here illegally who was promised sponsorship by their abuser to make an independent application

themselves. Our office does not turn over [off  
mic] crime victims for deportation, but, rather,  
we work to help them gain lawful status.

Second, the very specific  
information campaign to provide basic life and  
business skills to immigrants. A lot of that is  
being done and we would like to see it continue.

We also need to ensure a steady  
stream of resources for highly qualified language  
interpreters. As I mentioned earlier, our office  
relies on vertical prosecution so that the same  
staff follow a case from inception to completion.  
In domestic violence and sexual assault cases, it  
is important not to make a victim retell their  
story to a new person more than absolutely  
necessary. Carrying an interpreter through from  
the first interview to the end of the case, the  
same interpreter, would help ensure a level of  
consistency and comfort that the crime victims  
deserve.

Third, the law enforcement  
community needs to continue ongoing training to  
understand the cultural norms and possible  
barriers that hinder victims from pressing

charges. Police, prosecutors, and the courts need to be able to see the issues, not through their own cultural lenses, but through that of the victim.

Finally, the city needs to further address housing issues for immigrant women crime victims. Women who are already facing dissolution of the family unit through the loss of their partner, the defendant, will be even more reluctant to come forward if they know that they will be separated from their children, too. Take the case of a mother with older children--teenage boys are typically not welcome at women's shelters, and would have to be sent elsewhere. Given these options, the women may feel reluctant to press charges, knowing that she and her children may have to go to different locations.

Audrey Moore, co-chief of our Family Violence and Child Abuse Bureau, put it best when she said, "If we were only not prosecuting cases and not supporting the victims, we wouldn't have any of those cases, or these cases." In order for the district attorneys and the city to provide justice to immigrant women, we



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3 need to give them a full range of services from  
4 education to housing, and we need to continue  
5 these efforts with empathy.

6 I will just add that when some of  
7 the other questions were be asked in the group  
8 before us, talked about the fact that there was no  
9 Family Justice Center in Manhattan. One of the  
10 reasons--I don't know of the reasons for it, but I  
11 will like to tell you that we feel through our  
12 witness aid services unit and our northern  
13 Manhattan office, we have collaboration with a lot  
14 of the other groups, and we seek to reach out to  
15 the Domestic Violence Units through these two  
16 agencies or these two units.

17 I'd be happy to answer any  
18 questions.

19 CHAIRPERSON STEWART: We were  
20 joined by Council Member Garodnick and I think  
21 Council Member Gentile has a question.

22 [Off mic]

23 CHAIRPERSON STEWART: Oh, one of my  
24 co-chairs have a question first before I get to  
25 Councilman--

CHAIRPERSON VALLONE: [Interposing]

It's like a potted plant over here today. I ask one quick question, and everyone who's going to ask questions has been advised to be as quick as possible, because we want to get to the advocates.

Thank you both for being here, Leroy, someone who I worked with back in the day.

The question I'm asking is something you both referred to about uncooperative witnesses and what you can do. As you said with your story, Ms. Ellis, sometimes they're bought off, whether it be with free housing, whether it just be with payments, sometimes they're afraid of violence and sometimes they're just under the mistaken impression that this is a one time thing that won't happen again, which 99% of the time is wrong. And so first of all, what can you do with an uncooperative witness? And, second of all, assuming that's unsuccessful, what are your options?

MS. ELLIS: We provide a full range of services whether our victims are cooperating with the prosecution or not, we don't make a distinction there, but we work very closely in partnership with the Family Justice Center, we're

part of that group. So somebody who might be needing a host of services, whether it's immigration, housing, benefits, child care, whatever it might be, sometimes we find if we can have them address those issues with an advocate first, look at their situation, look at what could be different for them, look at how they can get themselves to safety and their children to safety, get the services they need, we do find in some of those situations that, given a period of time, she'll come back at a later date and might be more open to prosecution at that time. If she's had a supportive experience dealing with some of those concerns--she's got her family safe and fed and housed--she's more inclined to look then at what the longer-term issues might be between her partner and herself.

So we find as a, if you like, a collaboration that goes on to see what are the most pressing needs for her. If the most pressing need in her mind is food and shelter and not prosecution of the defendant then we're willing to go with that and get her to safety and shelter and food.

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3 CHAIRPERSON VALLONE: Mr. Frazer.

4 MR. FRAZER: I would just, yes,  
5 those are really tough cases. We always ask in  
6 training our young assistants, initially bringing  
7 them in, we'll ask them whether or not, what would  
8 they do in a certain case, if you have a domestic  
9 violence case where the witness doesn't want to  
10 come forward and you have the option to either  
11 subpoena the witness into court against her will,  
12 would you do it. And the answer is, you have to  
13 weigh all of the circumstances, and we want to  
14 make sure that we protect the safety of the  
15 victims at the same time, we also have to look at  
16 the family as a whole too.

17 There are certain instances when  
18 there's enough evidence there where you can go  
19 forward on a case without the victim and try and  
20 prove it circumstantially, and we'll look at the  
21 possibility of doing that. But for the most part,  
22 they're varied, as you know, complex and tough  
23 cases, but we try to make the appropriate decision  
24 on a case-by-case basis.

25 CHAIRPERSON VALLONE: So if you do  
have enough circumstantial evidence, though, you

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3 will go forward with the case without the victim?

4 MR. FRAZER: Yes, there are times  
5 when we can do that.

6 CHAIRPERSON VALLONE: Okay. All  
7 right, I have a lot more questions, but we'll go  
8 to Council Member Gentile. Thank you.

9 CHAIRPERSON STEWART: Before we go-  
10 -well let's check with the other co-chair, Chair  
11 of the Health Committee, we have Rivera.

12 CHAIRPERSON RIVERA: You know, I  
13 guess it's getting contagious over here, Kendall,  
14 you're rubbing off on Peter and now Peter, you  
15 know, forget about me.

16 No, thank you very much. I mean,  
17 this is a very serious issue that we're talking  
18 about, so I do apologize for a little bit of humor  
19 here. But in terms of the language issues, like  
20 my College Council Member Arroyo just stated, we  
21 had the situation in the Bronx. Now what happens  
22 when a person speaks a little bit of English, what  
23 do you do in that case? Do you still bring in a  
24 language specialist or what is the procedure then?

25 MS. ELLIS: We will usually ask the  
person what they feel most comfortable in. If

they feel more comfortable speaking in their first language, their native tongue, then we'll absolutely conduct the interview in that language. In Brooklyn in the Victims Services Unit, we have sufficient language, direct language capability to work with the six major languages in Brooklyn, but we also have access to Language Line. We always prefer to do it in person if we can, over the phone creates that distance and it's somewhat less personal, so if we can get a person there in the interview at the time to speak in their language, then we'll absolutely do that, and we will give, yes, first preference to what language they feel most comfortable speaking in.

CHAIRPERSON RIVERA: So that's how you assess it, you ask them what language they feel most comfortable speaking.

MS. ELLIS: Yeah.

CHAIRPERSON RIVERA: Do you also handle the dialects, different dialects of different languages?

MS. ELLIS: Yes, we can handle a very broad range of languages and dialects just within the office itself, but then we have the

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Family Justice Center which has another large range of languages through the community programs there, through the community agencies. And then on top of that, failing that, we'll go to Language Line as the last resort, if you like, for languages that we can't do in person.

CHAIRPERSON RIVERA: And if a person comes in that doesn't speak a common language, because we obviously speak 164 languages--

MS. ELLIS: Mm-hmm.

CHAIRPERSON RIVERA: --in the city and you cover how many languages again? Like primarily--

MS. ELLIS: [Interposing] We certainly cover--in Victims Services Unit, we cover the six major languages--

[Crosstalk]

MS. ELLIS: --in Brooklyn. Within the office, I'm not entirely sure how many we cover, but I would say quite a good deal. The Family Justice Center covers more again, I forget the number that the Commissioner said that they have capability there.

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3 I think in all the time I've been  
4 in the office meeting with victims we may have had  
5 one or two situations probably where we couldn't  
6 cover something.

7 CHAIRPERSON RIVERA: How do you  
8 handle that situation since obviously timeframe, a  
9 matter of timing is the most crucial in terms of  
10 testing--

11 MS. ELLIS: Mm-hmm, mm-hmm.

12 CHAIRPERSON RIVERA: --things of  
13 that nature, how do you handle, that's a rare  
14 occasion, but it's still a serious occasion, how  
15 do you handle that situation?

16 MS. ELLIS: If we have an urgent  
17 situation so we're looking at grand jury testimony  
18 and we've got to get into the court, then we're  
19 reaching out to the court, obviously, who have a  
20 full range of interpretation services. We make  
21 calls out into the community, we do whatever we  
22 can to find a person. If we've got a little bit  
23 longer to work with, then we're able to really  
24 look at who might be available. We've reached out  
25 to some universities, to some schools and we found  
some help there when we've got a little more time



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to work on the issue.

CHAIRPERSON RIVERA: Okay. And obviously we want to send a message that, if a person's a victim of domestic violence or sexual abuse or anything of that manner, your information will not be shared with INS. Now last question, how you get that message home to people that you do not have to fear coming to the District Attorney's Office--

MS. ELLIS: Mm-hmm.

CHAIRPERSON RIVERA: --because of your immigration status? Because obviously we know the numbers are skewed because people--

MS. ELLIS: Yes.

CHAIRPERSON RIVERA: --are fearful of government, how you handle that situation? Do you reach out--besides the community boards, do you go to the local churches and deal with the pastors, 'cause obviously there's a lot of faith given into reverends and pastors and priests.

MS. ELLIS: Absolutely, we're constantly out in the community, as is the district attorney himself is constantly out. Wherever we can go, we will speak to any group

that will invite us, no matter how big or small.  
We go to churches, too temples, to mosques, we'll  
go whoever will meet with us and talk about this  
issue, we'll go. We aim to connect to all of the  
community radio stations, TV stations, newspaper,  
any ethnic media organizations and agencies that  
we can speak to we do.

So we're very keen to get the  
message out that that should not be bar to you, in  
fact, we have services to help you with that  
situation.

CHAIRPERSON RIVERA: Perfect, thank  
you.

MS. ELLIS: Of great concern to us.

MR. FRAZER: Just to add to that  
also with our immigrant affairs program, we are in  
touch with and in communication with a number of  
different--the immigration coalition and task  
force and we get a lot of referrals directly from  
them and we can depend on them also for if that  
instance comes along where we can't find an  
interpreter, they can help us find one for that  
particular language. It's a good communication  
thing and I think that gets the word out.

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2 CHAIRPERSON RIVERA: Perfect, thank  
3 you.

4 CHAIRPERSON STEWART: All right,  
5 Council Member Gentile, your turn.

6 COUNCIL MEMBER GENTILE: Is it safe  
7 to go?

8 [Off mic]

9 CHAIRPERSON STEWART: Very safe.

10 COUNCIL MEMBER GENTILE: Okay.  
11 Thank you for being here.

12 I assume a percentage of these  
13 domestic violence cases end up going to trial, am  
14 I correct?

15 MS. ELLIS: Yes.

16 MR. FRAZER: Yes.

17 MS. ELLIS: Yes.

18 COUNCIL MEMBER GENTILE: And there  
19 are jury trials involved here--

20 MS. ELLIS: Sometimes, yes.

21 COUNCIL MEMBER GENTILE: --right?

22 MS. ELLIS: Yeah.

23 COUNCIL MEMBER GENTILE: Okay. And  
24 I'm curious if this is still the case 'cause I've  
25 experienced this as a prosecutor, and this was

some 20 years ago, but I wonder is this still the case where you have a problem of a jury trying to understand the complexities or the uniqueness of an immigrant in a certain situation and how that immigrant might react or not come forward or not do something that might otherwise seem sensible or reasonable, but, because of the background or the immigrant culture, they do not. And in the case that I recall prosecuting, we had an immigrant woman who was a victim of a sexual assault, the first date rape in the state of New York that we tried, 1991, and it turned out that she did certain things that from someone who doesn't come from that culture, wouldn't necessarily understand how that person reacted and it actually ended up in acquittals in that case.

