

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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HELD AT: Council Chambers - City Hall

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Chairperson

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Robert F. Holden
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Christopher Marte
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A P P E A R A N C E S (CONTINUED)

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

Meg Egan
Women's Prison Association

Megan Kirk
CASES, Nathaniel Assertive Community Treatment

Corinthian Black [sp?]
Atlas Hope Program

Rob DeLeon
Fortune Society

Hailey Nolasco
Center of Justice Innovation

Darren Mack
Freedom Agenda

Andrew Sta. Ana
Asian American Federation

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NYC Anti-violence Project

Christopher Leon Johnson

William Juhn
NYLPI

Allison Hollihan
Osborne Association

Melissa Vergara
Freedom Agenda

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

Samy Feliz
Justice Committee

Benjamin Engel
The Hub

Bryan Fotino
Catholic Migration Services

SERGEANT AT ARMS: can everybody settle down? We're getting ready to begin. Good morning and welcome to the New York City Council hearing of the Committee on Public Safety. At this time, can everybody please silence your cell phones? If you wish to testify, please go to the back of the room to fill out a testimony slip. At this time and going forward, no one is to approach the dais. I repeat, no one is to approach the dais. Chair, we are ready to begin.

CHAIRPERSON SALAAM: Good morning and welcome to Fiscal 2026 Preliminary Budget hearing for the Committee on Public Safety. I'm Council Member Yusef Salaam, Chair of the Committee on Public Safety. Today, we will discuss the fiscal 2026 budget, Preliminary Budget on the Police Department-- or for the Police Department, the Civilian Complaint Review Board, the District Attorneys, Special Narcotic Prosecutors, and the Mayor's Office of Criminal Justice to understand the Administration's budget proposals for four agencies that play an essential role for public safety. I would like to welcome the leadership of these four agencies. The Fiscal 2026 Preliminary Budget includes \$7.6 billion

that supports 54,182 budgeted positions. This plan includes large changes to the NYPD's budget and minimal changes to CCRB's, DA's and MOCJ's budgets. Today, I'm interested in learning about NYPD's overtime spending habits, state and federal funding, new initiatives implemented by the Department, and the changes to the Capital Plan. I'm eager to hear how the CCRB has carried out its mission and the budget request submitted by the Board. Additionally, I'm excited to learn about the priorities of our DAs and the SNP, while addressing alternatives to incarceration policies, overtime budgeting, discovery funding, and the decisions that are vital to lowering the incarceration population and achieving the City's goal of closing Rikers Island. Hopefully, we can work together to accomplish the changes needed throughout these agency's budgets. There are many important budget actions in this plan, and we hope to better understand them after this hearing. The Committee would also like to discuss these and other budgetary changes in the Adams' Administration budget and their impact on public safety. I look forward to our fruitful conversations with ongoing oversight hearings. However, we have a lot of work ahead. I

look forward to hearing about the changes in this plan and getting updates on new programs and services for New Yorkers. I also want to thank our Public Safety Committee Chair-- staff, rather, for their hard work: our Financial Analyst, Owen Kotowski, and Casey Lajszky, Policy Analyst, Chad Benjamin, Counsel Jeremy Whiteman [sp?], and Senior Counsel, Josh Kingsley. I also want to thank my staff, Omar Brown, Mufazzal Hossain, and Steven Ileka [sp?]. I'd like to recognize my colleagues who are joining us today, Deputy Speaker Ayala, Council Members Marte, Council Members Holden as of now. I'd like to welcome Commissioner Tisch and her leadership team who we will hear from first. I am now going to pass it back to our Committee Counsel for a few procedural items. So, welcome Commissioner Tisch, Jessica Tisch, Joseph Kenny, Tarik [inaudible], Kristine Ryan, Tania Kinsella, and Michael Gerber.

COMMITTEE COUNSEL: Thank you, Chair.

Just before you begin, can you affirm the following: do you affirm to tell the truth, the whole truth and nothing but your truth in your testimony today and to answer honestly to Council Member questions? Seeing

that you all acknowledged that, you may go ahead.

Thank you.

COMMISSIONER TISCH: Good morning, Chair Salaam and members of the City Council Committee on Public Safety. I am Jessica Tisch, Commissioner of the New York City Police Department. I am joined at the table today by First Deputy Commissioner Tania Kinsella, Deputy Commissioner for Management and Budget, Kristine Ryan, and Deputy Commissioner for Legal Matters, Michael Gerber, as well as other members of my executive staff. Thank you for the opportunity to testify today on the NYPD's Fiscal Year 2026 Preliminary Budget. I have come before this body previously as Commissioner of both the Department of Information Technology and Telecommunications, and the Department of Sanitation. It is my great honor to now share with you the remarkable work of the women and men of the New York City Police Department and to engage with you in an open, productive, respectful dialogue, just as we have in the past. Public safety is the most fundamental obligation a government has to its people, and the police are the keepers of that promise. But to do this, the law enforcement agency

needs one thing above all else, the public trust and it begins with strong, ethical leadership. In my career I have set high standards for myself and for those who work with and for me, and I've been very candid, and I expect all members of my executive team to rise to meet these high standards, and to always lead with unimpeachable integrity. So, immediately upon taking this job, I began a full review of the Department. We would enhance what was working well and fix what was not. Over the past three months, we have made more than a dozen changes to our top leadership, matching the right skills and experience with the right roles. We overhauled the Internal Affairs Bureau, both in leadership and in personnel. We returned about 1,000 cops from administrative roles back to patrol, including the right-sizing of our Public Information Bureau by reducing its uniformed headcount from 87 down to 47 which is a 46 percent reduction. We amended the NYPD's vehicle pursuit policy to give our officers clear guidance and smarter protocols, and we initiated system-wide changes to our overtime policies designed to prevent misuse and to ensure compliance with NYPD regulation. Overtime continues to be an essential and critical

tool in maintaining public safety, as it allows for additional deployments when and where they're most needed, including to reduce crime and staff unplanned events. While an essential part of our budget, it is paramount that overtime be actively managed and that there is strict accountability for its use. I have a track record for taking overtime management seriously, as evidence by my time as Sanitation Commissioner. Under my tenure there, my team and I reduced overtime spending by nearly 30 percent between fiscal years 2023 and 2024 which exceeded even OMB's target. I'm continuing this focus on efficient and appropriate use of overtime at the NYPD, and early results of the overtime management plan are favorable. First, some context. The NYPD's current overtime budget is \$685.7 million, whereas the average overtime spend for the past five fiscal years once adjusted for collective bargaining was \$912 million per year, about \$227 million above our current overtime budget. It is important that we are comparing apples to apples here, because the same dollar of overtime today costs more than it did previously, and for years, the budget has had no connection to reality with significant incremental

adjustments being made throughout the year. All that said, we're spending far too much money on overtime at the NYPD. In the first half of fiscal year 2025, the Department spent \$615.7 million on overtime, an increase of 10.8 percent compared to the same time frame last fiscal year. At that pace, we're on course to spend \$1.23 billion for fiscal year 2025, a 12.7 percent increase over fiscal year 2024. Then on January 1st, I put very clear overtime controls in place for uniformed members, and I did the same on February 1st for civilian members. I am pleased to say that in the month of January 2025 we turned the tide, and the Department's overtime spending is down nearly 11 percent from January of last year, saving \$8.3 million in one month, and that trend continued last month with February overtime spending down 10 percent compared to last February, saving \$7.3 million. This reduction is despite multiple headwinds, including lower staffing levels and increased resources in the transit system, especially on the overnights. Overall, with this renewed focus and enhanced compliance measures, we anticipate that we will continue to see reduced overtime compared to the first half of the fiscal year. Including the

1 additional transit overtime, we are currently
2 projecting to spend \$100 million less compared to
3 what the Department was on pace to spend if the
4 levels from the first half of the fiscal year had
5 continued unchecked. And let me be clear, none of
6 this has come at the expense of public safety. In
7 2024, overall index crime was down with more 3,600
8 fewer incidents reported in the previous year.
9 Murders were at a five-year low. Both shooting
10 incidents and shooting victims were down for the
11 third straight year citywide, and in Brooklyn
12 shootings were at their lowest levels since CompStat
13 began tracking them in the early 1990s. Major crime
14 was down in our housing developments and it was down
15 in our transit system for the second straight year.
16 This was certainly movement in the right direction,
17 but we knew that we could and must do more. There
18 were still stubborn pockets of violence in the City,
19 and there was a sense that people still did not feel
20 safe. So we wasted no time in building on and
21 enhancing our efforts to further drive down crime,
22 and that work has led to a meaningful course
23 correction. Major crime in February was down nearly
24 15 percent, marking the third straight month of
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double-digit declines in citywide index crime after a 16 percent drop in December and a 17 percent drop in January. So far in 2025, overall crime is down more than 14 percent with six out of the seven index categories seeing significant declines. Year to date, crime is down across every city borough. It is down 11 percent in housing, and it is down 27 percent in our subways. We continue to make great progress against gun violence with citywide shooting incidents down another 21 percent from last year. We have seized more than 20,800 illegal firearms since Mayor Adams took office. And long-term investigations alongside DAs from Brooklyn and Queens resulted in the removal of dozens more illegal guns from our streets and in the arrests of the violent criminals who use them. The result was the fewest shootings any January in recorded history, and we set a record by going five straight days without a single shooting anywhere in the City that month. February continued that trend, and we now have the lowest number of year-to-date shooting incidents since record-keeping began more than 30 years ago. On top of this, year-to-date retail theft is down, misdemeanor assaults are down, and in just two months the NYPD has already

taken more than 1,000 illegal guns off our streets. Our roadways are also getting significantly safer, and the work of our 2,900 Traffic Enforcement Agents is saving lives. In 2025, citywide traffic fatalities are down 30 percent to their lowest level in four years. Total collisions are down by more than 16 percent and traffic-related injuries are down 20 percent. Every single collision category from pedestrians, to bicycles, to e-bikes is lower this year compared to 2024. NYPD Traffic Agents are doing a remarkable job in the most densely populated city in the nation, and our streets are much safer as a result of their work. all of this to show that New York City remains the safest big city in America, but one major crime category is running counter to all the others, and that is rape, compared to 2024, reported rapes have increased by 27 percent, and although this may seem counterintuitive, this is a clear sign that our work to seek justice for every victim of sexual and gender-based violence is making a real difference. For years, these crimes have been widely under-reported and more survivors coming forward means more ability for the police to get these criminals off of our streets. Beginning in

spring 2024, NYPD detectives began taking reports of sexual assault of the city's five borough-based Family Justice Centers where survivors were already receiving social and legal services in a safe space. Now they can come forward with the support of trusted advocates and providers and receive the critical resources they need to heal. We encourage all survivors to make their voices heard so the police can hold these criminals accountable. Simply put, the overall crime reductions the women and men of the NYPD have delivered over the past three months have been extraordinary. If 2024 was a step in the right direction, then 2025 has so far been a leap forward. So how are we doing this? We had to reimagine how the Police Department viewed and analyzed crime, and to do that we went back to the greatest innovation in policing over the last century, CompStat. When CompStat was developed in the early 1990s, my mentor Commissioner Bratton was thinking about crime at the precinct level, but the average police precinct in New York City is quite large and each one varies widely in size, population, and land use. What was working in Midtown might not apply to Mott Haven, and 30 years ago the data was less detailed and the

process less defined. Now, though, with more powerful analytic tools and capability for more sophisticated evaluation, we can be more precise than ever, and we can extend the transformation that CompState began through the establishment of Zones. The idea is to focus on much smaller geographical areas and precincts, specific street segments, portions of neighborhoods, even stretches of blocks across precinct borders. Wherever we see increases in crime, we analyze those spikes and those areas become our zones, hyperlocal concentrated regions where we can maximize the effectiveness and the efficiency of our deployments. These deployments are flexible and can quickly adapt to shifting conditions through the use of our mobile field forces. The idea is quite literally to flood the zone. In a world with limited resources, you can't flood the zone across a four-square mile precinct, and you don't need to, but you can do that across 10 problematic blocks. Every day we are deploying about 650 additional officers to dozens of zones around the city. These deployments are not about targeting individuals. They're about combatting crime exactly where it is happening. This is a focused, location-

based, scalpel approach to crime, and the early returns are extremely encouraging. Over the first 10 weeks of 2025, major crime in our zones is down more than 28 percent overall with a 50 percent reduction in shootings. This overall drop in crime includes a 37 percent decline in our 125th Street zone in northern Manhattan, a 42 percent reduction in our downtown flushing zone, and a 19 percent drop in crime in the White Plains Road zone in the Bronx. And in our Roosevelt Avenue zone, major crime is down 37 percent compared to last year. Complex analysis establishes the zones and then just like they did in 1993, we put the cops on the dots. It is a data-driven model based on straightforward logic. Uniformed police presence drives down crime and disorder, and it is working above and below ground. Every day, millions of people rely on the New York City subway to get them where they need to go, and we know that the system will always be a bellwether for public safety in our city. Riders must be safe and they must feel safe, too. That is why among my first major initiatives as Police Commissioner I announced a three-part transit safety plan. Part one began with optimizing our resources to ensure that our

1 deployments were as effective and efficient as
2 possible. As a result of our analysis, more than 200
3 transit officers were assigned to daily dedicated
4 subway patrols in the highest crime stations in the
5 system, and within those stations our officers are
6 posted away from the entrances and mezzanines and
7 onto the actual trains and platforms where we know
8 the 78 percent of transit crime actually occurs.
9 Part two is the reassignment of hundreds of offices
10 from desk jobs and administrative work to transit
11 patrol, which enables us to put two uniformed
12 officers on every overnight train in the City. These
13 cops are highly visible and move from one car to the
14 next, addressing conditions as they encounter them.
15 Part three is about the transit system's rules
16 themselves, and it is a meaningful systemic shift in
17 how we approach policing and transit. Over the past
18 10 years, prohibitions against taking up multiple
19 seats, laying outstretched, smoking, drinking alcohol
20 have not been consistently enforced. This increased
21 the perception of an unsafe system, and it needed to
22 change. So we piloted that change in Transit District
23 20 in Queens. We have added Transit District 34 in
24 Brooklyn, and we are looking to expand this program
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1 in the coming months. Our cops will not simply walk
2 by someone who is violating the law and disrupting
3 other passengers. We will correct the condition.
4 And this is not just about enforcement. If a person
5 is arrested and they're unhoused, they're offered
6 placement in a shelter, and if they accept the offer,
7 the Department of Homeless Services will see that
8 they are given a bed. We will also arrange for their
9 transportation if needed. This is not a dragnet.
10 This is not harassment, and this also is not about
11 one person taking up two seats on a half-empty train.
12 This about restoring a sense of safety and order in
13 the system. It is also a response to New Yorkers
14 telling us that unchecked disorder makes them feel
15 less safe on the train, and the truth is this
16 approach also allows the NYPD to address the random
17 acts of violence that we have seen in the subways.
18 Since this focused enforcement began, about 32
19 percent of the encounters have resulted in an arrest,
20 mostly because of open, active warrants. Of those
21 people arrested, 31 percent were convicted felons,
22 and all combined they had nearly 3,600 prior arrests
23 which is an average of 20 per person. The early data
24 from this transit plan is promising. So far this
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1 year, major crime in transit is down another 27
2 percent in 2024, and it is 44 percent below pre-
3 pandemic levels, and with focused deployments and
4 consistent enforcement, we expect that these crime
5 numbers will continue falling. Our work in the
6 transit system on top of reducing crime and disorder
7 is also cognizant of the mental health crisis we are
8 facing here and in communities across our country.
9 Our subways are not homeless shelters or psychiatric
10 hospitals. At the local level with the PATH program,
11 and the state level with the SCOUT program, we're
12 working closely with our partners at the MTA, DHS,
13 and Health + Hospitals to help people in need who we
14 encounter in the transit system. This co-response
15 initiative is part of our ongoing effort to connect
16 people with shelter and with care, and our
17 interagency teams have made thousands of contacts
18 over the past five months. While we have a moral duty
19 to provide services, we cannot do this work alone.
20 We require strong partners and even stronger ideas,
21 and the NYPD stands with the Mayor and the Governor
22 and their legislative efforts to proactively address
23 severe mental illness. In New York City it is clear
24 that we do not have a surging crime problem, but we
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do have a surging recidivism problem. Compared to 2018, 2024 saw an unacceptable rise in the number of individuals arrested three or more times for the same crime in the same year. The increase was 61 percent for burglaries, 64 percent for shoplifting, 71 percent for grand larceny, 83 percent for robbery, and 119 percent for auto theft, and when we look at felony assault, an index crime that was up in 2024, the increase was a staggering 147 percent. So why is this happening? Well, among the reasons are changes to New York State laws enacted in 2020 that rendered our criminal justice system a high-speed revolving door, putting violent repeat offenders back on our streets over and over again. As the Mayor and I have said, your cops are out there doing their jobs, and in 2024 they made the most felony arrests in 26 years, but before they can even finish the paperwork, the person they arrested is back out on the street, immediately returning to the neighborhood and the people they just victimized. It's demoralizing. It's unsustainable, and it defies common sense, and that's exactly the message that I carried to Albany last month, specifically as it relates to changes to the discovery law. Ultimately, we must put the focus

back on crime victims. I've been working closely with the Mayor on this as well as the Governor and our five DAs, and last month, I met with legislators at our State Capitol to send them a direct message: we must do better. We have been very clear on the specific changes that need to be made to the discovery law, and it is also important to know that the changes that we have put forward in no way retreat from the underlying spirit of the criminal justice reforms of 2020, including the notion that those accused deserve to see all the available relevant evidence against them, and they should not be surprised by anything at the 11th hour, but the 2020 reforms have unintended consequences that put the safety of New Yorkers at risk, and these unintended consequences have to be addressed. Changing the criminal justice laws alone, while necessary, is insufficient. Too often, our prosecutorial partners decline cases or effectively dismiss cases through adjournments in contemplation of dismissals, or ACDs. I have met individually with many of our DAs on this issue, and those productive discussions will continue so that we can forge a safer path forward. There is always room for

improvement. Our DAs are our most important partners and our work together undoubtedly makes our city safer, but any blanket policy that makes the revolving door spin faster must be reevaluated, and we have seen the effect of these policies for a while now: toothpaste and laundry detergent locked up in cages on pharmacy shelves; mom and pop stores closing because they cannot recover from shoplifting losses; people brazenly stealing from our retailers, really taking their time with it, and calmly walking out of the store without a care in the world; all of this is at least in part due to the removal of serious consequences for certain misdemeanors. I am channeling the voice of virtually every NYPD cop and everyday New Yorkers when I say enough is enough. Criminals in New York City, including violent repeat offenders continue to be given every courtesy, and the people of this city suffer as a result. To be sure, crime and violence are major parts of the public safety equation, but when residents, businesses and tourists are plagued by issues like out of control scooter and e-bikes, aggressive panhandling, unruly street vending, public urination, open-air drug use and more, it makes them feel

unsafe, and it gives the impression of chaos and disorder on our streets. To address this, the NYPD is overhauling its approach to quality of life enforcement, and our plan which will be finalized and implemented over the coming months begins with the creation of a Quality of Life division, headed by a new Chief of Quality of Life. Instead of various units scattered throughout the Department, we will have dedicated precinct officers assigned to newly-formed Q Teams. These teams will have strong centralized leadership and be specifically trained to handle and resolve these issues. And we are also developing QStat which will track quality of life complaints the same way that CompStat tracks crime complaints. Our QStat meetings will keep us accountable, more accurately measure our effectiveness and recenter our approach to public safety. I want to be very straightforward about this, quality of life enforcement is based on community complaints. It is about listening to the people in our neighborhoods who are calling 311 and pleading for someone to come and help them. Over the past six years, those calls nearly doubled from 2018 to 2024. Complaints about illegal parking have gone

up 202 percent. Noise complaints are up 119 percent. Calls about homeless encampments are up 557 percent. The complaints about panhandling have increased by 2,783 percent. New Yorkers are clearly demanding something be done and make no mistake, this is not about zero tolerance policing which can be dangerous and counterproductive. While correcting these conditions, our officers will always have discretion, and discretion starts with engagement. Over the past 30 years, CompStat has transformed how we police with a focus on data-driven analysis and supervisory accountability. Now we are using that same model with ComplianceStat. What began last year as monthly ComplianceStat meetings will now occur every other week. At a ComplianceStat meeting, the borough leadership and commanding officers are grilled for three hours by senior department executives on a variety of compliance metrics. Just as COs are called to the podium at CompStat to explain what they are doing in response to crime spikes, at ComplianceStat they have to explain body-worn camera video where we have identified deficiencies or compliance data showing that they are falling short. Half of ComplianceStat is devoted to investigative

encounters, particularly the self-initiated stops by our specialty teams. For that portion of ComplianceStat, members of the monitor's team are in the room so that they can provide feedback and guidance. When it comes to compliance we have real work to do. Through ComplianceStat, we are devoting the time, focus, and the energy of the Department to getting that work done. ComplianceStat and QStat are the latest accountability metrics used in the NYPD, and they're the logical evolution of the CompStat revolution that began 32 years ago. Advancing and refining these models now gives us precise, real-time command of our work in three key areas: fighting crime, improving quality of life, and measuring our own performance. And our relentless focus on data integrity will usher in the next era of policing in New York City. Also, ahead for 2025 is a new training module which will expand our Department's crisis intervention training to include ICAT, integrating, communications, assessment, and tactics. This evidence-based approach to de-escalation training is centered on the critical decision-making model and will teach our officers additional skills and tactics to better serve them in situations where someone is

1 in mental distress. The NYPD responds to about
2 180,000 such jobs every year, and they are some of
3 the most challenging calls for service that our
4 officers handle. The safety of everyone involved
5 depends on cops who are highly-trained, well-
6 resourced and exceptionally prepared, and this
7 enriched training can save lives. We owe this to the
8 public and we owe this to our cops. We began this
9 training with our newest academy class, and it will
10 be rolled out across the Department throughout the
11 year. The work of this Department certainly makes
12 our city safer, but we need more cops. And I will
13 not sugarcoat it. The NYPD is in a hiring crisis.
14 This is not a budget problem. Mayor Adams has given
15 us all the resources that we need and green-lit every
16 class we wanted to bring in, but the applicants are
17 just not there. It was not that long ago when people
18 would wait years to get the call to join the academy
19 and every incoming class was at capacity. Now, we
20 are practically begging people to take the exam, and
21 when they pass, we're scrambling to get them hired as
22 quickly as possible. So what happened? First and
23 foremost, we are still seeing the very real impact of
24 the defund and anti-police movement which created a
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public discourse that devalued our officers and their profession. A lot of the rhetoric aimed at our police is vile, and the pendulum has swung too far away from what I consider to be the most important and noble job that anyone could do, and we must swing it back, because it's quite simple: more cops on our patrol make our city safer. In 2018, the NYPD had 37,000 uniformed officers for a city more than eight million people. Now we have 33,000, an 11 percent drop in headcount over seven years. We need to bring the headcount up, and we started with the new class of more than 1,000 recruits sworn in two months ago. It was the largest recruit class in nearly a decade, but these much-needed additions are just the beginning. We know that we have more work to do. Part of that work is continually evaluating our staffing policies and making changes to improve the way we recruit, hire and train our officers. Previously, the NYPD required at least 60 college credits, 10 to the academy which is a higher standard than most peer agencies who do not require any college at all. In 2023, this requirement led to the disqualification of 29 percent of NYPD applicants, meaning we turned away 2,275 potential officers. We

could not afford to do that any longer. So, in line with similar decisions that Mayor Adams made last year to recruit more municipal workers, I made the difficult decision to reduce the credit requirement from 60 down to 24. At the same time, we have increased the college credits earned in the police academy from 36 up 45. Along with increased academic rigor in the academy, we raised the physical standards as well. With the Mayor's support, we reinstated the mile and a half run as a graduation requirement, putting more focus on our officer's health and fitness. I know these changes will allow the NYPD to recruit more quality candidates to serve as police officers while increasing the physical standards and maintaining academic rigor that continued to surpass what most other Police Departments require. At the end of the day, I want this to be a job that our officers are proud of and their families are proud of, and one that they want to pass down to future generations. There was a time when policing was a family business and it needs to be again. As we go about our vital work keeping New Yorkers safe, I can promise you that the NYPD is going to follow the law, federal law, state law, city

law, and the court orders that bind us. That means that we are not going to engage in civil immigration enforcement, period. That means that despite our objections to the How Many Stops Act, we will meet its requirements. That means that we will protect protestors First Amendment right to speak however hateful that speech may be. That means that we are recommitted to meeting the mandates of the Stop, Question and Frisk Monitorship through ComplianceStat, through a 14th Amendment compliance plan that was long overdue, and through the accountability and discipline that are warranted when we fall short. The NYPD is not perfect, but we will hold ourselves to the highest standards of legality and of integrity that befit the greatest Police Department in the world. Now, I would like to turn to-- excuse me. Now, I would like to turn the work the NYPD and City Council can do together. The perception among the police and the public is that the Council has been legislating against us, but there is much that we can do in concert. I look forward to discussing these many points of intersection with you, where our work can collectively benefit our shared public safety

1 interest. For instance, we are taking a close look
2 at measures to discuss with you that will
3 dramatically improve New Yorkers' quality of life,
4 such as possession of ATVs. ATVs cannot be legally
5 operated on New York City roadways, but because ATV
6 possession is legal, enforcement of the ATV laws is
7 very challenging. The City Council should make it a
8 misdemeanor to possess an ATV within the confines of
9 the City. As part of this shared work, we must move
10 away from stances that negatively impact public
11 safety in our city. We need to have a candid
12 dialogue not in anger, but in honesty about the
13 effect that various laws have on the Department's
14 work and on public safety. As you know, the Council
15 has put forward a bill that would ban the
16 Departments' Criminal Group Database. That database
17 is a critical intelligence tool that helps the NYPD
18 save lives. If you want to work with us to improve
19 the database, by all means let's craft a bill
20 together, but to not eliminate the database. Doing
21 so will hurt the Department and will detract
22 meaningfully from public safety. Whenever possible,
23 we should be working together to enhance the safety
24 and quality of life of every New Yorker. As leaders

in city government, that is our job, and I am eager to partner with you on any policies and legislation that makes our city stronger. Now, turning to the Mayor's Preliminary Budget and its impact on the NYPD in the coming fiscal year. In totality, the NYPD's fiscal year 2026 expense budget is \$6.15 billion, the vast majority of which or 92 percent is allocated for personnel costs. The remaining eight percent is dedicated to non-personnel costs which includes costs for technology that provides officers with immediate access to critical data and applications, safety equipment, our response vehicles and facilities. We are grateful for the restoration in the November Financial Plan of our January and April 2025 police officer classes, as well as the additional new funding of \$181 million included as part of the Preliminary Financial Plan which was for the following in the current fiscal year: \$117 million to partially address our structural overtime shortfall, \$55 million for the Department's Domain Awareness System and data plans for police officer's smart phones, \$9 million for auto parts to ensure we can maintain the Department fleet, including marked patrol and specialty vehicles such as ESU trucks. In

addition to the department's operating budget, our 10-year capital strategy includes \$1.55 billion for fiscal years 2025 through 2035. This funding is critical for facility construction projects, over \$698 million or 45 percent of the capital budget, including renovated firearms training facility; communications and other information technology infrastructure over \$428 million or 28 percent; large vehicles life cycle replacements including ESU trucks, tow trucks, boats, and helicopters, \$385 million or 25 percent. During this Capital Plan, FY 25 was reduced by \$50 million to account for updated project schedules. The Department will continue to work with OMB to ensure funding is available to address all life safety systems including communications equipment and facility improvements. While we have not yet felt any direct impact to our federal funding levels under the new administration we are closely monitoring any directives and changes regarding federal grants. Federal funding, while only making up three percent of our budget, covers critical functions within the department. On average, the NYPD receives just over \$200 million annually in new federal grant funding with the

majority coming from the Department of Homeland Security. The DHS grants enhance the Department's counterterrorism capabilities, especially in the transit system and at our ports. These grant funds allow the Department to develop and sustain our sensor [sic] and information technology centerpiece, the Domain Awareness System, to support our counterterrorism mission, hire intelligence research specialists, deploy officers within the transit system and to strategic locations citywide based on intelligence, and train officers to respond to chemical ordinance, biological, radiological threats or incidents as well as active shooter scenarios. Federal funds are critical to enhancing our ability to protect New York City residents and visitors and our critical transportation and port infrastructure. The NYPD will continue to work closely with OMB to assess any potential impact on this critical funding stream. I am a transparent, solutions-oriented person, and I have worked well with the Council in every role that I have served in city government. Some of the most important work of my career has been done in partnership with Council Members, and I hope and expect that will continue with you in my current

1
2 role. My work with the Council has always been
3 infused with the tone of mutual respect. That
4 doesn't mean we will always agree, but when we
5 disagree, I will always be very clear as to why. For
6 the sake of all the people who serve, we must and we
7 will work together. Thank you for the opportunity to
8 testify today, and my staff and I look forward to now
9 answering your questions.

10 CHAIRPERSON SALAAM: Thank you for your
11 testimony. I want to recognize that we've been
12 joined on Zoom by Council Member Cabán, in-person by
13 Council Member Joseph, Abreu, Public Advocate Jumaane
14 Williams, and also by Council Member Nurse. And I
15 want to give the floor now to our Public Advocate
16 Jumaane Williams for his statement.

17 PUBLIC ADVOCATE WILLIAMS: Thank you, Mr.
18 Chair, Commissioner, First Deputy, and Deputy
19 Commissioners. As mentioned, my name's Jumaane
20 Williams, Public Advocate for the City of New York. I
21 want to thank Chair Salaam, members of the Committees
22 of Public Safety and Finance for holding this
23 important hearing. I do want to mention that
24 wherever I go I ask three questions that are answered
25 the same, whether it's the most republican district

or most democratic district. How many people think that crime is an issue, raise your hand? They normally do. How many people think that police are a part in trying to address that crime? Most folks usually raise their hand. How many people think they can do it alone? Most people don't raise their hand. Those questions are answered all over the same, and I feel like that third question is where we have a lot of difficulty, as no matter where we agree, most of the weight of public safety is always falling on our law enforcement. And so I'm hoping to have a public safety discussion that goes outside of law enforcement so we have a better understanding of what public safety is. And with that, I'd also want to mention that even throughout the defund the movement-- defund the police which admittedly I said then. Now, it's not the best phrasing of what I think they were trying to do. NYPD was never defunded. Many other agencies were, and I don't know if we ever discussed the impact of those agencies being-- I do think that NYPD should not be leading in providing assistance and services to people experiencing homelessness or mental health crisis. Having NYPD lead to remove public perceived as being homeless or

1 experiencing sickness or mental illness to hospital
2 is not the best use of city resources. The city
3 instead must invest in non-police responses to help
4 with the mental health crisis, affordable community-
5 based mental health services, subsidized housing,
6 respite and drop-in centers, things that dramatically
7 decrease the likelihood of need for intervention in
8 the subway in the first place. PD can be available
9 if necessary. The NYPD spent nearly \$1.1 billion on
10 overtime through the 2024 fiscal year, \$141 million
11 more than the previous year. I was just with the
12 Comptroller who presented a report about the
13 community-based violence interruption programs.
14 While the department has \$1.1 billion just in
15 overtime, they can't even get paid on time. I can't
16 imagine what kind of services we'll be able to
17 provide from the Police Department if they had to
18 wait three, four, five, almost a year to get paid.
19 Police overtime has always been the subject of
20 debate, but most-- but recent events including
21 allegations that a former Chief of Department traded
22 overtime pay for sexual acts have emphasized the need
23 for reform. I want to say I am heartened to see NYPD
24 Commissioner Tisch taking steps to address excessive
25

overtime and overtime abuse. Excessive overtime does not only drain resources that could be used and invested in what we know makes us safer, housing support, mental health services, employment opportunities, crisis intervention, credible messengers, and education. It also harms officer retention. Officers have cited mandatory long hours as reasons they left their job, [inaudible] left little time to see their spouses and start families. Making tens of hundreds or even hundreds of thousands of dollars in overtime in a year also incentivizes retirement for officers who have reached their 20th year of service there. Pensions will be based on their 2024 salaries inclusive of overtime. Many officers will and have chosen to retire rather than the risk of retiring with a smaller pension in a few years. When an agency that struggles with recruitment or retention, it is NYPD's best interest to ensure that officers are not putting in excessive overtime. In 2024, the city paid over \$205 million in police misconduct lawsuit settlements, the most since 2018. This number is not inclusive of matters that were settled with the Comptroller's office prior to former litigation, though more than half of the

cases settled were around 20 years old, predating this Administration. We continue to see cases seeking millions of dollars in damages as a result of police misconduct. In September of last year, the NYPD shot a person accused of holding a knife pursued for fare evasion as well as bystanders and one of their own officers, leaving one bystander in critical condition with a gunshot to the head. Two of the victims announced their intentions to sue the City for \$80 million and \$70 million respectively. It bears repeating that the fare for the subway is \$2.90. The NYPD also injured numerous people last year in a crack on a protest including occupational building on Columbia University's campus. There's also [inaudible] adequately-- robustly fund our public defender services or free legal defense services for anyone who needs them mandated by federal law and local law. These organizations are consistently underfunded. It is low-income New Yorkers who ultimately face the consequences of the budget that favors District Attorney's offices deprived of the robust legal representation that they need and deserve. A broad arrange of nonprofits that have city contracts to provide services to New

Yorkers including those that provide legal services.

I repeatedly reported that the city makes payment far too late or sometimes not at all. The city budget

must ensure high standard of quality legal

representation for low-income New Yorkers. I just

wanted to add based on some of the things that I

heard that sound a lot like returning to some Broken

Windows type policing. I sat and met with George

Kelling [sp?] during the height of the abuses of

Stop, Question and Frisk to get an understanding of

what he was thinking, and he agreed with me that

Broken Windows did not have to be fixed by police.

Meaning the police do not have to be the ones sent

there all the time and was concerned about the

reputation it was getting. Recidivism has always

been an issue. I'd be interested to see where it was

before 2018, mostly to see what recidivism is doing

across the nation, just like violence and crime

across the nation that occurred after the pandemic

rates, and our laws had nothing to do with rising

crime or recidivism across the nation. And there are

places in the state like Buffalo that have seen

historic drops in shootings and murders as well. We

also know that many times judges were not setting

1 some of the bails that they had available to them,
2 have nothing to do with the law. We should be
3 pushing to invest in other things, because inevit--
4 it happens every single time, and it will happen now.
5 The more we put this weight on our police, there will
6 be interactions that will be damaging, and I often
7 feel like we're setting our offices up for failure by
8 asking them to do things that other people should be
9 doing that is not good for them and is not good for
10 community. But this is a cycle that happens. And
11 I'm hoping at some point we can stop the cycle by
12 agreeing where we agree, but backing that up with
13 funding to other agencies and other organizations
14 that can do the job that we're asking our NYPD to do.
15 It causes unnecessary attention, unnecessary
16 conversations, unnecessary pressure that the public
17 sees. So, I'm pleading with the Commissioner to
18 rethink some of the strategies to try and get through
19 and make the NYPD be the last resort, not the first
20 resort, and let's figure out some other agencies and
21 other organizations that can be the first resort to
22 try to address a lot of these issues, because I don't
23 want them ignored. But his playbook has been seen
24 over and over, city after city, and I know what the
25

results going to be, and I'm concerned for all of us if that is the pathway we take. Thank you so much. Appreciate it.

CHAIRPERSON SALAAM: Thank you, Public Advocate. I'm going to start with a line of questioning. Start off by asking the budget requests that have been submitted to the Administration for the NYPD, can you summarize the request made for fiscal 2026 and what requests were not funded in the preliminary plan that you hope will be included in the executive and adopted plans?

DEPUTY COMMISSIONER RYAN: Good morning. The primary request that we've made have been in the areas where we have structural underfunding in our budget. So that includes requests for additional IT funding. We need approximately \$42 million in the current year, \$98 million in the baseline. That's to ensure we can continue to support and expand critical data and software. The critical systems and software, growing data and data analysis needs to be addressed, as well as making sure that we have the appropriate funding for maintaining safe and secure-- cybersecurity posture. We also submitted a request for our fleet. As you are probably aware, our

1 response vehicles are not currently capitally
2 eligible, and we have a structural underfunding in
3 our budget as a result of series of cuts in prior
4 budgets to the funding for our fleet. So we've
5 requested \$35 million in the next three fiscal years
6 for our fleet to ensure we have an appropriate
7 lifecycle replacement for those very important first
8 line response vehicles. And of course, overtime,
9 those projections are still being finalized, but our
10 overtime also begins each year-- this has been the
11 case for the last five fiscal years-- significantly
12 underfunded. So we-- we project at this point we'll
13 need up to approximately \$300 million in additional
14 city tax levy funding for our overtime budget.

16 CHAIRPERSON SALAAM: and Commissioner, in
17 the few months that you've been Commissioner, what
18 changes have you implemented in relation to the
19 dedication and direction of the NYPD's resources?
20 Have you created or enhanced any units within the
21 NYPD, and are there any units for which you have
22 reduced funding or eliminated it? Do you have any
23 plans to create new units or eliminate any existing
24 units during your tenure?

COMMISSIONER TISCH: As I mentioned in my testimony, the large push that we've been making over the past three months has been to return officers who are working desk jobs back to patrol, transit, and housing. This is especially important given the staffing crisis that we face at the NYPD. We are seeing a lot of retirements, which are expected. We hired massive classes about 20 years ago, and so we have lots of officers that are newly eligible for retirement, and we're working very hard to bring new recruits in to replace those officers. So the big push on the staffing side has not necessarily been to create new units, but to bolster patrol, transit, and housing. That's the bread and butter really of the Department and get officers back out onto the streets. We put a lot of emphasis on rebuilding. We're-- the Internal Affairs Bureau. Have also taken a good hard look at DCPI. As I've mentioned in my testimony we have significantly reduced uniform headcount there. Those are among the changes that we have made to-date.

CHAIRPERSON SALAAM: Thank you. The return of these officers from being behind the desk back into the streets to do patrol, transit and

housing and so forth, have you seen that this has also been impacting the overall overtime spending in a positive way?

COMMISSIONER TISCH: As I mentioned in my testimony, when we put our new overtime control plan into place starting on January 1st for the uniformed officers, in the month of January we saw almost an 11 percent decrease in our uniform overtime spend compared to the previous January, and that was not just that it's an 11 percent decrease, we had-- we're on a trajectory to be 11 percent over for the month of January. So we really turned the tide there. And yes, I do believe that returning officers working desk jobs to our operational commands does have an impact on overtime spend in the Department. It also makes our streets safer and brings our response times down.

CHAIRPERSON SALAAM: Just like to acknowledge that we've been joined by Council Members Ariola and Council Member Paladino. As it relates to NYPD overtime spending, as of January, the NYPD has spent approximately \$721 million for overtime costs, \$156 million more than the \$556 million budgeted for overtime adoption. Nearly all of the overage in

overtime spending is the result of excess uniform overtime. At adoption, the NYPD's budget included \$477 million for uniform overtime expenses, but by January uniform overtime expenses had exceeded \$631 million. Which units and ranks generate the most overtime spending? And please provide a breakdown of overtime spending by purpose and unit.

COMMISSIONER TISCH: So--

CHAIRPERSON SALAAM: [interposing] How much--

COMMISSIONER TISCH: [interposing] I apologize.

CHAIRPERSON SALAAM: Sorry, just to finally finish up. How much of the overtime cost is planned events like parades? How much are unplanned events like protests, and how much for other activities, and how do these totals compare to previous years?

COMMISSIONER TISCH: So, overtime by rank is split about 50 percent is for our police officers which makes sense given that they make up the vast majority of our staff on the uniform side, 27 percent detectives, 15 percent sergeants, eight percent lieutenants, and 0.1 percent in the other ranks

1 within the Department. In terms of category, our
2 projected spend is that events and details will be 20
3 percent, transit safety 18 percent, investigations 17
4 percent, protests eight percent, operational eight
5 percent, arrests eight percent, and crime reduction
6 six percent. Those percentages are actually
7 percentage-wise relatively consistent with prior
8 years, although we have obviously additional
9 resources on the transit side as part of the Governor
10 and Mayor's joint announcement, particularly with
11 regard to having officers on the trains overnight.
12

13 CHAIRPERSON SALAAM: In the past, Council
14 will receive overtime reports breaking down overtime
15 by categories and events. Will you commit to
16 providing the Council with these reports again?

17 COMMISSIONER TISCH: Yes.

18 CHAIRPERSON SALAAM: And the NYPD's
19 excessive overtime expenditures have been an issue of
20 concern for many years now. I assume that after all
21 these years NYPD has a good understanding of
22 preliminary drivers of the increase in the NYPD's
23 overtime expenditures. What steps have you taken to
24 shift resources to provide staffing in those areas
25

where overtime usage is more prevalent in order to reduce the reliance on overtime?

COMMISSIONER TISCH: Chair, we have transferred newly 1,000 officers now from desk jobs back out into our transit, housing and patrol commands, and so those steps obviously will have an impact on overtime spend. That's only a piece of it. We also in the month of January put in place a uniformed overtime plan which set clear thresholds for our uniformed officers based on assignments of how many hours of overtime they can work. Now, obviously there are going to be exceptions when people-- circumstances happen and people have to work over that threshold, but we also put in place a process for documentation accountability, so that if we do see overages we can explain it. That work is being overseen by our First Deputy Commissioner with the assistance of our Deputy Commissioner of Management and Budget. We have also required that each command have an overtime compliance officer in place, someone who is actually accountable for management. So, the combination of both returning officers from desk jobs out into the streets and putting tighter management controls overtime I

believe are delivering the results that we are beginning to see in the month of January and February.

CHAIRPERSON SALAAM: Director Jiha testified at the OMB budget hearing that under budgeting overtime is a cost-avoidance measure, and if the NYPD was budgeted a billion dollars at adoption for overtime, by the end of the year costs would be even more. Director Jiha's statement can be interpreted to mean that the NYPD's overtime spending isn't directly linked to necessity, but rather to the availability of funding. Do you agree that no matter what the NYPD's adopted overtime budget is, the Department will always end up spending more than the budgeted amount?

COMMISSIONER TISCH: I have deep respect for the Budget Director. I've worked with him collaboratively and very well for many years in government including as I mentioned as Sanitation Commissioner where I was very proud that we came in even under his overtime targets, but I would defer to him on his methods for budgeting around overtime.

CHAIRPERSON SALAAM: I understand that the NYPD has issues attracting candidates which has

COMMISSIONER TISCH: [inaudible] hold on.

I can get it. Okay, in 2025-- it's actually a range. Our projected attrition is between 2,828 and 3,387. So that would be a difference of 8.35 percent to 10 percent.

COMMISSIONER TISCH: I can get that number. Let me get back to you with a number of eligible for retirement.

COMMISSIONER TISCH: Get that to you

COMMISSIONER TISCH: [interposing] Oh, I have it here.

CHAIRPERSON SALAAM: Okay.

COMMISSIONER TISCH: I found it.

Eligible for-- total uniformed members of service eligible for retirement is 5,335. Those are eligible for retirement during calendar year 2025.

CHAIRPERSON SALAAM: And how does the current percentage of eligible retirees compare to the previous years?

COMMISSIONER TISCH: It's slightly up, and the reason it's up is because we had such a large class in-- 20 years ago.

CHAIRPERSON SALAAM: Over the last few years, NYPD has around 600 officers in each cadet class. In January, the NYPD's class started with over 1,000 officers. Are you planning more classes of this size in the future?

COMMISSIONER TISCH: That is certainly the hope and the plan, but as I mentioned, it is becoming more and more difficult to get people to take the job or take the test become a police officer. And I mentioned in my testimony a number of reasons why. As a result of the staffing crisis, we did recently lower the college credits required to become uniformed police officers. So, we are hoping

1
2 and expecting that that will shake loose additional
3 candidates so that this year we can match attrition
4 with our hiring. But I believe that had we not made
5 that call to reduce the college credits, we would
6 have been unable this year to match hiring to
7 attrition.

8 CHAIRPERSON SALAAM: I want to shift to
9 Quality of Life, Commissioner, and summons.
10 Commissioner Tisch, you recently announced a new
11 Quality of Life Division to deal with quality of life
12 complaints. This Administration has been targeting
13 quality of life complaints over the past few years.
14 In fiscal year 2022, the Department issued
15 approximately 67,000 quality of life summons. In
16 fiscal year 2024, the Department issued approximately
17 180,000 summons. What is the budget and headcount
18 for the Quality of Life Division? And what are the
19 criteria will an officer need to be selected for that
20 division.

21 COMMISSIONER TISCH: So, over the past
22 several years, the quality of life enforcement at the
23 NYPD has been led by a unit called CRT, or Community
24 Response Team. That-- we are proposing to create a
25 Quality of Life Division at the NYPD so that we can

1 make precinct commanders and the resources that they
2 control responsible for quality of life complaints in
3 their precincts, rather than solely relying on this
4 centralized, more centralized, unit to address
5 quality of life concerns, and the rationale there is
6 quality of life issues vary from precinct to
7 precinct. In one command, it might be abandoned
8 vehicles. In another command, it might be unruly
9 vending, and no one knows the issues and the commands
10 better than the commanding officers. The other idea
11 there is to put some metrics and accountability
12 around responsiveness to 311 complaints. As I
13 mentioned in my testimony over the past six years,
14 311 complaints for, you know, to the NYPD have
15 doubled around these issues. And while we do a great
16 job or historically have done a great job through the
17 CompStat process upholding our commanding officers
18 responsible for crime and in particularly the major
19 crime, the seven major crimes, we're not doing that
20 right now with quality of life issues. so the idea
21 there is to create a Chief of Quality of Life for
22 Quality of Life Division to centralize a number-- to
23 put a number of units that are now scattered
24 throughout the Department under that Quality of Life

1 Division, but really the vast majority of the
2 workforce that we'll be dealing with or addressing
3 quality of life issues under this model will be at
4 the precinct level under the direct control and
5 supervision of the precinct commanders. This is not
6 so much a budget change as a reorganization and re-
7 emphasis and reprioritization around these issues.

9 CHAIRPERSON SALAAM: Is there or was--
10 what is the specialized training that the officers
11 selected for this will receive?

12 COMMISSIONER TISCH: That's still being
13 worked out, but I can give you an example. When I
14 was the Commissioner of the Department of Sanitation
15 we had a number of uniformed police officers
16 transferred over to DSNY to help address problems
17 associated with vehicles abandoned or left
18 inappropriately on our streets. Historically some of
19 them have been row-tows [sic] that the NYPD would
20 address and others were derelict that the Department
21 of Sanitation would address. And when we put the
22 Sanitation supervisors with the NYPD cops, it didn't
23 matter why that-- whether it was derelict or row-tow,
24 between the two of them they could address any issue.
25 But through that work we learned a lot of detail, how

1 complicated row-tow policies and procedures are, and
2 there are good reasons why they are, but it's not as
3 straightforward as one would imagine. So among the
4 specialized training as an example is teaching those
5 officers how to address row-tows and work with row-
6 tow vendors to remove cars quickly off of the
7 streets. And when people wonder why vehicles are
8 left on our streets in such high numbers, among the
9 reasons is it is difficult for our officers absent
10 this extra training to address those concerns.

12 CHAIRPERSON SALAAM: Thank you. Moving
13 to State funding for the Subway Safety Plan. The
14 State fiscal 2025 enacted a budget including \$77
15 million over the two years to cover overtime costs to
16 officers on subway platforms and in subway cars.
17 This funding announced-- this funding was announced
18 as a match to what the City will spend to increase
19 deployments to the subway system. How much has the
20 NYPD spent on increasing subway deployments over the
21 past year?

22 DEPUTY COMMISSIONER RYAN: So, to-date
23 we've spent \$71 million in transit safety overtime
24 specifically. With regard to the funding committed
25 by the Governor that's going to be split between the

Governor and the City, that on the City fund side is estimated to be \$98 million; \$66 million will enable us to continue to have 5,000 hours of transit safety overtime daily, something we've been doing at varying levels and this funding will allow us to continue that at least through June. And there's an additional \$32 million associated with the officers on the overnight. The reason that the Governor's investment cited was \$77 million is because there's been discussion about the State also covering the fringe portion of these costs. So that \$98 million in City funds, when you add fringe to it, the total cost for those two programs for that six-month period is \$154 million.

CHAIRPERSON SALAAM: It's clear that much of the NYPD's effort patrolling in the transit system involves situations in which officers must interact with people experiencing mental health crisis. Will you support increasing funding for community development, mental health support and for programs that provide opportunities to keep people off the streets?

COMMISSIONER TISCH: As I mentioned in my testimony, the NYPD stands with the Governor and the

Mayor looking for solutions that meet the scale of the mental health crisis that we're seeing in New York City.

CHAIRPERSON SALAAM: And moving to federal funding. On January 27th, 2025, the Trump administration issued a directive to pause federal loan and grant spending. This directive was rescinded two days later, but an Executive Order issued by the President to review funding remains in effect. The NYPD's fiscal year 2025 budget in the Preliminary Plan includes approximately \$236 million in federal spending. Typically, the NYPD's budget increases throughout the fiscal year as additional federal funds are realized. Since adoption, the NYPD's budget has increased by \$220 million as a result of additional federal funding being realized. What is the cause of the year-round increase?

DEPUTY COMMISSIONER RYAN: So, in the November Plan, \$152 million in federal grant funding was added. The majority of that, 64 percent, was for what is called the Urban Area Security Initiative which is UASI funding. That is, as we discussed earlier, we get a large portion of our federal money from the Department of Homeland Security and UASI is

the major portion of that. \$12.3 million of that was for DOJ asset forfeiture funds, \$8.2 was for Law Enforcement Terrorism Prevention Program, \$7.7 was the Port Security Grant Program, \$9.5 securing the cities, \$4 million for FEMA disaster recovery still tied to Hurricane Sandy and Ida, and \$1.9 million for Transit Security Grant Program. And then in the Preliminary Budget there was an additional add of federal funding for additional Urban Area Security Initiative funding, funding for the Community-oriented Policing Program and additional asset forfeiture funds.

CHAIRPERSON SALAAM: How much of the federal funding in the NYPD's fiscal year 2025 budget is paid as reimbursement to the City?

DEPUTY COMMISSIONER RYAN: It's all reimbursed to the City from the federal government.

CHAIRPERSON SALAAM: How much federal funding is expected for fiscal year 2026, including funding not currently budgeted for this year?

DEPUTY COMMISSIONER RYAN: So, on average, we receive approximately \$200 million a year in federal funding. It does vary and fluctuate. So

I anticipate we would receive about that amount. All things remaining as they have been in the past.

CHAIRPERSON SALAAM: And how do you-- how do you anticipate to cover expenditures if federal funding is cut by the Trump Administration?

DEPUTY COMMISSIONER RYAN: That's a discussion we would have with OMB. This is really critical funding for the Department. While it only represents about three percent of our total budget, it's very important to ensuring the safety of not only the residents of the City, but also visitors, protecting our infrastructure, protecting our ports. So it's really critical funding. We would have ongoing dialogue with OMB as we're already having to ensure those critical resources are maintained.

CHAIRPERSON SALAAM: So, I'm going to open it up and pass it to the other Council Members starting with Council Member Holden.

COUNCIL MEMBER HOLDEN: Thank you, Chair, and thank you, Commissioner. Testing. Okay. Again, thank you for the great testimony once again, and I had the pleasure working with you as-- when you were DoITT Commissioner and Sanitation, and now Police Commissioner, and I must say you're consistent in the

1 way your organize, the way you lay out a plan that I
2 think most people can get behind. And you know, just
3 in recruiting, we know how difficult it is. Your idea
4 of less credits, college credits, is great. Could we
5 also do something where we could instead of even
6 college credits-- I'm a-- I was a college professor
7 for 40 years, so it's not like I'm saying not go to
8 college. Can we give them training, more training in
9 the academy, in the Police Academy, instead? And you
10 mentioned something to that effect, but can we--
11 instead of any college, let's say, any college
12 credits which may be an obstacle for some, can we
13 give them extra training?

15 COMMISSIONER TISCH: That is definitely
16 something that we are assessing, and meaning,
17 striking the balance between how many credits earned
18 at the academy and how many credits are required to
19 come in and take the job. I see what we just did in
20 terms of increasing the academy credits and
21 decreasing the number that are required to take the
22 job as a first step. It doesn't mean it's the final
23 step. I'd like to get basically a years' worth of
24 data and see how our hiring goes before we made
25 additional changes to eligibility, but one thing is

1
2 very clear, New York City needs to hire more members
3 of the New York City Police Department. It is an
4 important investment for us now, but it's an
5 important-- also an important investment in our
6 future.

7 COUNCIL MEMBER HOLDEN: Okay. Getting
8 into quality of life, which I love that idea. That
9 was the intent of the NCO program originally. Can
10 we-- since we had a shortage of police officers, the
11 NCOs kind of were, you know, on 911 calls more often.
12 So, for instance, a lot of my complaints in most of
13 my precincts seem to be quality of life, parking
14 issues. Somebody's in the driveway. Somebody's
15 parked at a hydrant, whatever, you know. A lot of
16 commercial vehicles which many time is frustration on
17 311 because the officers don't seem to know the law
18 on improper registration, for instance.

19 COMMISSIONER TISCH: And that's-- that's
20 exactly what is behind the model that I'm
21 recommending. Quality of life complaints have to be
22 measured and there has to be accountability in our
23 precincts and our commands for addressing them. In
24 the same way there has been for the past 30 years
25 with CompStat, accountability for dealing with and

1 O'Sullivan, CO of the Traffic Division under the
2 Chief of Transportation. I mean, at-will you call
3 him, you say we got this problem, you know, this is
4 parked here for a month or two months, three months,
5 and he goes out with his team and they do an
6 excellent job. I just want to bring up the subways
7 before I run out of time and I am running out of
8 time. when we have somebody that's committed a
9 number of crimes in the subways, attacks, random
10 attacks, when you know this person has serious mental
11 illness, when they attack people at random, and you
12 just keep re-arresting the same person, what are some
13 of the options the NYPD can do to address this rather
14 than-- because I asked-- I used to ask the previous
15 administration how do you red-flag individuals, and
16 they didn't. So, 40 arrests, same individual, and we
17 just keep going through revolving doors. I know it's
18 the justice system. What can the NYPD do to address
19 this?
20

21 COMMISSIONER TISCH: As I mentioned,
22 arrests in New York City, major felony arrests last
23 year were a 26-year high. Our cops are out there
24 doing their job every day and they're doing it really
25 well. We need our lawmakers and the rest of the

1 criminal justice system to step up and do their part,
2 and shut down the high-speed revolving door for
3 criminals that they have created. That includes our
4 lawmakers up in Albany. They have to look at and in
5 my opinion revise certain laws that were changed in
6 2020. Chief among them, the discovery law, but it
7 also includes our prosecutors who need to re-examine
8 any blanket policy that their office has had or holds
9 that allows repeat offenders to just walk. It also
10 includes our judges who from time to time do not
11 exercise their full authority to hold someone that
12 needs to be held. So, I give a huge amount of credit
13 to the police in addressing these repeat offenders,
14 taking them into custody, but we need the rest of our
15 criminal justice system to step up.

17 COUNCIL MEMBER HOLDEN: And finally, I
18 did speak to-- Chair, if I may just follow up on some
19 of that. The-- I go into my precincts and they're
20 built in the early 20th century many of them, and
21 they're way overcrowded, and we talk a bit about NYPD
22 facilities. How much in the budget, you know, can we
23 put into revamping our precincts, because my 104
24 precinct is upside down, and we did get facilities in
25 there, but then came the pandemic. So, are we

1
2 putting more money into renovating? Because it's
3 very depressing going to some of these precincts, the
4 lighting, the conditions, just the overall-- it's
5 crowded.

6 DEPUTY COMMISSIONER RYAN: So,
7 approximately 45 percent of our capital budget is
8 associated with facilities. Unfortunately, given
9 the age of our facilities many of which were built
10 early in the last century if not before, we do have a
11 lot of infrastructure that needs to be addressed.
12 For the 104 specifically what we're looking at right
13 now which certainly won't fix everything, but is to
14 do some locker room renovations and HVAC upgrades,
15 and we're working on the BID package for that right
16 now.

17 COUNCIL MEMBER HOLDEN: Alright. Thank
18 you. Thank you, Chair.

19 CHAIRPERSON SALAAM: Thank you. I want
20 pass it to Council Member Ayala. I'm going to
21 actually pass it to Council Member Cabán on Zoom now
22 that we have quorum. And I want to recognize also
23 that we've been joined by Council Members Marmorato
24 and Rivera. Okay, we're going to come back to Cabán.
25 Go to Abreu.

COUNCIL MEMBER ABREU: thank you, Chair Salaam. Commissioner, while I'm sad to see you here instead of in the Sanitation Committee hearing, I'm always happy to have a chance to engage with you because you're a straight-shooter. So, I just want to talk briefly about Columbia University. Since last year, Columbia has closed a public access path, a right-of-way under the City's grant to the university. Columbia's administration claimed that the closure is due to threats that the NYPD says require it to remain closed. So I ask you is it the NYPD's position that the gates must remain closed, and if so, what are the threats?

COMMISSIONER TISCH: It is not.

COUNCIL MEMBER ABREU: It is not?

COMMISSIONER TISCH: That is not the position.

COUNCIL MEMBER ABREU: Alright.

COMMISSIONER TISCH: That is not the Department's position.

COUNCIL MEMBER ABREU: Alright, thank you very much. Thank you, Chair Salaam.

CHAIRPERSON SALAAM: Thank you. Alright, going to Deputy Speaker Ayala.

COUNCIL MEMBER AYALA: Okay, alright.

We're just trying to make sure that we don't lose quorum before the members that are online have an opportunity to ask questions. So, we're going to pivot here for a minute. I'm going to ask a couple of questions that may seem a little bit redundant, but just to get clarity. In the Preliminary Budget Plan, \$117 million was added for NYPD uniform overtime spending. How do you properly evaluate the reduction targets when half of the projected overtime costs gets added throughout the year?

COMMISSIONER TISCH: I'll let our Deputy Commissioner answer, but we are taking an approach now where we're really looking at our spend month to month, so at the end of January, at the end of February. Do you want to--

DEPUTY COMMISSIONER RYAN: So, essentially what we do is we-- we recognize that there's a certain amount budgeted at the beginning of the year, but we look also at historical trends month to month. There are different events that happen in different months. Some-- there's a level of seasonality within what we do. We're obviously looking at unplanned events like protests and things

COUNCIL MEMBER AYALA: So, historically you would see an uptick in overtime in specific months, right? Depending on the activity--

COUNCIL MEMBER AYALA: that's happening in
the City?

COUNCIL MEMBER AYALA: Okay. Who is the Deputy Commissioner or who's been identified by the NYPD who's responsible for compliance to the Overtime Reduction Plan?

COUNCIL MEMBER AYALA: That would be you?

FIRST DEPUTY COMMISSIONER KINSELLA:
Tania.

COUNCIL MEMBER AYALA: And has OMB deemed any overtime expenditures to being excessive against your planned reduction targets?

DEPUTY COMMISSIONER RYAN: So, at this point, actually, we re-established a target with OMB at the end of the last calendar year beginning-- very end of the last calendar year, beginning this year, to re-evaluating what things look like, taking into account the additional transit overtime once that was announced, and we are holding-- in January, we were a little bit below our target in February pretty much on target.

COMMISSIONER TISCH: And both the Deputy Commissioner and I have regular meetings with Director Jiha on our overtime spend.

COUNCIL MEMBER AYALA: I'm going to just pause really quickly so that Council Member Cabán can ask her questions, and then I'll come back.

COUNCIL MEMBER CABÁN: Thank you so, so much. Thank you, Commissioner. I'm looking forward to being able to talk to you in-person soon. I want to start on just some of the piece around discovery law. So, you talked a few times in your testimony and answers about making changes to or undoing the

1
2 legislation that was passed in 2019, the discovery
3 reform. We know that that-- that that's the Kalief
4 Browder Law, right? It was strengthening
5 requirements for law enforcement to share evidence in
6 criminal cases which was already required in most
7 states, by the way. Like, we were behind Texas on
8 this. Plenty of states do this, and they do it just
9 fine. And this law that passed at the state level
10 obviously applies to the entire state, and the data
11 is showing that case dismissals have only increased
12 in New York City, not in the rest of the state, and
13 as a result both state legislatures and law
14 professors have pointed out that NYPD's resistance to
15 turning over evidence to prosecutors is more likely
16 the cause for increased rates of case dismissals. So,
17 just to make it clear, throughout the state the data
18 shows that New York City is the only place where
19 these dismissal percentages are increasing, and
20 they're all subject to this discovery reform that
21 exists in most states. So given these realities, why
22 do you believe we should undo an important civil
23 rights protection rather than hold the NYPD
24 accountable for sharing evidence with prosecutors?

DEPUTY COMMISSIONER GERBER: So, no one is suggesting, and we're certainly not suggesting that the core bottom the reform should be undone. We're talking about frankly tweaks to the law. And if you look at our proposal, the proposal we have with the DAs, with the Governor, right, it requires all relevant evidence, all relevant evidence--

COUNCIL MEMBER CABÁN: [interposing] Okay, so I--

DEPUTY COMMISSIONER GERBER: All relevant evidence to be turned over.

COUNCIL MEMBER CABÁN: [inaudible] as a public defender--

DEPUTY COMMISSIONER GERBER: [interposing] All relevant evidence to be turned over.

COUNCIL MEMBER CABÁN: and what is relevant of evidence--

DEPUTY COMMISSIONER GERBER: [interposing] Wait, wait, hold on.

COUNCIL MEMBER CABÁN: considered by-- no, let me finish. What is considered relevant evidence by the prosecution versus the defense, versus the judge, can be different. And so a defense, not knowing what the defense's argument is

1 going to be, could deem a piece of information
2 relevant when the prosecutor or the police do not,
3 and that's not-- so that's not my question, but also
4 that's an important point to make, and it's the
5 subject of lots of Brady violations based on the ways
6 that the prosecution or the NYPD interprets or
7 examines any piece of information that they deem
8 relevant or irrelevant evidence, to be clear. But my
9 question is, why the disparity-- and across New York
10 State, every single Police Department and DAs office
11 is subject to this law, but only in New York City is
12 the dismissal rate going up. And so we have law
13 professors and state legislators saying that it
14 amounts to the NYPD's resistance to turning that
15 over. So, I-- here's my second question. Are you
16 aware of legislation introduced at the state level
17 that would provide prosecutors direct access to
18 police evidence? It's actually S613 and the Assembly
19 is 825. What's your position on that bill?

20
21 DEPUTY COMMISSIONER GERBER: I answered
22 the first--

23 COMMISSIONER TISCH: [interposing] I'll do
24 it. I am aware of that proposed legislation, and my
25 feedback on it is that that does not and will not

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2 DEPUTY COMMISSIONER GERBER: [interposing]

3 The way the system works now, right, is the
4 electronic case file--

5 COUNCIL MEMBER CABÁN: [interposing] I
6 under-- I understand--

7 DEPUTY COMMISSIONER GERBER: [interposing]
8 Wait, hold on. I'm just answering your question.

9 COUNCIL MEMBER CABÁN: [inaudible] I only
10 have a few minutes.

11 DEPUTY COMMISSIONER GERBER: It gets
12 pushed out to the DAs office already. To the extent--

13 COUNCIL MEMBER CABÁN: [interposing] Sir,
14 I only have a few minutes, because I--

15 DEPUTY COMMISSIONER GERBER: [interposing]
16 To the extent--

17 COUNCIL MEMBER CABÁN: am on Zoom.

18 DEPUTY COMMISSIONER GERBER: To the
19 extent we're speaking about--

20 COUNCIL MEMBER CABÁN: [interposing] And
21 we're holding quorum.

22 DEPUTY COMMISSIONER GERBER: to the
23 extent we're speaking about the case file itself,
24 they already get that.

COUNCIL MEMBER CABÁN: Chair, can I have some help here, please.

CHAIRPERSON SALAAM: Let's just let him respond--

DEPUTY COMMISSIONER GERBER: [interposing] Chair, I'm trying to answer the question.

CHAIRPERSON SALAAM: real quick and I'll make sure that you are able to follow up.

CHIEF KENNY: I just want to answer the first question for the disparity. It's very clear it's about volume. 2023, the NYPD arrested over 62,000 individuals for non-violent felony offenses. There is no other agency in the city that even comes close. In 2023, we made 125,000 misdemeanor arrests, and for violent felony arrests, we made almost 40,000. So, as far as the disparity, volume has a big issue.

COMMISSIONER TISCH: And I'd like to add one--

COUNCIL MEMBER CABÁN: [interposing] [inaudible] though. So, understand that the systems around those other jurisdictions are based on size, and yes, so-- I think it's misleading to say just because the numbers are higher. They have the same

apparatus that you have at a smaller scale and doing their jobs. They're not experiencing these bigger dismissals. I want to move--

CHIEF KENNY: [interposing] But those DAs offices--

COUNCIL MEMBER CABÁN: [interposing] I want to move onto another line of questions. So, in the-- this is about CCRB. So, in 2023, the Legal Aid Society identified hundreds of cases where the CCRB recommended charges and specifications for the involved officers that were essentially dismissed because the NYPD claimed that they received the cases too close to the statute of limitations. So, I'm going to call that SOL, right? How many cases have been dismissed for short SOL reasons during former Police Commissioner Caban's tenure?

CHAIRPERSON SALAAM: And after this answer, we'll come back to Council Member Cabán on a second round.

COUNCIL MEMBER CABÁN: Chair, if I could just have an extra minute to complete this line of questioning. I just don't know that there's going to be quorum again, and it's also a matter of like-- of ability-- disability access.

COMMISSIONER TISCH: We're going to look for that number right now, so if you can just--

COUNCIL MEMBER CABÁN: [interposing] Okay. It's 628.

COMMISSIONER TISCH: Yeah.

COUNCIL MEMBER CABÁN: So, the-- how many during former PC Donlon's tenure?

COMMISSIONER TISCH: I don't have it broken out by tenure, but we can get all that information over to you, but to make this I think less painful for everyone, I have recently changed NYPD policy in this area. It used to be that if we receive something from the CCRB within 60 days of the statute of limitations, the Department would not review it or process it. So, it was just blanket closures. We are no longer going to be doing blanket closures, and we've made that very clear to CCRB. We are now going to make every effort an attempt to process, discipline, regardless of when it is received. However, we do encourage the CCRB to continue their work to get us cases much sooner so that we are not under a 60-day or 30-day, or in some cases as we saw with the most recent batch, 20 days to process this discipline. I believe I have--

COUNCIL MEMBER CABÁN: [interposing] Thank you. I know that I have to turn it back to the Chair. So, I just want to conclude, despite not being able to ask these questions-- I just want to conclude that what the NYPD has described as the process-- and under your tenure, Commissioner Tisch, that number is 267. But in previous testimony on this issue the NYPD described an extra judicial process in which the Department Advocate's Office reinvestigates cases before they are tried before the Deputy Commissioner of Trials. And so my point here is that this is an entirely duplicative process that's not established by the City Charter, MOU with the CCRB or Civil Service Law. So, in most instances, the NYPD requests the CCRB to transmit these cases more than 30 days before the statute of limitations, effectively reducing the statute of limitations, and providing another avenue for the NYPD to not discipline officers for substantiated misconduct. So my point here is that this is a duplicative process that shouldn't be happening. There are other processes in place, and this is resulting in more dismissals of disciplinary cases. Thank you, Chair.

CHAIRPERSON SALAAM: Thank you. I want to acknowledge that we've been joined by Council Member Ossé and Council Member-- and Council Member Brewer as well. We're going to moving to Council Member Joseph. Oh, I'm sorry, we have to-- Deputy Speaker?

COUNCIL MEMBER AYALA: He's just trying to get in trouble today. I may need you guys. Okay, this is a second follow-up, I believe. I had two more questions on the budget. In the Preliminary Plan, \$583 million of the \$595 million fiscal year 2025 NYPD uniform overtime budget is located in the Chief of Department program area. Do you find it concerning that the Chie of Department oversees almost all of the uniform overtime spending after the scandal with previous Chief of Department's misuse of the overtime approvals?

COMMISSIONER TISCH: As I mentioned, First Deputy Commissioner is in charge of overtime management. Her partner in that is our Deputy Commissioner of Management and Budget.

COUNCIL MEMBER AYALA: Did you-- okay. [inaudible] I'm trying to make sure that I'm not being duplicative here. Alright, on the point of agreement-- oh, sorry. This one? That's fine. It's

1 fine. You mentioned in your testimony that-- I mean,
2 we understand that we have an attrition rate problem
3 and hiring problem, but you mentioned that you have
4 5,335 officers that are eligible for retirement this
5 year. What is your retention plan to try to get some
6 of those officers to stay considering that, you know,
7 you're having such a hard time recruiting?

9 COMMISSIONER TISCH: Each officer needs
10 to make the right decision for themselves and their
11 families. That is what comes first. The higher and
12 normal level of that attrition we may see this year
13 is driven by a number of factors. Among them, as I
14 mentioned, 20 years ago, we hired-- we did a lot of
15 hiring at the NYPD. So a lot of officers this year
16 are hitting their 20th year and are newly eligible
17 for retirement. Add to that, the fact that many of
18 their pensions are-- the value of their pensions are
19 dictated by how much overtime they earned prior year,
20 and how much overtime was worked last year. So, I am
21 not going to pretend like we can control who's going
22 to retire or when or that any policies and procedures
23 that I put in place will affect that. Fact of the
24 matter is, we need to do a better job managing
25 overtime, and we can and we will. And if officers

1
2 make the decision that it's best for themselves and
3 their families to retire, that'll happen. The most I
4 can do and what I'm very focused on doing is hiring--
5 doing whatever I can to hire enough officers to meet
6 attrition with the intent of ultimately raising the
7 number of uniformed police officers that we have at
8 the NYPD.

9 COUNCIL MEMBER AYALA: I mean, I have a
10 lot of friends that are police officers, and you
11 know, many of them would stay. I think that there
12 are a lot of variables that contribute not just, you
13 know, coming up on their retirement year. Have we
14 changed that cycle so that we're not having all of
15 the classes at the same-- on the same year so that
16 we're not running into the same pattern in another
17 10-15 years?

18 COMMISSIONER TISCH: Well, we're
19 hopefully going to hire several thousand officers
20 this year. So, hiring at the NYPD has historically
21 been lumpy, and this year it will continue to be
22 lumpy, but I agree with you that the goal ultimately
23 is to even out your [inaudible] the number-- the
24 Department's hiring.
25

1
2 COUNCIL MEMBER AYALA: Regarding the
3 Quality of Life Unit, that's-- so I'm a little bit
4 confused about how it would work. Because the way
5 that I understand it, at least specifically in my
6 district, most of my precincts are understaffed
7 already. So, how many officers from that specific
8 precinct will be reassigned to this unit, and what
9 impact if any will that have on--

10 COMMISSIONER TISCH: So, a few things are
11 going to happen. First, we are going to return more
12 officers to the precincts to be part of these Quality
13 of Life Teams, these Q Teams, but we are also going
14 to include officers that are currently working other
15 assignments in the precincts to the Q Team. So, as
16 an example, the NCOs who are already in the
17 precincts, they will be part of the Quality of Life
18 Teams.

19 COUNCIL MEMBER AYALA: Okay. Have many of
20 the NCOs been reassigned already, then?

21 COMMISSIONER TISCH: No.

22 COUNCIL MEMBER AYALA: No? Okay.

23 COMMISSIONER TISCH: We still have the
24 NCOs in all of our commands.
25

COUNCIL MEMBER AYALA: Okay. I had one final question regarding the -- I just want to-- I want to premise this. we have-- and we've seen specifically after the COVID pandemic an increase in quality of life calls in, you know, my neighborhood. A lot of them are attributed to a higher rate of fentanyl sales that are happening within our community that are also then trickling into a lot of the petty theft that you're seeing in, you know, the local CVS and Target, right? People are looking for money to be able to get high, and so they're stealing things and selling them, and therefore-- but what I haven't seen is an effort to really combat this problem. We had a similar issue with synthetic marijuana increase several years ago, and then there seemed like there was a concerted effort to, you know, specifically look for, you know, the dealers, the big fish, right? I don't want to see the Quality of Life Team arresting drug users, because I think that they are a symptom of a larger problem. I would love to see more emphasis on the actual drug dealing that's happening in our communities that's contributing to all of these quality of life issues. You know, what does that conversation look like?

1
2 Because when I call, I'm always told well, Narcotics
3 is dealing with that and that can take years for them
4 to build a case. And often times, I don't believe
5 that. I don't believe that Narcotics is there and
6 that they're doing anything, because you know, when
7 we get in there and we're aggressive about it, you
8 see an immediate reduction in the complaints that
9 the, you know, community is calling about. But I
10 can't keep an officer on a corner, you know, in
11 perpetuity. Like, that's just not sustainable. So,
12 you know, I would really love to hear more about what
13 efforts are being made to address this fentanyl
14 crisis that's impacting the entire city.

15 COMMISSIONER TISCH: So, I understand
16 your feedback, and I agree with a lot of the feedback
17 that you shared. I want to-- I also want you to know
18 that the NYPD largely through the Detective Bureau
19 works on a huge number of long-term cases that are
20 going after exactly what you described. So that work
21 very much is ongoing, and I understand that it can be
22 frustrating that those cases do take time, but when
23 we take down those cases, it makes a big impact in
24 the precincts where those people are operating for a
25

1 long time to come. But that work has by no means
2 subsided.

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4 COUNCIL MEMBER AYALA: Okay. I get that.
5 I get that there is process, right, for, you know,
6 the bigger fish, but in the interim what happens is
7 then you have two, three years where the quality of
8 life in a specific, you know, location like we had on
9 125th Street, like I see on 116th Street. I sent-- you
10 know, I park my car there, you know, every now and
11 then and I watch, and I know who the drug dealers
12 are. You know, it's pretty evident. They're seeing
13 in the middle of the day. I mean, anybody can see
14 that, but yet I have to take that extra step to kind
15 of force, you know, police presence in those
16 communities so that my constituents feel safe, you
17 know, riding in and out of the subways.

18 COMMISSIONER TISCH: Yes. And as I
19 mentioned in my testimony, focusing on specific zones
20 where we're seeing pockets of crime are real
21 problems, 125th Street among them. When we add
22 additional officers to those zones, we've seen
23 extraordinary--

24 COUNCIL MEMBER AYALA: [interposing] Yeah.
25

COMMISSIONER TISCH: crime reductions, and so I-- by no means in my previous answer want to minimize the work that those officers have done in those zones.

COUNCIL MEMBER AYALA: Yeah, they've been fantastic, but again, this--

COMMISSIONER TISCH: [interposing] And again, it underscores--

COUNCIL MEMBER AYALA: [interposing]
[inaudible]

COMMISSIONER TISCH: why we need to continue to hire cops in New York City.

COUNCIL MEMBER AYALA: Absolutely. Absolutely. And I'm-- you know, and I'm happy to-- I just want to say that I'm-- I am impressed with a lot of changes that you have made.

COMMISSIONER TISCH: Thank you.