And I'm curious, is that still a problem with juries trying to understand immigrant victims that come forward and testify?

MR. FRAZER: Well I don't know of a specific case that I can tell you about as I sit here, but in the instance like that, because we've learned from cases like that in the past and we've learned that juries have to have an understanding,

we'll try now to call an additional witness and get evidence in to address that. If it's necessary to get testimony as to the culture that the person came from, we'll try to get that admitted into court.

But the whole idea is to try to improve over the years. As you say, 20 years ago, the issues that you had, I remember 29 years ago when I first came in the office and the way we dealt with domestic violence cases then was if somebody didn't want to go forward, we said come on in and just go on record and tell the judge that you don't want to go forward, then the case can go away, and we don't do that anymore. What we do now is education, training, and trying to understand all the cultural norms and make sure that person knows about all the resources that are available to them. And so, where that is an issue, we try to address it.

COUNCIL MEMBER GENTILE: Do you particularly--

MS. ELLIS: [Interposing] I'm just going to say, I agree times have changed, we still come up against those kinds of situations, but

less so than we used to and I think the close connection with the community agencies gives us a great deal of knowledge and awareness about what the issues might be and how to address them, and we will, if we're able to, bring people into the trial, into the court to testify if necessary to that.

COUNCIL MEMBER GENTILE: You have had experience where you've actually had experts on a culture come in and testify?

MR. FRAZER: I'm saying that that would be the strategy we would try and us. I can't think of one case right now where that has taken place, because I don't know where that issue came up, where it actually went to trial. But that certainly is something that we would be willing to do.

COUNCIL MEMBER GENTILE: Because my experience has been that the ADA, working with the immigrant victim, may come to understand everything about that victim, but when you try to communicate that to a jury, a jury doesn't necessarily appreciate the culture--

MR. FRAZER: Right.

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3 COUNCIL MEMBER GENTILE: --from  
4 where the victim comes. And at the end of the  
5 case, you realize that more work needed to be done  
6 on the jury on letting them understand.

7 MR. FRAZER: Right.

8 MS. ELLIS: I think that's, in some  
9 ways, that's true for domestic violence as a  
10 whole, it's not just cultural issues, cultural  
11 issues certainly are pertinent, but I think we  
12 still have to continue educating all of society  
13 about domestic violence. So you'll have people  
14 coming into domestic violence trials where maybe  
15 it's not an issue of culture, but it is about  
16 understanding domestic violence. And certainly  
17 the prosecutor's job there is to help the jury  
18 understand why she might not be willing to testify  
19 against her batterer. Even when, in some cases,  
20 the situations are very dire and the injuries are  
21 severe.

22 But we've improved in that area, I  
23 believe, and still have some way to go, but I  
24 think it's education is--societal education is a  
25 major ongoing--

[Crosstalk]

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3 COUNCIL MEMBER GENTILE:

4 [Interposing] And I believe New Yorkers have  
5 become more sensitive also. Thank you--

6 MS. ELLIS: Yes.

7 COUNCIL MEMBER GENTILE: --very  
8 much, thank you.

9 CHAIRPERSON STEWART: All right.  
10 Well I want to thank you for coming in. I want  
11 you to take a message to DA Hynes, let him know  
12 that I thank him for doing those forums with me on  
13 domestic violence in the districts and tell him to  
14 continue the good job he's doing.

15 MS. ELLIS: We will, thank you very  
16 much.

17 CHAIRPERSON STEWART: All right.  
18 Thank you all.

19 Next panel. Our next panel is  
20 Harriet Lessel, Meghan O'Connor, Asmaa Donahue,  
21 I'm not too sure I can pronounce this last one.

22 [Off mic]

23 [Pause]

24 CHAIRPERSON STEWART: Oh Asmaa  
25 Donahue, all right, that's fine, all right.

FEMALE VOICE: Donna.



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3 CHAIRPERSON STEWART: Donna--

4 [Off mic]

5 CHAIRPERSON STEWART: From Planned  
6 Parenthood, there was a Czuczka? And we have  
7 Moumita Zaman from Turning Point. All right.

8 Yeah, I'm going to tell them they  
9 have a minute each--

10 [Off mic]

11 [Pause]

12 CHAIRPERSON STEWART: In light of  
13 the time, we would like to ask you to limit your  
14 testimony to two minutes so you know a lot of  
15 folks have spoken and I can not see that many new  
16 things could be said. So if you can summarize in  
17 two minutes, that will do me and do all of us a  
18 good deal favor if you can--I'm not going to set  
19 the clock, I'm just going to have them try to  
20 summarize, because that will do all of us good.

21 And we would like you to start from  
22 your right, if you can identify yourself and tell  
23 us who you are, and everyone should identify  
24 themselves first.

25 MS. HARRIET LESSEL: Hello, my name  
is Harriet Lessel, and I am the Executive Director

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3 of the New York City Alliance Against Sexual  
4 Assault. Thank you very much for the opportunity  
5 to speak today, I thank all the Chairs and members  
6 of the four Committees that are involved and the  
7 staff that has assisted, and we do hope that there  
8 will be continued efforts to ensure that survivors  
9 from immigrant communities get the help they need  
and deserve.

10 The Alliance is committed to  
11 ensuring that the best practices of sexual  
12 violence intervention and prevention are available  
13 to all individuals and communities in New York  
14 City, and we recognize that, while immigrant  
15 survivors were seen in the local rape crisis  
16 programs and SAFE centers, that we know that it  
17 was only the tip of the iceberg.

18 So in order to really investigate  
19 this further and bring in the data that's needed  
20 to answer some of the questions, 'cause we've  
21 talked today about how the data that hasn't  
22 existed, we adopted Participatory Action Research  
23 as the way to reach out to communities that are  
24 underserved in the systems that address sexual  
25 violence and PAR, as it's called, is a

collaborative approach to inquiry and action that enables the community itself to analyze their own needs, identify possible solutions, and then implement and evaluate a plan of action.

So we embarked on a pilot study that was funded by the Council at that time to look at the scope and impact of sexual violence against immigrant women; on their help-seeking behaviors, including knowledge and attitudes about sexual violence services; and the community-specific strategies that they would have to end sexual violence in their communities. And we were very fortunate to have 57 stakeholders, as well as a New School University to assist us.

The key findings of the pilot study that many of you should have received called, "Bringing the Global to the Local: Using Participatory Research to Address Sexual Violence with Immigrant Communities in New York City" were as follows: that, contrary to service providers' expectations, immigrant women want an opportunity to talk about sexual violence in a safe-environment, that immigrant women found the participatory tools useful and enjoyable, that

sexual violence was common among undocumented and recent immigrants to New York City who participated in the study, that immigrant women do not know where to go for sexual violence services in New York City, that undocumented immigrant women face multiple barriers in seeking help for sexual violence, that they frame their attitudes about help-seeking in the context of their home countries, and that immigrant women want to be part of community-specific sexual violence prevention strategies.

So in response to these findings, the Alliance facilitated the development of the Action Research for Immigrant Social Empowerment, or ARISE, Coalition. And many of our partners are sitting with us here today

And that we do believe that systematic changes are only going to be possible with the active involvement of communities, of the immigrant-serving CBOs, and the informal community leaders. And that we want to look at both preventing violence before it happens and intervening appropriately when it occurs. And that we hope that this hearing will lead to

increased attention.

Thank you. Those are the cliff  
notes version of my remarks.

MS. MEGHAN O'CONNOR: Thank you.  
Good afternoon. My name is Meghan O'Connor and  
I'm the Director of Prevention and Community  
Development at the New York City Alliance Against  
Sexual Assault. I want to thank you for hosting  
this hearing.

The very nature of this hearing, a  
collective effort across four committees,  
highlights the interdisciplinary nature of  
preventing and responding to sexual and domestic  
violence. It highlights the various systems  
charged with preserving the right of immigrant  
women to live free from violence and the multiple  
agencies who must respond to reduce the harm for  
that woman, her family, and her community when  
that right is breached.

The ARISE coalition seeks to engage  
immigrant communities in developing strategies to  
reduce sexual and domestic violence through  
research, education, and advocacy. My colleagues  
on this panel today and in the panel that will

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3 follow represent their own organizations as well  
4 as ARISE.

5 One of the first activities of our  
6 coalition was to present the findings of our  
7 report at a forum for immigrant service providers  
8 across New York City. Close to 100 organizations,  
9 varying from large to small agencies, attended  
10 that forum, eager to hear the voices of immigrant  
11 women and the community-based organizations that  
12 serve them.

13 Since that meeting in May 2008, the  
14 ARISE coalition has focused on disseminating the  
15 results of Bringing the Global to the Local,  
16 primarily to policymakers and particularly to the  
17 representatives of the committees hosting this  
18 hearing today and the representatives in our  
19 districts. It is a great pleasure to see that the  
20 efforts of such meetings may have led to today's  
21 hearing.

22 In our meetings and discussions  
23 with policymakers, we have often been asked about  
24 the prevalence and impact of the problem for  
25 immigrant women. We all know that numbers and the  
ability to demonstrate the impact of a problem is

often what moves policy and lawmakers towards action, which brings me to the importance of data collection. Our report, Bringing the Global to the Local, was groundbreaking in that it was the first report of its kind for New York City, yet we all know that we only scratched the surface with that report. There have been and continue to be substantial research gaps on the prevalence and experience of domestic and sexual violence for the general population of New York City. And we also have little data on the social and health indicators for specific immigrant populations in New York City.

The same barriers that immigrant women face in getting the services they need only further challenge our ability to collect good data, specific data on how and how much this problem affects immigrant women.

As the research arm of our ARISE coalition, the Alliance wishes to continue our research efforts, expanding our reach to more immigrant communities. Participatory Action Research is a unique method of research that can help us break down the traditional research

barriers that limit access to immigrant populations. As a coalition, we have started to develop our own data collection system to better document reported incidents and services delivered. At the very least, ARISE agencies can begin to use this system to collect basic community-specific data. Yet such work requires significant human resources and, again, is limited in scope. It's a start, but to truly answer the how and how much, resources must be invested in citywide data collection systems and independent research so that we can document prevalence, demonstrate impact, and carefully monitor and evaluate the services provided.

Lastly, just as the needs of immigrant populations are often overlooked, so is the work of the grassroots community-based organizations that serve them. These organizations are small, rooted in the community, and often staffed by community members, they are specific and targeted in their approach. The organizations that make up our coalition, as well as others here today and many that could not be here today, have tremendous knowledge, skills, and



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3 expertise. These organizations know their  
4 communities intimately, they are change agents in  
5 the lives of those that they serve and, most  
6 importantly, they are trusted.