COUNCIL MEMBER AYALA: And I am really grateful because I think that part of the attrition issue is that people have lost confidence in the NYPD, and when I say the NYPD, I don't mean the officers that are in our precincts. They've lost-- you know, they've lost trust in the Commissioners, right? Because a lot of the times, you know, when

you have cases where there has been, you know, a level of misconduct, the reprimand doesn't seem to come fast enough, right? And so we understand that the majority of the Police Department is made up of men and women who, you know, just want to make the city better, who, you know, are not doing the wrong thing, but when officers are doing the wrong thing, we expect that there's going to be consequence, right? That because they're police officers doesn't give them immunity to, you know, commit what we consider to be, you know, a crime. And so with that, I'll just ask-- you know, I know that-- I'm just going to put it out there. I-- we submitted a letter to you last week regarding Lieutenant Jonathan Rivera and the Deputy Commissioner Molanado's [sp?] recommendation that he be fired. I think that this is an opportunity where, you know, folks are looking at you, I guess, in your leadership to help, right, bring some justice to this family, and I hope that you see-- I'm not sure if you've seen the letter, but that you consider it. You know, when I see that video of that interaction, you know, I'm heart-broken. There was a lot of things that went wrong, and I hope that there is also an effort as a

1 consequence to that to provide more training on how
2 to conduct, you know, a traffic stop, because I don't
3 know that people understand when you're stopped by--
4 when you-- if you've ever been stopped before-- have
5 any of you ever been stopped? Anybody? No? So
6 I'll-- I have. A lot of us have, right? And so I
7 think that that's the point. I was driving one day
8 minding my business through 96th Street. Get off the
9 highway. I'm going home off the First Avenue, and
10 there were officers that had stopped a vehicles on
11 the left of me, and I looked at the officers because
12 I was being nosy, and then one officer and I made eye
13 contact, and I immediately like, you know, looked
14 away because that's my instinctive, you know, thing.
15 Like, I instinctively know. I'm not going to-- you
16 know, I don't want to look at the cop because I don't
17 want any trouble. This police officer got in his car
18 and he followed me all the way to 117th Street and
19 stopped me. You never know how you're going to
20 react. I get very nervous and I, you know, like I
21 get very, you know, aggressive a little bit. I'm
22 like, why are you stopping me? And maybe I-- you
23 know, but the nerves take a hold of it, right? That
24 adrenaline kicks in. Because I knew that he was
25

1 activate a body camera, failure to fill out a stop
2 report, and while I believe that retraining is an
3 important piece of the disciplinary process, the
4 things that are unintentional, one-off mistake, it is
5 certainly not appropriate for repeated conduct or for
6 intentional misconduct. And what I saw was that too
7 often or virtually all the time for those types of
8 things the only discipline that we were meading [sic]
9 out was retraining, and that makes our disciplinary
10 system both not fair and not credible. And so under
11 the leadership of our Deputy Commissioner for Legal
12 Matters, we are overhauling that. And this is not
13 like a several month process to overhaul it. I put
14 out a memo virtually that day that says this practice
15 ends now. We called in our supervisors and our
16 commands that are most problematic and our general
17 counsel instructed them on how the disciplinary
18 system or the disciplinary paradigm was changing as
19 it relates to stops. We're further beating that into
20 the culture of the Department by-- through the use of
21 ComplianceStat which is a process that is like mostly
22 devoted to reviewing stops and body camera footage of
23 stops, and stop reports, and holding precinct
24 commanders accountable. There needs to be
25

11 COUNCIL MEMBER AYALA: and I believe in
12 your leadership, and I believe that you're, you know,
13 an ethical individual. You know, everybody speaks
14 really highly of you, your leadership style, and I
15 think that, you know, that that is important, because
16 in this case, this officer, you know, specifically is
17 costing the city and, you know, a lot of money.

20 COUNCIL MEMBER AYALA: [interposing] No,
21 no, no, I don't want you to comment. I was just--

24 COUNCIL MEMBER AYALA: [interposing]
25 Understood. I'm not--

COMMISSIONER TISCH: case.

COUNCIL MEMBER AYALA: I'm just-- what I'm saying is that not only this officer but officers that are being charged with misconduct that are being upheld are costing the City millions and millions of dollars in lawsuits, and that's a problem. That's a problem. But I thank you for your time.

CHAIRPERSON SALAAM: Thank you. We're going to pass it to Council Member Joseph, and afterwards we'll have a five minute break.

COUNCIL MEMBER JOSEPH: Thank you, Commissioner. Good to see you.

COMMISSIONER TISCH: Good to see you.

COUNCIL MEMBER JOSEPH: you said a couple of things in your intro that-- this Council is not adversarial at all. That's the perception.

COMMISSIONER TISCH: That the council-- I'm sorry?

COUNCIL MEMBER JOSEPH: That we're against NYPD. We're not. It's based off of experience, lived experience as Council Member-- Deputy Speaker spoke about. So, it's always the us against you. It's not. I think it's the perception that you guys also put out there as well. Some of

1 your officers personally have attacked us, and so we
2 will continue to push back, but we're also here this
3 morning. I have a couple of questions around-- last
4 year, we had a conversation around NYPD Assistant
5 School Safety Agent. I want to follow up on that
6 conversation. What is the budget and the actual
7 headcount for School Safety Agent and Assistant
8 School Safety Agent positions? Do you plan to hire
9 more School Safety Agents?

11 COMMISSIONER TISCH: [inaudible] the
12 numbers?

13 DEPUTY COMMISSIONER RYAN: So, the
14 authorized headcount for city-funded School Safety
15 Agents is 4,015. Right now we have 3,612. So
16 there's 403 vacancies. DCAS-- the State Civil Service
17 Commission at the end of January approved the
18 Assistant School Safety Agent title, but discussions
19 are still ongoing between OLR and OMB around the
20 salary and other labor matters. We don't yet have
21 the use of that title.

22 COUNCIL MEMBER JOSEPH: And how much is
23 that going to cost us?

24 DEPUTY COMMISSIONER RYAN: We need to
25 know what the salary is determined and the benefits,

and any differentials before we can establish the budget.

COUNCIL MEMBER JOSEPH: Does the training differ for training for Assistant Agents from School Agents? What's the difference in training?

INSPECTOR MULET: Good morning, Council Member Joseph.

COUNCIL MEMBER JOSEPH: Morning.

INSPECTOR MULET: Tracy Mulet from School Safety. The training for School Safety Agent now is 20 weeks. That entails de-escalation training and DOE training approved, youth mental health. So we're looking at for the Assistant School Safety Agent, it would be a modification of that. Not yet drawn out-- preliminary drawn out to include the de-escalation, but nothing sensitive in terms of the physical fitness, and given weeks to what that would entail.

COUNCIL MEMBER JOSEPH: And how many you plan on hiring?

INSPECTOR MULET: It's still being discussed. I think that's been edged out.

COUNCIL MEMBER JOSEPH: Still being discussed. Are these positions funded through intra-

city funding from DOE to NYPD as the rest of the School Safety Division Budget?

COMMISSIONER TISCH: Yes, that would be the intent.

COUNCIL MEMBER JOSEPH: And how are you guys using-- I'm going to lead to something. My students would rather see investments in restorative justice coordinators. They would like to see more community outreach workers. They would like to see more mental health support rather than hiring more School Safety Agents.

COMMISSIONER TISCH: I understand your feedback.

COUNCIL MEMBER JOSEPH: And is there a plan to include those aspects into those training? Some of our students think it's more harm to have School Safety Agents into our school buildings.

INSPECTOR MULET: We will have some of them.

COUNCIL MEMBER JOSEPH: Hold on. However, how do we address those needs for restorative justice? Go ahead.

INSPECTOR MULET: I'm so sorry. I just-- just because you mentioned restorative justice and

1 some of the trainings that are already taking place
2 for School Safety Agents. Also, what we have now is
3 the Crisis Intervention Team. As you know, if
4 there's a student who's having a mental, say, episode
5 per say, that's the first step. So we're hand in
6 hand working with DOE. And they're basically the
7 first step. When you see-- when you talk of
8 restorative justice, when you talk of the other
9 items, and in terms of training--

11 COUNCIL MEMBER JOSEPH: [interposing]
12 Mental health support.

13 INSPECTOR MULET: Yeah.

14 COUNCIL MEMBER JOSEPH: [inaudible]
15 students are still facing post-pandemic. Where are--

16 INSPECTOR MULET: [interposing] That's--

17 COUNCIL MEMBER JOSEPH: [interposing]
18 Where are these crisis services located? Where are
19 they?

20 INSPECTOR MULET: They're in every
21 school, ma'am.

22 COUNCIL MEMBER JOSEPH: Every school?

23 INSPECTOR MULET: Yes.

24 COUNCIL MEMBER JOSEPH: I would love to
25 visit one.

INSPECTOR MULET: Yes, I can arrange that, yes. Every school has a team.

COUNCIL MEMBER JOSEPH: Every school has a team.

INSPECTOR MULET: Every building, you know, has a-- because you know, you have sometimes three and two schools in one building, but every building--

COUNCIL MEMBER JOSEPH: [interposing] We know the colocations.

INSPECTOR MULET: Yeah.

COUNCIL MEMBER JOSEPH: Of course. How do you work hand-in-hand in putting Project Pivot in schools? Do you talk to leaders first, or you just put them into the building? Project Pivot which is also part of--

INSPECTOR MULET: [interposing] That would be DOE and they would work out with the community, the school community, as well as the principals, school community encompassing the school-- as you mentioned, the students as well as the parents.

COUNCIL MEMBER JOSEPH: And when an incident happens around a school or in a school, what steps are taken to address that?

INSPECTOR MULET: If I can just answer that. The-- so it's a whole plan.

COUNCIL MEMBER JOSEPH: We have-- oh, go ahead. The Chair will allow you to answer that.

INSPECTOR MULET: Thank you so much. So, we have our Youth Response Team. We have our agents. They're combined together in that team. There's a staffing of ADA [sic]. Then also we have-- we work together with the YCOs of the local precinct. Then also we do a-- I have a community outreach team, and they do a follow-up with the victims of the crime to-- in terms of any services that they may need or counseling or any kind of, just going to what you were saying, restorative justice.

COUNCIL MEMBER JOSEPH: And the YCOs, how many incidents so far you've had around the school since the start of the school year?

INSPECTOR MULET: My crimes in general, I'm down 12 percent, but in terms of-- let's just take an example. In Brooklyn around south shore we're working hand-in-hand with the 69 precinct to deal with the situations that may arise, crime situation that arose in that school around the south shore as well as Clara Barton [sic] area.

COUNCIL MEMBER JOSEPH: Clara Barton, we've got a lot of calls about Clara Barton. What implementation are in place to make sure students are feeling safe when they walk into the building?

INSPECTOR MULET: So, there's a plan. As you know, every borough we have our COs as well as myself. So myself, I'm working with Chief McEvoy. We've created a plan that involves the 71 precinct as well as my borough there. Including-- I have a School Safety Taskforce. What that entails is along the corridors where we see the kids, basically, you know, they compile up at the local stores and we're moving them around. Our intel just from our Intelligence Division is giving us if there's anything-- any area regarding any shootings or say potential fights or kids who are making threats. So we're following up on those as well with the local precinct, as well as the YCOs.

COUNCIL MEMBER JOSEPH: As you create these plans for young people, are you including young people in these conversations?

INSPECTOR MULET: We are including the DOE. We are including definitely our School Safety Agents. As you know, they have a great rapport with

1 the students. We're including them as well as far
2 as-- and they are aware of the situations. We do do a
3 debrief after every incident. We go in. We speak to
4 the school staff as well as the student's
5 representation.

6
7 COUNCIL MEMBER JOSEPH: And how many YCOs
8 are within the NYPD?

9 INSPECTOR MULET: I will defer to the
10 Commissioner.

11 CHIEF RIVERA: Chief Philip Rivera, Chief
12 of Patrol. Currently have 330 YCOs in the NYPD.

13 COUNCIL MEMBER JOSEPH: How many officers
14 are now pending investigation of abuse and use of
15 force?

16 CHIEF RIVERA: Of the YCOs? I don't have
17 that information right now.

18 COUNCIL MEMBER JOSEPH: You'll get back
19 to the Committee with that?

20 CHIEF RIVERA: Yes, ma'am.

21 COUNCIL MEMBER JOSEPH: How many young
22 people have YCOs arrest or given summons in the
23 current last year?

24 CHIEF RIVERA: I don't have their
25 activity in front--

COUNCIL MEMBER JOSEPH: [interposing]

You'll get back to the committee with that? I'll be writing a follow-up letter. What are the majorities of the charges filed or summon types given to these youth? What type of summons are given to young people?

CHIEF RIVERA: I'll follow up with that.

COUNCIL MEMBER JOSEPH: And I'll be writing. Thank you, Chair.

CHAIRPERSON SALAAM: You're welcome.

We'll now have-- before we do our break, I want to make sure that we acknowledge that we've been joined by Council Member Stevens as well. We'll have a five-minute break and come back and reconvene.

[break]

SERGEANT AT ARMS: Good morning. Can everybody settle down and find a seat? We're getting ready to continue. Everybody settle down and find a seat. We are getting ready to continue. Everybody find a seat. Everybody find a seat, please.

CHAIRPERSON SALAAM: Okay, perfect.

Thank you and welcome back. We are now going to continue with Council Member Nurse. Sorry. Council Member Marmorato?

1
2 COUNCIL MEMBER MARMORATO: Great, thank
3 you, Chair. I wasn't prepped for this. So, I'm in
4 the northeast Bronx, and I have to tell you I love
5 the fact that you're implementing the Quality of Life
6 Division. My community is really going to appreciate
7 it. They're very active and they're very involved
8 with both precincts that we have. Now, when will
9 this division be implemented?

10 COMMISSIONER TISCH: In the coming
11 months. We are working through the planning of it
12 right now.

13 COUNCIL MEMBER MARMORATO: Okay. Can you
14 just let my office know once it is, like, in place,
15 so we--

16 COMMISSIONER TISCH: [interposing] Of
17 course.

18 COUNCIL MEMBER MARMORATO: kind of inform
19 the community? Good. I'm sorry. So, with capital
20 plans, we have a big project in Rodman's Neck and
21 that's in my district. I just wanted to know where
22 we are with that?

23 DEPUTY COMMISSIONER RYAN: So, Rodman's
24 Neck, there's \$258 million in the capital plan for
25 the new firing range at Rodman's Neck and the

1 anticipated construction completion date is the
2 summer of 2029.

3
4 COUNCIL MEMBER MARMORATO: Okay. And
5 then in the budget over here it says something about-
6 - the plan includes a reduction of \$38 million. Why
7 is that?

8 DEPUTY COMMISSIONER RYAN: The capital
9 plan overall? It's essentially tied to schedules
10 changing, and so depending on how the capital plan is
11 reported. Sometimes it includes 2025. Sometimes it
12 drops off. So as schedules change, we shift money
13 from year to year. We're not cutting anything.

14 COUNCIL MEMBER MARMORATO: Okay, alright.
15 Now, in the budget I see there's a \$12 million in
16 adjustment for the Doctor's Council collective
17 bargaining adjustment, and \$155 million in
18 steamfitters collective bargaining adjustment. Can
19 you explain or clarify what this is all about?

20 DEPUTY COMMISSIONER RYAN: Yeah, I
21 believe that's \$155,000.

22 COUNCIL MEMBER MARMORATO: Oh, thousand,
23 okay.

24 DEPUTY COMMISSIONER RYAN: [inaudible]
25 Yeah. So those are collective bargaining adjustments

that happen throughout the year as different collective bargaining units settle. Adjustments are made in the budget to make sure that we can appropriately pay individuals based on their new collective bargaining agreements.

COUNCIL MEMBER MARMORATO: And civilian headcount remains lower than budgeted with 1,456 vacancies as of January of 2025. Is there a strategy to fill these positions, and how does this vacancy rate impact operations?

DEPUTY COMMISSIONER RYAN: So, we're working to fill the positions. A lot of those do have to be in our safety titles which include our 911 call-takers, our School Safety Agents, or School Crossing Guards, and our Traffic Enforcement Agents. We are, obviously, with the exception of those safety titles which we do in classes, we're working to fill those classes as we move forward. The non-safety titles are still subject, most of them, to the two-for-one hiring freeze with OMB. So we work with OMB to make sure we can move those forward and that critical positions are hired as quickly as possible.

COUNCIL MEMBER MARMORATO: Are there School Safety Officers in Charter Schools?

INSPECTOR MULET: Hi, good morning again.
Tracy Mulet. Yes, there are some. They are in some-
- in some charter schools there are School Safety
Agents.

COUNCIL MEMBER MARMORATO: Okay, good.
Thank you. And I've met with Commissioner Foster,
and I have to tell you it is such a great thing to
see how the kids of District 13 have such an amazing
relationships with our officers and our precincts,
both at the 45 and 49, and our district office
actually funds a lot of the events. And I just was
wondering do you guys have money set aside to also
like do additional events throughout the community
for the youth programming?

DEPUTY COMMISSIONER RYAN: So, with youth
programming it's a combination of some of the funding
within the City. We also do receive resources
through the Police Foundation which helps support
those programs.

COUNCIL MEMBER MARMORATO: Very good.
Now we're going to come to the tough questions. What
do you need from us as far as our budgetary, like,
concerns?

DEPUTY COMMISSIONER RYAN: I think in terms of the budget, it really is always a back and forth with us, the Council with the Office of Management and Budget. I think it's a recognition that we do look to have-- particularly with regard to overtime, we had a little more clarity at the beginning of the fiscal year of what that was going to look like. It would be really helpful to us moving forward. We do have these new measures in place, and we're seeing the results of that, and so to be able to really do that specific to a more realistic budget at the beginning of the year would be very helpful. And of course there are the one year at a time funding of other times as I discussed earlier. It's helpful to also recognize those in the baseline of the budget if possible.

COUNCIL MEMBER MARMORATO: Thank you.

CHAIRPERSON SALAAM: Thank you. We're going to be moving to Council Member Paladino.

COUNCIL MEMBER PALADINO: Thank you, Chair. First, I'd like to start off by saying thank you very much to you, Commissioner, and for your extremely detailed and well laid out plan that you put before us today. you know, I want to go to a

paragraph if I'd may, and I'd like to reiterate what you said, because I agree with it 100 percent. We need to have a candid dialogue, not in anger, but in honesty about the effect that various laws on this department's work and on public safety. As you know, the Council has before a bill that would ban the department's criminal database. That database is critical to improve the intelligence tool and to help the NYPD save lives. If you want to work with us to improve the department, then by all means, we have to work together which brings me to my thoughts about what we could do to help you as a legislative body. As you outlined when you spoke before, and I took some notes, you know, the responsibility of the condition that our city and our state is in does indeed lie upon the elected officials. So while we could sit here and wonder why all we like about certain things is because we decriminalized a great number of things. We have handcuffed you. We also know that the overtime that your cops is putting in is indeed necessary because we have cut your service - your members down to how many now? How many actual police officers in the New York City Department?

COMMISSIONER TISCH: On the streets right now--

COUNCIL MEMBER PALADINO: [interposing]
Yes.

COMMISSIONER TISCH: it's approximately 33,000. That doesn't include who we're training in our academy.

COUNCIL MEMBER PALADINO: Correct. I have 32 here. Right. So you got 32,000 cops right now, and we're going to lose how many at the end of the year quite possibly to retirement?

COMMISSIONER TISCH: it's a few thousand. I just went through the numbers. It was up to--

COUNCIL MEMBER PALADINO: [interposing]
Right. Don't knock yourself out. I know. It was somewhere--

COMMISSIONER TISCH: [interposing] 5,000 some-odd are eligible.

COUNCIL MEMBER PALADINO: correct, absolutely. So what we're trying to do now is we're trying to balance a scale here between the retirements that are going to happen. We're at 32,000 and we're trying to recruit. So we got to try to recruit what we're going to lose or we're going to

1 be down around 28,000 cops. So we're in a pickle
2 here, and we got to try to make this worth anybody's
3 lives, because that's what they do in order to-- they
4 risk their lives to become a police officers. So all
5 I could say is, when we want to do something here in
6 this body and make ourselves useful, we need to come
7 together and figure things out where things start to
8 make sense. Am I right?

10 COMMISSIONER TISCH: Yes.

11 COUNCIL MEMBER PALADINO: And-- no,
12 because we're not doing that. What we do is we yell
13 and we scream and then we talk about, you know, how
14 much money is being spent. Well, let me tell you
15 something. This is the best spent taxpayer dollar
16 anybody could ever do, because public safety without
17 it, we have nothing. And that's where our city is at
18 right now. All the wondering whys and how comes
19 doesn't matter much, does it, if we cannot allow our
20 officers to do their jobs.

21 COMMISSIONER TISCH: New York City needs
22 our New York City police officers.

23 COUNCIL MEMBER PALADINO: that is
24 correct. And we need, as a body here, to work
25

1 together to try to put together laws that help you to
2 do your jobs better, correct?

3 COMMISSIONER TISCH: Indeed.

4 COUNCIL MEMBER PALADINO: Thank you.

5 CHAIRPERSON SALAAM: Thank you. We'll
6 now hear from Council Member Rivera followed by
7 Council Member Ariola.

8 COUNCIL MEMBER RIVERA: Thank you. Good
9 afternoon.

10 COMMISSIONER TISCH: Good afternoon.

11 COUNCIL MEMBER RIVERA: Thank you for
12 being here. Thank you for your testimony. I just
13 want to also-- I know you all appreciate coalition
14 building which we've been trying to do in my
15 district, especially First Deputy Commissioner
16 Kinsella. We've been working on violence
17 interrupters and some of the violence specifically
18 with young people happening in my public housing
19 developments. I have about 10 public housing
20 developments, over 9,000 families live there. And so
21 we're working with you all to try to bring something
22 maybe to Bellevue Hospital. Alright, so a few
23 questions I have. In my district we've actually
24 built these coalitions of multiple agencies. the
25

Mayor has come in and brought Community Link, one of 14th Street and First Avenue, one in Washington Square Park. These are multi-agency responses to areas that have seen a high volume of crime and quality of life complaints. That takes an approach to provide social services, additional PD staff and other agency involvement. Are these taskforces budgeted for next fiscal year, and if so, do you have plans to expand the program? And I know you also announced that quality of life initiative. Will this affect the Community Link program at all? And why I ask this is because I'd actually like to see this style of program at the NYCHA developments themselves, like actually bringing in multiple agencies with social services. And a lot of problems they face with public safety are also not necessarily PD related. They have broken lobby doors, broken elevators, things that make the residents feel less safe, and I would love to bring a Community Link-style approach to the NYCHA developments in my district. Have you thought-- have you any thought of doing this or looked into doing this?

COMMISSIONER TISCH: So, Community Link is a wonderful program that really delivers

significant results, and so there is by no means any intention to retreat from it, only an interest in expanding and continuing to build on it. And I want to be very clear, that the Quality of Life Division is intended to supplement the efforts of Community Link. Community Link can't be in every district across the city. It's a very specific focused model, and so we do need cops in every precinct on all tours every day that are assigned to address quality of life concerns. The two are absolutely complementary. One doesn't replace the other.

COUNCIL MEMBER RIVERA: Okay. Thank you.

I want to ask you about street vendors. There our smallest small businesses and there are many areas in my district that are known for their iconic vending culture. In order to support these small business and legitimate vending, we also have to make sure that it's being conducted safely and responsibly. A few years ago, City Council passed vending reform that would move this enforcement to civilian agencies who issue civil summonses instead of criminal summonses which is especially important in this climate where vendors immigration status could be complicated by a criminal summons. In the past few years, however,

1 we've seen an increase in NYPD issuing criminal
2 summonses for vending citations that have a civil
3 summons option. So, in 2024 it was over 2,000
4 criminal summons for vending issues which is a marked
5 increase from the 1,200 in 2023 and 377 criminal
6 summonses in 2019. So I'm interested in how NYPD
7 enforcement on vending issues is actually determined.
8 Is it-- is there a dedicated unit? Any dedicated
9 funding to vendor enforcement? And how is it
10 determined if NYPD will conduct vendor enforcement
11 instead of DSNY or a civilian agency? And if PD is
12 involved, what is the distinction between a civil
13 summons and a criminal summons.

15 COMMISSIONER TISCH: I think that maybe
16 all of us, but certainly the two of us can agree that
17 the paradigms that we have in New York City around
18 vending are broken and need to be addressed. This
19 includes the laws, the operations, the whole thing.
20 As you know, I previously served as Sanitation
21 Commissioner and was instrumental in the effort to
22 get the Sanitation Department assigned as the primary
23 agency for vending enforcement. I believe that the
24 model that we set up at the Sanitation Department
25 about two years ago actually works quite well on the

1 enforcement end. Historically, the-- over the past
2 two years, Sanitation has been lead, but because of
3 the staffing numbers at the Department of Sanitation,
4 we weren't able to cover things like weekends,
5 nights, as examples. And so when that happens, we
6 would regularly call on the NYPD to cover where DSNY
7 staffing was either not available or not working.
8 There were a lot of questions in there. I hope that
9 that answered many of them.

11 COUNCIL MEMBER RIVERA: It was really
12 also how we are determining who is actually going to
13 do enforcement, because if it's going to be
14 Department of Sanitation, DSNY, we just want to make
15 sure that you're adequately staffed-- that they are
16 adequately staffed.

17 COMMISSIONER TISCH: My opinion, the
18 Department of Sanitation is not-- I shouldn't even be
19 saying this because I'm not Sanitation Commissioner,
20 but when I was there the Department of Sanitation was
21 not adequately staffed to handle vending enforcement
22 at the scale required in New York City, and that was
23 a model that actually worked and one worth
24 consideration of like future investments.

COUNCIL MEMBER RIVERA: Alright. I appreciate your honesty, and that's something that we can discuss, obviously, as we approach budget negotiations. Thank you, Mr. Chair, for the opportunity, and thank you to the panel.

CHAIRPERSON SALAAM: We'll now hear from Council Member Ariola, followed by Council Member Ossé, and I want to recognize we've been joined by Council Member Restler.

COUNCIL MEMBER ARIOLA: Thank you, Chair. Commissioner, I want to thank you on so many levels. First, for your comprehensive testimony. We don't always get that. And really, even before that, for what you have brought to the NYPD from day one. There was a statement made before that there was lack of trust and respect for the NYPD. You have brought that back in the very short period of time that you're there, because of the measures that you took and were not afraid to take that maybe others might not have done. So I commend you on your strength and your vision, your knowledge and how you are leading the NYPD from the front.

COMMISSIONER TISCH: Thank you.

COUNCIL MEMBER ARIOLA: I agree with you that a lot of the problems that we're seeing are because we have officers that are being demoralized, and we will go-- and I also agree with you on the incentives that you have put forth, because we do need more cops to come in and take our tests. Look, there have been a significant decrease in men and women applying to become officers. So, why is that? It's because they now lack qualified immunity. So everything-- if they do anything, it can be personally held against them. They can be personally sued. My colleague spoke about the gang database. Part of that bill has a line in it that says, "If an NYPD officer or member goes to that gang database, they will be held personally liable." Who would want to become an officer knowing that they could be personally liable for their financial stability, their home, their family, and possibly their freedom? So that's a problem. When you go up to Albany and speak with these legislators about discovery laws and turnstile justice, and all the things that we've been asking to be amended, what is their answer to you?

COMMISSIONER TISCH: My sense from my trip to Albany was-- is that our message around recidivism

1 has finally reached the halls of our State Capitol.
2 There seems to be widespread acknowledgment that in
3 New York City we are facing a surging recidivism
4 problem and that something needs to be done. Now,
5 what that something is yet to be seen, and I'm
6 certainly going to be keeping an eye on it. but I
7 have been very clear in putting forward revisions to
8 the discovery law that in no way retreat from the
9 spirit of the initial reforms, but close significant
10 loopholes, some of which have been weaponized by the
11 Defense Bar that have rendered our criminal justice
12 system a high-speed revolving door for violent
13 criminals and recidivists. And so I want to see
14 those very specific changes that we have put forward
15 along with all five DAs in New York City, the Mayor,
16 the Governor. There's a real coalition and real
17 consensus among New York City leaders in the criminal
18 justice system about what has to be done here.

19
20 COUNCIL MEMBER ARIOLA: I agree. And
21 let's just stay on discovery laws, because I also
22 heard another colleagues say that this is-- this--
23 the discovery laws work. They don't work because of
24 the NYPD and their resistance to complying. Now, any
25 District Attorney that I have spoken with has the

same opinion of those discovery laws and they also want them change, because it is hindering them.

COMMISSIONER TISCH: Yes, and I'd like to make one point on the discovery laws. There was a whole discussion before on the question of whether we need to produce things that are relevant or related, related being a much bigger universe of materials than relevant. What if I said to the City Council, you need to produce any document in the Council's possession related to the How Many Stops Act? That would mean that you would have to go through every notebook, every staffer has-- I mean the burden is so extraordinary when you use a word like related as opposed to relevant as to be totally unachievable. And so what we are looking for, I believe are common sense corrections that, again, do not retreat from the spirit of the reforms, but allow both the police and the prosecutors to make good faith efforts to meet the actual burden.

COUNCIL MEMBER ARIOLA: I agree 100 percent. And also, I'd like to address the fact that it was stated that because we have a larger amount of arrests, it shouldn't equate to being able to process the discovery laws and get that information out. And

Chief Lipetri made it clear how many more arrests we have here in New York City than they would in a small town in Buffalo.

COMMISSIONER TISCH: That's right. The volume and scale--

COUNCIL MEMBER ARIOLA: [interposing] But also--

COMMISSIONER TISCH: here is extraordinary.

COUNCIL MEMBER ARIOLA: Correct. Also, what's not being taken into account is the lack of staffing to process that both with the NYPD and at the District Attorney's Office because those are other discussions that we've had. The District Attorneys in the five boroughs are saying that they don't have enough staffing to really process the discovery laws in the way they're written today.

COMMISSIONER TISCH: Yeah, and some of the outcomes related to problems with the discovery laws are so maddening, because cases involving violent career criminals are tossed out on technicalities, like a piece of paperwork not being produced that has absolutely no bearing whatsoever on

the ultimate outcome of the case, and it's that type of loophole that we're looking to have closed.

COUNCIL MEMBER ARIOLA: Exactly. And often times, our budget hearings especially with the NYPD become oversight hearings, and I apologize for that, because we do have oversight hearings where all the information that has been discussed here was not about the budget, but about your procedures, your policies, and about policing in general. But you can't ask for drug dealers to be arrested while you're allowing people who are using drugs to not be arrested. You cannot have, you know, two different metrics when both are illegal. So, what I'd like to do is take it back to a budget hearing. I am really concerned about the fact that we don't have enough vehicles for our precincts, and this is something that I'd like to find out how we can help you get more vehicles for your precincts. We've talked about the disrepair that the precincts are in. We put money in in our budget and we're hoping to get that put forward for a number of our precincts. I have the 104, 102, 106, and the 100th precinct, and we're doing our best. But when we do provide extra cars, if it's four cars, they lose four cars.

COMMISSIONER TISCH: Yeah.

COUNCIL MEMBER ARIOLA: So it's not a net gain.

COMMISSIONER TISCH: So, I agree and acknowledge that the Police Department has to invest in a very serious way in our RMPs, in our police cars. Over the past let's say three years there has been a massive under investment of those vehicles which has rendered an intolerable percentage of our vehicles fleet above its useful life. And so we do plan to make significant investments in addressing this issue. Kristine, do you want to give numbers?

DEPUTY COMMISSIONER RYAN: Absolutely. So, speaking to the vehicles being above lifecycle as the Commissioner mentioned, we have about 72 percent of our vehicles are over lifecycle which is really not manageable. That's why we have included in our Executive Budget request to OMB the request for funding of \$36 million in the budget so that we can start to replace the vehicles and get to a more manageable lifecycle replacement schedule. It's a high priority.

COUNCIL MEMBER ARIOLA: Just in wrapping up, Chair. Thank you for the consideration. It's

1
2 amazing that you've been able to reduce the overtime,
3 the percentage that you have. Kudos to you, because
4 every time we hear anything on the radio or here or
5 television is we need, you know, cops to be on the
6 trains. We need them to be, you know, in this area.
7 We need to be in that area, and you only have X
8 amount of bodies, and you've done a great job of
9 taking people from their desks and putting them out
10 on the streets. You've taken NCOs and putting them on
11 the streets to make arrests. You've done everything
12 you possibly can, but you cannot change the number of
13 people that you have on your staffing.

14 COMMISSIONER TISCH: Well, we can't
15 change that in the short term. We do hope to change
16 it in the long-term.

17 COUNCIL MEMBER ARIOLA: Right. Well, what
18 I'm saying is--

19 COMMISSIONER TISCH: [interposing] We got
20 to hire, hire, hire.

21 COUNCIL MEMBER ARIOLA: What I'm saying
22 is overtime has to be expected.

23 COMMISSIONER TISCH: Yes.

24 COUNCIL MEMBER ARIOLA: Because the need
25 is there. The call for it is there, and the desire

for the community at-large in the five boroughs to have more police on the streets is there. So you're in what's called a catch-22, but we definitely appreciate the creative, critical thinking that you've brought to this department in the short months that you're here.

COMMISSIONER TISCH: Thank you very much.

COUNCIL MEMBER ARIOLA: Thank you so much, Commissioner, and your entire team who represents you wonderfully even when you're not sitting there, and they're not being treated politely.

COMMISSIONER TISCH: Thank you.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Council Member Ossé.

COUNCIL MEMBER OSSÉ: Thank you, Chair, and thank you to the panel in front of me. I want to ask a question about events that took place in our city from this past Sunday with Mahmoud Khalil, a recent graduate of Columbia University as well as an American green card holder who was arrested by ICE in partnership with Homeland Security. I know that the Mayor released a statement alongside the NYPD saying that back in January that they will not be

1 cooperating with ICE on arrests. The Mayor's
2 statements recently have hinted towards more of a
3 cooperative relationship with ICE as of recent. Did
4 the NYPD have any role in the arrest and detention of
5 Mr. Khalil?
6

7 COMMISSIONER TISCH: We did not, and I
8 would appreciate the opportunity to once again
9 restate the NYPD's policy as it relates to
10 immigration enforcement. The New York City Police
11 Department will always follow all laws, and we will
12 not participate in civil immigration enforcement,
13 period. We will go after criminals regardless of
14 their immigration status, including through work on
15 our federal, state and local taskforces.

16 COUNCIL MEMBER OSSÉ: And did the federal
17 government give any heads-up to the NYPD about this
18 apprehension?

19 COMMISSIONER TISCH: Not that I'm aware
20 of.

21 COUNCIL MEMBER OSSÉ: I want to ask is--
22 what is the NYPD's current involvement on college
23 campuses in the City?

24 COMMISSIONER TISCH: I'll start and then
25 maybe Michael will add. We actually spend a lot of

1 time in the area, vicinity of college campuses of
2 late, because of the events that are going on there.
3 We do not go into college campuses generally unless
4 we are requested by the property owners, unless there
5 is a safety situation, a public safety situation that
6 we have to address. As we recently did at Milstein
7 Hall at Barnard when there was a bomb threat there.
8 We had to go clear the hall.
9

10 COUNCIL MEMBER OSSÉ: Thank you for that
11 response. President Trump tweeted that he "find,
12 apprehend and deport" students that have certain
13 views from college campuses. I know that you stated
14 that the NYPD's policy in terms of, you know, not
15 getting involved in any federal immigration
16 enforcement. However, I think we've seen from this
17 current President that some things do happen even
18 though they are, you know, kosher or different
19 approach to how a president moves. If ICE is asking
20 NYPD for their cooperation to go against what is in
21 your current guidance, isn't NYPD and their officers
22 emboldened and empowered to say now and refuse to
23 cooperate?

24 COMMISSIONER TISCH: Yes, New York City
25 Police Department will not engage in civil

immigration enforcement, period, and I put out a memo and operations order to the entire Department in early January, I believe, that made that point very clear and gave our officers operational guidance on just what to do in those circumstances.

COUNCIL MEMBER OSSÉ: Thank you so much.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Council Member Stevens followed by Council Member Restler.

COUNCIL MEMBER STEVENS: Good afternoon. How's every one doing?

COMMISSIONER TISCH: Thank you.

COUNCIL MEMBER STEVENS: It's been a long day. I'll make it as quickly as I can. I actually wasn't going to bring up the database. I was actually-- because I have real questions, but I just want to go on record saying that it's interesting that I-- that-- there's so much pushback against it, and I think that when we talk about collaboration-- collaboration meaning listening from both sides. Since we've had this hearing I've had death threats. I've had articles written about me and trying to make it seem like I'm trying to do something other than say that this tool is not working and it is hurting

1 the Black community and it's also hurting the
2 relationship with NYPD and communities like mine that
3 I live in and that I've been in. And so this
4 conversation as if I'm trying to do anything other
5 than the right thing is very problematic for me,
6 because I'm not here to be your enemy. I'm the
7 person who actually have been fighting for the last
8 three years to get more cops in the 44 because
9 they're struggling with actually getting to the
10 quality of life things because we have high shooting
11 rates. That's what my district looks like. I've sat
12 there and I've since-- since I was 16 years old have
13 lost friends to gun violence. So I take offense that
14 people are trying to make it seem like I am your
15 enemy. I'm not, and it's unacceptable. I was not
16 bringing it up, and saying that it saves lives, but
17 it's also what is the cost that you're willing to
18 have this database? It is breaking a relationship
19 with my community. They're not going to listen. And
20 so maybe stop trying to make it seem like we're your
21 enemy and understand that we're in this together, and
22 that's what community policing is about. So you
23 might have an idea it's working. I'm telling you,
24 it's not, because what is the cost? And that's what
25

1 we need to be evaluating, and that's where the
2 conversation should be, and that's why I'm offended.
3 I want to do right by my community and my people.
4 That's why I was elected, and no one is ever going to
5 shut me up around that. But I'm going to go here. I
6 need to understand for every block-- I know that was
7 an initiative that was rolled out. Where's that at
8 and how's that going. I know it started in District
9 14. That is another district that is plagued by gun
10 violence and poverty and all the things, and so I
11 would like to know what are we doing around that,
12 because that is an initiative that would help change
13 the community relationship and would do the things
14 that we're trying to do. So let's start there.

15
16 CHIEF LIPETRI: Chief Michael Lipetri,
17 Chief of Crime Control Strategies. Just want to make
18 sure I understand your question. The Precision Block
19 Program?

20 COUNCIL MEMBER STEVENS: Yeah.

21 CHIEF LIPETRI: So, it's in two-- it's in
22 two precincts right now, the 46 precinct and the 73rd
23 precinct. We measure it just like we measure our
24 zones. They don't have the same crime reduction that
25 we see in our zones, but they both have substantial

1
2 crime reduction. We also see reductions in
3 shootings, and we're always looking to expand those
4 types of programs.

5 COUNCIL MEMBER STEVENS: And I know when
6 I had spoken with Commissioner Parks when it was
7 launched. It was this idea that it would expand
8 block by block. How are we going with that? How
9 many blocks have we included since the launch?

10 COMMISSIONER TISCH: I believe that the
11 initiative is now going to be headed up by Deputy
12 Mayor Kaz Daughtry, and I know he just started in his
13 new role, so I don't want to get out ahead of him on
14 where that program is going, but I know that at the
15 New York City Police Department we have a lot
16 confidence in that model and want to see it expand,
17 and we'll be very supportive of that.

18 COUNCIL MEMBER STEVENS: So my next
19 questions is even around the Community Affairs team.
20 I know of then they are brought out when it is time
21 to have tough conversations. But for me-- and one of
22 the things that even my colleague, Council Member
23 Williams, we've been talking about a lot is just,
24 like, the lack of resources that they have, and also
25 that is a lot of the policing that we want to see in

1
2 these communities where you're building relationship
3 and you're being out there and actually knowing the
4 community. I'm trying to get a better understanding
5 of like what monies do they have access to actually
6 being able to some of the work and the outreach,
7 because they often are coming to us asking us for
8 resources and getting donations, and just trying to
9 get a better understanding of what that process looks
10 like for them to be able to have access to be able to
11 do some of the community engagement ideas and
12 projects that they have-- that they're trying to be
13 doing what they're trying to do and get done.

14 COMMISSIONER TISCH: Sure. I would just
15 say, and Kristine will talk about the dollars and
16 cents, but the staffing of the Community Affairs
17 Bureau under Eric Adams is the one bureau in the
18 Department that despite the overall headcount
19 reductions is actually significantly up in staff.
20 Kristine, do you have the dollars and cents?

21 COUNCIL MEMBER STEVENS: So, it's not
22 just staff. I'm talking about access to actually
23 being able to do community events. I'm talking about-

24 -

COMMISSIONER TISCH: [interposing] Yes,
that's what Kristine's--

COUNCIL MEMBER STEVENS: [interposing]
Okay.

COMMISSIONER TISCH: going to answer for
you.

DEPUTY COMMISSIONER RYAN: So, within the
NYPD's budget, the portion of Community Affairs
budget that would go to non-personnel costs, a little
over a million dollars, and on top of that, the
Foundation does provide significant resources to
support--

COUNCIL MEMBER STEVENS: [interposing] No,
I--

DEPUTY COMMISSIONER RYAN: community
events--

COUNCIL MEMBER STEVENS: And I think
maybe you guys are not understanding the question.
So my question is more around like we know that this
money, but apparently they're still coming to us
trying to get donations because it's easier for them
to get donations from Council Members and donations
from like nonprofits, then being able to access the
money that is allowed in their budget, because

1 there's a lot of red tape. So I'm trying to get a
2 better understanding on how Community Affairs
3 officers are able to access-- if they're doing an
4 event, to be able to access different things, whether
5 it's to get money for pizzas, or get waters, or
6 whatever, how are they able to access, because I am
7 hearing that that has been a very difficult process
8 which is why they have sought to get it other places?

9
10 COMMISSIONER TISCH: So, that's the
11 responsibility of the Bureau leadership. So I'll
12 address your concern with Deputy Commissioner Mark
13 Stewart who if they have budget in place should
14 certainly be making sure that it is available at the
15 local level to be used.

16 COUNCIL MEMBER STEVENS: Yeah, I would
17 love--

18 COMMISSIONER TISCH: so, I will look into
19 the red tape. One thing that I know that we can
20 agree on is the importance of clearing up red tape.

21 COUNCIL MEMBER STEVENS: Yeah, and so
22 that's why I'm bringing it to your attention, because
23 I think this is definitely a place of partnership I
24 would like to work with the Department on of figuring
25 out how do we make sure that they have access to

1 things that they need access to, especially because
2 they are the front line in the community and they
3 typically are the ones who have the best
4 relationships in the community. So in order for us
5 to do that, I think that would really be helpful for
6 us to make sure that if there is a budget, they have
7 access to it. And I just wanted to make another
8 comment, because I know we've been talking a lot
9 about recruitment. Most people don't know, I used to
10 be a police cadet, and I remember when I was a police
11 cadet a lot of years ago, they-- there was a
12 significant effort to do recruitment, and it made
13 sense. I mean, obviously, I didn't become a police
14 officers, but my best friend did who al-- just
15 retired last-- in July. So clearly we made wrong
16 decisions. But I'm trying to understand. She's
17 retired, fully retired. It's amazing. 40 year's old,
18 crazy. Anyway, but I'm trying to get an
19 understanding what does recruitment look like for
20 programs like the cadet? Because I do think that it
21 was super beneficial for me while I was in college to
22 be able to be a police cadet and get-- get paid. It
23 was a paid internship. I have a very flexible
24 schedule and also know that there was a lot of people
25

who benefitted from that and then transitioned into the NYPD from that program.

COMMISSIONER TISCH: Absolutely. Our Chief of Personnel, Chief Benoit, will answer your question.

CHIEF BENOIT: Hi, good afternoon. John Benoit, Chief of Personnel. I was a cadet, too.

COUNCIL MEMBER STEVENS: Oh, look at that.

CHIEF BENOIT: From 1990 to 1992. We're-

-

COUNCIL MEMBER STEVENS: [interposing] I was a little older than that, 1999 to 2000.

CHIEF BENOIT: And I do agree there was a very big push back in those days, but I want to report to you that we have-- we're processing 483.

COUNCIL MEMBER STEVENS: Okay.

CHIEF BENOIT: Candidates to be police cadets right now.

COUNCIL MEMBER STEVENS: And what does your recruitment process look like currently for the cadets?

CHIEF BENOIT: The-- you're talking about the recruitment process?

1
2 COUNCIL MEMBER STEVENS: Yeah, how are
3 you guys recruiting? Because I don't see it as much.
4 Like, I used to see it all the time, and I don't see
5 it as much as I used to.

6 CHIEF BENOIT: So, we visit all of the
7 schools citywide. One of our biggest schools that we
8 get a big bang for the buck is John Jay, the College
9 of Criminal Justice.

10 COUNCIL MEMBER STEVENS: Obviously.

11 CHIEF BENOIT: But we visit all the
12 community colleges. Similar in the manner in which
13 we would recruit police officers.

14 COUNCIL MEMBER STEVENS: Yeah, I would
15 love to also talk to you guys more about that,
16 because I do think that it is not just an anomaly
17 NYPD not being able to hire people. Every agency
18 that I've been sitting in oversight hearings are
19 having the same issues. We have the same issue on
20 corrections. One, I think that we should be working
21 together in partnership, because Council Members--
22 there's 51 one of us. We all have events all the
23 times. We're posting [sic] the ground [sic] and
24 people are always reaching out to us for jobs. But
25 then also, too, I think that it's important for us to

1
2 think about how are we training young people to be a
3 part of it, and I think especially high school
4 students coming out of high school, going into
5 college, staying in the City, it's an amazing
6 opportunity, and they're also struggling with
7 employment. So, I would love to-- this is another
8 thing that I would love for us to continue to talk
9 about and think about how do we continue to build
10 that out so that more people know about this
11 opportunity.

12 COMMISSIONER TISCH: Thank you. We will
13 definitely take you up on that. we all believe--
14 well, given the-- it is important that the police
15 reflect the diversity of the City that they serve,
16 and given all of the hiring that we are setting out
17 to do, both at the rank of police officer and cadet.
18 It would be wonderful to work with all members of the
19 City Council on our recruitment efforts. Those are
20 all led by our Chief of Personnel, so his office will
21 be reaching out to you to follow up on that.
22 Appreciate the offer.

23 COUNCIL MEMBER STEVENS: No problem.
24 Thank you so much. Thank you, Chair.
25

CHAIRPERSON SALAAM: You're welcome.

We'll now hear from Council Member Restler followed by Brewer, and then we'll open it up for second round.

COUNCIL MEMBER RESTLER: Thank you so much, Chair. I really appreciate it. I want to just begin by thanking Chief Gulotta who was gracious enough to show up in Transit District 30/84th percent this morning for a walk-through of a couple subway stations in my district with the MTA and BRC and DHS. I'm grateful for your time and your assistance. It means a lot, so thank you to the team from OMPP [sic] for helping to facilitate that. And I have to say, Commissioner Tisch, I am-- I feel like your appointment has been a breath of fresh air, and it has represented a return of competency, rigor, integrity to the leadership of the NYPD that we desperately needed. I don't share all of your priorities, as you probably know, but I deeply respect you and I think you brought some very high-quality people into senior leadership roles in the agency like Deputy Commissioner Ryan to appoint Chief Thompson in charge of Internal Affairs. These are all great signs for the City of New York.

COMMISSIONER TISCH: Thank you.

COUNCIL MEMBER RESTLER: And I'm grateful for the work that you've done, and I think you have inspired competence for New Yorkers that public safety is going to begin improving-- has already begun improving-- has already begun improving in New York City under your leadership.

COMMISSIONER TISCH: Thank you.

COUNCIL MEMBER RESTLER: I do-- the issue-- you may not be surprised by this if your staff briefed you appropriately, but I'm going to raise the same issue that I raise at every one of these hearings which is my concern about response times. we have seen under this administration since compared to pre-COVID levels, response times as of the PMMR are up over seven minutes, seven minutes and 10 seconds for the most urgent crimes, the most critical crimes in progress, when a shot is fired, when there's a robbery, an assault with a weapon. That is up nearly over 40 percent from pre-COVID levels and it's getting worse every year. There was some progress in the PMMR last year, but then it got-- there was some progress over the course of last year, but now things are worse yet again. to me,

1 this is the number one responsibility of police
2 officers is responding in a timely fashion to the
3 most serious crimes to make sure that we are all
4 safe. So, I'd just like to ask-- and I'll say it's
5 not just the most serious critical crimes. The end-
6 to-end response times for all crimes are up by fully
7 50 percent from pre-COVID levels. It was 15 minutes
8 and 49 seconds in the PMMR this year. Pre-COVID it
9 was nine minutes and 55 seconds. That is a massive
10 increase for people when you need an officer and you
11 want that responsiveness, it's just not there in the
12 way that it used to be. And so with that, I'd like
13 to ask is this on your radar? I imagine it is. What
14 are you doing about it? How can we try and inspire--
15 how can we improve response times?

17 COMMISSIONER TISCH: It's very much on
18 our radar and it is directly linked to the staffing
19 levels in our precincts and our PSAs which is why
20 among major priorities of the past few months it's
21 been two things. First, returning officers from desk
22 jobs into the precincts. The more sector cars that
23 we can put out on a tour, the faster our response
24 times will be. The second is-- I think we've gone
25 into at length at this hearing-- has been about--

1 around recruitment and making sure that we are not
2 just meeting attrition but that we are exceeding
3 attrition in our hiring. But the third thing that I
4 don't think I've addressed here is the NYPD collects
5 a lot of data, many agencies do, but we all know that
6 it matters what data and what metrics the Department
7 is really looking at and focusing at. And I think
8 for too long the focus has been only on or largely on
9 the seven major crimes. It's like, yes, obviously
10 need to keep looking at that. But there are other
11 metrics in 2025 that are very important for us to use
12 to judge our performance on, and one of them happens
13 to be response times. I wouldn't do response times
14 around all crimes, but I would do response times
15 around specifically crimes in progress and critical
16 crimes in progress, because I think those are the
17 most meaningful metrics for people waiting for a
18 police response. And so we are reorienting the
19 Department around those additional-- to be focused on
20 those additional metrics as a daily, weekly, monthly
21 judge of our performance.

23 COUNCIL MEMBER RESTLER: I am grateful
24 that you're focused on it and grateful that it is a
25 priority for you and the Department. I struggle a

1 bit that a 3.-something percent variation in uniform
2 staffing levels is leading a 40 percent increase in
3 response times. I don't-- I'm just-- that's a hard
4 thing--
5

6 COMMISSIONER TISCH: [interposing] Me too,
7 but it wasn't just the reduction in the uniform
8 staffing levels, it's where those officers were
9 assigned. And not enough priority was placed on our
10 patrol commands. And so we had officers working in
11 specialized units and those specialized units, their
12 staffing was up 300 percent or something wild.

13 COUNCIL MEMBER RESTLER: Right.

14 COMMISSIONER TISCH: And so what we're
15 doing is reprioritizing the response commands and
16 returning our officers to those commands, because
17 you're right, the increase in response times was not
18 proportional to the decrease in staffing. Some of it
19 was policy decisions where our officers should be
20 assigned.

21 COUNCIL MEMBER RESTLER: That is exactly
22 the answer I was looking for. So, do you think that
23 we will begin to see this fiscal year significant
24 improvements in response times as you smartly put
25 officers where they should be?

COMMISSIONER TISCH: What I will say is, I plan to put us on a trajectory to reap the benefits of it. I don't know if it will hit this year, because we're doing a huge amount of hiring now. Hiring takes six months for a class. We have a lot of retirements. But we will continue to focus the limited resources that we have, the officers that we have on patrol commands and response commands and make sure that that is where the energy and the manpower go, but I can't guarantee you that you will see a turnaround based on that this year. Certainly in years to come, these decisions that we're making now will be quite fruitful.

COUNCIL MEMBER RESTLER: Okay. I-- can I be allowed one more question, or am I in trouble? Speed it up. I mean, always in trouble, that's true. That doesn't change. I really appreciate it. I hope that the focus on quality of life and misdemeanors and summons issues don't distract from that key priority.

COMMISSIONER TISCH: Certainly not.

COUNCIL MEMBER RESTLER: The question I want to ask is just about 911 call operators. At our Gov Ops hearings, we've been hearing from DC37 that

there are calls that are going unanswered. There are mandatory overtime and extended shifts. They were down to 800 people working from a high that was much higher than that. Can you give us some insight here? Is this a major area of concern for you? Are we answering--

COMMISSIONER TISCH: [interposing] Yes.

COUNCIL MEMBER RESTLER: every call? What can we do to help?

COMMISSIONER TISCH: Of course. So, I spent the first 12 years of my career at the NYPD. The majority of those years were running the Information Technology Bureau, and one of the great blessings of that job is I got to work with the 911 call takers and dispatchers, our PCTs. They're staffing levels are significantly down from when I oversaw that bureau, and it was one of the first things left out at me when I returned to the Department. It absolutely must be addressed. It's definitely going to be in the area of priority for this department.

COUNCIL MEMBER RESTLER: Okay, I would love to work with you on that--

COMMISSIONER TISCH: [interposing] Thank you.

COUNCIL MEMBER RESTLER: to help make sure that's a success. So, thank you very much, and appreciate your testimony here today.

COMMISSIONER TISCH: Thank you.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you very much. I do want to say thank you to the 24, the 20, Central Park, Manhattan North and the Hub program. Congratulations, and congratulations to you, but we expect no less, just FYI. So I have questions about U of A paperwork, Opendata, mental health, tow pounds, and DOI. So in terms of U of A, my understanding is PD mixes the budgets for all 123 police precincts along with borough-wide offices and detectives and forensic and narcotics and strategic into a single operations U of A. it accounts for a quarter of your 6.-whatever billion dollar budget. Would you be willing to have that broken up into U of A's?

DEPUTY COMMISSIONER RYAN: So, right now we have 21 units of appropriation, and in 2026,

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paperwork. What are we going to do about that paperwork? Too much, too much paper. Commissioner knows too much paperwork. What are we going to do about the paper?

COMMISSIONER TISCH: I mean, we could stop legislating that they fill out more reports.

COUNCIL MEMBER BREWER: Okay. Okay. I'm just saying, we need to have a discussion, because half of the tour when I go out--

COMMISSIONER TISCH: [inaudible] Here--

COUNCIL MEMBER BREWER: is paperwork.

COMMISSIONER TISCH: Yes. Amen.

COUNCIL MEMBER BREWER: I sit there-- okay, so let's work on paperwork.

COMMISSIONER TISCH: For sure.

COUNCIL MEMBER BREWER: Okay. OpenData. So I'm the author of the OpenData bill. I was the one that got the Police Department to put in the OpenData as it is, but things like no ID for uniform title codes as opposed to civilian titles which are in there, and there are other omissions. Are you willing to work with us to come up with more information to go into the OpenData portal?

COMMISSIONER TISCH: Absolutely. I believe in transparency, and as DoITT Commissioner, championed OpenData. I look forward to working with-- continuing to work with you on transparency initiatives related to OpenData.

COUNCIL MEMBER BREWER: Okay. mental health-- so I went out with EMS, police and social workers, and obviously as you know, so many of the issues are mental health. So, what ideas do you have for the future to work on that with PD, maybe not just with case workers or peer to peer? How do you look at dealing with these mental health issues?

COMMISSIONER TISCH: I don't-- I do not believe that the New York City Police Department should be the lead agency addressing mental health in this city. I believe that we should play a support role. As I testified earlier, we are revamping our training related to dealing with and addressing 911 jobs involving people in mental health crisis. We have a number of programs that are ongoing now that I think are actually quite fruitful, and I hope to scale including the PATH program, specifically in our subways. But I think my headline here on your

question is, NYPD should not be the lead agency in addressing the mental health crisis.

COUNCIL MEMBER BREWER: I went out with B-HEARD, and I found that they did a great job. Problem-- problem, no place to put people. That's not your problem, but it's all of our problems. They have literally no place to put them. Hospital lets them go etcetera. So, to be worked on. Tow pounds-- thank you, Mr. Cuomo, for closing Pier 76, but Manhattan does not have a tow pound.

COMMISSIONER TISCH: Manhattan needs a tow pound.

COUNCIL MEMBER BREWER: Manhattan has a tow pound?

COMMISSIONER TISCH: No, Manhattan needs a tow pound.

COUNCIL MEMBER BREWER: Yeah.

COMMISSIONER TISCH: It's unfair to the other boroughs.

COUNCIL MEMBER BREWER: And unfair to the poor people.

COMMISSIONER TISCH: And unfair to the people in Manhattan, but it's not acceptable--

COUNCIL MEMBER BREWER: [interposing] What are we doing about it.

COMMISSIONER TISCH: that we're saying, oh, we can't put a tow pound in Manhattan; it's got to go in the Bronx.

COUNCIL MEMBER BREWER: No, well I think there are places in Manhattan to put one.

COMMISSIONER TISCH: Yes, there are places in Manhattan to put it, and our new Deputy Commissioner of Support Services is right now scoping out location-- possible locations for just that. I mean, as you know, it's like a whole process, but that process has definitely begun.

COUNCIL MEMBER BREWER: Thank you. And tow pound trucks, are you getting more of those? I saw it in your listing.

DEPUTY COMMISSIONER RYAN: So, we are-- included in our funding request for the Capital Plan is request for additional tow--

COUNCIL MEMBER BREWER: [interposing] Okay, because I'm always told we can't move that car because I don't have a tow truck. So y'all are asking for more.

DEPUTY COMMISSIONER RYAN: Yes, we're looking to address that.

COUNCIL MEMBER BREWER: Finally, DOI, we love the Commissioner. You respect her also. I know that she has more officers for protest situations and also for others. Can you just talk about some of the ways in which you're working with DOI?

COMMISSIONER TISCH: Sure. We work with Commissioner Strauber quite closely. We have recently upped the staffing of uniformed police officers assigned to the Department of Investigation.

COUNCIL MEMBER BREWER: Okay, and the-- do you know how many?

CHIEF KENNY: Yeah, we've recently replaced some officers. We put in a brand new Lieutenant that was hand-picked by myself, one from the 73 precinct, and we added 10 investigators.

COUNCIL MEMBER BREWER: Okay.

CHIEF KENNY: They were previously at seven. We upped them to 10.

COUNCIL MEMBER BREWER: Thank you very much. That's very helpful. And we look forward then on data and paperwork.

COMMISSIONER TISCH: Absolutely.

COUNCIL MEMBER BREWER: Thank you.

COMMISSIONER TISCH: Thank you.

CHAIRPERSON SALAAM: Thank you. as a follow-up to Council Member Restler's question on 911 calls, with what hearing on the shortage of staffing, staffing have to work extended hours-- are there any shortages in service that would be detrimental to the public and are 911 calls going to voicemail?

COMMISSIONER TISCH: it is not my understanding that 911 calls are going to voicemail, and 911-- I used to run the system-- doesn't have voicemail, unless there's something new in the past five years. That would not make sense. I will look at it, though.

CHAIRPERSON SALAAM: We heard from a representative of Local 5911 that there is a severe shortage of 911 operators, people calling 911 and being redirected to an audio recording because no live operator was available. What is the actual budgeted headcount for 911 technicians, and what is their attrition rate, and how does this compare to other areas in the Department?

COMMISSIONER TISCH: Okay. So, for PCTs--
- excuse me, I just got to get to the right page

here. Hold on. I have it right here. Okay, for-- do you have the--

DEPUTY COMMISSIONER RYAN: Sorry. So, for the police communication technicians, the authorized headcount is 1,672. Right now we're at 1,456. So, there's-- we're about 216 below, but there have been reductions over time to that.

COMMISSIONER TISCH: So, the first priority is obviously to get us our headcount, our authorized headcount level, and then once we're there, once we've stabilized there to see if we need to restore any PEGs that have occurred in terms of the overall headcount there.

CHAIRPERSON SALAAM: Do you know on average how many-- how long someone waits on hold when they call 911?

COMMISSIONER TISCH: I do not have that information, but we can get that to you. But I think it's not how long they're on hold-- how long they wait for someone to answer the call.

CHAIRPERSON SALAAM: Are the calls going to voicemail?

COMMISSIONER TISCH: Not to my knowledge. As I said, when I ran the 911 system for the City of

New York, both at the NYPD and DoITT there was not a - certainly not a voicemail system, but given the feedback I will look into what the current state is.

CHAIRPERSON SALAAM: Thank you for your testimony. We will now move to-- great. Thanks. We will hear next from the Interim Chair Mohammad Khalid and the Executive Director Jonathan Darche from the Civilian Complaint Review Board. I'll now turn it over for your testimony.

[break]

SERGEANT AT ARMS: Good afternoon everyone. We're going to ask everyone to please find seats. We are about to reconvene. Once again, do not approach the dais at any point. And we ask everyone to please silence electronic devices at this time. Thank you. Once again everyone, please find seats. We are reconvening. Silence all electronic devices. Thank you.

CHAIRPERSON SALAAM: Thank you and good afternoon. I would like to next welcome Interim Chair Mohammad Khalid and Executive Director Jonathan Darche from the Civilian Complaint Review Board. I'll now turn it over to you for your testimony.

COMMITTEE COUNSEL: gentleman, can you just affirm to tell the truth, the whole truth and nothing but the truth in your testimony before this committee and to answer honestly to Council Member questions? Raise your hands and affirm the following. Okay, thank you both.

INTERIM CHAIRPERSON KHALID: Good afternoon, Chairman Yusef Salaam, members of the Public Safety Committee, thank you for the opportunity to appear before you today. I am Dr. Mohammad Khalid, and I'm the Interim Chair of the Civilian Complaint Review Board. I am joined today by the CCRB's Executive Director, Jonathan Darche. I served on the CCRB from 2005 to 2014 and was re-appointed by this Council in October as the Staten Island representative. In December, Mayor Eric Adams appointed me as the Interim Chair. I'm here today to emphasize the critical importance of the CCRB to public safety in New York City and to address factors that underscore the Agency's need for adequate funding. These factors include historic rise in complaints of alleged misconduct, expansion of the Agency's jurisdiction, and responsibility to maintain high-quality investigations. CCRB provides civilians

with a means to address police misconduct. We believe that public safety relies on an independent and robust system in which those in power are held accountable for their actions. Through thorough and impartial investigations, the CCRB amplifies New Yorkers' voices and ensures accountability is accessible to all. In 2024, the CCRB received our highest level of complaints in 12 years. This increase suggests that now, more than ever, New Yorkers are exercising their right to report police misconduct, a right celebrated in New York City since Mayor Dinkins created this all-civilian Board and Agency over 30 years ago. Today, I ask for your support to protect this right and, in doing so, invest in the safety of all New Yorkers. To function as a truly independent police oversight agency, the CCRB needs \$44.5 million dollars and 397 personnel. This is about \$17 million and 150 positions more than allocated in last year adopted budget. This amount represents just over 0.7 percent of the budget of the agency we are tasked with overseeing. For comparison, the NYPD proposed budget is \$5.8 billion, with 35,000 uniformed officers. If our request is granted in full, the Agency would have one investigator, one

every 28 members of the NYPD. In 2024, the CCRB received 5,709 complaints with our jurisdiction, the highest number in the past 12 years. This agency placed a significant strain on our already limited resources, hindering our ability to keep pace with investigations. In December 2023, the CCRB announced we would suspend investigating certain allegations within our jurisdiction as a last resort to preserve the quality of investigations. As a result, the Agency closed 22.5 percent of all complaints without investigation in 2024. Despite constrained resources, the CCRB remains committed to serving New Yorkers through thorough and impartial inquiries into the alleged abuses of power. However, we cannot resume these suspended investigations without sufficient funding. This council has been instrumental in enacting meaningful changes in the CCRB's jurisdiction. For example, in 2018, this Council passed the Right to Know Act and in 2019, 74 percent of New Yorkers voted for a proposition granting the CCRB authority to investigate truthful statement made to the CCRB. In 2021, this Council expanded the CCRB jurisdiction to include allegation of racial profiling and bias-based policing. These changes

1 improve accountability and ensure police misconduct
2 is comprehensively addressed, but they also
3 necessitate more resources. Allegations from the new
4 areas of jurisdiction accounted for more than 13
5 percent of the allegations received in 2024. Over the
6 years, the CCRB's responsibilities have grown
7 significantly, while budget and staffing levels have
8 not kept pace. The solution here is not to suspend
9 these investigations, but to invest in the CCRB to
10 ensure comprehensive civilian oversight. As I
11 mentioned, I previously served on the CCRB from 2005
12 to 2014. I was fortunate to rejoin the Agency in
13 2024, and, upon my return, I quickly began to
14 appreciate the increased quality of investigations
15 and work of this agency. CCRB investigations were
16 meticulous when I left, but I remain impressed by the
17 advancements in technology and the enhanced training
18 provided to the investigators. For example, the use
19 of body-worn camera footage has greatly improved the
20 accuracy and scope of investigations. The rate at
21 which complaints are closed as "Officer Unidentified"
22 has decreased by 10 percent point compared to the 10-
23 years average before the use of BWC. Additionally,
24 the percentage of complaints closed as "Unable to
25

Determine" in 2024 was nearly 20 points lower than the average for the decade prior to the rollout of BWCs. However, while this technology increased efficiency, it also created additional workload. In 2024, CCRB collected 7,530 hours of BWC footage. BWC footage includes audio and video of incidents that require meticulous and time-consuming review. To maintain the quality and timeliness of investigation, we need additional staffing to fully leverage these technological advancements. The steady increase in investigations over the past 12 years has made it difficult for investigators to meet the 18-month statute of limitations and shorten investigation timelines. We need 107 additional investigators-- investigation personnel to ensure-- to handle the current workload. It is not enough to keep hiring new investigators, we need to retain the investigators we have. Last year, the promotion of qualified investigators from Level One to Level Two was delayed, and now, the promotions of four Level Two investigators to Level Three are also delayed. The reason for this delay: the investigators haven't spent enough time at Level Two. Of course, this overlooks the fact that the reason these

investigators don't have the time in title to their promotions were delayed for months. Without timely promotions and fair compensation, we risk losing many of our most experienced and talented investigative staff. In 2012, the CCRB and the NYPD signed a Memorandum of Understanding which stated that the CCRB would prosecute cases of highest level of misconduct, referred to as charges and specifications. This led to the creation the Administrative Prosecution Unit, which tries cases before an NYPD trial commissioner. In 2024, the APU, which only has 15 people, received 438 cases. To close these cases in a timely fashion and keep up with the growing docket, the APU needs to hire three more prosecutors and three more members of administrative staff. When this Council passed the bill that empowered the CCRB to investigate racial profiling and bias-based policing, it agreed to fund the creation of a dedicated team to conduct these investigations. The CCRB previously testified before the Council that the Agency would need a team of at least 50 to conduct this crucial work properly as these complaints are extremely complicated in nature. To date, we have only been authorized to hire 20

1 people to do the work of 50. In 2024, the Racial
2 Profiling Based Policing Unit received 245
3 complaints. In December, the first case of this
4 nature was tried by our first-- by the Administrative
5 Prosecution-- by our [inaudible] Administrative
6 Prosecution Unit. To continue to do this work and
7 rise to the responsibility entrusted in us by this
8 Council and the people of New York, we need
9 sufficient budget and headcount to hire additional
10 qualified investigators, attorneys, and data
11 scientists. The CCRB's Outreach team continues to
12 connect with New Yorkers by fostering meaningful
13 partnerships and building community trust, and in
14 doing so, prioritizing diversity and equity. These
15 initiatives display a holistic approach to outreach
16 that involves creative methods of education and
17 public service. Feedback from various communities
18 highlights the importance of continuing efforts to
19 raise awareness across all five boroughs, ensuring
20 that New Yorkers understand the system of civilian
21 oversight in their city and are informed about their
22 rights when interacting with law enforcement. To do
23 this, the Agency needs more outreach coordinators and
24 additional budget to host events to maintain and
25

enhance public education for New Yorkers. To further raise awareness, we are asking for a significant investment in our advertising budget of one million dollars. Many New Yorkers remain unaware of the CCRB, which limits the Agency's effectiveness and reach, particularly in underserved communities. Targeted advertising campaigns would help bridge the gap by informing diverse demographics about their rights and how to file complaints. These funds are also ensuring the Agency's ability to reach New Yorkers of all languages and accessibility levels. Additionally, this support would bolster the Agency's social media presence, a useful tool for both general awareness and investigations. Broadly speaking, increased visibility and through advertising would strengthen public trust, encourage participation, and promote transparency in civilian oversight. Beyond budget concerns, Board vacancies also agency's function and case resolution. The City Charter mandates that we need 15 board members appointed by the Council, the Mayor, the Public Advocate, and the Police Commissioner. Currently, four seats are still vacant. This shortage significantly slows case processing, which affects both civilians and members

of service alike. Thank you to the agency's dedicated investigators, CCRB investigation timelines have improved; however these gains remain unnoticed by civilians and NYPD members as their cases await Board review. It is my hope today that I have communicated how critical a role the CCRB plays in the overall sense of public safety in New York City. As I have stated, the Agency's ability to fulfill our charter-mandated responsibility have been significantly strained due to a historic rise in complaints, expanding jurisdiction, and enhanced investigative quality. The requested budget increase is not only a financial necessity but an investment in the rights of New Yorkers. Fully meeting the Agency's fiscal need will be an instrumental measure to uphold the integrity of the civilian oversight. I urge this Council to provide the funding necessary to enable the CCRB to continue its vital work and rise to the responsibilities entrusted to it by the people of New York City. I would like to thank you all for your time, and Mr. Darche and I are here to take any questions you might have. Thank you.

CHAIRPERSON SALAAM: Thank you. Start asking about staffing and budgetary requests. CCRB's

1 fiscal 2026 budget in the Preliminary Plan includes
2 \$27.9 million to support 247 budgeted positions. I
3 understand the Board is currently-- currently has 16
4 vacancies. What new need requests have you submitted
5 to OMB for fiscal 2026 and how are you working with
6 the Administration to fill those vacancies and add
7 new positions?

9 INTERIM CHAIRPERSON KHALID: Well,
10 currently we need \$44 million more, and the Agency
11 has five seats-- four seats still vacant. We are
12 only-- we are requesting the Bronx delegation to pick
13 up a board member and vet them and send it to us.
14 Also, the [inaudible] position is vacant, and I
15 myself I have another position on-boarding from
16 Staten Island as a board member because of my interim
17 position. So, we are looking forward. We are trying
18 to get more board members so that the work of agency
19 is not hindered, because the three panels, members of
20 the three panels, they dispose the cases after fully
21 review the case. So, our needs are 197 more
22 personnel and \$44 million. Am I correct?

23 EXECUTIVE DIRECTOR DARCHE: Can I add
24 some--
25

INTERIM CHAIRPERSON KHALID: Yes, go ahead.

EXECUTIVE DIRECTOR DARCHE: Thank you, Doctor Khalid, Chair Salaam. CCRB is requesting \$44.5 million for fiscal year 26 of which \$35.4 million is personnel services, and \$9.2 million is for OTPS. We're requesting 397 heads which is 150 more than our authorized headcount. We've been working closely with OMB to try and make those needs realized. Doctor Khalid actually met with Director Jiha last week.

INTERIM CHAIRPERSON KHALID: Yes.

EXECUTIVE DIRECTOR DARCHE: And so we're hopeful that the administration is aware of our needs and will-- we understand that there are difficulties in this budget season but we're hoping to make progress towards those requests. One other thing, Chair Salaam. We actually had a new class of investigators start yesterday, and so that vacancy is down from the chart we're you're looking at because we just had 10 people start yesterday.

CHAIRPERSON SALAAM: Thank you. NYPD testified that they used to close all cases received within 60 days of the state of limitations-- statute

of limitations. Now that we try to close-- now they will try to review all cases. Have you spoken with the NYPD on this policy?

INTERIM CHAIRPERSON KHALID: Mr. Chairman, we are looking to have a dialogue with them, because a lot of those cases previously-- I saw the testimony of the Commissioner today, and I think she mentioned that she is going to change that timing-wise. So we are hoping that when we send a case to the NYPD it is done in a timely way without losing the SOL of 18 months.

CHAIRPERSON SALAAM: Going back to staffing-- what is the CCRB's current attrition rate, and do you expect this to increase? And also, while you look for that, are there certain job titles that have a higher attrition rate than the attrition rate of the agency as a whole?

EXECUTIVE DIRECTOR DARCHE: Generally speaking, our attrition rate is mostly impacted in the Investigator position. In February 2025, our vacancy-- is it attrition you're asking for or vacancy?

CHAIRPERSON SALAAM: Attrition.

EXECUTIVE DIRECTOR DARCHE: It's a very good question, Chair Salaam, but I'm going to have to get back to you on that.

CHAIRPERSON SALAAM: Sure, no problem. When do you plan to hire the next class of investigators and how large will that class be?

EXECUTIVE DIRECTOR DARCHE: So, there were 10 investigators hired who came on board yesterday, and we are-- haven't gotten clarity from OMB about when our next class can start. We're hoping that will be at least eight investigators sometime in April or May.

CHAIRPERSON SALAAM: Do you know how many investigators are currently in line for promotion and is the CCRB waiting for OMB to approve-- OMB's approval for these promotions?

EXECUTIVE DIRECTOR DARCHE: So, at this point there are five investigators whose promotions form Level Two to Level Three are pending OMB. As recently as yesterday I spoke to someone at OMB and said they were working on processing those promotions as quickly as possible. So I'm hopeful that those four that are ending will be approved shortly.

CHAIRPERSON SALAAM: How many prosecutors and investigators to you believe CCRB needs to properly handle investigations like-- investigations and make recommendations off the disciplinary matrix?

EXECUTIVE DIRECTOR DARCHE: So, the disciplinary matrix doesn't really impact the number of investigators we need, because we can't-- we have to investigate the complaints that we receive, and only after we make determinations are we able to determine-- to figure out where on the matrix what level of discipline is required. What we have seen is that the number of members of the service against who the board substantiates the misconduct and receive charges has gone way up since the imposition of the disciplinary matrix. And so we believe we need 20 prosecutors to conduct prosecutions based on the current disciplinary matrix.

CHAIRPERSON SALAAM: How much does CCRB rely on overtime to meet the personal needs of the board in order to close cases in a timely manner? And how much is currently budgeted for overtime in fiscal year 2025? How much has been spent so far as well?

EXECUTIVE DIRECTOR DARCHE: So, in fiscal year 2025 we've so spent approximately \$250,000 in overtime. The agency doesn't have a line for overtime. We will continue to spend overtime to try and close as many cases as we can in a timely manner. It is unfortunate that because we are-- the responsibilities of the agency require us to get work done and we use the overtime as a way of expanding our workforce.

INTERIM CHAIRPERSON KHALID: Mr. Chairman, may I add that the number of people that the investigators we have-- in 2014, we had to-- in 2024 we had to not investigate many cases because of lack of funding and the lack of investigators. So that is also one of the factor that we request more funding of personnel so we can properly do the fair investigation in a proper way by the CCRB.

CHAIRPERSON SALAAM: So, operating in that manner, where do you find the money, I guess reallocating funding to be able to fund overtime?

EXECUTIVE DIRECTOR DARCHE: Given the differences between the vacancy rate and our actual headcount, the accruals allow us to pay for the overtime.

CHAIRPERSON SALAAM: Do you believe it would be more appropriate to set the CCRB budget as a percentage of the NYPD budget, and would this be more appropriate than the current method for funding the Board?

INTERIM CHAIRPERSON KHALID: Mr. Chairman, the way-- you can see that if this budget is given to us, we'll have one investigator per 128 police officers to investigate. So, you can see the comparison of our budget. Of course, there are 34,000 police officer, but in order to do that we certainly would request more personnel to continue with proper and fair investigation.