7 CHAIRPERSON STEWART: If you can  
8 summarize.

9 MS. O'CONNOR: I will, yeah. New  
10 York City is underutilizing them. We must think  
11 of and go to these organizations first when trying  
12 to think about how we as a city can better address  
13 the needs of immigrant women. They can share  
14 nuanced information about their communities with  
15 us, provide targeted training, and disseminate  
16 knowledge in their communities in an appropriate  
17 and effective manner, but New York City must first  
18 recognize these organizations for the change  
19 agents they are and guarantee that they are  
20 consistently part of the conversations and  
21 decisions that impact immigrant women. I hope  
22 that today we will highlight these untapped  
23 resources.

24 Thank you for the opportunity to  
25 testify and we look forward to continuing our work  
together to advance the right for immigrant women

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to live free from sexual violence.

MS. ASMAA DONAHUE: Good afternoon,  
my name is Asmaa Donahue, I'm the Senior Program  
Officer with Sauti Yetu Center for African Women  
and my Executive Director, Zeinab Eyega, was  
supposed to be providing testimony here, but she  
had to leave to assist a domestic violence client,  
and I'm going to have to leave in 20 minutes to  
meet with another client who is a victim of  
domestic violence and is considering fleeing her  
abuser, so you'll pardon me if I'm going to move  
really quickly with our testimony.

We are more than delighted to hear  
about all the different services that the city is  
offering to victims of domestic and sexual  
violence. However, we would not be here if those  
services were always working the way that they  
should. We're here, not to criticize the city,  
but rather to say let us help you make it better,  
we're an untapped resources, immigrant-led  
community-based organizations.

I just want to highlight some of  
the issues that we're finding in our work with  
clients. Sauti Yetu serves African immigrant

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women and children around New York City, but particularly in the Bronx. We find that sadly there is still a lot of stereotyping of immigrant women by police, court personnel, and city agencies that assume that violence is somehow culturally acceptable for African or Muslim women, and, therefore, somehow excusing First Responders or others from their obligation to respond to victim's call for help or requests for services. We'd like to help change those attitudes, call on us to help train First Responders, especially within the New York Police Department.

Language access continues to be an issue, despite that, the wonderful Language Line that is available, that does have so many languages. Quite frankly, our clients are often not offered that service or those who are on the Language Line are not necessarily trained to interpret for somebody who is dealing with issues of domestic or sexual violence. We would ask instead that you, again, that should not be the first resource, we ask that the police department, emergency room personnel, court personnel make a greater effort to ask victims and not wait for the

victims first to request an interpreter. Just because they can hold a small conversation with you in English, doesn't mean that they're fluent, and many people feel ashamed to say that they don't speak English or that they can't read. We need to be there to say to them let me help you read this, let me go through this with you.

Immigrant women and girls are not empowered to understand the process of the judicial system or filing a police report. And many are too new to the system to know how it works or what to expect and their point of reference is typically a very different system in their country of origin, which does not necessarily have a lot of the systems in place that we do. What is really sad is that sometimes our women and girls come to us and say that they were actually made to feel that they themselves had done something wrong when they went to file a police report or called 911. We don't ever want that to happen, no one should ever, ever have to feel bad about asking for help.

There's a lack of understanding of the previous trauma experienced by victims. In

Staten Island, for example, we have a huge number of women from Liberia and Sierra Leone who have experienced rape as a war crime and they come here and they're still experiencing domestic violence or sexual assault and it makes it very difficult for them to be able to come forward, or when they come forward, to be able to really, again, access services. If you're dealing with Post Traumatic Stress Disorder, it's really hard to get up in the morning and make it to a court date.

Another issue that we're finding is that police officers and detectives are, oddly enough, deferring to perpetrators, rather than objectively responding to victims' complaints. I'm referring specifically to police officers who, last I heard, are not supposed to inquire as to the immigration status of anybody involved, are assuming that the men, the alleged perpetrators, are undocumented and deciding that they don't want to make life tougher for them. This is really disturbing. Are we saying that the victims' rights, that the victims--a woman who has been raped, that her life is not being destroyed by that experience? That somehow it's more important

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3 that this guy is undocumented? We have a process  
4 here and all we're asking is that it be followed.

5 I'd like to make some really quick  
6 recommendations, I know that we're out of time--

7 CHAIRPERSON STEWART: [Interposing]  
8 You may have to, you may have to sum it up because  
9 you've gone over three minutes already and--

10 MS. DONAHUE: Okay. Thank you so  
11 much for your patience.

12 Basically what we're saying is,  
13 work with us. We are community-based  
14 organizations, we're based in immigrant  
15 communities, we speak the languages, we understand  
16 the cultural differences, we share their faiths.  
17 We understand the struggles that they face, the  
18 dilemmas in deciding whether or not to report a  
19 breadwinner for an extended family to the police,  
20 we understand that, we want to help you do what  
21 you do better. Please come to us. Thank you.

22 MS. DANA CZUCZKA: My name is Dana  
23 Czuczka, I'm the Associate Vice President of  
24 Government Affairs at Planned Parenthood of New  
25 York City, and also want to take this opportunity  
to thank the Chairs of the four Committees

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3 convening this hearing today and all the Council  
4 Members present. We too are a proud member of the  
5 ARISE coalition.

6 I want to use my few minutes just  
7 to highlight the link between reproductive health  
8 and intimate partner violence. What we know from  
9 research studies and through our everyday  
10 experiences in our health centers is, there is  
11 indeed a strong association between partner  
12 violence and greater incidence of sexually  
13 transmitted infections, HIV, unintended and teen  
14 pregnancies, negative pregnancy outcomes, and the  
15 list goes on. We've been conducting research at  
16 Planned Parenthood about the relationship between  
17 partner violence and reproductive health outcomes  
18 and higher abortion rates and we look forward to  
19 sharing that when it is available.

20 You know, we have also conducted  
21 research on different screening tools and we've  
22 heard today discussion about the way you ask the  
23 question to a woman, to a survivor, really is  
24 going to change disclosure rates. So if you say,  
25 are you abused on a check-off chart, it's going to  
be very different than if you ask very specific

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3 questions in a more sensitive manner and that  
4 really affects disclosure rates.

5 We recently released a report about  
6 Dominican women's perceptions of reproductive  
7 health care both in Santa Domingo and in New York  
8 City. And what we have found is that, when it  
9 comes to reproductive health both here and in  
10 Santa Domingo, you know, the women are turning to  
11 friends and family first. Dominican women in the  
12 US view the health care system as unwelcoming.  
13 Other highlights, women in both Santa Domingo and  
14 in New York were hesitant to use condoms for fear  
15 their partners would interpret the condom use as a  
16 sign of infidelity. They spoke not only of the  
17 presence of violence in their intimate  
18 relationships, but also of having little recourse  
19 against such violence. We've heard very similar  
20 stories from other panelists and really this  
21 reinforces to us, one, the need for us to better  
22 understand each community, their perceptions of  
23 reproductive health care, intimate partner  
24 violence, deconstruct what is going on and make  
25 sure that we have information to serve everyone in  
the best way possible.



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3 We are conducting similar focus  
4 groups with Jamaican women and Mexican women, both  
5 in New York City and in their home country and  
6 we'd love to share that also.

7 We believe that this is, again, a  
8 good start, but, like Meghan, would call for more  
9 research so that we can better understand the  
10 issues.

11 A few quick recommendations, one  
12 specific to the issue we were talking about before  
13 about the teen dating violence. We, too, have  
14 seen a major rise in that, both in our health  
15 education classes in schools and in our health  
16 centers. You know, we would continue to call for  
17 better sex education, including these Healthy  
18 Relationship workshops that we've been talking  
19 about today, in the schools; public education  
20 about intimate partner violence among immigrant  
21 communities, as well as the general population.  
22 We need to do some better healthcare provider  
23 trainings about the associations between intimate  
24 partner violence and reproductive health and  
25 specialized healthcare needs. We need to make  
sure that our screening instruments and then the

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3 response protocols for healthcare settings are  
4 appropriate so that we don't just identify the  
5 violence, but make sure that we can help women and  
6 survivors and their families. And again, just  
7 make sure that we enhance our coordinated  
8 community response between all of the agencies  
9 here today--both government, non-government,  
10 community-based organizations, DV serving  
11 organizations, reproductive health care, and  
12 healthcare.

13 So that's my cliff notes version,  
14 and, again, I thank you for allowing us the  
15 opportunity to testify.

16 MS. MOUMITA ZAMAN: Thank you.  
17 Good afternoon, and I'd also like to thank the  
18 Chairs and Committee members for gathering today  
19 on the issues of sexual assault and domestic  
20 violence against immigrant women. My name is  
21 Moumita Zaman and I am the youth leader for  
22 Turning Point for Women and Families, a community-  
23 based organization that works with female Muslim  
24 survivors of domestic violence and sexual assault  
25 in New York City.

To give the demographics, there are

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approximately 6 to 800,000 Muslims living in New York City, making it one of the largest and most diverse Muslim communities in the U.S. Immigrants from Africa, South Asia, Southeast Asia, the Middle East, and the Balkans comprise a large faction of this population. Our clients and youth members come from all five boroughs, representing various backgrounds, which include a variety of ethnic, cultural, and spiritual practices. Most of the immigrant women seeking assistance come from low income families and do not have a support network and have limited English proficiency. Also it's important to note that about 95% of Muslim children in New York City go to public schools, and more than 10% of the public school population is Muslim. And, according to the New York City Department of Health and Mental Hygiene survey conducted in 2007, approximately 10% of the teenage public school attending population report teen dating violence. And so using the accepted national statistics, that one out of four women are sexually or physically assaulted at some point in her life, we can infer that a significant portion of the female Muslim population in New

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York City experience sexual assault and/or domestic violence.

Many of the women who come to Turning Point are referred by ACS, hospital social workers, high school counselors, and other service providers. They are seeking counseling and support assistance with filing police reports, getting orders of protection, legal assistance, or are in need of shelter.

And so just to run through some of the obstacles and issues that we continuously find our clients facing, they are, A, they don't have enough access to resources, even when resources are available to them, we find that in most cases, city agents who are in place to assist them, do not have the required connections in the communities in which these women reside. And already language access and translators have been mentioned, but it's important to note that, since some of the interpretators are usually male and share cultural backgrounds with the victims, often they intervene during the process and try to influence the women, thereby affecting their ability to get the benefit of interpretation

services.

And often, as the Council Members themselves have said, that children are used to interpret and we know that that re-traumatizes the children and jeopardizes the accuracy of women's statements, resulting in omission of important details of abuse and sexual assault--she will not reveal that usually to her child if he's translating.

Women and girls from immigrant communities are often unaware of their rights in the Muslim community. They come from countries where their rights or their perception of their rights are very different from here, and so they are unaware of the city, state, and federal laws that exist to protect them and so we must educate and raise awareness in these particular communities.

Also, there is a lack of cultural and religious sensitivity amongst police officers, hospital personnel, court officials, social workers, and government agencies. Because majority of our clients requires come from low-income backgrounds, it is extremely difficult to

connect them with legal services, as there is a severe shortage of agencies that provide free or low-cost legal services. The process is cumbersome and most service providers do not have adequate or trained staff on hand to speak with women in their languages or who know about their culture.

So the three recommendations that we have are increase the output and maintenance of resources for immigrant populations, especially in the key languages that they speak, these resources must be accessible and distributed in a timely manner.

And partnerships between institutions, organizations, and leaders from within the community and city agents are crucial to assisting immigrant women and gaining trust in these communities.

Community based organizations should be consulted prior to creating policies that affect immigrant women, and input from various perspectives, we know will only help garner more information and help in designing effective policies that are relevant to immigrant

and Muslim women.