EXECUTIVE DIRECTOR DARCHE: I think that the current system of setting our headcount, linking our headcount to the NYPD's uniformed headcount it could have worked before the additional responsibilities that the CCRB has received since the last charter change in 2019. So, the 2019 Charter set our headcount at 0.67 percent of the NYPD's uniformed headcount, but since then there's been the creation of the Racial Profiling Unit, and the addition of untruthful statements to our jurisdiction and sexual misconduct, and the Right to Know Act, and

body-worn camera-- violations of the body-worn camera policy. So, while it is arguable whether or not the 0.67 percent headcount was something that was workable in 2019, when you factor in all of those additional responsibilities, I don't think that formula, the current formula, is enough to fully fund the CCRB. If you look at the request that we are making, it is not even one percent of the NYPD's annual budget. It comes close to 0.7 percent. So, we-- if we think we need the money at 0.7 percent, but if you set it at one percent we would be able to hire more investigators, hire more prosecutors and do our investigations with the same level of thoroughness, but get them done faster, and also not have 1,992 complaints within our jurisdiction closed without any investigation.

CHAIRPERSON SALAAM: Do you believe that that should be reflected in the Charter as an increase in the percentage?

EXECUTIVE DIRECTOR DARCHE: Whether it's in the Charter or just in the policy that is enacted by the administration and the Council I'm agnostic to. I just think it is important to know what the

needs of the agency are so that administration and the Council could decide what level to fund it.

CHAIRPERSON SALAAM: Last budget hearing we heard that the starting salary for investigators is \$46,000. Is that still the starting salary or has there been an increase for COLA since we last discussed this?

EXECUTIVE DIRECTOR DARCHE: A Level One Investigator makes \$47,601 a year.

CHAIRPERSON SALAAM: You said \$47,601?

EXECUTIVE DIRECTOR DARCHE: Yes, sir.

CHAIRPERSON SALAAM: What is the salary range for each investigator and when do investigators receive longevity increases? How long on average does an investigator work at the CCRB before being promoted to the next level?

EXECUTIVE DIRECTOR DARCHE: So, after a year, if-- after a year, all investigators become-- get paid at the incumbent rate which increases their salary to \$54,741. I'm sorry, that's actually incorrect. It's two years before you become an incumbent. We had tried to promote our investigators who have met the qualifications to get promoted after a year. A Level Two Investigator would get \$56,928.

1 A Level Two Investigator after they get to their
2 second year becomes an incumbent, and their salary is
3 \$65,467 a year. The promotion from Level Two to
4 Level Three takes a little bit more time, generally a
5 year and a half as a Level Two investigator before
6 you can become a Level Three Investigator. Sometimes
7 shorter, sometimes longer. It depends on the
8 investigator and how they're doing. A Level Three
9 Investigator is almost always an incumbent. An
10 incumbent Level Three Investigator gets \$77,936
11 dollars per year. That's their salary.

13 CHAIRPERSON SALAAM: Would you support
14 linking your investigator salaries to other agency
15 investigator salaries. You know, for instance, the
16 NYPD Associate Investigator salary is \$66,000 to
17 \$85,000. Average salary of the CCRB is \$73,000. I'm
18 sorry. The average salary of \$73,000. CCRB salaries
19 are \$48,000 to \$80,000, on average \$66,000.

20 EXECUTIVE DIRECTOR DARCHE: So, we would
21 support increasing the salaries of our investigators.
22 That is-- the best way to do it is to link it to
23 another investigator's salary-- another agency's
24 investigator's salary, then we would support it. But
25 right now, our investigators are part of DC37 and the

1 OLR negotiates their salaries and their titles
2 separately from these other agency titles. The CCRB
3 investigator is a unique civil service title. So, we
4 would support linking it if that's the best way to do
5 it. We have no control over the negotiations with
6 the union about CCRB investigator salaries. That's
7 done through OLR without CCRB's input. And I'm sure
8 you know, Mr. Chair, but OLR is the Office of Labor
9 Relations for the City. I use too many acronyms, I
10 apologize.
11

12 CHAIRPERSON SALAAM: CCRB fiscal 2026
13 budget headcount is 247 position which exceeds the
14 Charter mandate headcount set as a percentage of the
15 NYPD's uniformed headcount. The CCRB's headcount
16 formula set forth in the Charter was established
17 before the creation of the CCRB's Racial Profiling
18 and Bias-based Policing Units. What is the current--
19 what is the budget and current staffing levels in the
20 Racial Profiling and Bias-based Policing Units?

21 EXECUTIVE DIRECTOR DARCHE: So, we have
22 20 staff in our Racial Profiling Unit. That includes
23 managers, investigators and data analysts. One of
24 the unique things about racial profiling
25 investigations is how we use data from the subject

officers of the complaints and the similarly situated officers in their cohort to determine if there is evidence of profiling once certain factors are met.

CHAIRPERSON SALAAM: What do you consider to be the appropriate level of staffing need to properly handle investigations within these units?

EXECUTIVE DIRECTOR DARCHE: So we need 100 more investigators. That would be 60 for general investigations and 40 more for the Racial Profiling Unit.

CHAIRPERSON SALAAM: Perfect. Now going to pass it to Council Member Brewer for her questions.

COUNCIL MEMBER BREWER: My question is about the mediation and also about-- I believe we have more protests. So, in terms of mediation, how is that occurring? And then second, in terms of the protests, will-- there be more. That's always been something that you had to deal with in the past. Obviously, more staff will be helpful. Can you just talk about those two issues?

INTERIM CHAIRPERSON KHALID: Madam Councilwoman, we do have a mediation unit, and not every case is become a mediation case, but we work

1
2 very hard on that to see if we can bring two parties
3 together without going further. As far as the
4 protests, I guess that period was-- Jon, was really
5 before that I joined?

6 EXECUTIVE DIRECTOR DARCHE: So, Doctor
7 Khalid we-- the protests that occurred after October
8 7th of 2023 were-- have resulted in actively 45
9 complaints, some on-campus and some off-campus. It is
10 a far cry from the level of complaints resulting from
11 protests in 2020.

12 COUNCIL MEMBER BREWER: George Floyd.

13 EXECUTIVE DIRECTOR DARCHE: And we've been
14 monitoring them. As late as yesterday we were-- we
15 had known there was protest activity and police
16 arrest. So far we've received no complaints from
17 what happened last week.

18 COUNCIL MEMBER BREWER: Interesting.
19 Okay, because I know there was something in the Daily
20 News today. Maybe you'll hear about it. My question
21 then-- just back to mediation. What's the percentage
22 or is there one as to how many are mediation, how
23 many are not? Is that a useful tool?

24 EXECUTIVE DIRECTOR DARCHE: So, mediation
25 is a useful tool. I will pull the statistic for you

1 and get it to you. it is a small number for the total
2 number of complaints that we investigate because we
3 think it's important that it be voluntary on the part
4 of both the civilian and the member of service so
5 that-- so that people are coming in with the right
6 state of mind to engage in the mediation process. One
7 of the things that we have changed in how mediation
8 works is we now take statements from the civilian,
9 full statements, before we send the case to
10 mediation. So if the case is not successfully
11 mediated, we can continue with the investigation. And
12 we have really been watching how long cases stay in
13 the mediation unit. Our current Director of the
14 Mediation Unit, Caroline Hanna, has done a really,
15 really good job of making sure cases don't languish
16 in the Mediation Unit, because what can happen is
17 you're trying to mediate a case, it doesn't work out,
18 and then it is old and you can't investigate it. And
19 so the steps we've taken now may have slightly
20 reduced the numbers of successful mediations, but
21 they allow the remaining-- the unsuccessful
22 mediations to be properly investigated.

23
24 COUNCIL MEMBER BREWER: Okay. And then
25 just finally just so you know, I testified at the

1 Speaker's Charter Revision last night in support of
2 one percent or whatever for you to be tied to an
3 agency, and also-- like IBO is. And I intend to do
4 the same at the Mayor's Charter Revision Commission.
5 Thank you very much.

6 INTERIM CHAIRPERSON KHALID: Thank you.

7 CHAIRPERSON SALAAM: Thank you. We're now
8 going to hear from Council Member Restler.

9 COUNCIL MEMBER RESTLER: Thank you so
10 much. Executive Director Darche, how many years have
11 your worked at the CCRB?

12 EXECUTIVE DIRECTOR DARCHE: Since 2013.

13 COUNCIL MEMBER RESTLER: 2013. In your
14 dozen years at the CCRB, have we ever-- have you ever
15 experienced such a high number of complaints filed
16 against uniformed police officers as we experienced
17 in FY 24?

18 EXECUTIVE DIRECTOR DARCHE: So, this is
19 the highest level it's been since 2012.

20 COUNCIL MEMBER RESTLER: So, in your
21 dozen years in the leadership role in the CCRB, this
22 is the highest level of complaints we've experienced
23 against the NYPD. And in fact, it's a 62 percent
24 increase in just two years compared to the beginning
25

of the Adams Administration. Sixty-two percent more complaints year over year was in the PMMR this year, is that right? Up from 3,483 in FY 22 to 5,644 in FY 24?

EXECUTIVE DIRECTOR DARCHE: That is correct.

COUNCIL MEMBER RESTLER: And FY 25, based on the PMMR, we're on pace to nearly hit 6,000 complaints a year and continue to break that record again, is that right?

EXECUTIVE DIRECTOR DARCHE: That is correct.

COUNCIL MEMBER RESTLER: So, why? What has changed in the approach of the Adams Administration that has led to this dramatic increase of complaints against the police for misconduct?

EXECUTIVE DIRECTOR DARCHE: the truth is we don't know, and in the same way that when complaints went down and certain people used it as a barometer of decreasing police misconduct for evidence of good police behavior, I don't necessarily think that the increase is indicative of increase in misconduct.

1 COUNCIL MEMBER RESTLER: You think it's--
2 the outreach is so good on the part of your limited
3 staff despite the dramatic reductions in headcount
4 that have been experienced in this administration,
5 but the outreach is just so darn good that that's
6 what's led to a 62 percent increase in complaints
7 against NYPD for misconduct over the last two years?

8 EXECUTIVE DIRECTOR DARCHE: So, Council
9 Member Restler, what I was saying is we don't know.

10 COUNCIL MEMBER RESTLER: Okay. But you
11 are--

12 EXECUTIVE DIRECTOR DARCHE: [interposing]
13 So, I was--

14 COUNCIL MEMBER RESTLER: seeing more
15 complaints. So what is driving the complaints?

16 EXECUTIVE DIRECTOR DARCHE: So, the
17 largest allegation that we have is excessive force.

18 COUNCIL MEMBER RESTLER: And have you
19 seen a change in policy in the NYPD or an
20 encouragement or anything that indicates to you that
21 there is a shift in departmental prioritization or
22 behavior that has led to this dramatic increase in
23 excessive force being used by the NYPD against the
24 people of New York City?
25

EXECUTIVE DIRECTOR DARCHE: So, just because there are complaints, it does not mean that there is excessive force. The Agency substantiates 23 percent of the complaints that it fully investigates.

COUNCIL MEMBER RESTLER: Fair, but we are a data-driven government, right? So we use 311. It's complaint-driven for almost every single issue. When there's sanitation complaints about streets that aren't cleaned or air quality complaints that DEP sends out, noise complaints or NY--or complaints against the NYPD for misconduct. We're seeing a substantial increase in excessive force by NYPD officers against members of the public. Yes, not every complaint is substantiated in part, because you don't have the staff to do it, but fine. Every complaint is not substantiated. A majority of complaints are not substantiated. What is being done to your knowledge to reduce this very concerning trend?

EXECUTIVE DIRECTOR DARCHE: So, the Agency has engaged in a policy analysis under the-- there was a request from Deputy Mayor Parker to look at things that the Department could do to reduce

1 complaints. We are still engaged in that process and
2 hope to report on it soon. I've spoken with members
3 of the NYPD about their studies of CCRB complaints
4 and the work they're doing to look at compliant
5 levels and what they can do to reduce complaints.
6 There has not been a specific conversation about-- if
7 I could just finish--

8 COUNCIL MEMBER RESTLER: [interposing]
9 Please.

10 EXECUTIVE DIRECTOR DARCHE: Council
11 Member Restler. There's not--

12 COUNCIL MEMBER RESTLER: [interposing] I'm
13 tight on time and I got more questions. So, I'm--
14 that's why I need brevity in my responses.

15 EXECUTIVE DIRECTOR DARCHE: [inaudible]

16 COUNCIL MEMBER RESTLER: Okay. So I
17 appreciate that Deputy Mayor Parker has looked into
18 this and has worked with you on it. I think his last
19 day is Friday. So-- if he's not gone already. I have
20 less confidence that his successor is going to give a
21 darn about this issue, and I'm very concerned that
22 we're going to continue to see this trend continue.
23 I hope Commissioner Tisch will make it a priority and
24 try to reign things in. But we have to get this
25

1 under control. The increase in complaints is a clear
2 indication that there are more problems in our
3 streets, and that more people, especially Black and
4 Brown young men in New York City, are being
5 mistreated by the NYPD, and it's a problem. The last
6 thing I just want to ask is-- 22.5 percent of the
7 complaint that were issued to the CCRB last year were
8 closed without an investigation due to budget
9 constraints. So almost one out of four times that
10 somebody's calling the CCRB, the investigation is
11 just closed because you don't have the staff, which
12 is not your fault, but it is your problem. So, how
13 are we determining which of these complaints are
14 getting closed unilaterally by the CCRB? Are these
15 excessive force complaints that are getting closed?
16 Are they-- what types of complaints are you-- how are
17 you triaging in this very unfortunate situation, and
18 I-- you know, we will push and do the best we can
19 with Chair Salaam's leadership and others here in the
20 Council to try to get more resources for the CCRB.
21 But how are you determining which of these one in
22 four complaints you rare unilaterally closing without
23 an investigation?
24

INTERIM CHAIRPERSON KHALID: Yeah, go ahead. Yeah.

EXECUTIVE DIRECTOR DARCHE: So, the allegations that we-- if a complaint contains one of these allegations, we close it without an investigation: forcible removal to the hospital, threats, refusal to process a civilian complaint about a member of the NYPD-- and the underlying complaint is not a CCRB complaint-- failure to provide Right to Know Act cards, property seizures, refusal to provide name or shield, discourteous words or actions, and untruthful statements where that's the only allegation.

COUNCIL MEMBER RESTLER: Okay. I just-- it's a sad day in New York City when an officer can be discourteous, when an officer can seize property inappropriately, when an officer can act in all kinds of ways that are against the law, and we don't have the re-- the Adams's Administration has starved the CCRB of the resources to even consider investigating the complaint. It's just automatically, unilaterally closed because you don't have the staff. That to me is a serious problem. The CCRB needs resources to hold the NYPD accountable, to investigate officers

1
2 and pursue wrongdoing with real teeth, and just--
3 what the Adams administration has done to really
4 defang your agency and starve it of resources is
5 disgraceful.

6 CHAIRPERSON SALAAM: Thank you. I just
7 have a follow up. CCRB spoke of how their
8 investigations benefit from having access to police
9 body-worn camera footage. However, there have been
10 longstanding issues with delays in the NYPD providing
11 CCRB with evidence to support investigations. Can
12 you discuss any recent changes to the process by
13 which the NYPD provides the CCRB with evidence,
14 including any updates on efforts to provide the CCRB
15 with direct access to body-worn camera footage?

16 INTERIM CHAIRPERSON KHALID: Mr.
17 Chairman, the body-wear camera is-- since this was
18 rolled out, I think it's the most effective tool for
19 us at the CCRB. Though it also consume lot of hours,
20 audio, video listening and watching, but it's a great
21 tool for the CCRB to make a good decision, a proper
22 decision, impartial decision. So we appreciate the
23 Council has enacted this a few years ago, and we'll
24 continue doing that which is necessary for the public
25

1 trust and for the public to make sure that they're
2 treated properly. Jon, you want to add something--

3 EXECUTIVE DIRECTOR DARCHE: Thank you,
4 Doctor Khalid. So, when body-worn cameras were first
5 introduced to the NYPD there were very large
6 backload-- backlogs and providing us with body-worn
7 camera footage. Since the -- there was a change in
8 who NYPD handled evidence production to the CCRB, and
9 they put NYPD legal and Deputy Commissioner Gerber
10 and his team. They made them responsible for it, and
11 the Agency works very well with them to get body-worn
12 camera footage officially from the Department. In
13 2023 and in 2024 it took eight days for a body-worn
14 camera footage request to be responded to. So that
15 is a significant improvement over the days where it
16 would take, you know, tens if not more than 100 days
17 sometimes for body-worn camera footage to be turned
18 over the CCRB. Additionally, in December of 2023,
19 the Department and Agency signed a memorandum of
20 understanding where cases that were under FID
21 investigation, evidence that is collected by the
22 Force Investigations Division would be provided to
23 the CCRB within 90 days of the incident on a rolling
24 basis. It has significantly improved how our-- we
25

1 have access to not just body-worn camera footage and
2 serious force cases, but all evidence, NYPD
3 paperwork, in serious force cases. So it's a
4 substantial change and a real improvement. One of
5 the things you asked about was direct access. We do
6 not have direct access. We think it would make our
7 investigations more efficient, and we also think it
8 would increase public-- the public perception that
9 our investigations are fair and accurate that we were
10 able to directly access the body-worn camera footage
11 without relying on what is produced by the NYPD.
12

13 CHAIRPERSON SALAAM: Thank you. I don't
14 think we have any more questions for this panel.
15 Thank you for your testimony.

16 EXECUTIVE DIRECTOR DARCHE: Thank you.

17 CHAIRPERSON SALAAM: We'll now have
18 another break before we go to the DA's offices.
19 We'll be back in five minutes.

20 INTERIM CHAIRPERSON KHALID: Thank you,
21 Chairman. Thank you very much. Thank you, Madam.

22 [break]

23 SERGEANT AT ARMS: Good afternoon.
24 Everybody settle down and find a seat. We're getting
25

ready to continue. Everybody settle down and find a seat. We are getting ready to continue.

CHAIRPERSON SALAAM: Good afternoon. We will now hear from the DA's Office and the Special Narcotics Unit. We have with us Alvin Bragg, Darcel Clark, DA Melinda Katz, Michael McMahon, Attorney-- District Attorney Michael McMahon, DA Eric Gonzalez, and from the Special Narcotic Prosecutor, Bridget G. Brennan.

COMMITTEE COUNSEL: Thank you all. Before you begin, can you just affirm the following? Do you affirm to tell the truth, the whole truth and answer honestly to Council Member questions? Seeing you've acknowledged that, you may begin. In terms of order, choose as you may.

DISTRICT ATTORNEY CLARK: Good afternoon, Chairman Salaam and members of the Public Safety Committee. Thank you for this opportunity to speak with you today. I am District Attorney Darcel Clark. My testimony can be summed up in 10 words or less, that I'm fighting for the soul of the Bronx. Those who have never tried a criminal case, never had a victim or grieving mother cry on their shoulder or heard "thank you" from someone recently released from

1 prison at an employment resource fair you organized
2 for them should not be telling me how to do my job.
3 Regardless of what the Police Commissioner, defense
4 attorneys, legislators or professors say or believe,
5 I am the chief law enforcement officer in the Bronx,
6 and I do this work in close partnership with the
7 great men and women of NYPD. Public safety is my
8 responsibility to deliver to the people of the Bronx.
9 They elected me three times to perform this duty. I
10 am unapologetic about who I am and the work that I
11 do. I work for them and I am one with them. And
12 unless you've experienced the why, you will never
13 know the how. Now is not the time to retreat to
14 Broken Windows. Now is the time to look ahead to
15 21st century solutions aimed at keeping the Bronx
16 safe. We start by identifying the root causes of
17 crime and addressing the underlying conditions that
18 lead to a cycle of violence and recidivism. It takes
19 prevention, intervention, prosecution and re-entry.
20 Our borough is under-resourced and underserved. The
21 communities suffering from poverty and high crime
22 have remained the same since the 70s. to tackle the
23 outsized share of violent crime that Bronx residents
24 and businesses experience, our community needs more
25

resources to address employment, education, housing, mental health, and substance abuse. We need more community police officers on patrol. They are our guardians of safety and not warriors of force. We need more detectives to solve the crimes and gather evidence in order to hold people accountable for crime. We need more ADAs and professional staff to care for victims, resolve cases and engage with the community, especially our youth, and we need the infrastructure, services and systems in place that support people and bolster public safety. We need a fair and efficient criminal justice system that will keep up with technology and artificial intelligence. A year has passed since I spoke here and I pleaded for investment in the Bronx. 2024 proved to be another year of hell and hope for our communities. First, let's talk about the hell. 123 people, human lives, were taken. That was 31 percent of New York City's murders occurred in the Bronx. More than a third of the City's shooting incidents took place in the Bronx. Gun violence among youth increased. In 2024, Bronx youth accounted for 42 percent of the city's young shooting victims, and our kids accounted for 41 percent of the youth arrested in shootings.

1 Compare those stats to 30 percent of people ages 16
2 to 24 out of school and not working, the highest high
3 school dropout rate in the city. The lack of
4 education and opportunities combined with a
5 disturbing amount of youth violence breeds
6 intergenerational trauma that takes years to repair.
7 Do you see the correlation? This is why I don't
8 sleep at night. There have been initiatives
9 announced for holistic approach to neighborhoods
10 suffering from poverty and crime, but I don't see the
11 resources or capital investment in the Bronx.
12 Increasingly, cases are dismissed because of burdens
13 of discovery. Now is the time to move forward and
14 support minor changes to the discovery laws that are
15 clearly not working as they were intended, or has
16 unintended consequences I should say. Some cases are
17 dismissed technical reasons related to discovery,
18 some because of triages. We have to prioritize those
19 cases that most impact public safety. Felonies,
20 violent felonies in particular, would take priority
21 over misdemeanors, but as a result we have victims
22 who do not receive justice and defendants are not
23 held accountable or given an opportunity to address
24 their needs. We can do better. We must do better.
25

Now the hope. Last year, I asked for a hospital-based Rape Crisis Center, and I am glad to report that the State Department of Health and New York Health + Hospitals are moving forward to establishing one. I also asked for a Community Justice Center for the Bronx. We now have a location and a partner in the Center for Justice Innovation. The South Bronx Community Justice Center-- and I want to thank Council Member Diana Ayala here, because it's in her district. The South Bronx Justice Center will serve 200 young people per year through an array of programs and services supporting the neighborhoods of Mott Haven, Melrose, and Morrisania, and I'm supporting CCI and MOCJ's request for \$2 million for this center. We strengthened our re-entry programs by providing employment fairs. We held meetings with my Youth Advisory Council on Violence Prevention and other topics, and the Youth Council is planning this year's Bronx Youth Summit, and I want to thank Council Member Stevens for being here as well. My Youth Council and her Youth Council work together, and we're looking forward to planning that summit. Looking ahead, I'm asking for funding for additional ADAs and professional staff because we're embarking

on new initiatives. We are creating a Youth Justice Bureau to move more effectively, to more effectively address youth violence and centralize all matters pertaining to youth justice. The Bureau will be staffed with prosecutors and other professionals specifically trained to consider whether diversion programming or alternative dispositions are appropriate in the court's youth part. The Youth Justice Bureau will address the Raise the Age Law that spawned complex issues around 16 and 17-year-olds charged with violent crimes. We're building an Auto Crime Unit in response to the disproportionate number of grand larceny auto crimes, GLAs, that are occurring in the Bronx. The borough is the hub for vehicles stolen out of state that are resold or put into shipping containers sent overseas. People are tired of their car's tires, mirrors, and catalytic converters being stolen. Currently, we have a number of major investigations underway. Auto crimes affect Bronxites who need their vehicles every day to travel to work, medical appointments and to take their children to school. We need to assign more ADAs and investigators to this Auto Crime Unit. In 2024, the Crime Victims Assistance Bureau provided targeted

support for over 7,500 new clients and delivered nearly 57,000 follow-up services to new and existing clients. Our diverse team of gnarl advocates, liaisons, special coordinators, and therapists assisted crime victims and witnesses with advocacy, crisis intervention, and comprehensive support throughout the criminal justice process. We are asking for \$1.1 million toward additional therapists to address the shortage of therapists, and the significant disparity in access to mental health services for crime victims in the Bronx. A pre-arraignment desk appearance ticket, also known as DATs, diversion program will operate in the 44th precinct. Individuals who receive a DAT for victimless, non-violent misdemeanor offenses will have an opportunity to receive aid or services instead of prosecution. ADAs and paralegals will work directly in the precincts. Hopefully we can stop the revolving door to the criminal justice system and stem recidivism by providing services to people who commit these quality of life crimes. In the hub, that's where 149th Street, Third Avenue, Melrose Avenue, and Willis Avenues meet, there is a community with dozens of mom and pop shops and chain stores,

1 but simultaneously there are pockets of brazen drug
2 dealing and desperate people overdosing on the
3 street. And again, Council Member Ayala, I know I
4 don't have to tell you about this. The drug problem
5 in the hub is historic. Multiple mayors have vowed
6 to clean it up. It is inundated with clinics, but
7 lacks coordinated public resources. Law enforcement
8 plays an important role, but this perineal problem of
9 substance abuse is a public health issue. My Special
10 Investigation Bureau has been investigating
11 trafficking and we have renewed efforts to address
12 community concerns working with local community
13 organizations and with NYPD, as well as federal
14 prosecutors from the Southern District of New York.
15 When all stakeholders, prosecutors, elected
16 officials, defense attorneys, the police, the court,
17 and the community work together, things get done. I
18 want to thank my extraordinary legal and professional
19 staff who work, who show up every day and go above
20 and beyond. Dedicated-- and they are committed to
21 pursuing justice with integrity which is our mission.
22 And I salute the 1.4 million residents of the Bronx
23 whose resilience and resolve inspire me to work for a
24 safer Bronx through fair justice. That's my roadmap
25

and blueprint to pursuing justice with integrity.

Let me reiterate that every stance I take comes from my desire to protect my community, everyone in my community. We are not soft on crime, nor are we locking up everyone and throwing away the key. We hold people accountable within the law and with fairness. I will always stand for crime victims. They must never be regulated to an after-thought.

Thank you for listening, and I look forward to working together. My full request for the budget is in my written submission. Thank you.

CHAIRPERSON SALAAM: Thank you.

DISTRICT ATTORNEY MCMAHON: Good afternoon. Thank you, Chairman Salaam, Deputy Speaker Ayala, Council Members Brewer, and Stevens and Paladino and Holden. Thank you for staying this afternoon and joining us for this very important session of testimony from the District Attorneys and the special Narcotics prosecutor. My name is Michael McMahon, and I'm privileged to serve the people of Staten Island as their District Attorney. It's also a great honor for me to sit here, to come back to this chamber again where I served for eight years sitting on that side of the room on the committees

1 representing the people of Staten Island. I was a
2 proud member of the City Council, and I'm equally
3 proud to be a member of this dais, and before I begin
4 with my testimony just to say it is an honor and
5 privilege to serve with these great District
6 Attorneys Clark and Gonzalez and Katz and Bragg and
7 our Special Narcotic Prosecutor Bridget Brennan, and
8 I'm here to say that it's-- to me, every time we
9 speak it's an amazing conversation, because
10 conversation isn't about how can we get more
11 convictions, or I got a murder conviction yesterday,
12 or we're starting a trial on a shooting tomorrow, or
13 how can I get drug dealers locked up? The question
14 and discussion is always how can we use the power of
15 the platforms that we have as the chief law
16 enforcement officers of our boroughs to have a more
17 positive impact in our communities, to reduce crime,
18 to put ourselves out of business, to make our streets
19 safer and make our justice system fairer for
20 everyone? And so I want my former colleagues from
21 the City Council to know that, that we are not here
22 as prosecutors looking to prosecute. We are here as
23 prosecutors looking not to prosecute and to keep the
24 people of New York City, and for me, Staten Island
25

safe. As Staten Island's chief law enforcement officer I'm incredibly proud of all the work that we have done in my office together with our partners in New York City Police Department, neighboring law enforcement agencies, our community, and local not-for-profits, and those who call our beloved Staten Island home to make our borough a safer place. If I mentioned yet, I'm from Staten Island. Did I bring that up? While there remains much work to be done to fully restore public safety, everyone here today should be encouraged by the nearly double-digit decrease in reporting crime on Staten Island last year, including six of the seven major index crime categories. And while Staten Island proudly remains the safest community of 500,000 residents in the country, now is not the time for a victory lap. Staten Island continues to face significant public safety challenges, trusting law enforcement professionals and causing crime victims and hardworking Staten Islanders pain and suffering. We know that retail theft, school and transportation safety and rampant recidivism remain massive public safety issues for Staten Islanders and families across New York City, and we are committed to doing

everything in our power to turn the tide and help restore both public safety, confidence in that public safety, and peace of mind to our residents. However, in order to do that, we need the Administration and this council's help. During my testimony before you last year and the year before that I warned the Council that Staten Island as facing a dire shortage of uniformed police officers and detectives patrolling and keeping our borough safe. And despite our persistent pleas, even still today there are fewer cops deployed on Staten Island than there were in 1968. I didn't misread that. There were fewer cops today on Staten Island than there were in 1968 when our population was barely 60 percent of what it is today. Our borough and New York City as a whole need the uniformed personnel and detectives and leadership staffing necessary to prevent, deter, and investigate crime. a persistent but under-rated significant driver of crime on Staten Island and one where we as a city must dedicate more resources to combatting is domestic violence, a terrible reality that impacts far too many families and we know goes wildly unreported or under-reported. On Staten Island, domestic violence helped to drive a significant

1
2 increase, more than 40 percent in incidents of rape
3 last year, as well as the majority of felony assaults
4 committed in our borough. And while we will always
5 do everything we can to support survivors and hold
6 dangerous domestic abusers accountable in the court
7 room, we once again as that City Council support the
8 life-saving work of our Domestic Violence Bureau and
9 Victims Services Unit with continued DOVE [sic]
10 allocations. And while there are many pressing public
11 safety challenges, none more important or have had an
12 outsized impact on recidivism and the prosecutor's
13 ability to keep New Yorker's safe as so-called
14 discovery reform. Admirable in intent, the
15 unintended adverse impacts and burdensome
16 requirements of discovery reform have absolutely
17 pummeled police and prosecutors alike resulting in
18 combatting gamesmanship from defense attorneys and
19 the wholesale dismissal of cases across the state on
20 technicalities. This reality robs victims of crime
21 from every receiving justice and dangerous criminals,
22 quality of life offenders, and recidivist from ever
23 being held accountable for their actions in the court
24 room. The free, fair and timely sharing of discovery
25 with defense counsel is the bedrock of America Juris

1 Prudence. However, the statute in this current form
2 hampers justice more so than helps it. Defendants
3 are spending much time in custody. Cases are taking
4 longer to adjudicate. Victim's access to justice is
5 being delayed or denied, and in many instances the
6 very system which should be the guarantee of due
7 process has become a labyrinthian [sic] black hole.
8 We are seeing thousands of cases across the state
9 being dismissed or charges dramatically reduced.
10 This is the direct cause of the rampant and revolving
11 door recidivism we all know and loathe today. To be
12 sure, meliorating the undue burdens and unintended
13 consequences of the 2019 discovery statute is the top
14 legislative priority of my office and my colleagues
15 here today this year with the state legislature, but
16 we need all of you to join us in the fight. I hope
17 you will us affect modest changes, not a rollback,
18 very modest changes while keeping the original statue
19 in place. Despite significant amendments included in
20 last year's state budget, rampant retail theft, the
21 proliferation of illegal smoke shops, and
22 opportunistic scammers and squatters reaming massive
23 public safety challenges on Staten Island and indeed
24 across New York City. The aforementioned offenses
25

are not victimless crimes. Desperately-needed revenue streams are being pilfered, precious private property is vandalized and hundreds of millions of dollars are being stolen from our residents and local retailers. I urge this council to think carefully about these quality of life and public safety issues and to invest not only additional law enforcement personnel, but public awareness and prevention campaigns to combat these blights on our communities. I would be remiss if I did not mention the overdose crisis that continues to rage claiming the lives of well over 80 of our neighbors in 2024, and over 150 in 2023, an immeasurable loss to our community. The exact toll of deaths from this crisis in 2024 is still unknown as we get the lab reports from OCME, but we believe the total number of fatalities will show a hopeful decrease from recent years. The loss of life caused from this crisis is still far too high. The presence of fentanyl and related analog drugs continue to stoke this five-alarm fire, appearing in most all-fatal overdoses on Staten Island. We remain concerned with the growth of Xylazine, a dangerous animal tranquilizer which is mixed with fentanyl, heroin and cocaine and does not

1 respond to naloxone. This substance deserves the
2 attention of the Council as it is the latest
3 development in our year's long struggle in this fight
4 against the overdose crisis. It is for these reasons
5 and more that my office remains dedicated to
6 addressing underlying conditions of crime while
7 encouraging supportive programming that buildings
8 families up. However, for far too long, the Richmond
9 County District Attorney's Office has done this
10 critical work with one arm tied behind its back.
11 Staten Island now remains the only borough without a
12 Community Justice Center, as DA Clark has mentioned.
13 She's moved hers along. And while we graciously
14 received \$5 million in capital funding last year
15 towards this essential project, capital funding is
16 needed to correct this inequity and bring this dream
17 to fruition. We have a site. We have a building.
18 We need your help to make it reality. And lastly, I
19 continue to forcefully advocate for this body's
20 support of a mental health support and diversion
21 center on Staten Island and the screening of those
22 arrested at police precincts. As a 21st century
23 prosecutor, I fully understand the fundamental and
24 intrinsic link between mental illness, trauma,
25

1 chronic homelessness, extreme poverty, substance
2 abuse and crime. Simply put, we cannot expect to
3 prosecute our way out of all of society's ills. We
4 know that. You know that. These potentially life-
5 saving initiatives would assess the defendants'
6 underlying needs immediately and give law enforcement
7 and their assigned counsel the tools to place them on
8 a road to recovery, thereby lessening the chances for
9 recidivism and strengthening public safety as a
10 whole. My office continues to work tirelessly to
11 combat these challenges. Our success depends
12 entirely on us working together to make our city as
13 safe as possible. We have remained vigilant and
14 consistent in our dedication to the rule of law, the
15 protection of victims of crimes as well as the rights
16 of the accused, and the overall improvement of public
17 safety on Staten Island, but I must reiterate in the
18 strongest possible terms, we need your help. With
19 that said, I will just highlight briefly the things
20 that we've submitted in our testimony more thoroughly
21 for consideration in the budget. We would like to
22 create an Intimate Partner Sexual Assault unit within
23 our Domestic Violence Bureau to address the rise in
24 rape cases and the traumatic impact of these cases.
25

As I said last year, only one category of crime had increase on Staten Island. That was rape, and we'd like to create a unit that is sensitive and skilled in preventing, handling those cases, prosecuting them appropriate, and helping the victims. Cybercrime, as you know, scams have become a big issue and we'd like to create a unit in our team to devote-- to work on that as well. Just today I received a text of someone who was scammed out of \$200,000, and there's so many New Yorkers who need help in this regard. We'd like to create a Hate Crimes Unit within our office as we know that hate crimes are up dramatically across the city. We need help dealing with FOIA requests, and we need help with dealing with the increase in ERPO, or Extreme Risk Protection Orders, one of the key tools in our toolbox to deal with illegal firearms in our city. I mentioned the Community Justice Center, \$30 million in capital funds for that, and we need your help with that as well. We, again, are the only borough without a Community Justice Center and we'd like to rectify that for the people of Staten Island. We know that it's a methodology that works and not only in supporting the community, but in preventing crime. And again, that's why we're all here today. I

thank you for your attention and indulgence if I went a little bit over, but we look forward to taking your questions. Thank you.