And, finally, law enforcement agencies, district attorneys, and the like should provide extensive sensitivity training regarding sexual assault and domestic violence against immigrant women. These trainings should be geared towards helping service providers and agents understand the enormous diversity and religious and cultural differences that exist so that barriers in seeking help can be minimized.

In order for the trainings again to be culturally relevant, they should be provided with a partnership of city agencies and community-based organizations that are already providing the services to these populations.

Thank you.

CHAIRPERSON STEWART: My colleagues, do you have any questions? Seeing no questions, we will call--we want to thank you for your testimony, and we'll move on to the next panel.

We have Bushra Husain, we have Carolien Hardenbol, we have Michael Polenber, and we have Auriela, and also we have [off mic] can

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3 you pronounce this for me, please? I'm having  
4 some problems here with the pronunciation.

5 Nguyen?

6 CHAIRPERSON RIVERA: Nguyen.

7 CHAIRPERSON STEWART: Nguyen?

8 CHAIRPERSON RIVERA: Nguyen.

9 CHAIRPERSON STEWART: I also want  
10 to make sure I--

11 FEMALE VOICE: New York Asian Women  
12 Center.

13 CHAIRPERSON STEWART: New York  
14 Asian Women Center. Nguyen, all right.

15 Everyone is there, that mean I  
16 didn't too badly on the names because they realize  
17 their names and they are there.

18 So if you can please identify  
19 yourself and let's get--I have not been putting  
20 you on the clock, but I ask you to just estimate  
21 or guesstimate your time to be between one and  
22 three minutes. If you're going beyond that, it  
23 means that you're too long and we have had a long  
24 day, so please work with me so that I don't have  
25 to put you on the clock, I don't want to, but if  
you can summarize it, it would be very helpful.



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2 Thank you.

3 MS. CAROLIEN HARDENBOL: Good  
4 afternoon, my name is Carolien Hardenbol, I'm here  
5 with my colleague, Bushra Husain, we're from  
6 Sanctuary for Families, I co-direct the  
7 Immigration Project there.

8 We're very honored to be here to  
9 present before the four distinguished committees.

10 Sanctuary for Families is a large  
11 domestic violence service provider serving 8,000  
12 clients a year. Approximately 70% of our clients  
13 are immigrant, hailing from 109 different  
14 countries. Sanctuary staff talks 30 different  
15 languages.

16 I just want to highlight several  
17 issues that we have spotted, challenges that we  
18 have experienced that I want to bring to the  
19 attention of the committees. One is about the U  
20 visa non-immigrant status that's been discussed  
21 before. While I was listening to previous  
22 speakers and Council Member Lu asked the question,  
23 how many were approved, Sanctuary for Families  
24 being the designated immigration services legal  
25 provider at the Family Justice Center, of 375 U

petitions filed, 61 were approved, and the rest remain pending.

Even though we have made great progress working with the district attorneys offices around the city with getting crime victims certified, unfortunately, that is not the case with the NYPD--and it's very sad for me to see that they have left the audience. The New York City Police Department has been slow to create a policy and is reluctant to share information publicly about whatever policies the NYPD has created. In fact, since federal regulations were issued in September of '07, NYPD has not, to our knowledge, issued any certifications, leaving immigrant New Yorkers whose attackers are not arrested out on warrants, they're fugitives, they're returned to their countries, and out at large, they leave them unprotected because we cannot file immigration status on behalf of those victims.

Another issue, I want to highlight is that of trafficking. In November of 2007, advocates for immigrant victims cheer when New York State's anti-trafficking law, the strongest

and most comprehensive in the nation, went into effect. The law also provided for services for immigrant trafficking victims. Sadly, the new statutory provisions have been grossly under enforced statewide and there has been a dearth of arrest, prosecutions, and convictions. Instead, law enforcement officers, including those at NYPD, continue to arrest potential trafficking victims for prostitution, while ignoring those who prey upon them, patronizers, who make up the demand side of the brutal industry.

Just as NYPD has developed a comprehensive and effective strategy to fight domestic violence, it must develop a comprehensive strategy for fighting sex and labor trafficking. The strategy must include both intensive department-wide training of all police officers, development of effective tactics to investigate perpetrators of human trafficking and related prostitution crimes.

And I want to make a brief notice also on dual and retaliatory arrests, it also has been brought up before. Our immigrant clients are fearful of the police and often unable to

communicate in English. They're very vulnerable to two distinct phenomena--retaliatory arrest and dual arrest. Under New York state's Primary Aggressor Law, the police on the scene are supposed to evaluate and determine the primary aggressor and only arrest a primary aggressor. In reality, in many precincts, however, the police do nothing to analyze the domestic violence and instead resorting to arresting both parties.

Another phenomena is retaliatory arrest in which the abuser, in retaliation against a victim, makes up false charges and reports it to the police--we see this actually a lot. Once wrongfully arrested, obviously, an immigrant victim will no longer call the police because they're fearful of the consequences, as they have this bad experience with NYPD.

One also note on public education, it cannot be stressed enough, the importance of Executive 41 to be disseminated at all kinds of institutions citywide--emergency rooms, district attorneys offices, everywhere--every immigrant needs to know that crimes can be reported without retaliation and without consequences that they

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3 will not be reported to immigration, because we  
4 feel, as we're in the field, that that is one of  
5 the prime reasons that immigrants do not come  
6 forward and report crimes committed against them.

7 We thank the City Council for this  
8 opportunity to present to you our recommendations  
9 and some challenges we face as we do our work  
10 serving large communities of immigrants, victims  
11 of domestic and violence and sexual assault.

12 Thank you very much.

13 MR. MICHAEL POLENBERG: Thank you,  
14 Mr. Chairman and your colleagues. My name is  
15 Michael Polenberg, I'm the Vice President of  
16 Government Affairs for Safe Horizon, the nation's  
17 leading victim assistance organization and New  
18 York City's largest provider of services to  
19 victims of crime and abuse, their families, and  
20 communities.

21 I'm joined here today by a client  
22 of ours, Aurelia, who will share her harrowing  
23 story of being an immigrant victim of domestic  
24 violence and the obstacles she faced in trying to  
25 escape her abuser and access services.

We work with immigrant victims of

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3 crime in a variety of programs throughout the five  
4 boroughs, and have a number of recommendations for  
5 how to improve service delivery to this  
6 population, which we will share with you today.

7 And my colleague from Sanctuary has already  
8 expressed the concern which we share about  
9 certification and trying to get local law  
10 enforcement and the judiciary branch to certify  
11 these U visas. Right now, there doesn't appear to  
12 be a uniform procedure in place, obviously that  
13 would be helpful if one was.

14 One of the largest barriers to  
15 safety for our immigrant clients is the lack of  
16 income and regular access to public benefits and  
17 the ability to obtain safe affordable housing.  
18 And one of the issues the city is considering is  
19 this Immigrant Advantage. They have a number of  
20 these Advantage programs to move people out of the  
21 shelter system and into permanent housing. The  
22 HRA, the city's Human Resources Administration, is  
23 considering an Immigrant Advantage program that  
24 would potentially provide housing subsidies,  
25 although just for a year, for households with the  
documented family members. We urge the city to

implement this Immigrant Advantage program to allow families with an immigrant head of household to qualify.

In a city as diverse as ours, it's the rule, not the exception, that language barriers will prevent immigrant crime victims from fully understanding the options available to them. And this is one of the reasons that Council's Domestic Violence Empowerment initiative, the DOVE initiative, is so important, and we thank you for restoring it in the year ahead, fiscal 2010, which starts in July.

A final issue I want to raise is just has to do with capacity. In September 2007, the federal government issued new regulations regarding the processing of U visa applications, so all the applications that we had submitted, over 244, had to be resubmitted, and 90 of those that we resubmitted, they sent back because they needed some other piece of information. So this puts a real strain on our immigration law project, which is in part funded by the Council. And really what it means is so we've had to limit intake from new clients, instead of doing 10 each

week, doing eight new clients per month, so that means we're turning away five people each day-- people who either call us or people who walk in to our office, which is based out on Queens. We know many of our colleagues around the city who run similar kinds of programs are facing this kind of strain as well, which really also speaks to the Council's immigrant opportunity initiative and how helpful it is. It does help fund our immigration law project. It did last year, we're hoping it will do again this year, so we thank you for that.

And now without further ado, our client, Aurelia.

MS. AURELIA: Thank you. My name is Aurelia, I am a survivor [off mic] domestic violence and this is my testimony.

I was happy in the Dominican Republic, I had a great job, a nice car. I lived with my family, but I did want to meet someone special and start a family of my own. A friend knew a nice man who had moved to New York City a few years before, we started to speak on the phone every day, and we slowly fell in love.

Eventually, we decided that I would



move to New York and marry, so I left my great job, I sold my car, I left all the people I knew, I end part of my life, but I was happy, I was beginning a new life with a man I loved. Within a few months I was pregnant, but my husband began to change--he became demanding and controlling, so I ended up depending on him for everything.

I didn't know how to ride the train alone, he didn't want me to leave the house, all of our friends have to be his friends, he didn't want me to talk to my family on the phone, he didn't want me to e-mail my friends. My visa expired and he refused to sponsor me for a green card. This made me feel very bad and deceived.

I did not know if I should stay or leave America. I decided to stay because I was pregnant, I had no money, and I love my husband. However, I was afraid to leave my house or get help because I was scared that immigration would catch me and deport me.

When he drank, he became a different person, he would scream at me and call me horrible names, he would come home drunk late at night and was complete out of control. One

night he came home very late and very drunk, he burst into my bedroom and accused me of neglecting our baby, then he grabbed her from her crib and lock himself in another room with her in his arms. I fear for my child's life and my own, I bang on the door until he open it. When he finally did, he attacked me and push me in my [off mic] he dragged me into the living room, [off mic] me to the sofa, and push me several times all over my head and body. When he finally stop, he say it's okay, now call the police if you want to. I did call the police and then I called Safe Horizon.

I face many problems. I had some time to start over and make a new life for my daughter and myself free of violence. I could get public assistance both for my daughter and for myself, but when I went to apply, the workers at the public assistance center would not even let me put in application, they told me that I need to be a citizen to receive any benefits. Now, when I go to the public assistance center, sometimes they don't provide me with a translator and tell me that they will speak to me in Spanish. I understand English, but sometimes they speak too

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3 fast or are too hard to understand, and I'm more  
4 comfortable speaking my Spanish. I get confused  
5 and scared by the workers at the PA center and  
6 feel uncomfortable asking them for help.

7 I know now, I have a new apartment  
8 for my daughter and myself thanks to Section 8.  
9 I'm happy to have found housing, but, because of  
10 my immigration status, I must pay for a portion of  
11 my housing. I don't have work at [off mic] yet  
12 and it's very difficult to find enough money to  
13 cover my portion of the rent. Life is still very  
14 difficult, but I know I have come so far.

15 I'm hopeful that I will be able to  
16 provide a better life for myself and my daughter  
17 here in New York. Thank you.

18 Thank you so much.

19 MS. FRONTHY NGUYEN: Good  
20 afternoon, my name is Fronthy Nguyen, I'm the  
21 Outreach Coordinator at the New York Asian Women's  
22 Center. I just would like to share a brief case  
23 study about a client that we're currently  
24 assisting right now.

25 From 2004 until February 2009,  
Client A suffered from multiple and severe

physical assault by her husband where she sustained scars and bruises from the incident.

The police was called to the scene by the client's brother. For safety reason, Client A was referred to the Prevention Assistance and Temporary Housing, also known as PATH, on the date of the domestic violence incident. PATH then referred her to an emergency domestic violence shelter.

When she moved into the shelter, she was not provided with any interpretation services that she needed. In 2008, she came to the U.S. with her husband. Her ability to speak English was elementary and not proficient enough to explain in full details about her domestic violence experience and her various needs to the case worker at the shelter. She was not provided access to an interpretator and was later told that she did not need to attend support group sessions because she can not understand English.

The case worker from the DV shelter accompanied the client to the public assistance so that she can obtain cash assistance and food stamp for herself and her newborn son. Both the DV

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shelter and PA Office in East End failed to provide interpretation that was needed for her to explain about the DV incidents that she suffered. As a result, the client was not granted a DVL waiver, which would not excuse her from complying with child support enforcement and work requirements, thus, putting her and her child in further danger from her husband. In addition, her PA case was closed because she did not comply with her work activities requirement. The client explained that no one told her that she was required to report to PA work activities every day, and even her case worker did not convey the information to her in English, nor tried to utilize Language Line. The client stated that she was confused and felt very isolated.

Client A was later transferred to the New York Asian Women's shelter because of her language and cultural needs. However, when the New York Asian Woman's Center was assigned to her case, the case manager reviewed with the client her PA case and was shocked to see the client was not provided with proper advocacy and support services by the previous DV agency. This was due

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in large part because of the client's limited English proficiency. With the help of the New York Asian Woman's Center and through proper interpretation, the client received full DVL waiver for the public assistance work activities. The DVL understood the client's severe DV experience and determined that it was not safe for her to participate in work activities. Once the case manager at the New York Asian Woman's Center explained to the client about the public benefit process and the requirements in her native language, Client A said, "Thank you. Now it is clear to me how things work. I finally feel at peace."

Access to competent interpreters is a necessity for domestic violence victims who are immigrant women and who does not speak English well. In order to express and convey details of the DV incidents that they suffered and to figure out their needs, many client wish to speak in their own native language. Interpreters should be trained and certified by the New York state or New York City to maintain professionalism and neutrality of interpreters. Currently, quality

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3 and competency of interpreters are not consistent,  
4 even within the New York court system, which  
5 probably offers the most accessible and  
6 comprehensive interpretation services within city  
7 agencies. In the past, on behalf of many clients,  
8 a complaint on improper and inadequate  
9 interpretation by a few court interpreters was  
10 filed.

11 Thank you very much for your time.

12 CHAIRPERSON STEWART: Any questions  
13 from my colleagues?

14 FEMALE VOICE: I had one question.

15 CHAIRPERSON STEWART: You have...  
16 You look at it, all right. No questions? All  
17 right, we will like to thank you for your  
18 testimony and we will keep in touch with you.  
19 Thank you.

20 Our next panel Kinaja Janardhanan,  
21 all right we have Mohammed Alam, we have Gina  
22 Cheron, we have Marisol Ramirez, and then we have  
23 Nathaly Rubio-Torio.

24 [Off mic]

25 CHAIRPERSON STEWART: Yes, I would  
like to thank everyone for your patience. Just

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3 remind yourself that you have two minutes. If you  
4 can limit your testimony to two minutes and we  
5 shall start right now.

6 [Off mic]

7 CHAIRPERSON STEWART: Yeah, we're  
8 doing the clock.

9 FEMALE VOICE: For two minutes?

10 CHAIRPERSON STEWART: Two minutes,  
11 yeah.

12 [Off mic]

13 MS. KINAJA JANARDHANAN: Hi, good  
14 afternoon. Thank you very much for inviting me.  
15 My name is Kinaja Janardhanan and I'm the Director  
16 of Programs at the Arab American Family Support  
17 Center that Sarah Ellis was referring to, which is  
18 located in Kings County DA's office--no, sorry,  
19 which Sarah Ellis of Kings County DA's office was  
20 referring to. The agency is located in downtown  
21 Brooklyn and we serve majority of Arab American  
22 immigrants along with Bangladeshi, Pakistani, and  
23 North African, West African client population.

24 The agency was established in 1994  
25 to serve frequently underserved Arab immigrant  
communities of New York City. As the first and



largest Arabic-speaking social service agency in New York, our goal is to help new immigrants become more acclimated to life in the United States so that they can fully participate in the world around them.

Every day we have immigrant women coming in to the agency seeking different kinds of services, but when we explore further, we do discover that there is rampant domestic and sexual violence that is taking place in the homes. These women are very intimidated by their partners who speak, usually, the English language and women, not being able to speak the language, feel intimidated and are led to believe that if they disclose anything to outsiders, they will be forced to leave the country and, most likely, their children will be removed from them. That usually intimidates these women from coming forward with what is happening in the homes.

Thankfully, we have staff members who speak the language and understand the culture and the complexity that is involved in the legal system back home, which usually gives authority to the men and so women are likely to lose their

custody and every rights over their children. So we understand it and provide appropriate services for these women to seek safety for themselves and their children in this place.

This is possible only because our system works very differently from what happens back home in their home countries. And having agencies like ours, which are community-based and are able to understand the intricate processes that are involved in navigating the legal system in this country helps them to seek safety in this environment.

Also, usually--

CHAIRPERSON STEWART: [Interposing]  
Please just sum up, please.

MS. JANARDHANAN: Yes. So my suggestion would be--recommendations for the committee would be to ensure that legal, as well as law enforcement, authorities get much better understanding of the complexities in cultural competent work around these immigrant communities so that seeking out help from us would help, helping these families seek better services.

Thank you.

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3 MR. MOHAMMED ALAM: Hello, my name  
4 is Mohammed Alam, I'm a Communications Coordinator  
5 with Sakhi for South Asian Women, which is an  
6 anti-domestic violence agency that serves the  
7 South Asian community in the New York City  
8 metropolitan area.

9 Last year we responded to 731 new  
10 requests for assistance--that's more than triple  
11 the number from 2001. We've been serving the  
12 South Asian community in the metropolitan area in  
13 New York for 20 years now. Each year, we not only  
14 give information referrals to hundreds of new  
15 callers, but we also provide referrals to  
16 attorneys, shelter, health care, public benefits,  
17 and other critical services for an ongoing  
18 caseload of 50 to 60 survivors a month. In  
19 addition to these crisis response services, we  
20 conduct our own computer and English literacy  
21 classes and financial literacy workshop so that  
22 survivors can pursue their own journeys of self-  
23 empowerment.

24 We also strive to get to the heart  
25 of ending violence itself by raising awareness and  
mobilizing our communities to speak up and respond

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3 to abuse. We conduct presentations, produce films  
4 and print materials, and host a website that  
5 caters to about 17,000 people a month. We also  
6 train community members as volunteers who support  
7 our programming.

8 I think it's necessary just to  
9 highlight one number in particular, given the time  
10 limitations here. The June 2007 Independent  
11 Budget Office Fiscal Brief notes that \$227 million  
12 in city monies was spent on fighting DV in 2005.  
13 The vast majority of the expenditures the report  
14 makes clear are for short-term crisis response  
15 services--in other words, 80% of this 227 million.  
16 Nearly the rest of the remaining 20% is for  
17 enforcement activities with prevention and long-  
18 term services representing less than 1% each in  
19 this tiny pot of funds. Therefore, I encourage  
20 you in the next budget year to reflect and  
21 consider making our communities stronger by  
22 investing and ending violence itself by funding  
23 the full spectrum of response and prevention  
24 services needed.

25 We definitely commend the city's  
DOVE initiative, but significantly more funds are

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3 needed.

4 I understand that prevention  
5 outcome is difficult to track, it's so much easier  
6 just to count the number of survivors served, but  
7 we at Sakhi can see the impact of our community-  
8 based approach. In the last five years, we've  
9 actually seen an increase in the number of male  
10 callers at Sakhi--men who are looking for  
11 resources and to support women in their lives. In  
12 2006, first instance, we got about 8% of our new  
13 requests for support from men, mostly on behalf of  
14 women in their lives, and last year that figure  
15 rose to 13%.

16 CHAIRPERSON STEWART: Please sum  
17 up.

18 MR. ALAM: Sure. So in conclusion-  
19 -

20 CHAIRPERSON VALLONE: [Interposing]  
21 Excuse me, there's a clock up here, when that bell  
22 goes off, that means you guys need to sum up,  
23 okay? Thanks.

24 MR. ALAM: In conclusion, I hope  
25 that you will help make possible, not only our  
work, but the work of all of us here today in

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3 seeking to serve survivors while ending violence  
4 at its root.

5 Thank you.

6 CHAIRPERSON STEWART: Let me make  
7 this clear, we said two minutes, but when you hear  
8 that tone, it means we want you to sum up, your  
9 two minutes has elapsed and if you can do that,  
10 because we have been here all day and it's only  
11 fair for those folks who are waiting that we try  
12 to sum up as quickly as possible.

13 MS. GINA CHERON: My name is Gina  
14 Cheron, Executive Director of Dwa Fanm.

15 Dwa Fanm, which means women rights  
16 in Creole, is committed to empower all women and  
17 girls with the freedom to define and control their  
18 lives. For the past 10 years, Dwa Fanm has been  
19 dedicated its time and services to address all  
20 forms of abuse against women and girls. And  
21 within a year, we served a total number of 1,056  
22 people, among which 876 are female and 176 are  
23 male children.

24 Dwa Fanm is presently staffed by 12  
25 full-time employees, and operates with a budget of  
close to a million.

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3 I will not talk about all the  
4 statistics I have here, but what I will be doing  
5 is to really concentrate on the 26% which  
6 represent one-quarter of the population that we  
7 are servicing and that is undocumented because  
8 they had to leave the abuser who brought them in  
9 the U.S.

10 These women come from the [off mic]  
11 mostly from Haiti and relocated here on a fiancé  
12 visa. Once married, they are put in situation  
13 where they leave in a relationship because the  
14 abuser becomes violent and refuse to continue with  
15 the immigration paperwork.

16 Dwa Fanm is helping these women  
17 adjust their immigration status to VAWA and U  
18 visa, and I'm glad that the Chair of the  
19 Immigration [off mic] is here.

20 For many undocumented women, there  
21 are barriers for obtaining the U visa, resulting  
22 in many of our clients falling into the crack.  
23 Even though domestic violence is considered a  
24 crime, many of the abusers are not arrestable  
25 offenses. Also, many times detectives cannot find  
the abuser, which leaves many women at risk.

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3 Right now, only district attorneys  
4 officials are authorized to sign U visas  
5 certification. If the police department does not  
6 make an arrest, district attorneys cannot sign U  
7 visa certifications, which leaves our undocumented  
8 clients without any venues that would give them  
9 access to legal documents.

10 If I go to the recommendation, I  
11 will say that we need a policy that facilitate a  
12 public/private partnership to ensure that in New  
13 York City at risk immigrant women needs our met.

14 We would like to see at the city  
15 level the same public/private partnership that now  
16 exists at the county level with the district  
17 attorneys.

18 We need a representative within the  
19 police department responsible and with the  
20 authority to sign U visa certifications.

21 We want to ensure an increase in  
22 funding to fulfill the needs of domestic violence  
23 victim in general and a dialogue at the city,  
24 county, and state levels could lead to the federal  
25 government allowing undocumented at risk immigrant  
women access to public assistance to public



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3 benefits. It is also recommended that both levels  
4 of government, city and state, be actively engaged  
5 in similar dialogues seeking to provide  
6 unemployment or employment opportunities to women  
7 who are victim of abuse. These measures should  
8 also be taken into consideration for at risk young  
9 women.