DISTRICT ATTORNEY GONZALEZ: Good afternoon Chairman Salaam and Deputy Speaker Ayala. To all of the members of the Public Safety Committee, thank you for being with us and having us testify here today. All of you are among the most forceful voices in our city around the issue of public safety, and I thank you for that. Brooklyn is home to one of the most diverse boroughs in the City, home to 2.7 million people from every background, speaking every language, and practicing every faith. That diversity is our strength, but it also means that keeping Brooklyn safe requires more than just enforcement. It requires trust. It requires fairness. It requires ensuring that everyone no matter where they were born feels safe coming forward reporting crimes and seeking justice, and I'm proud to say that our efforts are working. Last year, Brooklyn recorded the lowest level of gun violence on record. That's not luck. It's the result of smart investments in policing, in court enforcement, and on prevention efforts. The work we've done to reduce violence is

1 fragile, and if we do not continue in investing in
2 things that work, we will lose ground. One of the
3 most important programs we built is Project Restore
4 which breaks cycles of gang violence that have ripped
5 communities for generations. Project Restore takes
6 young men caught up in gang life and gives them a
7 real second chance. They get mentorship, counseling,
8 job training, and most importantly, a reason to
9 believe in the future that doesn't end for them in a
10 jail cell or in the grave. And it works. Violence
11 has dropped, and we've seen Project Restore
12 participants go to college, hold steady jobs, and
13 stay out of trouble. We're making the difference
14 between safety that lasts and another generation
15 lost. That's why I'm asking you to baseline funding
16 for Project Restore so that when a young person is
17 ready to leave a gang and gang life behind, we are
18 ready and willing to be able to help them. Supporting
19 the vulnerable is vital to lasting public safety, and
20 that's why I also want to express my support for the
21 Crisis to Care Agenda championed by the Council's
22 Progressive Caucus which would provide vitally needed
23 support to those who need it most. Investments in
24 mental health care, harm reduction, services for
25

1 survivors of gender-based violence, and support of
2 people experiencing homelessness will prevent crimes
3 of desperation, improve transit safety and make our
4 communities stronger. I'd also say that we must also
5 make sure that the Council continues to fund ATI
6 program that provide an important way of making sure
7 that our justice system continues to pay attention to
8 fundamental fairness and give people who deserve it
9 second chances. While finally crime is dropping,
10 another type of crime is surging and great DA of
11 Staten Island, Michael McMahon touched upon it,
12 cybercrime. Crypto scams, AI-driven fraud, and
13 online financial schemes are growing faster than law
14 enforcement can keep up with and the targets are
15 usually seniors, immigrants and working-class people
16 who are manipulated into losing everything. One of
17 those victims was an elderly woman who was tricked by
18 an online scammer running fake investment ads
19 targeting Polish immigrants. She lost everything.
20 She had moved from New York to Pennsylvania, and the
21 police there where she was living did not know how to
22 handle a cryptocurrency crime. So the night before
23 her 79th birthday she drove back to Brooklyn, slept
24 in her car in front of my office and waited in our
25

1 lobby until the next morning. She had nowhere else
2 to turn. Our virtual currency team sat with her.
3 They listened to her and did everything to help her
4 try to recover the money she'd lost, the money that
5 was stolen from her. This kind of fraud is growing
6 more sophisticated by the say, and AI will only make
7 it worse. To stop it, skilled investigators must
8 intervene immediately using cutting-edge technology
9 and tools. Our small but talented team has seen
10 great results, disrupting massive networks, seizing
11 fraudulent domains, helping victims and trying to
12 educate the public about this real risk to their
13 livelihoods. Yet, even as these crimes explode,
14 we're watching federal protections vanish. The Trump
15 Administration has moved to ease cryptocurrency
16 regulations, has reduced SEC oversight, and have gut
17 agencies designed to protect consumers. That means
18 more scams, more victims and fewer safeguards. So
19 while Washington steps back, we here in New York City
20 must step forward. We must stand in the breach
21 between scammers and the vulnerable, because if we
22 don't do it, no one will. But to do that, we need
23 investments in technology, staffing and secure
24 offsite data storage. In my written testimony
25

1 there's an image of the data storage center in my
2 office. It's old. It's overheating, and we actually,
3 no joke, cool it with a box fan. We're asking for
4 funding for this-- for a safe and secure off-site
5 data storage that many other city agencies use. The
6 DAs have already told you that with the increase in
7 discovery obligations and body cams and surveillance
8 video our data storage needs have more than
9 quadrupled over the last couple of years. We cannot
10 fight 21st century crime with a 20th century
11 infrastructure, and while we work to modernize, we
12 continue to battle a funding imbalance that no other
13 DAs office in the city faces. Brooklyn is the largest
14 borough. We handle the highest number of arrests.
15 We have the most felony prosecutions, and yet, we are
16 the DAs office that is required to spend tens of
17 millions of dollars on commercial rent. My
18 colleagues operate mostly city-owned buildings and
19 are rent free. Every year, we ask the city leaders
20 to address this funding gap, and every year we're
21 forced to do more with less. I've detailed this more
22 in my written testimony and we've been briefing
23 council staff, but this crisis is growing in our
24 budget. At the Brooklyn DAs office, justice,

1 fairness, and public safety guide everything we do.
2 We have made real progress in the county, but I warn
3 progress is never guaranteed. Decisions we make now
4 will determine whether we move forward or slide
5 backwards. I believe in what we've built in
6 Brooklyn, and I believe that we will actually do
7 better this year. crime as of now in 2025 is lower
8 in Brooklyn than it was in 24, and as I've already
9 said, 2024 was the safest year in terms of gun
10 violence in the county, but we need the resources to
11 continue to do it. I want to thank all of you for
12 your time and your support. And again, I'm going to
13 say to this Public Safety Committee, I thank you for
14 always fighting for New Yorkers in this area of
15 public safety.

17 DISTRICT ATTORNEY KATZ: Good afternoon.
18 I want to thank also Council Chair Salaam, Deputy
19 Chair Ayala, Minority Leader Ariola, and Gale Brewer,
20 who we served with in the City Council, Michael. We
21 served together. Good to see you back again.
22 Council Member Stevens, Holden, Paladino, my Queens
23 family. So, this is a great day for us to be able to
24 come in front of the Council because we get to share
25 the ideas we have for public safety, and as DA

McMahon was talking about, you know, public safety is not just about prosecuting. Public safety is about prosecuting those that are-- that when you follow the evidence it leads to prosecution, but it's also about keeping our kids out of the courtroom. It's also about making sure that we have-- as in my office I have a Youth Coordinator. We have Community Relations folks, people that go out to the community and the district, by the way, that are not lawyers. So that when someone says to them, "Hey, I have a friend in my church who has a daughter who is being trafficked. Do you have someone who can talk to them about that?" And the person they're speaking to is not a lawyer, but it's a community person, and that community person then brings it back to my office, finds either the ADA to speak to or finds some way to give that person help. Maybe it's one of the not-for-profits. Maybe it's youth leaders. Maybe it's Cure Violence. Whatever it is, we do that all the time. So it is about finding justice for people, and it's about making sure that we are doing our jobs as elected officials, also, right? Which is not just about prosecuting. It's also representing our districts and representing our borough which also

means keeping people out of the criminal justice system. In my office we have 96 more people, more ADAs, than we did when I was elected-- by the way-- five and a half years ago. It's amazing how long ago that was at this point. I'm in my sixth year as DA. We have 408 ADAs that work in the office. We have about 950 staff members. We have increased, like I said, by 96 to 408 ADAs. We're handling approximately-- every ADA is handling approximately 170 cases, you know, when you average it out through the year. Our misdemeanor ADAs are handling about 150 cases each one. My felony ADAs, depending on the bureau that they are in, are handling you know, half to a quarter of that which is still a lot of cases that we are handling on a daily basis. With the funding which I thank you for, by the way, every year, that the City gives us. In that, though, we have about \$2 million in federal funding that comes down the pike every year. We don't know the status of that, and we assume we are getting it still, but we don't know. So I wanted to just throw that out there as one of the questions that happened in the budget. We also as, you know, DA Gonzalez and a lot of other folks are talking about-- as technology

1 increases, the types of crimes that we're going after
2 and the types of victims that we are finding, are
3 getting bigger and getting to be more expansive. So,
4 for instance, when you talk about cybercrime, you
5 know, we just had a case-- I don't know how many of
6 you read about it-- where Taylor Swift concert
7 tickets were being stolen, and so what was happening
8 is Ticketmaster was sending-- was selling the ticket
9 and they would have-- you know, you have the resale
10 value that a lot of us or my kids mostly are using,
11 and they're buying them secondhand on StubHub or the
12 contractors that StubHub uses, and what they were
13 doing was intercepting the tickets. So you'd buy a
14 ticket. You know, you have to download the ticket.
15 In that download, you were never getting that. It
16 was going to someone else, a third party who was then
17 downloading it and selling it. Those folks made
18 \$650,000 on these types of crimes, and these
19 particular crimes. Some of the Taylor Swift concerts
20 are going-- tickets are going for like \$5,000, and it
21 is so easy to fall for it. And part of what we do,
22 and part of what I do as the DA is make sure that
23 there's a comfort level in the community where people
24 know that they should be comfortable coming to us,
25

1 even if they fall for something like that, because
2 it's so easy to fall for. So, it is part of the
3 reason that I come here today with my only like
4 increase ask being for computer forensic lab. You
5 know, it's \$2.4 million about to make a computer
6 forensic lab and then to staff it. And that would
7 mean downloading and being able to ourselves be able
8 to investigate, you know, because we're investigating
9 it now, but we have to rely on outside sources a lot
10 of times to do the downloads and go into the
11 computers just because of time and effort and
12 quantity that it has. And so when we ask for that
13 money to do that, it's because I don't want to take
14 money from my retail theft, you know, policy that we
15 are working on. If we put money there, it has to
16 come from somewhere. So a crime lab would be amazing
17 and a forensic lab so that we can get those scammers
18 that are on the internet that are scamming our
19 parents and our grandparents and our kids and some of
20 us, and it's important that the technology that the
21 DAs have keep up with the way things are going in
22 life these days. We're also paying rent, just so you
23 know. We have three-- we are scattered. I have five
24 offices within a few blocks of each other in Queens
25

County. Two of them are private. Three of them are City. I say that only because the DAs office of Queens County has come before the Council for, I don't know, 20-30 years, not me, but the one previously, and asked for a standalone building for the DAs office. There's a lot that happens while we corroborate with each other and collaborate with each other and we talk to each other. And it helps our cases as we move through. Just to put everything in perspective, Queens has had 52,000 people who were arrested in 24. With that was about 47,000 arraignments that happened-- we conducted in our borough. As Commissioner Tisch was talking about, the crime levels are going down for the overall crime index. That happens as a partnership with the District Attorney's offices and the work that we do. We had 64 homicides last year. To put in perspective, in 1971 we had 342 homicides in Queens County, just so you know. And the other things that we work on every single day there, again you know, need the funding, but we have it right now, but won't when we do our crime lab-- is the ghost gun investigations that we do. I created a Crime Strategies Unit several years ago. That Crime

Strategies Unit is responsible for getting the largest percentage of the ghost guns off the street and the City from all the boroughs, and you know, it's something that we chose to prioritize. We chose to work on very closely so that we can get these ghost guns off the street, and I say that because ghost guns are untraceable. So, they are extremely dangerous when they're being built in the basement of an apartment or a basement of a house or in an apartment next door to our constituents and then you have a 30-minute YouTube video that teaches them how to create a gun from the internet pieces that they bought off the street. And ultimately, a lot of people when they arrest them for that say, "Well, it's a hobby." You know what? Find another hobby, and that is the message that we always send. We are getting the scooters off the street in Queens County, just so you know. It's very difficult sometimes to chase the scooters down. So, we go out, I don't know, once a week, every other week, maybe at least two or three times a month. With the NYPD we've taken about a thousand scooters off the street that are unlicensed, unregistered and uninsured. Very important that we have some sort of accountability on

1 these scooters that are on-- that you can't identify.
2 And think about that danger when you have that. so
3 we work on that as well as we go around the borough
4 making sure that we're keeping people safe, not just
5 from prosecution, but also thinking of ways outside
6 the box to do that. like our retail theft, you know,
7 we can all talk about crime going down in certain
8 index, but when you're standing in CVS and someone
9 walks in with a knapsack and fills up that knapsack
10 and walks out, and you're still standing to pay your
11 bill after you had to call the person to get the
12 shampoo from behind the glass door. To you, crime's
13 at 100 percent because that's what you're seeing and
14 that's what you're experiencing. So, we've worked
15 very closely with the NYPD on what's called a
16 Trespass Affidavit program. It has been very
17 successful. 1,400 trespass affidavits were given.
18 Only about 50 people returned to that store, and it
19 says you no longer have the privilege of being here,
20 and it's worked, you know, 1,300 and something times.
21 So we're very proud of that. We have a CIU unit; 268
22 cases have been submitted for CIU which is Conviction
23 Integrity Unit. We vacated 122 of them and some of
24 them are based on the fact that the police officer
25

involved in the testimony either there was something wrong with their testimony or later on was convicted of perjury or something like that where I never-- I didn't have any longer the confidence in that prosecution. We have a program called Project Reset. Just so you know, every single DAT that goes through our office is vetted for mental health and for drug rehabilitation to make sure that we can't find a way for that individual not to come back to our office, because that is ultimately the goal of it. We've had about 750 who successfully finished that program which means that before they even got through arraignment we figured out how to divert them so that we get them the help they need so they don't come back. It is something I think that most of us are involved in and trying to figure out how to get help for people so that we don't have this continuous recidivism in the City of New York. I'm very proud of the work that my office has done. Like I said, this is our sixth year here. Mostly proud of the work that we've done together with my local legislators with the Assembly Members and Senators, with local Council Members. We work very closely together and my phone is always ringing at 11-12 o'clock at night

1 with issues that they are seeing on the ground, as
2 I'm sure that everybody here has with their local DA.
3 But we thank you for the work that we've done
4 together, and thank you for the opportunity to come
5 out here, state our case for any new funding, but
6 also figure out together how we keep people out of
7 the system as well. Thank you.

9 DISTRICT ATTORNEY BRAG: Good afternoon.
10 First, to our Chair Salaam who's my Council Member,
11 thank you for your leadership on this committee and
12 broadly all you do in our district. To the other
13 phenomenal members of this committee, the Manhattan
14 members I'm in touch with and grateful to Council
15 Members Ayala and Brewer, but to the whole Committee
16 for all of your leadership. I come not as a former
17 member, as DAs Katz and McMahon, but as a former
18 Council staffer. So, profound respect for the work
19 of this body, and really want to start with thanks.
20 Thanks for the opportunity to speak today, but thanks
21 so much for the prior support, and I'll go into some
22 of it in the body of my remarks, but support that has
23 helped us with our gun work, support that has helped
24 us with our wage theft and worker safety, support
25 that has helped us with our survivor services, and

support that's helped us with hate crimes. It has immensely enhanced the work we do and helped to advance public safety in Manhattan, and I would also say throughout the City. The twin goals of the Manhattan District Attorney's Office are delivering safety and fairness, and we know that we cannot have one without the other. We are achieving these goals with a targeted strategy focusing on the drivers of violence and investing in preventative measures, all of which together keep our communities safe today and in the long term. We are proud of the downward trend of serious crime over the past two years, including a 45 percent decline in shootings in Manhattan over the past three years. Similarly, we are encouraged by the overall 10 percent drop in index crime in Manhattan from 2022 to 2024. But despite these encouraging declines, we know we have more work to do, and more work to do together. I want to start by highlighting our gun violence work. As I mentioned, a year since I took office the shootings have declined 45 percent. We are encouraged by the continued impact of our efforts this years. As of February 23rd of this year, shooting incidents are down 36 percent in Manhattan north and 33 percent in Manhattan south

1 compared to the same time period in 2024. So that's
2 over and above that 45 percent decline. To achieve
3 these results, we focus our work on both strategic
4 investments and enforcement. Immense credit is due to
5 the hard work, of course, of our partners at the
6 NYPD. And I also want to give credit to our tireless
7 community-based organizations and community leaders
8 for doing a lot of work preventing gun violence from
9 occurring in the first place. I mentioned my
10 gratitude to this body for its prior support. You
11 funded us in 2023 to hire six gun analysts, one for
12 each of our trial bureaus. Their work is essential
13 to gun interdiction and prosecution, helping us to
14 highlight for juries key evidence and then helping us
15 to get these very serious felonies ready for trial.
16 So I'm very grateful in that 45 percent decline.
17 That number is really a shared number for all of us.
18 In addition to the enforcement work which we give
19 priority to, we also have done a lot of strategic
20 investment work which I think helps explain and
21 contextualize that 45 percent decline. I'm
22 particularly proud to announce that we're going to
23 expand our Youth Gun Violence Prevention Initiative.
24 Through this program we award grants to community-

1 based organizations to offer wages, stipends to at-
2 risk young people to engage in meaningful jobs and
3 community projects during the summer months. Those
4 based in Manhattan have met some of these young
5 people and seen the extraordinary work and I thank
6 you for engaging them. Chair Salaam I would say join
7 me-- we were together. We joined each other to see a
8 presentation that one of these extraordinary groups
9 did presenting to us policy proposals and informing
10 us. That funding and engagement is helping keep our
11 community safe. On hate crimes, I'm really grateful.
12 In my first year in office I came before you and
13 asked, as we were in the middle of a spike of anti-
14 AAPI hate crime, for additional funding, and you
15 provided an additional \$1.7 million to expand our
16 Hate Crimes Unit. We went from a unit with two or
17 three lawyers to one that has approximately 15
18 lawyers. We were able to add investigators, outreach
19 personnel, and that work has made an extraordinary
20 difference. That funding has made an extraordinary
21 difference both in investigations and in
22 prosecutions, and then also the community partnership
23 work we do. DA Gonzalez mentioned at the top of his
24 remarks trust and how we need that trust in
25

1 communities. I literally had my first month members
2 of the AAPI community, "You don't speak my language."
3 Well, it was all of your funding-- we now have two
4 investigators fluid in Cantonese and that's helped
5 extraordinarily in our hate crime work. So, I thank
6 you for that. It's both in the court room but also in
7 the communities, that funding, and again, it's sad
8 that we are where we are. It's been an incredible
9 very significant expansion from 28 hate crime
10 prosecutions in 2020 to over 100 prosecutions in
11 2024. So we are sad about the fact that the work is
12 there to be done, but are grateful to you for the
13 support, and able to do the work ably. I almost said
14 Council Member Katz. DA Katz mentioned retail theft
15 which is a significant priority for my office. Maybe
16 she'll argue with me about this. I would say
17 Manhattan is the retail capital of the country, but
18 in the event, we need our businesses to thrive
19 throughout the city, and so we've continued to target
20 the population that is sort of repeatedly shop-
21 lifting. In Manhattan, five percent of the people
22 arrested on a Manhattan retail offense account for
23 about one-third of all Manhattan retail theft
24 complaints. So we've been working with our commands
25

at the NYPD, focusing on that group, doing the day-in and day-out work. In addition, we've been doing proactive upstream investigations into those who stand to profit from this rise of retail theft, and that's another critical piece of our strategy. So in May, we announced the indictment of two individuals for criminal possession of stolen property in the first degree for possessing more than \$1 million in various stolen goods as part of the retail theft fencing operation. And also, we announced-- when we brought that work, we saw in other places that we were investigating, we saw the impact the deterrence that's bringing that case brought. Many of my colleagues have talked about, alluded to or directly addressed, mental health. I focused a lot on our broken mental health system, and if you go to Manhattan Criminal Court any day of the week you can see how broken our system is, the lack of treatment housing and supportive services leads to greater contact in the criminal justice system and that sadly is on full display. I am proud to continue noting the success of our Pathways to Public Safety Division. We use Problem-solving Courts with their intensive oversight, comprehensive case management,

1 and individually tailored programming as this
2 approach has a strong track record of making us safer
3 by addressing underlying needs and changing
4 problematic behavior long-term. We have specially
5 trained Pathways deputies in each of our Trial
6 Bureaus and our Special Victims Division, and they're
7 screening cases and determining who should be
8 referred to these Problem-solving Courts which
9 include Manhattan Mental Health Court, Judicial
10 Diversion, and our Felony ATI. These individuals are
11 then directed to programming that's tailored to their
12 needs. In these courts, the defendant pleads guilty
13 at the outset and accepts a court-supervised mandate
14 typically of 18 to 24 months of tailored programming
15 with court monitoring. And one very important factor
16 that distinguishes the work with these courts from
17 perhaps less-- for more traditional, less intensive
18 diversion programs is that every participant when
19 they graduate has stable housing and a source of
20 income, either a job or disability benefits, and we
21 are finding through the data we track that this work
22 of a Pathways Division is really having a significant
23 impact on public safety. I noted earlier kind of
24 community partnerships and several of my colleagues,
25

all of my colleagues perhaps talked about the work that we do in connection with our communities. We have in Manhattan really a very good template for hubs that we have done, first starting in Chair Salaam's district. I know he knows of Barbara Haskins [sic] the head of the 125th Street Business Improvement District. But really coming together with local leaders, city agencies and coordinating delivery of services and figuring out which tool to pull out of the tool kit to address a particular issue. So, focusing on a range of public safety issues, including retail theft, substance use, the mental health crisis and more. This hub model deploys teams who conduct regular walk-throughs to observe issues in real-time and speak with local community members and businesses on the ground. They identify specific individuals in the area who may need connections to services such as housing or medical care and make referrals to the appropriate city agency or service provider. So for that, I thank you as well, because you're obviously funding all of those city agencies whether it's Department of Buildings which is taking down illegal scaffolding, Department of Health and Department of Homeless

Services that's going out and connecting with individuals and obviously my office and the NYPD. following the success of that launch on 125th Street, we have moved further south and we have one in Midtown, and just last week we joined the city once again to announce a third such hub, the Village Interagency Taskforce which is going to focus on improving quality of life and safety issues in and around Washington Square Park, the West Fourth Street subway station and surrounding areas. So we're encouraged by that work. Working alongside many of our hubs, we've also continued to see the benefits from the \$6 million of asset forfeiture funds we invested into our Neighborhood Navigators Initiative with our partners at The Bridge. These Navigators are currently operating in several high-needs areas across Manhattan. They build rapport with individuals on the street, including those who are unhoused or maybe struggling with substance use by addressing immediate needs. They then connect them with longer term services including housing, social service benefits, detox, and mental health treatment. We have a similar court-base initiative. I noticed our colleague from the Fortune Society here today,

and wanted to acknowledge their work. A \$3 million investment doing very similar work, but based in our arraignment parts. right in our courthouses, court-based navigators bring their own lived experience to the same type of relationship building work approaching individuals, offering them services, and perhaps most transformational, going straight from the arraignment part in Fortune vehicles to transitional housing to stabilize people and advance public safety. We know this is reducing recidivism. My last section, and then in some ways as DA Clark said and highlighted, the heartbeat of our work supporting victims, and then I'll get to my new asks. Last year, with the support of additional funding from this body, we revamped and expanded the services provided to survivors and witnesses. With nearly double the staff and a clear mandate from me, the Survivors Services Bureau, SSB, is central to our strategy for advancing public safety by addressing the trauma of crime victims and witnesses. SSB trauma experts are now key members of the prosecution teams that take on cases involving victims, along with ADAs, investigators, analysts, and paralegals. Their early, consistent, and trauma-informing engagement

1 with survivors and their families helps to ensure
2 them access to the services they need to rebuild
3 their lives by helping them navigate New York's
4 complex court system. So, I'm grateful for all the
5 prior support. Like my colleagues, I do have new
6 asks, and they're based really in personnel, some
7 additional personnel. That would be extraordinarily
8 helpful in three ways. So, though my office is
9 seeing historically low rates of attrition for our
10 office, we are still feeling the effects of the
11 significant attrition that occurred prior to and
12 during the early days of COVID. As a result, some
13 very specific issue has emerged in our office. We're
14 now lacking sufficient mid-level Assistant District
15 Attorneys. These are the attorneys that are handling
16 quiet serious cases. It takes time to develop
17 expertise in-depth in the work that we do.
18 Obviously, there are financial strains and people
19 depart, but particularly during COVID we had the sort
20 of mid-levels, and so that area is one area where we
21 are coming to ask that that gap be addressed. More
22 detail is in our written submission. The second--
23 and DAs McMahon and Clark mentioned the discovery
24 challenges. We are in Albany advocating for changes
25

1 to the statute. The sheer volume of discoverable
2 material that we must produce also produces personnel
3 challenges, and we have an ask in our written
4 materials to the Council to help us with positions to
5 expand the headcount of professional staff, to focus
6 on our ability to fulfil our discovery obligations as
7 early and as quickly in the life of a case as
8 possible. We make that request, and that need will
9 persist even if there's a change in Albany in the
10 law. We just need more personnel to deal with the
11 volume of discoverable material. And finally, we're
12 asking for additional funding. I highlighted the
13 Pathways and Public Safety Division work. We're
14 asking for additional funding which is set forth in
15 the written materials to continue that good work.
16 Thank you so much for your time. I appreciate it.

SPECIAL NARCOTICS PROSECUTOR BRENNAN:

18 Thank you so much. I'm Bridget Brennan. I'm the
19 City Special Narcotics Prosecutor. I'm very pleased
20 to be with you today. I've worked with some of you
21 on your local issues, and our office is always
22 available for you. I know that I am the last speaker
23 and it's been a long afternoon and a long day for
24 you. So I'm going to try to summarize my remarks. B
25

1 but I would urge you to read the testimony which we
2 have produced for you. It's in a nice plastic
3 envelope and it's got lots of interesting graphs and
4 more information, detailed information. So, we're
5 here to give you an outlook on what it is we're
6 facing and what it is your communities are facing.
7 We have a few asks and I want to give you a little
8 bit of explanation as well, because narcotics
9 trafficking, of course, involves a global picture.
10 The localities are the end of a very long trail when
11 it comes to most narcotics including specifically
12 fentanyl which is primarily produced in Mexico and
13 also cocaine which is produced-- grown in Columbia.
14 So let me be as quick as I can, because I know you
15 all have questions to ask, and I'd like to get to
16 those as well. So, the office, our office under the
17 direction of the five DAs has been a leader in
18 efforts to reign in the opioid epidemic that's
19 claimed far too many lives. From the teenagers that
20 we see buying pills over Instagram or Snapchat to
21 elderly citizens and all ages in between. I don't
22 know if you're aware, but the highest rate of
23 overdose deaths is among though in our city is among
24 those age 55 and older. It's shocking. And we try
25

1 to address through the years to all the challenges
2 that we face. We have prosecuted drug traffickers
3 and distributors throughout the city, and at the same
4 time we expand our treatment opportunities for
5 defendants. And the most powerful reflection of our
6 targeted enforcement strategies is encapsulated in a
7 chart on page four in our submitted testimony, and it
8 shows-- it tracks the indictments and incarcerations
9 stemming from cases brought to our office, and it
10 shows a decrease of more than 90 percent in
11 indictments in incarcerations since both peaked in
12 the 1990s. So I think that tells you more than
13 anything else about the focus of our office and our
14 approach. We have citywide jurisdiction over all five
15 boroughs, and we are tagged with looking at the big
16 cases with citywide impact as well as local problems
17 as directed by the five DAs. So our office's success
18 is not measured in indictments and incarcerations,
19 it's gauged by the quality and impact of our work.
20 Our office has a stellar national reputation and
21 local reputation for expertise in high-level
22 narcotics investigation. And at the same time when
23 we are working in a particular precinct or community
24 we are welcome by the neighborhoods hard hit by open
25

1 drug trafficking when we have been asked to assist in
2 those neighborhoods, and in connection with that I've
3 met with the Council Members of those districts when
4 we've been asked to concentrate in those areas. For
5 the past 15 years, we've been frustrated by the ever-
6 rising rates of overdose deaths fueled by evermore
7 lethal opioids and specifically by fentanyl. But our
8 efforts, as well as everybody at this table, the
9 NYPD, the DEA, health and treatment outreach workers
10 and so many others have finally resulted in the best
11 news we've had in years. Overdose deaths in New York
12 City have dropped by a meaningful 22 percent in the
13 12-month period ending in September 2004, having
14 peaked in 2022, and that's according to the CDC. Our
15 local Health Department and Medical Examiner's Office
16 is not able to report as quickly as the CDC is. So
17 for the more current information, we rely on them.
18 The more comprehensive information comes from our
19 city Health Department, but that comes about a year
20 later. So please refer to page five in my testimony
21 for the details on that. And this welcomed decline
22 mirrors trends across much of the U.S. We're
23 optimistic because the trends indicate that not only
24 is there a lower volume of fentanyl coming into the
25

U.S., it is less potent. And I should say and remind you that the CDC report reflects a period that started in September of 2023 and ended in September of 2024. So it reflects the activities of the past administration in negotiating and pressuring international partners such as China which produces the chemicals that go into fentanyl and are shipped to Mexico and the pressure on Mexican cartels by the new leadership in Mexico. But we too have sharpened our investigative skills and broadened our collaborations and outreach. We meet not only with the NYPD and the DEA, but also with Health Department officials and the Medical Examiner's Office as well as community groups and local officials. And most recently, we've expanded our efforts to encompass educational outreach to students, parents, and seniors. Our attorneys, our staff and I have visited countless classrooms, auditoriums, and senior centers across the City to speak directly to students, parents, teachers and elders about the dangerous drug supply, about the antidote Narcan and to answer questions in a straightforward and candid manner. So, we are continuing those efforts. The big problem-- one of the biggest problems that we see,

and again, most of the regulation of the drugs coming into the country is coming at a federal level.

Because New York City is a hub of all kinds of financial activity and banking activity, it's also a hub for trafficking of narcotics, and as a result, those drugs pour out into the city. And so we rely on the federal government for much of the control of the substances. We are seeing relief, but one of the big areas, and we're going to have to figure out how to deal with this locally, is how the drugs are marketed. We are seeing a profusion of drug marketing done on social media as well as platforms, encrypted platforms, and those drugs that are sold there are reaching our children, and they're often sold as-- they may be sold as Adderall, as cheaper Adderall, as cheaper Oxycodone, and that's why we also go to talk to the seniors, because seniors often have many medications that they are buying and they're looking for cheap purchases. You may have seen that the federal prosecutors did a big case this past year involving offshores spots that were delivering prescriptions that purported to be from Canadian pharmacies and contained fentanyl. And so we are enhancing our outreach efforts as well as our

1 prosecution efforts. We're looking very closely at
2 pill press operations, and as a matter of fact, we'll
3 be talking about one publicly tomorrow that was
4 running out of actually a location in the Chair's
5 district. And it involved a couple of pill presses
6 that could pump out four to six thousand pills in an
7 hour, and they were pumping out fentanyl pills and
8 methamphetamine pills. So we have-- but so you can't
9 just control the supply coming in, you have to be
10 able to control the distribution, and our federal
11 government has fallen short on that. The social
12 media platforms are not regulated in a meaningful
13 way. We're going to have to come up with some local
14 strategies perhaps with civil suits or some other
15 strategies besides taking out the pill presses. I
16 think that's always a good idea, but we're going to
17 have to come out with other strategies that we can do
18 in order to limit this, as well as continuing our
19 education and outreach efforts, and continuing to
20 support in my office all the efforts of the DAs
21 offices. They're all working very hard in this area.
22 So I do have a few asks. I'm going to skip right to
23 that now, and of course, I'll entertain any
24 questions, but I do urge you to read our testimony

1 which has more comprehensive information in it. So,
2 you know, we've accomplished a lot over the past
3 year. It's really gratifying to us to finally see
4 some of the overdose deaths coming down, and our
5 staff does have enormous workloads just like the
6 other DAs. We continue to operate with significantly
7 reduced headcount when compared to the pre-COVID
8 years, and that adds to the responsibility of our
9 existing staff members, and we continue to have these
10 staff shortages. We work hard on recruitment and we
11 talk to the DAs about how we might be able to shore
12 up some of our shortages, but when they're facing
13 short staff themselves it's very difficult for them
14 to staff us. So we work diligently on recruitment
15 and retention and we are enjoying some success. So,
16 for 2026, we're asking for the Council support for
17 two funding requests. We're renewing our request to
18 support our Alternative to Incarceration program,
19 ATI, which was expanded in 2020, along to incorporate
20 the Manhattan Felony Alternatives to Incarceration.
21 For a while, Manhattan took us under their wing and
22 allowed our defendants to participate in the program
23 they were funding, but we still collaborate with them
24 and with the Center for Justice Initiatives to assist
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1 individuals who were not previously served by pre-
2 existing programs. So we're requesting additional
3 funds for that, \$218,841 for that program for FY 2006
4 [sic]. To meet an entirely different need, we're
5 also submitting a request for \$150,000 in capital
6 funding to upgrade radios for our investigator's unit
7 in 2026. We do have our own investigators who work
8 closely with DEA or NYPD on cases. They tend to be
9 retired PD Narcotics Detectives or retired DEA
10 agents. So in closing, I appreciate the close
11 relationship my office has with the Council. Over
12 the past years I've met with many members and many of
13 your constituents to learn about specific community
14 concerns and how to address them, and I remain
15 available to any of you at any time. If you have a
16 particular problem you want to talk about, or
17 generally speak about the problems that we're facing.
18 Thank you so much for your support, and thanks to the
19 DAs for all their support through the years.

21 CHAIRPERSON SALAAM: Thank you. We will
22 actually be hearing from Council Member Restler
23 first. He has a question before he has to go.

24 COUNCIL MEMBER RESTLER: Chair, that is
25 incredibly gracious of you, and I really appreciate

1 it. Thank you very much. I have a-- well, let me
2 just say hello to all the District Attorneys. Great
3 to see you all. Take a moment to thank District
4 Attorney Bragg in particular for your clarity and
5 courage in taking on President Trump and holding this
6 Administration accountable and for the good work that
7 you've been doing. I also just want to thank my
8 District Attorney for doing a superb job. You all
9 have really hard jobs, and District Attorney
10 Gonzalez, really you balance being fair and pursuing
11 justice and improving safety in our borough in a ways
12 that-- in exactly the ways that I would hope, and I
13 really appreciate the work that you and your team do.
14 I just want to call out something that you bring up
15 on page three of your testimony. Brooklyn District
16 Attorney, Kings County District Attorney Office
17 spends \$24.36 million per year annually in rent?

18 DISTRICT ATTORNEY GONZALEZ: Yes.

19 COUNCIL MEMBER RESTLER: And so according
20 to the testimony here, Queens spends \$6.42 million in
21 rent. So Brooklyn spends four times more than Queens
22 in rent. New York County spends \$3.7 million in
23 rent. So we spend about seven times as much as New
24 York County in rent. Bronx spends \$2 million in
25

1 rent. So we spend 12 times more than the Bronx in
2 rent, and Richmond County spends \$.19 million. So we
3 spend 128 times more annually in rent in Brooklyn
4 than we do in Staten Island. There is no separate
5 line item in your budget for rent, correct?

6 DISTRICT ATTORNEY GONZALEZ: That's
7 correct.

8 COUNCIL MEMBER RESTLER: So, if we take
9 the \$24 million out of your budget from rent, there's
10 \$124 million left over. Is that accurate?

11 DISTRICT ATTORNEY GONZALEZ: Yes.

12 COUNCIL MEMBER RESTLER: So, that is the
13 same as the Bronx. And-- I'm not trying to take a
14 penny away from District Attorney Clark. No, I would
15 never ever, ever do that.

16 DISTRICT ATTORNEY CLARK: You better not.

17 COUNCIL MEMBER RESTLER: I would never to
18 do that. D [sic] and I are on the same team. But
19 we're twice the population. We have twice as many
20 people, literally more than twice as many people as
21 the Bronx, and we have the same operating budget when
22 you take rent out of the equation as the Bronx. In
23 fact, if you look at Manhattan-- and everyone knows
24
25

we're the most populous borough. We have the most arrests. 72,000 arrests last year, is that right?

DISTRICT ATTORNEY GONZALEZ: 78,000.

COUNCIL MEMBER RESTLER: 78, excuse me. We get 46 percent less funding for felony arrest than Manhattan. Is that right?

DISTRICT ATTORNEY GONZALEZ: Yes.

COUNCIL MEMBER RESTLER: so, and our headcount is 122 DAs-- 122 ADAs lower than Manhattan, is that right?

DISTRICT ATTORNEY GONZALEZ: Yes.

COUNCIL MEMBER RESTLER: so, make--

DISTRICT ATTORNEY GONZALEZ: [interposing] Our budgeted headcount.

COUNCIL MEMBER RESTLER: Budgeted headcount, excuse me. So, this is totally unfair. It deeply undermines safety and fairness in our borough. When you ask OMB-- you know, for the record, for background, District Attorney's Office moved into the office space you have as a way of advancing the commercial office space market in downtown Brooklyn, right? This was an economic development strategy.

DISTRICT ATTORNEY GONZALEZ: Yes, in 1998, 27-odd years ago, and we still need that help

in the downtown Brooklyn office market unfortunately.

But when we ask OMB for a separate line item to show that this funding that we have to put into rent is not taking away from the costs and the expenses of operating your office, what do they say?

DISTRICT ATTORNEY GONZALEZ: Well, in addition to that, the other space, city-owned space that the DA's Office had access to try to drive down some of the cost-- municipal building and others had been sold, and so not only we're paying this tremendous rent and not-- and it's really the operating budget of the office, because we're not receiving additional funding for that. We have also not been able to have enough space to do-- we're caught in this issue where we need to actually get more space--

COUNCIL MEMBER RESTLER: [interposing]
Right.

DISTRICT ATTORNEY GONZALEZ: because we've been limited to the space that had been provided.

COUNCIL MEMBER RESTLER: You don't have the money to pay for the space, and you don't have the money to expand your headcount despite the obvious need and the clear unfairness and the

inequity in funding compared to each of the other boroughs.

DISTRICT ATTORNEY GONZALEZ: And I think that where you really start to see that is in, you know, the amount of dollars available for felony prosecutions. The County not only handles the most, you know, number of arrests, but the most number of felony indictments is including the most violent felony indictments in this city and the state. And so it's been a hardship. You know, historically the Brooklyn DAs office pays the least in terms of starting salaries and in many other ways, because this is how we try to negotiate the difference--

COUNCIL MEMBER RESTLER: [interposing]
This is 16-17 percent of your total budget. If that was freed up, what would you do to advance safety in our borough?

DISTRICT ATTORNEY GONZALEZ: Well, our headcount needs to go up. It's all laid out in our written testimony. We would obviously continue to fund these initiatives in our office that deal around issues of public safety. The operational side of the office would work, you know, much better. You know, the budget crisis that we're in is something that

1 I've testified about, you know, year after year, but
2 the rent as the contract is renewed goes up, and so
3 we start to see a, you know, a higher differential.
4 I think years ago there was about \$10 million that
5 separated Brooklyn from Manhattan. Today, after you
6 take away the funding for the rent, that number is
7 closer to \$40 million.

8
9 COUNCIL MEMBER RESTLER: There must be a
10 separate line item for rent. It's the only fair way
11 to approach this issue. I don't understand why one-
12 sixth of your budget should go towards rent instead
13 of advancing fairness and safety in our borough, and
14 I hope that the Council can rally hard with-- in
15 partnership with you and the Brooklyn delegation can
16 work hard in partnership with you to push OMB and the
17 mayor to do the right thing.

18 DISTRICT ATTORNEY GONZALEZ: I appreciate
19 that very much, Council Member Restler. You know,
20 even as you've mentioned, our headcount, you know,
21 our budgeted headcount is less than the Bronx, our
22 budgeted headcount.

23 COUNCIL MEMBER RESTLER: Thank you. And
24 thank you, Chair Salaam, for the opportunity. I
25 really appreciate it.

CHAIRPERSON SALAAM: Thank you and you're welcome. I want to start with asking were there any new needs your offices requested from the Administration that were not included in your testimony? This is for the panel.

DISTRICT ATTORNEY CLARK: You know, I had so many requests. I didn't want to take up the time asking for every single thing. But for the most part, we would like to see \$25 million baseline for 187 positions. We need more staff. You heard all of the work that we have to do. It's like it can't get it done. We had a tremendous amount of attrition after COVID. We were able to alleviate some of that, and we're doing much better, but we still are at a deficit, and you know, a lot of it goes to that we had to increase our salaries in order to encourage people to come, but with the discovery-- that discovery keeps them from coming because it's so much work. We're doing better, but in order for me to really be where I am, I would need, you know, 187 DAs to bring me to where I'm supposed to be, \$25 million baseline. That's one of the biggest asks.

DISTRICT ATTORNEY MCMAHON: Yes, I would join in that as well. Overall funding needs to be

1 increased to fulfil the mission that our constituents
2 and our Council Members want us to fulfill. We
3 highlighted some of the items that we submit in our
4 testimony, but we'll certainly in writing submission
5 highlight more if that makes your work easier, Mr.
6 Chairman.

7
8 DISTRICT ATTORNEY CLARK: Can I just add
9 one thing? And if I get more ADAs, I need more
10 space, because I have to put them somewhere.

11 DISTRICT ATTORNEY GONZALEZ: Chairman, I-
12 - we desperately, you know, need the funding that
13 Council Member Restler mentioned regarding our rent.
14 That would allow us to bring up the number of
15 Assistant District Attorneys and staff and
16 paralegals, and of course, as my colleagues already
17 testified to, you know, the discovery obligations are
18 tremendous. We estimate, after speaking to our
19 staff, that ADAs spend about 80 percent of their day
20 just doing discovery work. That does not include the
21 time that they spend in court. That does not include
22 the time that they spend in court. That does not
23 include speaking to victims and survivors of crime,
24 going to crime scenes, preparing cases for hearings
25 and trial. So there's a desperate need to do that. I

1 understand that money is tight. If we got everything
2 was ask for in our budget, we would still not be the
3 most highly funded District Attorney's office in the
4 City. Thank you.

5
6 DISTRICT ATTORNEY KATZ: I agree. But
7 so, right. I think that is a big problem, right? We
8 can't hire ADAs fast enough to meet the discovery
9 obligations, to meet all the prosecutions that we
10 have, and to make sure that we have people in the
11 same time working in our Conviction Integrity Unit--
12 well, at least in my Conviction Integrity Units and
13 all of the other human trafficking and areas that we
14 try to work with the community on. We can't hire
15 ADAs fast enough, and then if we do, we need space.
16 So, it is a vicious circle in that, but the answer to
17 your question, Mr. Chairman, is no. There's nothing
18 here that we've asked for that we haven't also-- or
19 will ask form the Mayor. Just the crime lab would be
20 the most successful thing for our budget so that we
21 can actually have those tools without taking them
22 from our other bureaus. Thank you.

23 DISTRICT ATTORNEY BRAGG: Same, our
24 written testimony captures everything, but I will
25 note that the asks for personnel. Our most

significant and best resources are our human resources. They're the folks who are driving public safety.

SPECIAL NARCOTICS PROSECUTOR BRENNAN: And same, everything that we've asked for we've made an application for with the City, too.

CHAIRPERSON SALAAM: I mean, I think this may be obvious, but just to get it on record, how would these increase in funding increase the efficiency of the justice system?

DISTRICT ATTORNEY GONZALEZ: I think that's a really important issue. DA McMahon, when he discussed discovery said that one of the unintended consequences besides many more dismissals, is that it's actually lengthened the time that it takes to get a case ready and processed in court. It's actually the opposite of what was intended. They thought that a shorter discovery window would mean quicker and faster resolution of cases, but what we're seeing is that on average cases, lasts about six months longer, but those cases-- we never really dug our way out of the COVID backlog. And so I took a lot of pride that in Brooklyn, you know, pretrial detention even on the most serious crimes, we got

1 people to trial around a year, a year and a half.
2 Unfortunately, I cannot say that's what's happening
3 today. In many of our homicide cases I'm looking at
4 cases that are three and four years old. It's
5 unacceptable. It's unfair to the detainee who has
6 not been convicted, but it's also unfair to victims
7 and families and survivors of these crimes that they
8 cannot get their day in court. Getting those staff
9 numbers up so that ADAs can move those cases forward
10 in fair and efficient ways is critically important,
11 and of course, all of the other work that, you know,
12 DA Katz talked about. Our Conviction Review Unit
13 remains the national standard of how to do this work,
14 but when ADAs are overworked and investigators don't
15 have the resources, they're more likely and inclined
16 to make mistakes that could lead to wrongful
17 convictions. So this is really important work. This
18 is not just simply about processing cases, but it's
19 about making sure that things are done correctly,
20 that justice is upheld and that our city moves in
21 safe and fair ways. Thank you for that question.

23 DISTRICT ATTORNEY CLARK: Yes, I mean, I
24 would agree with DA Katz, but also it's-- you know,
25 it's also to have enough people to really look at the

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critical times in the life cycle of a case. One of the other asks is for discovery specialist which will, you know, help us do the diligence that we want to do and that we're required to do, and to move cases swiftly. So the requests are tailored, those two in particular.

DISTRICT ATTORNEY MCMAHON: Can I also add, Mr. Chairman, there's been-- you know, in this discussion about discovery and discovery reform, there's been some conversations that money was allotted for the District Attorneys to implement technology changes and make things more efficient, bring in the staff. We've all spent our money. I mean, we've used those resources. We have broadened our capacity. We have, you know, upped our technology, increased our storage space. We have a platform to gather the discovery and exchange with the defendants, the discovery platform. We've done all those things. We have the staff, but it's still creating all of these unintended consequences that the well-meaning legislation didn't foresee at the time. And I would also point out, you know, you see in front of you really the broad continuum of political perspectives, I think, and yet we're all

1 here in one unified voice saying, no, we need some
2 minor changes in that law that'll make our criminal
3 justice fairer to the accused, to the victim of
4 crime, and to the public as a whole. It'll help us
5 keep the public safer.

6
7 DISTRICT ATTORNEY KATZ: I don't know if
8 you want everyone to answer every question, so I'll
9 just chime in. So, the crime lab is meant to be just
10 that, more efficient, right? Because if we have to--
11 every investigation we have has some sort of
12 technology involved. If I'm taking down, like we did
13 a few months ago, Tren de Aragua gangs, or if we're
14 taking down the Crips or if we're working to
15 prosecute those that are selling second-hand, you
16 know, Taylor Swift concert tickets or whatever it is,
17 they pretty much all in general have some technology
18 aspect to it. So If I can do that without
19 outsourcing it to other contractors, it would
20 certainly make the system more efficient.

21 CHAIRPERSON SALAAM: So, I want to move
22 maybe to some questions on discovery. Does the
23 Preliminary Plan provide all the resources your
24 office's need to meet the demands of discovery
25 reform?

DISTRICT ATTORNEY KATZ: Mr. President?

The discovery reforms that are in the legislature right now lead to more efficient offices and more efficient cases as we move forward. It allows for us to prosecute the cases, work with the bench and make sure that the changes that we're asking for leads to our cases being moved forward. That's what we're trying to do. so, for instance, if every time there's a discovery issue, even if it's a technical issue that is left out of discovery and our cases are dismissed, that leads to our ADAs and our investigators and our support staff putting a lot of time and effort into those cases that ultimately might be dismissed for a technicality. Like in one of my cases, for instance, a pepper spray wasn't secured by a police officer in a case that had nothing to do with the case we were prosecuting. That was not turned over. That case was dismissed. In another case we had a transfer ticket for someone who's in jail and they-- that was not also turned over and our case was dismissed. So, at the end of the day the less we have of these technical sort of dismissals that provide for 30/30, I think the more

efficient the system is. Mr. President of our DASNY, would you like to add anything?

DISTRICT ATTORNEY MCMAHON: Yeah, it's-- we can-- we all need, and I think everyone's testified that we need for funding to meet our-- the burdens of gathering information and processing it and then turning it over. There's no question about that. We need more assistance. They're overburdened. The paralegals are overburdened, and even in terms of storage, cloud storage if you will, we need more resources there across the board. But the issues sort of run parallel that we talk about when it comes to discovery, because yes, we have that operational need to be able to do things, but the reforms that we're presenting to Albany now, the mild adjustments, are simply to say even when we do all that, if there's a technical miss or something that doesn't affect the outcome of the case or the rights of the accused. That case shouldn't be dismissed because of that. There are other remedies that the court should consider. That's-- you know, that's there. What we need to meet our obligations, yes, we do need more resources, Mr. Chairman, across the board. We need more paralegals. We need more technical support.

But that is not what we're talking about when we go to Albany.

DISTRICT ATTORNEY CLARK: I would just add, the resources definitely. When these-- all these issues came up it's like oh, it's a resource. We'll just give you more money. We received more money. We're using it. We still have the issue. So DA McMahon is right. We need the change in the law to change it, because all the money in the world, all the staffing and everything doesn't stop a dismissal of a case when it's based on a technicality. So that's where the difference is.

CHAIRPERSON SALAAM: In the November Plan, your budgets reflected a total of \$28.9 million from the State for discovery. Please explain how your offices have planned to utilize those funds and the outcomes you expect to achieve from this increase.

DISTRICT ATTORNEY CLARK: We acknowledge that we did receive money from the state, and thank God we did, because when the law was passed five years ago it was an unfunded mandate. So for at least four years we were working with no money and trying to get it done. Now that we have that, we're

1 hiring the people that we need, but the most
2 expensive part of it is the technology. And
3 technology not only costs money, but it also takes
4 time. So we're spending it in the way that we need
5 to. We're spending it on discovery because we needed
6 it for that, but it's going to take time to catch up,
7 especially with the volume of the cases that we have.
8 And you know, there's a whole discussion on what's
9 happening with the five of us down here as opposed to
10 other DA's offices in the state. Every office is
11 different, but out of all 62 counties, most of the
12 work is right here in front of you. So, we're using
13 the discovery in a way that we can, for technology,
14 for hiring. Like, again, they give us deadlines, the
15 budget-- deadlines for us to spend it. We can't
16 spend in that timeframe, because it takes a lot of
17 time to do recruitment, to find the right people. We
18 don't want to just hire anybody. We need to hire the
19 right people that's going to do the work correctly
20 and the technology. I personally take time, you know,
21 of my own to go out recruiting. I cast a wide net in
22 order to bring more assistants in so that they'll be
23 able to do the work. That way we could disperse the
24 work evenly s opposed with so many of them carrying
25

1
2 so many cases, 100, 120 cases. That's a lot, plus
3 getting the discovery and everything else. So the
4 money is helpful. We're using it for, you know,
5 hiring personnel as well as technology.

6 DISTRICT ATTORNEY GONZALEZ: I just
7 wanted to piggy-back on what DA Clark said in terms
8 of this money. You know, the District Attorneys with
9 the exception I believe of DA McMahon have tried to--
10 you know, we've hired a company to come in to do some
11 of the interfacing, you know, in the technological
12 sense between our offices, the Police Department,
13 able to share with the defender organizations
14 discovery, right? So a lot of the money just goes
15 out to the buildout of this technological system. You
16 know, one of the things that we were able to do with
17 our discovery money, for example, is to finally get
18 rid of paper files in our courthouse and have
19 electronic filing of documents and things. A lot of
20 this is really around the technology, but of course
21 around the additional headcounts of our office. I
22 did distinguish earlier between my budgeted headcount
23 and what I actually have is because we use some of
24 that discovery money to bring on paralegals and
25 support staff to assist in the procurement of the

1 with any other area of practice where there's such a
2 constraint. You know, the judges-- we have judges in
3 Manhattan, I think probably throughout the City, but
4 certainly Manhattan, that that's how they rule. They
5 say my hands are tied under the law. I can't order an
6 adjournment. I can't say-- we've offered, we say,
7 "Judge, we just won't use the evidence. The evidence
8 we turned over, blatantly [sic] we just won't use it,
9 preclude it. That's a natural remedy in other places
10 I've practiced. The funding while it's great, it
11 allows us to, you know, move cases and cuts into the
12 dismissals a little bit. As long as that standard
13 remains, this issue is going to persist.

14
15 SPECIAL NARCOTICS PROSECUTOR BRENNAN:

16 And just in response, our office didn't receive very
17 much money out of that, probably proportionate to the
18 cases and the type of cases we do. We only received
19 \$825-- \$825,000. It wasn't that little. Our biggest
20 issue is staffing, actually, rather than any of the
21 other-- you know, other supports.

22 DISTRICT ATTORNEY KATZ: The answer to
23 your question from Queens' perspective is we spent it
24 all last year on mostly IT, firewall, servers,
25 storage, that type of-- those types of issues

1 including discovery unit. That job is really to
2 figure out how to perpetuate the discovery in an
3 easier and more efficient manner, but also work with
4 our individual ADAs whenever they have issues that
5 they can be helpful with. And this year, we're
6 spending much of it to extend our data storage, but
7 also on Monocity [sic] and different software buys
8 that make it more efficient.
9

10 CHAIRPERSON SALAAM: Going to move to--

11 DISTRICT ATTORNEY MCMAHON: [interposing]
12 If I could just say, Mr. Chairman real quick?

13 CHAIRPERSON SALAAM: Yes.

14 DISTRICT ATTORNEY MCMAHON: Everything
15 they said, but we-- just so you understand. So, for
16 instance in our office now, we-- because of the
17 discovery laws, we have a whole Body-worn Camera Unit
18 that's about eight people who work just in gathering
19 the body-worn camera material, collating it, curating
20 it, and turning it over. I didn't have that before.
21 We have discovery specialists that we didn't have it
22 before. So they don't do what paralegals do, they do
23 something different. And then we have that
24 technology side which everyone said. And then lastly,
25 some money was used to stop the attrition of

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2 Assistant District Attorneys. Last year we lost a
3 third of our Assistant District Attorneys because of
4 the workload not being managed properly. We've given
5 them a little more money and the support that they
6 need with the money that we got from you all, and
7 that has stabilized somewhat. So, there's the-- you
8 know, there's all sides to this, but it's had quite a
9 change and an impact on the way that prosecutions are
10 conducted and defenses conducted in the State of New
11 York.

12 CHAIRPERSON SALAAM: So, going to
13 overtime questions, specific for the Manhattan DA.
14 As of January, your office has spent \$2.3 million for
15 overtime. This greatly exceeds the \$82,904 budget at
16 adoption of fiscal 2025. Can you please explain why
17 your office has spent over \$2 million more than what
18 was budgeted only six months into the fiscal 2025?

19 DISTRICT ATTORNEY BRAGG: Yes, thanks for
20 the question, Chair. This is something that we are
21 focused on. I mean, in large part it's the size of
22 the system, you know, arrests and then staffing. And
23 some of the requests, the asks have more staff,
24 spread the work out and hopefully have less overtime.
25 But it is something that we are examining. We're

1 say, we are where we are in the year. We have the
2 balance of the year left, and we'll be examining this
3 and taking this seriously. We're mindful of fiscal
4 constraints, but also, you know, when work has to get
5 done it has to get done, and we are, you know, trying
6 to balance our commitment to public safety and really
7 important work. I was actually talking with staff
8 about this before I left, getting some itemization
9 and some detail, and I would say just, you know, one
10 example that was given to me: it's very important
11 work. So, in the abstract, I certainly agree that we
12 want to view if any strictures, but I will say when
13 it comes up there's not a, you know-- not that we
14 can't be more efficient. We certainly can be and we
15 will strive to be, but you know, when the work
16 presents itself, we need to do the work.

18 CHAIRPERSON SALAAM: At adoption, the
19 Bronx DA had \$227,777 budgeted for overtime. Yet, as
20 of January has spent \$507,585. The Brooklyn DA had
21 budgeted \$1 million, but has spent \$1.7, and the
22 Queens DA had budgeted \$801,597, but spent \$1.2
23 million. Please clarify why each of your offices has
24 already exceeded your planned overtime spending only
25 six months into the fiscal year, and will you be

DISTRICT ATTORNEY CLARK: Well, we don't-- my office doesn't really have an overtime issue. We follow the city's overtime cap regulations and we basically stay within that, you know, guideline in order to try to get the work done. I know that we have some issues with unions, and they negotiate certain things certain times. Should be overtime-- certain times they can't stay. We have to find other ways to do it. Sometimes we give them compensatory days opposed to overtime. It's a mixture, but overall, if there's something that has to be overtime, we get a waiver from OMB. That's the City's guidelines, and that's what we tend to do in my office.

DISTRICT ATTORNEY KATZ: Happy to-- so, we-- first of all, you know that ADAs don't get overtime, right? So it's support staff and its paralegals, and CPAs, and they're the ones that are getting the overtime. I think similar to what the other DAs have said, you know, when the work needs to be done, the work needs to be done, and at the end of the day, we much rather have that work done by

1 individuals that we can hire and actually add to our
2 staff. But you don't always know when it's coming
3 and you don't-- and when the work, you know, needs to
4 be done, it needs to be done. We are on a path right
5 now. In 2025 we have about \$300,000 of overtime so
6 far. So I think we're on a consistent path from last
7 year, and like we said, if we don't have the everyday
8 staff to do it, you got to get that done. You know,
9 we had deadlines every single day in court and every
10 single day on our motion practice and every single
11 day of the investigations as well. It's not just
12 about trial practice. It's also about investigating
13 people that are being defrauded or people that need
14 our assistance, and so sometimes those investigations
15 and that trial practice takes us into OT.

17 DISTRICT ATTORNEY GONZALEZ: In terms of
18 the overtime in our office it's-- the largest segment
19 of that is going to be as DA. As Kat said, it's not
20 going to ADAs. ADAs don't get overtime. It's the
21 other professionals, but in my office the largest
22 segment goes to the law enforcement, to the detective
23 investigators. One of the things that I will say
24 that-- I've been a prosecutor for 28 years. As you
25 know, as the NYPD headcount has shrunk, so have the

1 staffing of police officers, the detectives that are
2 assigned to the DA squads. So much of the work that
3 had been typically done by NYPD in our offices are
4 now being done by detective investigators in our
5 office who are mostly retired law enforcement. There
6 are some career detective investigators. That is a
7 tremendous piece of the overtime budget, but I would
8 like to assure the chairman and everyone on the
9 Public Safety Committee, during the seven years I've
10 been District Attorney, we have never once gone over
11 the budget that we've had, and we don't expect to do
12 so this year.

14 CHAIRPERSON SALAAM: I want to ask
15 questions on closing of Rikers Island. One of the
16 critical steps towards finally closing Rikers Island
17 is reducing the population of the City's jail system.
18 The significant delays in the processing of cases has
19 been one of the primary impediments in the effort to
20 lowering the population of the City's jails. What
21 efforts is your office making to limit case delays
22 and guaranteeing speedy trials? And this is a
23 follow-up with that-- what resources do the DAs need
24 to improve the efficiency of the trial systems, and
25 are there any other efforts your office is making

that would help to reduce the population on Rikers Island?

DISTRICT ATTORNEY CLARK: Well, I would say in the Bronx, we-- you know, we screen each case very carefully. You know, a lot has to do with whether or not cases are bail eligible. So, you know, Rikers Island is not filled with people that-- for crimes that are not bail eligible. So we're talking about cases that we can seek bail and may receive bail from judges. Doesn't always happen in the Bronx, I can tell you that. But what I can say is that, you know, we make sure that we screen them, and those that I have in Rikers, and I think as of today or yesterday-- I had to look up some numbers-- there were 6,967 people in Rikers, and of those, 1,127 were held on Bronx cases. And those cases, the top charges are murder in the second degree, attempted murder, criminal possession of a weapon, robbery in the first degree, and attempted criminal possession of a weapon. Those are some of the-- those are areas that cause the most harm to public safety. When I have cases, you know, I look at them thoroughly. Look, I get accused for not prosecuting enough cases. So, I have the highest declination

1 rate in the City, and I get blamed for that. So, to
2 have 1,100-- you know, I mean, I wish nobody had to
3 be in jail, but if we have to hold people
4 accountable, we have to talk about public safety.
5 Those that are held on Bronx cases have been alleged
6 to committed these crimes that I've spoken. These
7 are the top charges that poses the most threat to
8 public safety in the Bronx.
9

10 DISTRICT ATTORNEY MCMAHON: so, not to
11 sound like a broken record, but we mentioned that
12 discovery is certainly part of a reason for a case
13 delay that we've seen over the last two years I would
14 say in particular, and there-- you've seen a spike in
15 the overall cases at Rikers, I think roughly from
16 under 5,000 to now close to 7,000. So, it's directly
17 related. The courts, the OCA has spoken on this.
18 Judge Zayas has testified about this and the numbers
19 that he's presented. So that is part of it. we also
20 see, you know, sadly in many cases mental health is
21 part of the situation that people accused of a crime
22 are dealing with. Sometimes because people are
23 awaiting for a mental health exam, 730 exams as
24 they're referred to. That adds for delay, and that's
25 something that could be looked at to deal with-- to

1 have more resources to deal with those issues. I
2 also say this and it's kind of unrelated to your
3 exact work here, but there are not as many-- well at
4 least in Staten Island, let me say this. the cases,
5 the longer cases we have and the reason I think that
6 our homicide cases go to that three-year to four-year
7 is because the defense attorneys themselves are
8 spread thin, and so there are only a few who handle
9 murder cases on Staten Island, and the courts are
10 waiting for them to be freed up for the next one. So
11 that's part of it. And doesn't quite relate to
12 government work, but that is what we see happening as
13 well, just anecdotally why we think some cases sit in
14 Rikers for a longer period of time than any of us
15 want.

17 DISTRICT ATTORNEY GONZALEZ: I would say
18 in Brooklyn there are a lot of reasons for court
19 delay, but the underfunding of the court system plays
20 a tremendous piece of that. You know, the ability
21 for a case to resolve itself, a disposition to be
22 reached on an incarcerated person really depends on
23 the availability of the judge. It does not require a
24 judge to try the case. It requires the judge to be
25 available to hear the matter, and then force both

1 sides either into a trial or into disposition. Not
2 having enough court officers, stenographers, judges
3 in the county has played a tremendous part of the
4 delays, because quite frankly these are high stakes
5 for everyone. High stakes for the accused and either
6 or not to accept a plea offer or to go to trial for
7 the prosecutor to have that moment in clarity in time
8 with the victim or survivor of crime. This is what's
9 on the table. What do we want to do here? But
10 without the availability of judges each and every day
11 to make those cases, enforce those cases to a
12 resolution, you know, things get delayed. Because
13 it's never, you know, honestly especially in high-
14 stakes cases where they're looking-- no one's getting
15 out of jail that day. It's, you know,-- we can take
16 a disposition, they get out in five years from now or
17 10 years from now. Delay tends to work, you know,
18 to the benefit of the defense. And so-- because
19 maybe the case will be dismissed or a witness will
20 not come back. So, we-- that's beyond the City
21 Council, but I believe that that continues to play a
22 tremendous role in the delays, and I've already
23 mentioned the backlog. Yeah, Clark was saying court
24 reporters--
25

DISTRICT ATTORNEY CLARK: [interposing]

Well, as a former judge, I can tell you, there's a shortage of court reporters statewide. They don't have enough court reporters. So you can't do a case without a reporter there. They don't have enough court officers. That holds it up, and there's a shortage of judges as well. There's a lot of things that's happening in OCA that they need the help in order to build it up. That would speed up the cases for us as well, but they have to have the capacity to pros-- you know, to handle the cases, and there's a lot shortcomings there.

DISTRICT ATTORNEY GONZALEZ: Yeah, and I would say what DA Bragg said earlier today that resonates deeply as well. There's a lack of experienced trial lawyers in prosecutor's offices at the mid-level. You know, we've been very successful in hiring young law graduates to fill in primarily in Criminal Court, but that mid-level senior prosecutor who has 10 trials under their belt, knows what they're doing, is more rare than it used to be, and I think that that also helps delay it, and I'm sure you will hear from our public defenders, but I know that they are also struggling in having, you know, their

1 career people stay on with everything that they have
2 to go through. And so, you know, there's a real
3 moment in time where we just need everyone to come
4 together. We really-- you know, in the State budget
5 as well to provide resources for our courts. One
6 last thing I'm going to say just to put it by
7 perspective. We already said that Brooklyn has the
8 largest intake. I went two years with only one trial
9 judge in my local criminal court. I had one judge
10 available to do trials for two years after COVID.
11 That is a system that obviously with 60,000 criminal
12 court arrests cannot work. I also point out that year
13 after year, the last three or four years in a row,
14 Brooklyn has had about a 15 percent increase year
15 after year in new arrests. So, the volume is up, but
16 there has been no investment made by the State in the
17 courts.
18

19 DISTRICT ATTORNEY KATZ: So, just to give
20 you some perspective, Queens has 27 percent of the
21 population in the City of New York. We have 13
22 percent of the population at Rikers. we do all we
23 can to make sure that there are diversions, that
24 there are pre-arraignment diversions which is usually
25 our DATs, but we do everything we can to divert the

1 people to treatment courts to make sure that there's
2 mental health or if there's a Human Trafficking
3 Court, there's Drug Rehabilitation Court, there's
4 Veterans Courts, but again, 13 percent of the
5 population there is Queens. 27 percent of the
6 population in the City is Queens County. Just so you
7 know, as DA Clark mentioned, you know, different
8 borough, different numbers, but it is important to
9 note that on remand 32 percent of the people that are
10 remanded out of Queens County are charged with
11 homicide, and the 15 percent are charged on firearms
12 and dangerous weapons. So, I mean, as the charge
13 goes down it's a different percentage. But we take
14 remand extremely seriously, and we also take asking
15 for bail extremely seriously. That's why the laws
16 were passed that ask us to look at how much a
17 defendant can afford. And so we take-- we have a
18 whole unit that is on it. We work on it, but at the
19 end of the day, the largest percentage at Rikers are
20 there for violent crimes, and we're only asked for
21 bail or remand because of that. It is exactly who we
22 think may not-- has a risk of flight, and so those
23 are the reasons.
24
25

DISTRICT ATTORNEY BRAGG: So, in Manhattan the big driver of the population is how long someone is in Rikers, and so we have focused over the past couple of years on moving to adjudication people who have been at Rikers for a year or more. So, at the start of 2022 there were 503 people in pre-trial custody on a Manhattan case who have been in custody over a year. At the start of this year there's 342. So that's a 32 percent reduction. We're doing that by focusing on-- you know, for all sorts of reasons. For us, we want to move the case because the longer the case is going you have to find the witnesses. Evidence may [inaudible], and obviously for the defense if you're in Rikers, you want to move that case as well. And so we've been able to really work with the courts and align around that. That's something now that we've gotten over that number of folks over a year, looking at [inaudible]. So looking there is one way that we're really focusing our energies.

SPECIAL NARCOTICS PROSECUTOR BRENNAN:

With regards to narcotics cases, there's only three charges on which somebody can be held in on bail for a first arrest. It's an A1 felony possession, an A1

1 felony sale or operating as a major trafficker. To
2 the extent our defendants are held at arraignment,
3 it's generally major traffickers with very large
4 loads of drugs. We, you know, obviously try to move
5 those cases expeditiously, and what we have found is--
6 - I agree with what everybody else has said. It's a
7 lack of court resources. Often times, there may be new
8 judges in the systems, but they're not-- in the
9 system, but they're not experienced judges, so they
10 don't move the cases as quickly. And you know, our
11 cases, we're under-- certainly under pressure to
12 answer ready on our cases and proceed to trial. And
13 so I don't think you'll find many cases are delayed
14 on a count of our lack of moving forward, especially
15 on a narcotics case. Sometimes they're complex. We
16 have significant evidence on most of our cases where
17 people are held.

18
19 CHAIRPERSON SALAAM: And to DA Gonzalez,
20 can you talk about the pilot program for case
21 processing that you are working with on-- that you're
22 working on with Judge Zayas.

23 DISTRICT ATTORNEY GONZALEZ: Yes. So what
24 we're trying to do is do everything in our power to
25 move the backlog and to help, you know, sort through

1 some of the issues related to discovery
2 implementation. And so what's happening now in the
3 county-- it's shown great success so far in ways that
4 may not have been anticipated. But what happens is
5 that very senior staff in the courthouse will oversee
6 a case before the case is on for trial. They will
7 meet with the assigned Assistant DA as well as, you
8 know, an executive from my office, not just a
9 supervisor, but someone who has executive authority
10 in the office to help resolve cases and to deal with
11 whatever discovery snafu's [sic] may be involved in
12 the case. The defense attorney will be present, and
13 what we've seen during the implementation of this
14 program is that we have been able with the activity
15 of the judge, the involvement of the judge and senior
16 staff from the courts office, been able to resolve
17 cases. So, we're starting to move cases a little
18 more quickly, meaning that they're not being upheld
19 and delayed. It's shown a lot of promise. It really
20 does speak to what I was referring to earlier. We
21 need court staff in order to expedite things in the
22 courthouse. It's really about the availability of the
23 court. This program is also designed really to try
24 to resolve discovery issues. one of the things we've
25

1 all testified to in some ways is that the unintended
2 response to discovery implementation is it's a lot of
3 litigation back and forth between the DA's office and
4 the defense attorney representing their client about
5 what's been turned over, whether or not there's been
6 an issue with the certificate of compliance or the
7 statement of readiness, and sometimes these things
8 linger for months and months. The courts are
9 overwhelmed too because they're not staffed well, and
10 sometimes they're waiting for a decision on a
11 discovery matter. You know, the motion has been
12 filed and it may take three months to get the court's
13 decision, of course adding to delay in the cases. So
14 this allows the senior staff of the court and
15 sometimes the judge very directly to be involved in
16 the discovery matter, resolve it and move the case
17 forward. And I thank that Chief Judge--
18 Administrative Judge Zayas and of course, Chief Judge
19 Wilson for getting their hands dirty and getting
20 involved in this discovery issue.

22 CHAIRPERSON SALAAM: Thank you. We're
23 going to now hear from our other members starting
24 with Council Member Holden.

COUNCIL MEMBER HOLDEN: Thank you, Chair, and thank you everyone for being on the front lines and doing the work along with our NYPD. A few questions on discovery. I just want to get to some numbers. It's been reported that criminal case dismissals in New York City stood at 41 percent before discovery reforms and shot up to 62 percent in 2023. What are they now in 2020-- what was the 24 numbers look like in each of your offices? And you could just like, you know, say the number if you know it. And are they dismissed because of discovery?

DISTRICT ATTORNEY KATZ: Everybody's looking for their specific numbers. You want to start?

DISTRICT ATTORNEY BRAGG: I happen to have a fact sheet that we've been using up in Albany. It's citywide numbers. I don't know if that's helpful.

COUNCIL MEMBER HOLDEN: Well, you don't know Manhattan?

DISTRICT ATTORNEY BRAGG: I can-- they essentially mirror in some regards. I mean, I've dug into parts of the Manhattan docket, for example domestic violence. But just for context since I have

1 this in front of me to [inaudible] I'll say the
2 overall case dismissal rate up from 2019 when it was
3 42 percent to 62 percent in 2023 which is a 48
4 percent increase. And then we have it broken down to
5 felony and--

6 COUNCIL MEMBER HOLDEN: [interposing] But
7 that's the best argument for changing the discovery
8 laws and for funding more monies for your offices.
9 What are we doing in the other boroughs, though? So
10 it's around-- it's pretty high in Manhattan,
11 obviously.

12 DISTRICT ATTORNEY BRAGG: Yeah, our
13 numbers are, and I will endeavor to pull out the
14 Manhattan numbers, but we are seeing significant
15 dismissals. I am, you know, very concerned in
16 particular about our domestic violence docket where
17 we've seen significant dismissals, and when the cases
18 get dismissed, the order of protection goes away with
19 it as well.

20 COUNCIL MEMBER HOLDEN: Right, right. So
21 that, again, endangers a spouse or certainly the
22 family. Anybody else on--

23 DISTRICT ATTORNEY CLARK: [interposing]
24 Well, in the Bronx in 2019 for the felonies, 26

percent of the cases were being dismissed, and in 2024 it's now 44-- it was 44 percent.

COUNCIL MEMBER HOLDEN: So, 44, so it's quite, you know-- and again, it's not-- the average was 41 percent before the discovery laws. So if you did a lot better than that, then your office was, you know, doing their due diligence. What about--

DISTRICT ATTORNEY CLARK: [interposing]
Well, that's for felonies. For misdemeanors 50 percent were being dismissed in 2019. That was before the discovery--

COUNCIL MEMBER HOLDEN: [interposing]
Yeah, see, this--

DISTRICT ATTORNEY CLARK: [interposing]
And it's up to 73.

COUNCIL MEMBER HOLDEN: And to me, as a-- let's say a victim of a crime, that would be outrageous that that person got away without even going to trial. What about Staten Island, is it--

DISTRICT ATTORNEY MCMAHON: [interposing]
You have to understand that our volume is so different than the other boroughs. So we have roughly 10,000 arrests a year. They-- you know, they have six, seven times that many. So, we have-- our

1 rates are a little bit more similar to counties
2 outside the City. So, the increase is not 20 percent
3 in dismissal rates, but it's more like 10 to 15
4 percent--

5
6 COUNCIL MEMBER HOLDEN: [interposing]
7 Yeah.

8 DISTRICT ATTORNEY MCMAHON: and because
9 our volume on felonies is lower, we don't have the
10 dismissal rate that they have, but we have a
11 reduction in charges rate, because we're at a
12 situation where we have to maybe take a plea on a
13 case that because of circumstances, because of
14 motions pending, because a piece of evidence wasn't
15 turned over, that the justice that maybe the facts
16 and law required are not being delivered because of
17 discovery. So we're having that impact, just not at
18 the volumes my colleagues have, because in all
19 fairness we don't have the volume--

20 COUNCIL MEMBER HOLDEN: [interposing]
21 Right, you don't have-- okay, Brooklyn, though, is
22 the other side of the coin. Dismissal rate, do you
23 have the dismissal rate?

24 DISTRICT ATTORNEY GONZALEZ: I'm going to
25 give the number. I'm asking staff to give me the

1 exact number, but generally what we've seen-- and we
2 issued our own-- we filed our report in March. We
3 provided all of that, so I'm going to make sure that
4 I leave a copy with you as well. But what we're
5 seeing quite honestly is that the biggest impact is
6 in our local Criminal Court. In my office I will put
7 two or three ADAs on a felony matter to make sure
8 that, you know, these serious felonies don't get
9 dismissed. So we're seeing a much smaller number of
10 dismissals in Supreme Court. That should not mean
11 that discovery is not an issue in the felony
12 practices, that we're doubling and tripling the
13 number of people we're putting on these cases,
14 because these are the violent crimes. We really
15 start to see these numbers skyrocket is in the local
16 Criminal Court where, you know, we're seeing 40
17 percent of the cases being dismissed in our local
18 Criminal Court is because we cannot comply with the
19 discovery statute, which is a combination of the
20 material but also the short deadline. Sixty days on
21 B misdemeanors, 90 days on A misdemeanors. So, we're
22 seeing right now it's 57 percent dismissals in the
23 county, up-- you know, up from other years. So,
24 it's--
25

COUNCIL MEMBER HOLDEN: [interposing] So justice is not being served.

DISTRICT ATTORNEY GONZALEZ: Well, I think--

COUNCIL MEMBER HOLDEN: [interposing] Certainly the victims. If something is dismissed and it's a felony or it's a serious crime-- even a misdemeanor could be serious, and if they're being dismissed, the victims are the biggest losers here, but the public-- again, if we're not funding your offices correctly, and the state comes up with these discovery laws and bail reforms and Raise the Age and all these things that kind of push up crime and push up-- but then lower the standards of justice. Again, it is outrageous that we can't fund the offices that are keeping us safe. Certainly, we're not funding NYPD. You know, we're-- correctly. We're not-- everybody's begging, especially the criminal justice system is begging here not only for jails, but for even, you know, bringing these cases to court. So, I don't think there's any greater need here in the City of New York than to fund the offices of the DAs that they can properly prosecute and put away people that should be put away. I know the population at Rikers

1 is very violent, because I speak to obviously the
2 correction officers who said the people-- there's
3 less people there, but they're more violent. And if
4 people are walking away from these cases for whatever
5 reason, it needs to be addressed. Just one other--
6 you know, DA Katz, do you want to jump in with--

8 DISTRICT ATTORNEY KATZ: Well, yeah, I'd
9 like to give you numbers, but I'd also like to just
10 comment on one thing you said which is-- so we are--
11 remember there are dismissals otherwise, so we're
12 making-- we're researching exactly why the dismissals
13 happened in 24. We estimate that about 28 percent of
14 our felonies were dismissed because of discovery non-
15 compliance, and about 40 percent of misdemeanors just
16 for this very reason. But I just want to correct one
17 thing if I can, Councilman, because you're always
18 such a great supporter. We-- it's not always about
19 the due diligence, because we will use every single
20 tool we have, use due diligence, in good faith rely
21 on precedence of the courts that we are practicing in
22 and still can get our cases dismissed, but it's not
23 always just about that. It's also about the amount of
24 vetting that happens, right? So, none of want to
25 really dismiss-- you know, want to make sure all of--

1 I think-- I'll speak for myself. We want to make
2 sure that those that are getting dismissed because of
3 discovery noncompliance are sort of compared, right.
4 We want to vet and make sure people aren't in danger,
5 make sure that if it's an assault, make sure that if
6 someone's in a home with someone that they are going
7 to be safe in the future as well. And you are
8 absolutely right, the danger that comes from a
9 dismissal is that our orders of protections die with
10 the dismissal of the case. So if you have a person
11 who's being assaulted in their home, that, you know,
12 that dies with the case. If we have witnesses that
13 are involved in gang prosecutions, those orders of
14 protections die with the case. And so you're right,
15 it is imperative that those numbers get lower.

17 COUNCIL MEMBER HOLDEN: Yeah, so again, I
18 just-- thank you, Chair, for the time. But if we go
19 from 41 percent as an average for New York City
20 before discovery reform and then we go into the 60s,
21 that's a huge problem. That is a-- and again, for
22 whatever reason they're being dismissed, on a
23 technicality many times which is outrageous where the
24 judges, you know, do this-- by the way, just one
25 other question. Is there any way to appeal a

1 dismissal? No. The answer is no to that, right?
2
3 So, if your case is dismissed on a technicality, it
4 doesn't really affect the case essentially. Some of
5 you have testified. You know, again, can you go to
6 another court and say, you know, this is ridiculous.
7 This person is a danger to everyone.