10 Thank you for the opportunity to  
11 testify. We look forward to continuing to work  
12 together. Dwa Fanm is available to share its  
13 experience and to brief public official on the  
14 scope of its program and its unmet needs.

15 Thank you.

16 MS. NATHALY RUBIO-TORIO: Good  
17 afternoon, my name is Nathaly Rubio-Torio--

18 [Pause]

19 MS. RUBIO-TORIO: Good afternoon,  
20 my name is Nathaly Rubio-Torio, I'm co-founder and  
21 Executive Director of Voces Latinas. We are in  
22 western Queens.

23 And in the interest of time, I'm  
24 just going to jump right over to my  
25 recommendations. I'm going to talk about what  
we're finding that's actually working in our

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3 community and how we're reaching our immigrant  
4 women. There continues to be a segment of the  
5 population that can only be reached through a  
6 grassroots approach. Some communities need to be  
7 engaged in a culturally sensitive manner in order  
8 for trust to be gained. This is vital with  
9 immigrant communities, as many have fears around  
10 immigration status.

11 Their status oftentimes determines  
12 if and when they will seek out services and ask  
13 for help. As a community-based organization, we  
14 must not move away from this approach if we want  
15 to be effective in reaching our community. Often  
16 bigger and more established non for profit  
17 organizations somehow move away from this  
18 community grassroots approach. At Voces Latinas  
19 we provide education and awareness to the  
20 community, we train immigrant Latinas to be  
21 leaders and advocates to serve as mentors to other  
22 women at risk. We reach these women through  
23 street outreach and engagement.

24 Voces Latinas' Promotoras program,  
25 which translates to Peer program, they go out to  
the community to do outreach to this segment of

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the population. The Promotoras are the very same women who came to Voces Latinas seeking support and also experienced some form of violence. The uniqueness of this program is that it serves an already marginalized population facing multiple traumas, and, in particular, focuses on the co-morbidity of violence against women and HIV and AIDS.

The program equips Promotoras with engagement skills and basic counseling skills, and ensures a match in language, culture and age for each client seeking services, and those who we're trying to reach. This type of connection has proven to be effective in identifying the immediate needs of an immigrant who is living in an abusive relationship and experiencing other forms of violence. The core of the program is the unique approach and exhaustive nature of our Promotoras outreach. The Promotoras seek out those who are experiencing or at risk for sexual violence, domestic violence, dating violence, stalking, HIV, and other issues. We build the skills of our staff and Promotoras to provide the support individual and group counseling and

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3 advocacy with service providers.

4 I'm going to introduce one of our  
5 Promotoras that we brought here which is Marisol  
6 Ramirez and she's going to be talking about her  
7 perspective as a Promotora and her work out in the  
8 community reaching immigrant Latinas.

9 MS. MARISOL RAMIREZ: Hi, my name  
10 is Marisol Ramirez. I'm a Promotora, Peer, from  
11 Voces Latinas. I came in this country in 1993 for  
12 a better life [pause] my daughter a more  
13 opportunity to grow. My journey to this country  
14 was difficult [off mic] and traumatizing. It was  
15 an experience that will never leave to me.

16 I was invited to Voces Latinas by  
17 my friend who told me about workshops. When I  
18 arrived, found another world, made friends, and  
19 connected to resources, and I grow as person and  
20 I'm learning things about myself that I was unable  
21 to explore. I am empowered to keep growing, and  
22 Voces Latinas woman and is small university for  
23 me. We are heard, support, oriented in health,  
24 emotional health for us and my child.

25 I'm here to provide you with my  
personal testimony about my experience doing

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outreach in my community. The first time when I went out to the community, I had very positive thoughts about accomplishing my goal and transmitting my message with love, honesty. The first thing I learned was that in order to stop violence against immigrant woman, we must understand the need of our men. We need more service for immigrant men.

In my community, working with the day laborers I found sad face, hungry, alone, and with no desire to speak. I observed many faces destroyed by their suffering in life. When I approach the men with the condom packet, they come to me and thinking was giving out food or coffee. Other are very grateful and take my information and thank me.

My biggest dream is to service my community and to be able to help my children, my family, and friends be more conscious the community needs and to give back. I found people interested and I was able to exchange valuable information with them about what we do at Voces Latinas. I am passionately about my job, but I am 100% sure that there need to be consistent love,

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3 perseverance, and honesty to reach my community.

4 Thank you for listening to me, I'm  
5 sorry.

6 CHAIRPERSON STEWART: Thank you.  
7 Is there any questions for any of these?

8 I want to thank the last speakers  
9 particularly for coming in and sharing their  
10 experience with us. The fact is we are here to  
11 serve you and if you're not getting the service in  
12 your area where you are, you can come to Brooklyn.

13 All right, because there's where  
14 the Immigration Chair resides and where he is, but  
15 any one of the Council office, you can go there if  
16 you can't get service from the [off mic]  
17 organization, you can go to any one of the Council  
18 offices in the area where you live. All right?

19 Once again, I want to thank you for  
20 coming in.

21 We have our next panel? Our next  
22 panel, we have Terry Lawson, Legal Services; we  
23 have Marisol Arriaga; we have Suzanne Tomatore;  
24 and we have Kim Susser; and we have Lisa Rivera--  
25 that's your sister? All right.

[Off mic]

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3 [Long pause]

4 CHAIRPERSON STEWART: If you can  
5 just identify yourself and start. Again, your  
6 time is two minutes, when you hear that sound,  
7 what you do is basically just wrap up. Thank you.

8 MS. TERRY LAWSON: Good afternoon.  
9 My name is Terry Lawson, I'm a staff attorney at  
10 Legal Services NYC - Bronx. I represent low  
11 income domestic violence survivors in their  
12 family, matrimonial, and immigration matters. I  
13 would like to thank you all for this opportunity  
14 and for Council Member Arroyo's invitation in  
15 particular.

16 One of the biggest problems that I  
17 see in my practice is the lack of supervised  
18 visitation resources citywide. When a survivor of  
19 domestic violence leaves an abusive situation, one  
20 of the first petitions filed is a petition for  
21 visitation by the batterer. New York law strongly  
22 supports visitation rights, even when domestic  
23 violence is present, and courts often order weekly  
24 or biweekly visitation. Supervised visitation  
25 takes place in the presence of a third person.  
Ideally, programs are equipped with staff and

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3 office space necessary to keep survivors away from  
4 batterers and to protect children from abusive  
5 behavior.

6 In 2006, the Office on Violence  
7 Against Women reported to Congress that over a  
8 fourth of batterers threaten to kill their former  
9 partners during the visits. Because visitation  
10 orders provide specific times and locations to  
11 meet survivors, batterers perpetrate the cycle of  
12 violence by harassing survivors, threatening to  
13 abduct children, questioning children on their  
14 parents' location and activities, and disparaging  
15 parents during visits.

16 In the Bronx, there exists only one  
17 agency--Safe Horizon--that provides this  
18 desperately needed service free-of-charge. Other  
19 free supervised visitation programs, such as that  
20 run by VIP, have been forced to shut down due to a  
21 lack of funding.

22 As a result of the lack of city-  
23 funded supervised visitation programs, judges are  
24 ordering less supervised visitation and asking  
25 litigants to ask family or friends to supervise  
visits. This lack of city-funded services is a



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3 serious problem for immigrant women for two  
4 reasons, which I will state quickly. First, even  
5 when the court feels compelled to order supervised  
6 visitation, the unavailability of interpreters  
7 seriously limits the courts' ability to order it.  
8 And, second, immigrant clients have fewer family  
9 and friends here and, as a result, do not have  
10 anyone who could supervise the visits or take the  
11 children to unsupervised pick-up and drop-off  
12 locations.

13 In sum, supervised visitation is a  
14 vital resource for survivors of domestic violence.  
15 I urge you to advocate for more funding for  
16 supervised visitation and civil legal services  
17 citywide to ensure that families that seek  
18 assistance from the courts do not end up in  
19 potentially dangerous situations several times  
20 each month.

21 Thank you for your time and  
22 consideration.

23 MS. MARISOL ARRIAGA: Good  
24 afternoon, my name is Marisol Arriaga, and I am a  
25 staff attorney from the Legal Aid Society's  
Citywide Domestic Violence Immigration Project, a

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3 subproject of the Society's family law practice.

4 The Legal Aid Society is the oldest  
5 and largest provider of legal assistance to the  
6 poor in the United States. The Society's civil  
7 practice operates 14 neighborhood offices and  
8 citywide units serving residents of all five  
9 boroughs of New York City, providing comprehensive  
10 legal assistance in housing, public assistance,  
11 immigration, family law, and other civil areas of  
12 primary concern to the poor. Many of our clients  
13 are immigrants and domestic violence survivors.

14 In the interest of brevity, I'd  
15 like to focus on some of the issues that were  
16 previously raised by some of my colleagues and, in  
17 particular, the U visa certification gap.

18 After the issuance of the September  
19 2007 U visa regulations, the district attorney's  
20 office is designated signatories of U visa  
21 certifications for domestic violence and other  
22 victims for each borough. The Administration for  
23 Children's Services has also delineated its  
24 process for obtaining U visa certifications.  
25 However, the NYPD has yet to publicize its U visa  
certification policy.

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3 The NYPD should provide  
4 certifications in situations where they have been  
5 actively involved in the investigation of a  
6 qualifying crime. There are numerous  
7 circumstances where the NYPD is the only agency to  
8 certify, including, but not limited to, situations  
9 where a perpetrator may never have been arrested  
10 because he absconded the state or country, where  
11 there is no prosecution because the perpetrator  
12 committed suicide after committing a crime.

13 It is important to note that in  
14 most boroughs the district attorney's offices will  
15 not sign a certification until a criminal case is  
16 completed. This procedure is often an enduring  
17 hardship for clients who cannot apply for a U visa  
18 without a certification, particularly as criminal  
19 matters are often pending for many months, if not  
20 longer. In these circumstances, clients should be  
21 able to obtain certifications from the NYPD.

22 Currently, advocates have submitted  
23 U visa certification requests directly to  
24 Commissioner Kelly and he is the only person  
25 designated with authority to sign such requests.  
While there has been some initial response to

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3 these requests, the NYPD has not, to our  
4 knowledge, issued any certifications to date under  
5 the new regulations.

6 Timely issuance of a U visa  
7 certification is imperative for undocumented  
8 survivors of domestic violence. I have one case  
9 pending with a detective who has begun working on  
10 the certification and when I asked him if he could  
11 provide me with a timeframe that I could share  
12 with my client as to when she could expect  
13 certification, he informed me that it has to go  
14 through so many levels and that he didn't expect  
15 it to be any time soon.

16 It is in New York City's best  
17 interest to ensure that all of its undocumented  
18 batter immigrant residents are legalized if  
19 eligible. The City Council can advocate for  
20 training, for appropriate city agency personnel on  
21 U visas and other immigration remedies available  
22 to victims of domestic violence to identify  
23 potential undocumented applicants and refer them  
24 for services as appropriate.

25 [Crosstalk]

CHAIRPERSON MEALY: Excuse me, can

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3 you start wrapping up? Because it wouldn't be  
4 fair to the others.

5 MS. ARRIAGA: Thank you.

6 [Pause]

7 [Off mic]

8 MS. ANDREA RITCHIE: My name is  
9 Andrea Ritchie, I'm the Director of the Sex  
10 Workers Project at the Urban Justice Center.  
11 Suzanne Tomatore had to leave, she offered me her  
12 spot.

13 Over the past seven years, the Sex  
14 Workers Project has provided essential social and  
15 legal services to hundreds of immigrant women who  
16 are victims of trafficking into sex work, as well  
17 as to immigrant women who are victims of other  
18 forms of violence--domestic violence and sexual  
19 assault.

20 Initially, I'd like to join in the  
21 recommendations of my colleagues with respect to U  
22 visa certification, as well as to increased  
23 funding for advocates.

24 Today, I would like to also offer  
25 testimony that falls in the category of what we,  
and particularly the NYPD, can do better to

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3 address the needs of immigrant women and immigrant  
4 victims of violence, and to share with you the  
5 results of the Sex Workers Project's third  
6 research report, Kicking Down the Door: The Use of  
7 Raids to Fight Trafficking in Persons. I provided  
8 you with copies of the executive summary and one  
9 full report for each Committee Chair.

10 Our data suggests, based on the  
11 experiences of immigrant women who are victims of  
12 trafficking, the service providers who have worked  
13 with hundreds of victims, and the law enforcement  
14 agents we spoke with, that local law enforcement  
15 vice raids are not the most effective means of  
16 locating, identifying, and supporting immigrant  
17 women who are victims of trafficking. Study  
18 participants who had been trafficked into  
19 prostitution reported that they had been  
20 repeatedly arrested, in some cases up to ten  
21 times, in police raids on brothels and other sex  
22 worker venues, and often convicted of prostitution  
23 offenses, in some cases even sentenced to jail,  
24 without ever being identified as trafficked. As  
25 Sanctuary for Families noted earlier, service  
providers' experiences are consistent with the

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finding that raids more often lead to arrests for prostitution or deportation than to identification and assistance of immigrant women who are victims of trafficking.

Additionally, immigrant women and service providers alike reported that anti-prostitution raids were often accompanied by violations of the human rights of the very individuals they were intended to protect and were extremely traumatizing to trafficking victims--making them less likely to cooperate in holding their abusers accountable.

We therefore recommend that City Council direct its funding and resources towards community-based responses to trafficking that are along the lines that people have talked about with other agencies with respect to domestic violence, that it's really about helping people come forward on their own. More than half the people we spoke with left trafficking situations on their own with the assistance of community members, friends, and family, and we'd really like to support that option as opposed to ending up with trafficking survivors in jail.

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3 Thank you.

4 MS. KIM SUSSER: Good afternoon, my  
5 name is Kim Susser and I'm going to try to do my  
6 testimony in 1 minute and 56 seconds. This is my  
7 colleague, Lisa Rivera. I am the Director of the  
8 Matrimonial and Family Law Unit at the New York  
9 Legal Assistance Group where we provide civil  
10 legal services to poor people.

11 My unit represents primarily  
12 domestic violence victims in family law, we also  
13 represent domestic violence victims in housing,  
14 public benefits, as well as immigration.

15 We're here today to urge the City  
16 Council to do three things, but as I was sitting  
17 here listening to Terry's testimony, I'm going to  
18 jump on the bandwagon for supervised visitation as  
19 well because that's a critical service.

20 Our goal is first to ask you to  
21 increase the funding for civil legal service  
22 providers for immigrant domestic violence victims.  
23 The second is to improve access to interpreter  
24 services in our courts and city agencies, and,  
25 finally, again to ask that the NYPD designated  
somebody to certify U visas.



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3 I'm not going to go through the  
4 particular barriers to immigrant DV victims. I  
5 think you've heard that, I'm going to assume  
6 you're aware of those issues since you called the  
7 hearing and recognize the importance of them.

8 Regarding increasing civil legal  
9 services for immigrant domestic violence victims,  
10 there are studies that show that legal services,  
11 above all other services, are what enables a  
12 domestic violence victim to get out of her  
13 situation. Representation in civil court  
14 increases the likelihood of prosecution in  
15 criminal court, we understand the criminal  
16 process, can explain it, we know how to liaison  
17 with the district attorneys, we can explain the  
18 consequences of prosecuting cases, and I believe  
19 it was Council Member Gentile who was concerned  
20 about the uncooperative victim. We can help  
21 there, though I don't like using the term of an  
22 uncooperative victim, often she has very many good  
23 reasons not to choose to prosecute and the civil  
24 legal services forum provides her with an  
25 alternative that can find her safe.

I totally blew that I'm sorry, I'm

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3 going to keep going, one second.

4 Finally, I think even that the CBOs  
5 recognize that they need legal services. I would  
6 ask you to tie the DOVE funding into legal  
7 services, that anybody who you're giving money to  
8 as a CBO needs to say we are partnering with the  
9 following legal service agency, and in addition,  
10 to expand the pot of civil legal services money  
11 that you have already.

12 The translation key thing is  
13 critical in our courts, we see it all the time and  
14 you've heard about it before. I just want to  
15 reiterate the importance of interpreters.

16 Thank you.

17 FEMALE VOICE: Thank you.

18 MS. SUSSER: Oh, this is my  
19 colleague, she's--

20 [Crosstalk]

21 CHAIRPERSON STEWART: [Interposing]  
22 All right, so you all--is there any questions from  
23 my colleagues? All right, seeing no questions, I  
24 want to thank you folks for coming in today. We  
25 appreciate what you're doing and--

MS. SUSSER: Thank you.

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CHAIRPERSON STEWART: --the Chairs

[off mic] on some of these issues. Thank you.

Our next panel we have Isolina De  
La Cruz, we have Andrea Ritchie, we have Lucia  
Rivieccio and we have Cecilia Gaston.

All right.

[Off mic]

CHAIRPERSON STEWART: And maybe we  
can add one more to that panel. Do we have any  
more after this?

FEMALE VOICE: No, that's it.

CHAIRPERSON STEWART: Rachel  
Halperin.

[Pause]

CHAIRPERSON MEALY: You could  
start, anyone can start.

MS. ISOLINA DE LA CRUZ: Okay.  
Good afternoon, my name is Isolina De La Cruz and  
I am offering this testimony on behalf of the Good  
Shepherd Services' Safe Homes Project, a program  
of non-residential and residential services for  
survivors of domestic violence. We thank you for  
giving us this opportunity to bring you the  
testimonies of the invisible victims who face an

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3 enormous amount of difficulties to get basic  
4 services and often times get lost in the system  
5 because of their immigration status.

6 Undocumented survivors of domestic  
7 violence and their children are the most  
8 expendable population within our community. Not  
9 only do they face victimization in abusive  
10 relationships, but they also face the  
11 victimization of the system in terms of housing,  
12 public assistance, health care, law enforcement,  
13 etc.

14 Up to this point, the possibilities  
15 for undocumented survivors to get permanent  
16 affordable housing are almost non-existent. Take  
17 as an example the case of one of our residents who  
18 we're going to call "Ana" to protect her  
19 confidentiality. Ana is an undocumented woman who  
20 came to the Safe Homes Project in March of 2009.  
21 Prior to that, she was living with her husband of  
22 15 years. Her husband is undocumented as well, in  
23 which case Ana is not eligible to get her  
24 documents as a survivor of domestic violence.  
25 Although she applied for public assistance for her  
daughter because, as an undocumented person, she

herself is not eligible, her case was closed.  
This was due to her not receiving explanations of  
what to do in the language that she can  
understand. After much struggle, her case was  
recently opened. Even if she's able to get a job  
off the books, she still needs childcare for her  
daughter. Her time in shelter is almost up and  
the only housing options for Ana are to find a  
furnished room or end up in a DHS shelter.

Another option that she has considered is to go  
back to her native country, but she would need to  
get a passport for her child, in which case, her  
husband would need to sign off. Undocumented  
women don't have access to health care either.

Ana was diagnosed with ovarian cancer after she  
gave birth. She had surgery and is now a cancer  
survivor. However, due to not having ongoing  
medical coverage, she hasn't been able to continue  
follow up treatment, which puts her health at  
further risk.

So in order to better address  
sexual and domestic violence of immigrant women,  
the Safe Homes Project join its voice with that of  
undocumented survivors of domestic violence and

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3 with other providers.

4 CHAIRPERSON STEWART: [Interposing]  
5 Could you please sum it up, please?

6 MS. DE LA CRUZ: Yes. We urge the  
7 creation of a housing rental subsidy program for  
8 undocumented survivors and their children. It is  
9 urgent that the existing programs expand their  
10 eligibility criteria to make them available to  
11 this population. Thank you for the opportunity.

12 MS. RACHEL CHAZIN HALPERIN: Good  
13 afternoon, my name is Rachel Chazin Halperin and I  
14 offer this testimony on behalf of New York City  
15 Coalition of Domestic Violence Residential  
16 Providers, an organization representing all of New  
17 York City's licensed nonprofit domestic violence  
18 shelters, which serve thousands of battered women  
19 and children every year.

20 You've heard from many panelists  
21 the insurmountable obstacles that undocumented and  
22 immigrant victims of domestic violence face, so  
23 I'm not going to go through those.

24 Immigrant victims who are in fact  
25 able to overcome these obstacles by seeking  
assistance, escaping from their abuser and

entering emergency shelter, have little or no chance of obtaining safe, permanent housing for themselves and their children in New York City.

Too often, out of desperation, they are forced to return to the abuser and put themselves and their children at further risk of harm.

Currently, approximately 10% of the victims residing in the city's emergency domestic violence shelters are undocumented. This subset of victims are not eligible to receive any housing subsidies in New York City. Undocumented immigrant victims of domestic violence do not qualify for the Advantage rental subsidy programs regardless of the fact that they may have citizen children. Families with at least one documented family member are eligible to apply for NYCHA public housing and Section 8 public housing.

However, undocumented family members are responsible for paying their portion of the subsidy and if NYCHA determines that the rent burden is in fact too high, they will be found ineligible. This presents a serious challenge for undocumented victims of domestic violence who have limited employment opportunities because of their

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3 immigration status.

4 So, to answer the City Council's  
5 question: How can New York City better address  
6 sexual and domestic violence of immigrant women,  
7 the Coalition of Domestic Violence Providers urges  
8 the creation of an "Immigrant Advantage" rental  
9 subsidy program so that undocumented victims of  
10 domestic violence who are able to escape abusive  
11 situations have a viable opportunity to provide  
12 safe, secure, and a life free of violence for  
13 themselves and their children. The City cannot  
14 turn its back on this most vulnerable population.  
15 Without a rental subsidy program for undocumented  
16 victims, the chances that they will achieve  
17 safety, stability and independence for their  
18 families are slim.

19 Thank you for this opportunity.

20 MS. LUCIA RIVIECCIO: Good  
21 afternoon. My name is Lucia Rivieccio, Director  
22 at STEPS to End Family Violence, and I am here  
23 today to speak on behalf of STEPS and four other  
24 New York City programs that collectively serve  
25 well over 600 victims of domestic violence every  
month, including many who are immigrant women.



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3 Our services include group and  
4 individual counseling, case management, advocacy,  
5 civil legal services, teen and children's  
6 services, hotline services, and alternatives to  
7 incarceration for victims.

8 Many of our concerns have already  
9 been raised by previous speakers, I would like to  
10 highlight the following issues along with a couple  
11 of our recommendations. Issue one is the language  
12 difficulties that have already been spoken about  
13 at length, but I'd like to reinforce that. Many  
14 police officers are continuing to use the abuser  
15 as translator. This skews reports and can create  
16 dangerous situations where the immigrant victim is  
17 falsely identified as the abuser and sometimes  
18 charged herself.

19 Inadequate translation provided by  
20 agencies, such as housing and public assistance,  
21 court interpreters, and Language Line. Problems  
22 range from blatantly incorrect translations to  
23 providing advice to victims based on the  
24 translator's personal experiences and judgment  
25 reflecting their own biases. We've also seen  
situations where case managers are not allowing

the victim's own domestic violence advocate to  
accompany her or translate.

Fear of deportation. Even if her  
immigration status is legal, once a victim is  
criminally charged, the fear of deportation  
becomes very real. ICE agents are ubiquitous at  
Riker's Island. If an individual is identified as  
an immigrant, whether documented or not, a hold is  
placed on their record and they are then at risk  
of deportation. To make matters worse, ICE agents  
do not properly identify themselves and many times  
victims mistakenly believe these agents are  
attorneys acting on their behalf.

Housing, financial support, and  
children. Many immigrant victims face a vicious  
cycle whereby in reporting the abuse, they may  
face a loss of income when the abuser is arrested  
or excluded from the home. This leads to the loss  
of housing, which makes it nearly impossible to  
get their children out of foster care, even when  
ACS has concluded that the mother is not a threat  
and is in fact a fit parent.

With respect to access to public  
housing benefits, NYCHA pro-rates rent depending

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3 on the immigration status of people within the  
4 household. As an example, a family composed  
5 entirely of citizens gets more assistance than a  
6 family with only one citizen member.

7 Some of our solutions include  
8 recruiting and placing bilingual and culturally  
9 competent officers in areas that correspond to  
10 their language and cultural competence,  
11 implementing quality control and guidelines about  
12 interpretation services, requiring ICE agents to  
13 identify themselves, developing networks within  
14 immigrant communities to coordinate and link  
15 needed services, extending public benefits  
16 temporarily to victims pending decisions on  
17 immigration applications, and training NYCHA staff  
18 on victim's legal rights and remedies.

19 Thank you.

20 MS. CECILIA GASTON: Good  
21 afternoon, and I'm very grateful that you have  
22 stayed the course and waited for us to be able to  
23 testify.

24 I would repeat everything that my  
25 colleagues have said before. I am the Executive  
Director of the Violence Intervention Program. We

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3 have a full continuum of care from nonresidential  
4 to transitional to emergency housing.

5 Language issues are tremendous, the  
6 assumption that somebody that comes from Latin  
7 America speaks Spanish fluently is not correct.  
8 Many of our women are now--Spanish is their second  
9 language, literacy is a huge issue. The police  
10 are still using family members, the abusers, and  
11 the children as interpreters on a continuous  
12 basis. We've had, you know, everything that we  
13 have said before, I reiterate.

14 What is consistent is a lack of  
15 systemic connections, each system acts in complete  
16 isolation of the others and, therefore, the women  
17 have impossible hurdles, impossible hurdles to  
18 survive. They are surviving because they're an  
19 extraordinary group of people that are determined  
20 to make it and determined to give their children a  
21 good life.

22 But I urge you to explore the  
23 possibilities of making these connections. The  
24 criminal justice system ignores the immigration  
25 system, NYCHA ignores this and ignores [off mic]  
it's just impossible to make it.

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3 And I urge you all to fund it, to  
4 fund appropriately so people can have appropriate  
5 services in really in languages that understand  
6 them.

7 And I really appreciate your  
8 spending the whole afternoon here listening to us.  
9 I urge you to please think about this.

10 Thank you.

11 CHAIRPERSON STEWART: Thank you.  
12 Any questions from my colleagues? No, since  
13 there's no--I want to thank you again for coming  
14 in. We're going to find a way to make that  
15 connection. We have started in terms of [off mic]  
16 we call the one-stop shop centers in terms of  
17 dealing with different issues with the city, and  
18 we have other programs that we are doing within  
19 the city to really connect these areas.

20 MS. GASTON: The one-stop shops are  
21 good, they really work, but the other thing is  
22 funding community-based organizations, because  
23 that has been established as best practice, it  
24 really works. Women in crisis cannot deal with  
25 all the complex issues on their own, so I really  
urge you to think also funding, and funding

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3 prevention. We need to talk to our communities,  
4 we need to get help for the women, even if they  
5 choose to stay in a situation, there are things  
6 that they can do and ways that they can think.

7 CHAIRPERSON STEWART: Thank you  
8 very much.

9 And our next panel is--next and  
10 final panel we have Deidre South [phonetic], and  
11 we have Sophia Worrell, and we have Rabbi Danielle  
12 Shunba [phonetic].

13 [Pause]

14 Is there anyone else here to  
15 testify? No.

16 All right, you may begin by  
17 identifying yourself and then get right into it,  
18 thank you.

19 MS. DEIDRE SOUTH: Okay. My name  
20 is Deidre South. Thank you for giving me the  
21 opportunity to tell you my story.

22 What I'm going to talk about today,  
23 nobody has spoken about this issue, which is part  
24 of domestic violence.

25 Power and control. I've been in an  
abusive situation and my abuser, even though I've

now left him, is using the system to still power and control me. He has no interest in actually having custody of my daughter, but is using the custody to still maintain the power and control over me and keeping me trapped here in the state of New York, so I would just like to you my story, I won't be long.

I am an immigrant woman from Ireland, an Irish citizen having no green card, Work Authorization, Social Security Number, or current status in the United States.

After a vacation in July of '98 I became involved with an Algerian man who was United States here under political asylum. Very early on in the relationship he was abusive, both verbally & physically, but I failed to really recognize the signs and lived in denial and fear for what was really going on.

In April 2004, I discovered I was pregnant with his child and six weeks before the child was born we got married in City Hall. After the child was born and I could see that my daughter was also going to be the subject of his abuse, that was what gave me the strength to

finally leave. There is an indicated case of child abuse on record with New York City's Administration for Children's Services.

After making the decision to leave, I became excited at the prospect of a new life, a new beginning with my daughter in a safe, stable, and secure environment. My daughter is both a citizen of the United States and of Ireland. I was totally unaware that my abuser had the right under some sort of parental law to keep me here in New York state within a radius of where he is living until my daughter, who is now 4, is 16 years old.

I was now feeling totally devastated. After going through all those bad years, to end up being trapped here under the power of control still by my abuser, but now out of the abusive situation. Dragged in and out of court by my abuser for the last two years and my health, along with everything else, has started to deteriorate. I have no medical insurance and no employment, and how can the New York Courts proclaim best interest of the child in this instance?



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3 All of my family is in Ireland, I  
4 have a job offer there with medical benefits, a  
5 home to move into, I vow to pay for tickets for my  
6 husband to come back and forth.

7 It's my child's own wish to  
8 relocate and continually states this to  
9 counselors, social workers, and law guardians.  
10 And the quality of life for both my child and  
11 myself would be so much improved.

12 America, the so called Land of the  
13 Free, what happened to my constitutional right to  
14 freedom? What happens to the rights and wishes of  
15 my child?

16 And I'll just sum up by the United  
17 States of America is one of only two countries  
18 within the United Nations that has yet to ratify  
19 the United Nations' Convention on the Rights of  
20 the Child, despite the fact that the United States  
21 wrote most of the content of this convention.

22 It is my viewpoint that the  
23 criminal in this case gets rewarded. My ex-  
24 husband, even under false claims to obtain  
25 political asylum in this country, he's gone back  
to his native Algeria on many occasions. The

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3 victim gets further victimized until changes in  
4 the law are made.

5 My case will be going to trial in a  
6 few days. If you have any comments regarding my  
7 story or feel you have any advice to give me, I've  
8 given you an e-mail address at the end of my  
9 testimony.

10 Thank you very much.

11 MS. SOPHIA WORRELL: Good evening,  
12 Council Members. I'm speaking as a advocate and a  
13 activist.

14 This is a condensed version of what  
15 I give to you. My name is Sophia Worrell and I'm  
16 a immigrant and survivor of domestic violence.  
17 I'm also a very pro member of Voices of Women  
18 Organizing Project, which is a grassroots  
19 organization of survivors of domestic violence who  
20 organize to improve the systems that abused women  
21 turn to for safety and justice.

22 I'm grateful for this opportunity  
23 to advocate as an activist for documented and  
24 undocumented women and their children.

25 Fortunately, this month my U visa  
was approved, allowing me to move into the ranks

of an immigrant with some status in this country.  
Being undocumented was one of the scariest and  
most frustrating experiences I have been through.

There are many different scenarios  
that drive women to leave their countries. Some  
women are coaxed or misled into emigrating by  
their partners. I was completely unaware of the  
legal status of my batterer and assume he was  
documented in the U.S., as he had been here for 15  
years. It was devastating to discover that I had  
been lied to by my batterer--I will not be a  
legally recognized member of the American society.

Meeting bureaucratic standards is  
made more difficult while trying to recover from  
physical and emotional wounds. There are the  
questions of where to go for help or what would  
happen next. Embarrassment and, worse, what might  
happen if I do not leave. My batterer spent every  
dime that I had brought with me and I had no way  
to financially support myself and my son.

Undocumented domestic violence  
victims are subjected to further exploitations by  
employers when we lack the legal right to work.  
Without any legal work options, many survivors

turn to working off the books, which can pay unfair wages, violate our human rights, and even be dangerous. I cannot express the frustration I have endured trying to adequately support myself and my son over the past three years.

Being in shelter did not make me a candidate me for housing or any other benefits. As an undocumented immigrant with no American-born children, I did not qualify for any permanent housing programs or any other form of aid. I'm extremely fortunate to have received approval to work because, until that happened, I feared the worst. I was facing expiring time limits in my current housing with nowhere to go and no way to support myself. I was afraid my only option was more homelessness.

And I'm just going to read one or two recommendations that I had give to you. One is to expand shelter programs that allow women to work for a stipend and employment records should make undocumented women eligible for benefits or other opportunities in the U.S. And, number three, qualifying for shelter should be considered proof for NYCHA's domestic violence priority as

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3 the screening process for shelter is rigorous.  
4 Safe and permanent housing is the best way to  
5 provide stability and recover for domestic  
6 violence survivors and a much better solution than  
7 being shuttled between temporary shelters.

8 Again, I want to thank you for this  
9 opportunity. And I just want to add that the  
10 voice of survivors is a voice that need to be  
11 heard. We hear from the agencies, but we have a  
12 voice too and we have a lot that we can say and  
13 recommend.

14 Thank you so much for this  
15 opportunity.

16 CHAIRPERSON STEWART: Thank you.  
17 Is there any questions from my colleagues?

18 I want to thank you again for your  
19 testimony, thank you for coming in. We appreciate  
20 it and we are going to try to see what best we can  
21 do to help victims of domestic violence.

22 Once again, I want to thank the  
23 representative from the Bronx, who stayed the  
24 entire testament and I want us also thank--you're  
25 not from the Bronx, you're from Manhattan, she's  
from the Bronx.

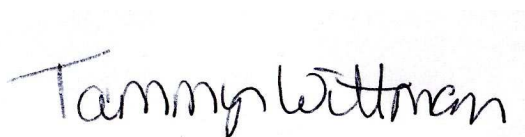
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2 Thank you and this hearing is

3 adjourned.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in black ink that reads "Tammy Wittman". The signature is written in a cursive style with a large initial "T".

Signature

Date August 7, 2009