8 DISTRICT ATTORNEY BRAGG: We have very
9 limited ways on a strict, you know, legal ruling. If
10 it's a legal ruling, we have a way of going to court,
11 but typically-- and I know this may sound weird, but
12 in Criminal Court, the local Criminal Courts we're
13 limited to-- and I think this is just from my
14 experience. We're limited to three appeals a year.
15 The--

16 COUNCIL MEMBER HOLDEN: [interposing] Oh,
17 so you get a number. So you have to use it wisely.

18 DISTRICT ATTORNEY BRAGG: In Criminal
19 Court, you can't-- you know, Supreme Court, obviously
20 the rules are different.

21 COUNCIL MEMBER HOLDEN: So, just like a
22 challenge in baseball, you only get-- you know, you
23 get three challenges a year, a year or a game. So
24 it-- that seems ridiculous.
25

DISTRICT ATTORNEY BRAGG: so what you wind up challenging is not any factual individual case, typically it's a ruling that may impact the legal precedent.

COUNCIL MEMBER HOLDEN: Right. Thank you. Thank you, Chair.

CHAIRPERSON SALAAM: Now hear from Council Member Stevens.

COUNCIL MEMBER STEVENS: Hello? Okay, it's working. I didn't break it. Good afternoon and thank you guys for being here with us this afternoon. And I guess I'll start with my first question around, obviously--

CHAIRPERSON SALAAM: [interposing] I don't think that's on. That's not it.

COUNCIL MEMBER STEVENS: Hello? It's broke? I'm not paying for it, sorry. Well, thank you guys for all being here today. And I guess I'll start my questions specifically with the Bronx. That's where I'm from, as y'all can see. Bronx versus the world. But I'm working on a de-carceration plan because as Darcel Clark has mentioned multiple times that we're seeing an increase in youth violence across the City and I

would love to hear more about the-- what'd you call it--

DISTRICT ATTORNEY CLARK: Youth Justice Bureau.

COUNCIL MEMBER STEVENS: Yeah, the Youth Justice Bureau that you're thinking about doing. And I guess my first question is to ask about how many ADAs would you need for this, and what are some of the specialties that you're looking for to have in this department, and what would be unique about this department in particular?

DISTRICT ATTORNEY CLARK: Alright, and the written submission is a lot more, but I'll summarize it. We would need probably to have about 10 DAs if we could. I don't know if I'm going to get there initially, but I know that I have to establish this bureau now, because it's been a lot of inconsistencies in the way we've been handling the youth that come through. We have the youth part that's statutorily there now for the 16 and 17-year-olds, but there are laws for juvenile offenders who are 13 to 15, and the laws are different for them than it is for the 16 and 17-year-olds. And the way that it's interpreted in the law, the 16 and 17-year-

1 olds right now are getting more protection than the
2 13, 14, and 15-year-olds, because automatically I get
3 to keep them if I want based on certain designated
4 felonies, but with the 16 and 17-year-olds I have to
5 make my case in order to retain the case in that
6 youth part. Mostly everything goes to Family Court,
7 and I didn't have a-- I don't have a real problem
8 with Raise the Age. I have some issues with it. So
9 all the misdemeanors now go to Family Court. I don't
10 deal with those anymore. So the cases that I have
11 for the youth are the most serious cases, and I had
12 to prove to a judge that I should be able to retain
13 those cases in that youth part. And that means that--
14 - those are cases where there may be some kind of
15 sexual assault, something that has some serious
16 physical injury or they display a gun. And a lot of
17 times we retain-- most of the times we try to retain
18 it, sometimes we don't. But those that commit
19 homicides and murders and things like that, we keep.
20 So when you're looking at how we're dealing with
21 them, there's a lot of inconsistencies. So now I
22 want to put in a central place where the DAs are
23 trained about youth development, brain development,
24 all of those things. So we're going to have resource
25

coordinators. We have a doctor, a psychologist that knows this work that is helping us build these things. We're having Montefiore Hospital be part of that to give us the mental health services and counseling. We know-- we have clergy involved. We're going to have all of these specialized people there to assist the youth part, because the youth part should already have that, but when we talk about--

COUNCIL MEMBER STEVENS: [interposing]

Yeah, we know that's not the case.

DISTRICT ATTORNEY CLARK: Okay, we talked-- alright, so you know. The youth part, they have their issues already. They don't have enough.

COUNCIL MEMBER STEVENS: Yeah.

DISTRICT ATTORNEY CLARK: So, I'm building my own, because I can't wait for them, but I got to make sure--

COUNCIL MEMBER STEVENS: [interposing]

Yeah, because that's one of the things I've been--

DISTRICT ATTORNEY CLARK: that our kids are treated thoroughly.

COUNCIL MEMBER STEVENS: talking with the advocates and providers about is just the

1 discrepancies of the programs that's available in the
2 youth part that's not in the Family Court. Like, and
3 it's just so different. And that's one of the things
4 that for me I'm really trying to look to like solve
5 for x. Like, how do we move forward? Because this
6 has been a real problem. We have an increased number
7 of young people who are in secure detention which is
8 alarming for me, and it should be alarming for
9 everyone here. And I know everyone loves to, you
10 know, talk about justice and all this, but some of
11 the justice is like we are failing these kids, and I
12 say we as everyone, because these numbers are going
13 up and we're creating a generation of people who are
14 going to have high recidivist rates in the future.
15 And so for me, that's why I was really interested to
16 hear more about this program. and I guess-- and to
17 the panel-- I guess very succinctly because I know
18 everybody's tired at this point, especially Chair
19 who's been up here for a while now-- to just talk
20 about what are some things that you're doing around
21 this youth issue that we're having, because we are
22 seeing a number and I know-- because I'm in the
23 Bronx, I know that like Darcel has-- DA Clark has
24 Youth Advisory Board, and like she said, we work

1 really closely with them and all the things. And so
2 I'm also just trying to see what other folks doing
3 around like the youth part as well? Because this is-
4 - to me it is a crisis that no one is kind of talking
5 about. And you know, I know like we're fighting for
6 all these other things with this. It's something
7 that's near and dear to my heart and wanted just to
8 hear a little bit what you guys are doing.

10 DISTRICT ATTORNEY GONZALEZ: Sure. In
11 Brooklyn-- I'll start. We have the designated group
12 in my office. This is what DA Clark is trying to
13 create in Bronx County, Brooklyn has a designated
14 group of lawyers who only handle incidents involving
15 youth. They-- you know, we had-- created in 2015 a
16 Young Adult Court. That was before the youth part,
17 and so there's been a history of being able to deal
18 with, you know, juveniles and young offenders a
19 different way. I took a lot of pride especially the
20 Young Adult Court that, you know, most of these young
21 people came through the justice system and it was
22 about meeting their social service needs, not holding
23 them criminally accountable in terms of giving them
24 convictions, but holding them accountable through the
25 process of coming to court and services and working

1 with the defenders. I'm very lucky. In the County,
2 Brooklyn has a lot of services. I have very two great
3 public defender organizations, Brooklyn Defender
4 Services. Legal Aid will also coordinate with their
5 clients to get services, and we were very successful.
6 In our youth part, that thinking, you know, what
7 cases we retain and what cases we sent to Family
8 Court. We're also very lucky there, because we have a
9 good judge who-- a great judge, Judge Walker, who
10 spends a lot of time thinking about that job as a
11 Family Court judge, you know, making tough decisions.
12 When we ask to keep cases in Supreme, whether or not
13 the best interest of our community is served by
14 sending that case to Family Court, but those things
15 are happening. There's a Bureau of Youth Investments
16 and we're doing a lot of the social service work in
17 prevention and intervention work and of course
18 funding much of the priorities. Much of the money
19 that my office takes from forfeiture, we spend it
20 directly on our youth. So that includes sports
21 events and non-sports events and things working with
22 community-based providers to give resources and
23 opportunities to young people. I do say, and I will
24 go back-- I ask that Project Restore be baseline
25

1 funding. Many of our young people are involved in
2 gang activity. Project Restore is just about trying
3 to get some of these young kids away from the anti-
4 social behavior that they may be forced into by
5 gangs. We've seen this over and over in the City
6 where older gang members will often force younger
7 gang members to carry their guns, to engage in
8 activity, because the law treats them differently.
9 So we have to be mindful that-- we want to protect
10 our young people that, you know, the resources of our
11 city must be really directed to this point. We've all
12 talked about this up here. We're very concerned
13 about many aspects of Raise the Age, and the last
14 thing that I will leave with is there's a crisis in
15 our youth detention centers. We have way too old
16 people being held in custody there. You have 18, 19
17 years old with our youngest people, and the rising
18 rates of crime in our detention centers against young
19 people and the staff there is alarming, and so trying
20 to figure all that out. We did meet, all five of us,
21 with our corp counsel to discuss how we can better
22 coordinate with Family Court as well.
23

24 DISTRICT ATTORNEY KATZ: And I'll try to
25 be quick. I know everybody is tired. It's long. You

1 still have testimony to hear. But I'd be remiss, and
2 It's part of the reason that people should read their
3 testimony instead of doing it off the cuff like I
4 did. So, just so everybody knows today we actually
5 launched a data story on my website. There you can
6 see all the retail theft, trespass affidavits that we
7 have. You can also see the ghost gun takedowns that
8 we have. It's all interactive on the website, and in
9 answer to your question, you can also see all the
10 community engagements that my office has done. So,
11 first of all, we hired a special ed teacher actually
12 to come in and talk to the junior high schools and
13 the high schools and spends his days talking to
14 parents who believe that their child might be on the
15 wrong path, and we try to help. We try to go into the
16 schools. We go into the schools with a program that
17 actually was created by DA-- by Bridget talking about
18 fentanyl and the risks of using fentanyl and why we
19 should be careful about that. So, the youth group
20 does all of these projects. We go out to volunteer
21 at basketball games and high school basketball games,
22 but we go into the schools, into the junior high
23 schools, into the high schools and we talk about what
24 our office has to offer. The third thing besides the
25

1 data and besides the community is that we do an RFP.
2 So we did a \$2.75 million RFP to go out to youth
3 programs throughout the borough of Queens County. It
4 goes through the process. It actually funds a lot of
5 the not-for-profits that work with our youth. But at
6 the end of the day, I think the best thing about my
7 job is to be able to keep people out of the
8 courtroom. And so being in the community, making
9 sure the first time our kids see us is not when we're
10 in the court room, to make sure the first time our
11 kids see us we're in the community. So there's that
12 trust that builds as the DAs all have said in
13 different ways. And so we made it a real effort. I
14 mean, I can talk about the Adolescent Unit that we
15 have as well, like DA Gonzalez talked about which is
16 we have a special unit that deals with our young
17 people, 13, 14, 15, 16, and 17 years old. And they
18 have that expertise that they've developed through
19 the years to try and steer people away that are
20 already in the system. But I consider my job well-
21 spent when I steer them away before they get in the
22 system.
23

24 DISTRICT ATTORNEY BRAGG: So, I'll just
25 add a little bit. I think DA Katz said it well

1 talking about I don't want people to see me for the
2 first time down here. We have a Harlem office and
3 Washington Heights office which are very active in
4 addition to some of sort of the peer community
5 partnership work that we're doing. This is for
6 everyone. We're also strategically engaging with
7 crisis management and cure violence around areas
8 where we know need to fuse things, and those
9 partnerships have been really-- shouldn't call them
10 partnerships. Our respect for their independent work
11 has been very important. You know, my office and my
12 predecessor started the Saturday Night Lights program
13 and continued to-- what's that? Well, I--

14 COUNCIL MEMBER STEVENS: [interposing]
15 Don't have to explain it. I hate it. Everybody
16 knows it. I hate it. I have my own issues. I'm a
17 real youth developer. I have serious issues with it,
18 but I understand the purpose.

19 DISTRICT ATTORNEY BRAGG: Understood.
20 And then I mentioned the-- and I just want to sort of
21 just close by saluting Council Members Brewer and
22 Salaam, because a lot of what we're doing is in
23 partnership with the members who are doing so much as
24 well, so partnering. So I mentioned, the Chair and I
25

1
2 were with a youth group. All of the anti-gun grants
3 we did, they reported back. So we worked together,
4 and it's just great to be with him out with these
5 great, beautiful young people presenting on these
6 substantive projects. Thinking about an event that
7 Council Member Brewer does every year in the summer.
8 It was a big block party, and there's youth games,
9 and important for me to be there engaging. So just
10 want to salute them. I know the Bronx is great, too,
11 and Manhattan--

12 COUNCIL MEMBER STEVENS: [interposing] No,
13 you pick up your borough. You go right ahead.

14 DISTRICT ATTORNEY BRAGG: In Manhattan,
15 just privileged to work, but specifically point out
16 the Council Members because the work we're doing I'm
17 very excited about it. [inaudible] more of it, but I
18 think what I'm most excited about is those
19 partnerships and doing it together.

20 DISTRICT ATTORNEY MCMAHON: If I could
21 just kind of wrap it up. Everything that my
22 colleagues have said, we, you know, in Staten Island
23 as well we're doing a lot of these things. I have an
24 Education Coordinator who goes into the schools. We
25 have a Youth Advisory Committee. We're meeting with

1 the youth where they are. But to be honest with you,
2 councilwoman, the kids are not alright. We-- even in
3 Staten Island-- I say it was even Staten Island,
4 because our crime rates are normally lower, but I've
5 had a 15-year-old slain in a school yard by gunfire.
6 I had a 15-year-old stabbed by a 14-year-old on a bus
7 coming home from school, stabbed to death. So we--
8 this goes on and it's raging across our city. And
9 for me, what's missing is meaningful outcomes after
10 people have contact with the criminal justice system,
11 because what's happening with a lot of the Raise the
12 Age cases, as you know, they go to Family Court.
13 They're dealt with by the Corporation Counsel. There
14 are not the resources that are supposed to be there.
15 The state legislature never delivered on its \$800
16 million promise for resources to go with that
17 legislation when they passed it.

18 COUNCIL MEMBER STEVENS: That's good to
19 know. I didn't know that.

20 DISTRICT ATTORNEY MCMAHON: There were
21 two pieces to that. They passed Raise the Age, but
22 there was also a funding component. I think it was
23 \$800 or \$850 million, right, and they--
24
25

1 COUNCIL MEMBER STEVENS: [interposing] If
2 you guys can get me that number, because I would love
3 to make sure we advocate for that, because one of the
4 things that for me is like I'm really trying to--
5 like, I'm the Chair of Children and Youth Services--
6 and I'm wrapping it up, and it wasn't my fault so
7 don't yell at me. But really just thinking about how
8 do we meet the kids where we're at, and not just--
9 I'm talking about preventative, right? Like, we're
10 trying-- I'm trying to make sure that they're not
11 coming to you guys and to Family Court and all the
12 things, and I think it's-- for me, it's a holistic
13 approach. And so I will just offer up, like I'm
14 here, I'm working and really want to involve not just
15 NYPD and providers, but also you guys to come be part
16 of this conversation of how do we really tackle this
17 issue. And I mean, just hearing that the state, you
18 know, had funding that they were supposed allocate
19 and didn't, I think that's a place we could all work
20 together and really rally behind to get the money
21 that's deserved to go with the legislation that was
22 passed.
23

24 DISTRICT ATTORNEY MCMAHON: Yeah, the
25 meaningful outcomes, if someone does come into

1
2 contact with the system, we want to make sure that
3 they find the programming, the support that they need
4 to not have the out-- the same repeat--

5 COUNCIL MEMBER STEVENS: [interposing]
6 Yeah.

7 DISTRICT ATTORNEY MCMAHON: but also to
8 have some check accountability there just to make
9 sure, okay, if you're going to go to a counseling
10 program, make sure that that's being done, to have
11 follow-through, to make sure that one contact is the
12 only contact.

13 COUNCIL MEMBER STEVENS: Yeah.

14 DISTRICT ATTORNEY MCMAHON: That's
15 something that we can do what we do across the board.
16 I do it with, you know, young people suffering from
17 addiction illness. I give them-- you know, we
18 dismiss those cases if they go for a 30-day program,
19 and at the end they get a certificate from me. That
20 I think is missing in a lot of the Raise the Age
21 cases at least as far as I see it. And that's where
22 your advocacy to get that funding in place to get
23 those programs in place--

24 COUNCIL MEMBER STEVENS: [interposing] We
25 going to-- we going to do the advocacy.

DISTRICT ATTORNEY MCMAHON: We're going to advocate, but they need resource coordinators in the court who can say, okay, you're coming back in 30 days. You're going to tell the coordinator, "Did you go to those four meetings with the Council? Did you go to the park clean up?" Whatever's appropriate for you, did you do it? And let's make sure that that gets done, because I think then you'll see bigger improvement and less people repeating in the system.

COUNCIL MEMBER STEVENS: Listen, I'm here for it, and like I said, I want to offer myself up and make sure that we're working together and when we're having these meetings and offering you guys to be a part of those conversations, because you just had a lot of solutions that I would love to hear more about. So, thank you.

COMMITTEE COUNSEL: Thank you, Council Member. Next we'll hear from Council Member Ariola followed by Paladino.

COUNCIL MEMBER ARIOLA: Thank you, Chair. District Attorney Katz, good to see you. I just-- I didn't quite hear before. We said 27 percent of the population of the five boroughs--

DISTRICT ATTORNEY KATZ: [interposing] 13 percent of the people that are at Rikers were from Queens.

COUNCIL MEMBER ARIOLA: 13 percent, okay. Thank you. so, the reason why I bring that up is because I know how proactive you are, and I just would like to validate all the things that you said which is-- because I'm part of it as a Council Member and as a community member and with our community for your retail theft and trespass affidavit. It is a homerun. It works. Whether you're the Home Depot or the local bagel store or Walgreens. It stops people from coming in and stealing again, because they know that they're going to get arrested. You're on the ground and closing illegal cannabis shops. You are on the ground taking unlicensed, unregistered vehicles off our streets. You listen when PD brings in and files a report for recidivists, and is asking for bail where appropriate. You also listen when treatment is appropriate, and especially for our youths. And you know, when-- I think just recently because I follow you quite closely on social media and I really suggest everyone does. Two brothers, you found an arsenal there of 25 years in prison. So

1 kudos to you. People are being arrested in Queens.
2 They're being held with bail with Queens and they're
3 being prosecuted in Queens. We recently had a
4 legislative breakfast where you put out your five or
5 six points. One of those points was for animal
6 cruelty, animal rights, and the fact that we need to
7 tighten up those-- I guess the time--

8 DISTRICT ATTORNEY KATZ: [interposing]
9 Punishment.

10 COUNCIL MEMBER ARIOLA: Yeah, punishment.
11 Thank you for the word. The punishment for people
12 who are abusing animals. And then we spoke about
13 veterans. So these-- I have two sets of questions.
14 So I just want to say that I'm very lucky to have you
15 and we are very lucky to have you as our DA, because
16 you're already addressing the issues that need to be
17 addressed. And so for the other DA's, I just would
18 like to know do you have Veterans Treatment Courts,
19 and our Veterans Treatment Courts fully operational
20 in your boroughs? How many veterans were diverted to
21 these courts last year, and what additional funding
22 could enhance these programs?

23 DISTRICT ATTORNEY GONZALEZ: So, Brooklyn
24 does in fact have a Veterans Court both in the
25

1 Supreme Court practice and in Criminal Court. In
2 fact, the Veterans Court was initiated in Kings
3 County. One of the things that I think more outreach
4 through, you know, possible the VA's hospitals and
5 others to allow people to come into our Veterans
6 Court. We've seen just in general in a lot of the
7 treatment parts in particular in the Criminal Court
8 less involvement and less, you know, buying [sic] by
9 the people who have been arrested, the defendants,
10 because they have just, you know, a 60 percent chance
11 of getting their case dismissed, where, you know,
12 Veterans Court or any treatment court requires a
13 further engagement with the legal system to get the
14 treatment and the services. And so we think that
15 [inaudible] let me just say that I think that it is
16 again one of the unintended consequences of discovery
17 reform in Criminal Court, that less people are
18 engaging in mental health treatment in our Criminal
19 Courts and drug treatment, and yes, even in our
20 Veterans Court Bureau. I should also say that our
21 Veteran Court treatment bureau, you know, in many of
22 these cases after services are provided and there's
23 been a diagnosis of PTSD or whatever brought the
24 veteran in, these cases are dismissed. I believe that
25

1 Veterans Court is incredibly important. You know,
2 my-- the person who raised me, the person I
3 considered to be my father, my stepfather was a proud
4 Marine. He fought in the war, came back, and I think
5 that these things, these services are not a gift, but
6 are owed to our veterans, and I just want to thank
7 the court for, you know, for all the funding that we
8 get to provide these services.
9

10 DISTRICT ATTORNEY MCMAHON: Be real
11 quick. Just in terms of numbers, so we started the
12 court in 2017. We've had 66 participants in the
13 program. It was much more robust, but DA Gonzalez is
14 absolutely right, because another unintended
15 consequence of cases getting dismissed at the get-go
16 or during the process for technical violations and
17 you're losing the meaningful outcomes even in those
18 cases, which is something that I speak to a lot of--
19 you know, in Staten Island 40 percent of our cases go
20 to alternative to incarceration. That means that
21 those people did something wrong, was against the
22 norms of society, but they don't-- shouldn't go to
23 jail for it, but they should get some sort of
24 direction and help so that they don't recidivate,
25 right? And that is not being done, and Veterans

Treatment Court is a perfect example of that drug treatment court, our whole program, that is all true. So I just wanted to underscore that as well.

DISTRICT ATTORNEY CLARK: And we have our veterans in our treatment court as well. I'd have to get back to you with the numbers that we have. It's not a lot, but it's an avenue for them to get mental health treatment and otherwise. Unfortunately, we have so many-- and the treatment court has very strict rules as to what cases can go in there. So I advocated for another problem-solving court in the Bronx for another judge to be able to take the overflow that's part of the treatment for others that don't fit in treatment court, but they deserve some type of treatment or alternative to incarceration. And just last week, OCA has told us that we will be receiving another problem-solving court in the Bronx. So that's another place where we can deal with our veterans. I also have an employee resource group of veterans. One of the remembers is here, one of my Executives for Operation, and they not only work within the office with our staff, but work within the community as well and assist in the work that we do in the community.

DISTRICT ATTORNEY BRAGG: So, we have a part in Manhattan. It's much smaller than our other problem-solving courts. I would love to expand it like DA Gonzalez. I have a lot of military in my family and have seen the effects of service and the phenomenal service they've done for the country. Like DA Clark, we have a group-- perhaps maybe a little more informal, but vibrant group of veterans in the Manhattan DA's office, and so I would love to build upon the work and expand the treatment court, and I think we have folks in the office that would be very interested in that.

COUNCIL MEMBER ARIOLA: I certainly appreciate that. And honestly, on the animal abuse issue, we all know that we do have to expand the, you know, the consequences, because often times the link between animal abuse becomes violent crimes towards humans. So we-- so thank you for that. And District Attorney Katz, I just want you to know that your DV program will be funded again this year for \$72,500, and your forensic lab, we're-- Bob, Vickie and myself will bring that to the delegation. Thank you very much.

DISTRICT ATTORNEY KATZ: Thank you. And just so everybody knows about the animals. So, it's in the agricultural law, and so the only-- the highest form of accountability is really two years. So you could torture animals, you could torture your cat or dog and then have not the accountability that I think you really should have in our courts. And so we've been working with the Council Members on those issues as well and the communities. So, thank you.

DISTRICT ATTORNEY MCMAHON: And I could just add to that. So, the State DAs Association which I'm honored to be the President of now, but we advocate for increasing the penalties for those heinous crimes every year. So when you're talking to your state legislators, please bring it with them as well, because that is controlled by state law.

COUNCIL MEMBER ARIOLA: Thank you so much.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Council Member Paladino.

COUNCIL MEMBER PALADINO: Good afternoon and thank you everybody for staying. Three cheers for Queens, because it looks like we're the only ones here, okay. I mean, and let me-- oh, wait, no, no,

sorry, Gale. Okay, don't take offense. One, okay. But I do want to make a point, and the point is you guys are so important, and the fact that you are on at this hour of the day is really too bad, because this is an extremely important part of our public safety and our criminal justice. It's two-fold. And the fact that there are no Council Members here to listen to exactly what goes on in your offices so that we can bring it back to our constituents. The Council Members could understand how desperate you are and how much you need, justifiably so. When we sit here and we ask questions or our constituents ask questions, they don't understand the nuts and the bolts of what goes into this. They do not understand the weeds that you are tangled in. This is a deep swamp you are in, and you are trying desperately to keep your heads above water while the state government has really tied you up with these discovery laws. We could make this meeting really short, and that's by saying do away with the discovery laws. They have tied you up. If you don't dot your I's or cross your T's, they walk. You're screwed. The people of New York are screwed. Now, we could do this with, you know, the right frame of

1 mind in the right sort of way, but this was-- this is
2 a very good example once again about how laws are
3 passed without thinking about what's coming down the
4 road. As the old saying goes, the cart before the
5 horse. So now, we've got young kids who need care
6 and understanding. We have, you know, these other
7 pre-teens if you want to call them that, from 16 to
8 18. We've got our adults. You guys have got a very
9 short list here of what you want. I mean, DA Katz, we
10 work together. I love her. She does everything
11 possible, and the idea that all you want is-- when
12 you think about it-- is your forensic lab for a lousy
13 \$2,000,379. When you think of the budget that we're
14 about to pass that's going to be upwards of \$116
15 billion, and we cannot give you the tools that you
16 need to do your job right? I sat here. I listened to
17 everybody speak. So I don't have many questions,
18 because you guys have really, you know, covered the
19 gamut. And I thank you, DA Clark from the Bronx.
20 Man oh man, you just-- you nailed it. You absolutely
21 nailed it. And I just want to say, you know, this
22 catch and release, okay-- we've seen very bad
23 repercussions from this catch and release program,
24 and especially when it comes to the island of
25

Manhattan and the DA in Manhattan. And Lincoln Restler, my colleague, he made it a little political here today, and I really didn't want to take that route. But you know what, it is what it is, and the justice system sadly seems to have come under a little bit of the political realm. You guys are not political. You guys are here to do your job. And you know what, the City owes it to you and the State owes it to you so that you can do your job, and it's frustrating. As Bob said, that you're sitting here before us in an empty room at five o'clock in the afternoon with nobody else here to listen to the pittance that you need from the City in order to get you guys going. Your ADAs-- you need so much and yet you need so little. And you know what, DA Katz, I want to see you get that building, because I've been to Queens Boulevard, and let me tell you something, that's no party. Alright, between the parking and you got to go here for that and that for that, it's incredible. But the work that comes out of Queens, kudos to you, and thank you for everything you do for us, my office, all of us here in Queens we thank you. And I know how hard the rest of you work, and I have

to say thank you, thank you, thank you. I just hope we can make your life just a little bit easier.

DISTRICT ATTORNEY KATZ: I appreciate that, and I'm going to yield to my colleague from Staten Island--

DISTRICT ATTORNEY MCMAHON: Thank you, DA Katz, and thank you, Councilwoman. And I'm just going to apply for citizenship in Queens, because it sounds like everything's together there.

COUNCIL MEMBER PALADINO: You do that, I'll accept you.

DISTRICT ATTORNEY MCMAHON: and I admire you guys. Having sat on that side, I appreciate you being here and delving into this testimony with us. With due deference and respect, I thank you for your remarks, but if I could just state for the record, we are not looking to get rid of the discovery law.

COUNCIL MEMBER PALADINO: No, I know you're not. I am.

DISTRICT ATTORNEY MCMAHON: But the state-- oh, you are.

COUNCIL MEMBER PALADINO: You're not. I know you--

2 DISTRICT ATTORNEY MCMAHON: [interposing]

3 We're just trying--

4 COUNCIL MEMBER PALADINO: I understand
5 where you sit. It's okay.

6 DISTRICT ATTORNEY MCMAHON: We're just
7 trying--

8 COUNCIL MEMBER PALADINO: [interposing] I
9 want the discovery laws gone.

10 DISTRICT ATTORNEY MCMAHON: Okay.

11 COUNCIL MEMBER PALADINO: because I want
12 cashless bail gone.

13 DISTRICT ATTORNEY MCMAHON: Okay.

14 COUNCIL MEMBER PALADINO: I want bail
15 reform gone, but we're not going to get political
16 here are we?

17 DISTRICT ATTORNEY MCMAHON: No, no, this
18 is substance, but just so you know, our message I
19 think is--

20 COUNCIL MEMBER PALADINO: [interposing]
21 Okay.

22 DISTRICT ATTORNEY MCMAHON: has good
23 intentions. It just needs to be tweaked a little
24 bit, and it would make everybody a lot-- be more just
25 and more fair and safer. Thank you.

COUNCIL MEMBER PALADINO: I agree. And
you know what--

DISTRICT ATTORNEY MCMAHON: [interposing]
And you're welcome to Staten Island anytime.

COUNCIL MEMBER PALADINO: Oh, I try to
go, but you're too far away. You know, we all could
meet in the middle here, and I think in our years in
government thus far-- for me it's only four-- but in
my past life as well, I just want to say
communication and talking and figuring this out is
key, absolute key, and anybody who knows me knows
where I stand on things which is great and I know
where everybody else stands on things, and that's
fine, too. Now, let's work together to make this
work, because we've got real problems and we need
real problems solved. And like I said, let's just do
this. I know we can do it, but let's get you guys
funded. There's no reason with \$116 billion that
we're going to pass this year that you get your
change in any way, shape or form. I got one other
question pertaining to animal cruelty, animal cruelty
prosecutions. Does each DA office have a dedicated
animal cruelty protection team?

DISTRICT ATTORNEY CLARK: We handle the cases on a case by case basis and the ADAs do the work, but I just recently hired an animal cruelty person to start a unit for me to begin to do that work.

COUNCIL MEMBER PALADINO: Very good.

DISTRICT ATTORNEY CLARK: And I know how important those cases are. Look, I get all kinds of letters all the time. I get more letters--

COUNCIL MEMBER PALADINO: [interposing]
About animals.

DISTRICT ATTORNEY CLARK: about animals being hurt and killed than the people.

COUNCIL MEMBER PALADINO: I know.

DISTRICT ATTORNEY CLARK: That's in the Bronx. So, I know important it is and how important animals are.

DISTRICT ATTORNEY MCMAHON: It's such an issue near and dear to our hearts. We do have a dedicated ADA. She has a specific unit with a detective investigator and community person and a paralegal. She wears more than one hat, I have to be honest, but anytime there's a case it goes to her and

it's handled appropriately, and she is very dedicated.

DISTRICT ATTORNEY GONZALEZ: In Brooklyn we have a dedicated coordinator in our office and a Senior Assistant District Attorney who is responsible for overseeing all of the cases. I don't have a committed bureau in sense. I don't have a whole staff, but every one of those cases is handled through her. she works regularly with the ASPCA and other organizations including doing search warrants when we learn of, you know, animals that maybe being abused and going and applying for search warrants to allow legal entry to seize those animals, and of course barring them from future ownership.

DISTRICT ATTORNEY KATZ: We have a unit that sits in the Domestic Violence Bureau, because as I think Council Member Ariola said, there's a lot of times there's is an indication of abuse in future by the treatment of animals. So, we have a guy that sits in the Domestic Violence Bureau who is dedicated to animal abuse and animal crimes. We also just got a therapy dog named Kimmy which my office is very proud of, you know. So we use that to deal-- to work with our children and any victims of crimes that may need

1 some comforting as well, including anybody in the
2 office I guess that is. And just as much as Council
3 Member Paladino and Council Member Ariola, I like the
4 kind words and I appreciate it, but you know, we
5 prosecute, but we also try to keep people out of the
6 court system, which is very important to do both.
7 And Council Member Paladino, I can only tell you
8 that, because there's a lot of different views in the
9 room. I want to make it very crystal clear that
10 unless I'm wrong-- I'm going to speak for the DAs as
11 well as our President that sits. We don't want to
12 get rid of the discovery laws. We don't want to
13 backtrack that, and so we do-- are working with the
14 legislature on hopefully getting some amendments that
15 will ease some of the pressure on discovery. Thank
16 you.

18 COUNCIL MEMBER PALADINO: You're welcome.

19 Thank you.

20 DISTRICT ATTORNEY BRAGG: In Manhattan we
21 have a point person for our animal cruelty work, a
22 point person which is an Assistant District Attorney
23 and she's supported by our senior staff as well.

24 CHAIRPERSON SALAAM: Perfect. And we
25 will now hear from Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you very much. I just want to let you know Manhattan is in the house. I want to make that clear. And second, I'm the one that's really got the Veterans Court in Manhattan off the ground many years ago. I think somebody knows that, and my husband's a vet. So those are my bone fides [sic] just so we're clear. I have a question for Manhattan and our wonderful DA. So, the Hub, the Fortune Society, and The Bridge are all doing great jobs. My concern budget-wise is, one, the individuals whom they are working with are identified, supported in some way. Is there enough opportunity for follow-up? Is there housing? Is there a place for them to go that gets the psychiatric assistance and so on? Because when I go out with B-HEARD-- I went out in Queens. I snuck to Queens and I went out with the B-HEARD group, and they really do not have places to put people after they are addressed in the-- by the EMS and by social workers. So, that's my question. Follow-up.

DISTRICT ATTORNEY BRAGG: Thank you, Council Member Brewer. For the navigators-- so, for Fortune and Bridge, you know, they are procurements funded out of our asset forfeiture funds, and I think

you'll hear from Fortune later. I'm sure more funding would be welcomed, but it is, you know, a funded initiative and it's going very well. We look at the touch-points, the metrics that we're looking at, connections, whether it's connections to other providers, hygiene kits, food, and particularly Fortune can address this when they testify, housing. I think the Hubs which are more, you know, basically coordination of mayoral agencies suffer from the same shortages that you and I've talked about and you know well because you're so on the ground looking at these issues. And so yeah, a lot of the-- when I mention that we go to, you know, Criminal Court in the morning, you can see the brokenness of our system. A lot of that we had front end funding addressing mental health and housing shortages, we would avoid those cases. That's true. So we certainly need it. I think within the four corners of the navigators program. I mean, what I would-- this is not-- this was not for this year, but maybe for a future year when we have a sort of the body of work presented, to sort of baseline that in the budget. I think it's important work that's advancing public safety. We're happy to fund it out of forfeiture and then come to

the Council at a later date, you know, showing the metrics and the success and ask for baseline funding.

COUNCIL MEMBER BREWER: Thank you.

CHAIRPERSON SALAAM: Thank you. There are no more questions for you all. Definitely appreciate your testimony and your answers to the questions. We'll now be moving to MOCJ.

DISTRICT ATTORNEY KATZ: We appreciate your time.

DISTRICT ATTORNEY BRAGG: Thank you, Chair.

CHAIRPERSON SALAAM: Thank you.

[break]

SERGEANT AT ARMS: Good afternoon. Can everybody settle down and find your seats? We are getting ready to continue. Everybody settle down and find your seats. We are getting ready to continue.

CHAIRPERSON SALAAM: Okay, next we'll hear from the Mayor's Office of Criminal Justice and afterwards we will hear from the public. If any member of the public would like to testify, please fill out a slip with the Sergeant at Arms and wait to be announced. Alright, we'll hear from Deanna Logan, Nora Daniel, Robert Fiato, and Candice Julien.

COMMITTEE COUNSEL: Just before you begin, can you just affirm that you swear to tell the truth, the whole truth and nothing but the truth before this committee and to answer honestly to Council Member questions? Seeing you all acknowledged that, you may go ahead. Thank you.

DIRECTOR LOGAN: Yes, thank you. Well, good afternoon everybody. Thank you very much for hanging in there with us and for all of the members of the public as well, Chair Salaam and your members who are supporting you in spirit of the Public Safety. My name is Deanna Logan and I am the Director of the Mayor's Office of Criminal Justice, affectionately known as MOCJ. I am joined by Nora Daniel who is our Chief of Staff, Robert Fiato who is our Chief Financial Officer, and Candice Julien, our Chief Operating Officer. Thank you for the opportunity to discuss MOCJ's Fiscal Year 26 with you, our preliminary budget and priorities for the upcoming fiscal year. MOCJ is a think tank that advises the Mayor and Deputy Mayor of Public Safety on strategies to improve efficiency and fairness in the criminal legal system. We also are an implementing agency we turn the ideas that we come up

with into actual services that benefit our communities and residents. We do recognize that public safety is a collaboration. It's between all of the stakeholders, so we bring together entities involved in the legal system, sister city agencies, state actors, nonprofit partners and community members to address issues that undermine the stability of our neighborhoods. For fiscal year 26, MOCJ's preliminary budget allocates approximately \$787 million towards our services that include everything you heard here earlier, re-entry pathways, transitional housing, alternatives to incarceration, pretrial services, indigent defense services, the Office for Special Enforcement which you haven't heard about, and our Office for the Prevention of Hate Crimes. Re-entry is a critical component of the criminal justice continuum. Individuals leaving incarceration face significant barriers to housing, employment, healthcare, and education. That's what makes our community-based re-entry programs essential to long-term success and overall city safety. MOCJ invests \$26 million a year in re-entry programs, including discharge planning on Rikers Island, job training, and holistic wraparound services. We use

the word investing, that's because re-entry programs are supporting individuals' successful return to our community. Stronger communities mean safer communities for all New Yorkers. MOCJ's interventions not only reduce recidivism, but we emphasize accountability and the root causes of negative behavior. We invest \$32 million annually in Alternatives to Incarceration programs, known as ATI's, across the five boroughs. These ATI programs provide services that include connection to mental health supports, substance misuse treatment to more than 5,000 New Yorkers each year, helping safely reduce incarceration rates, which ultimately saves taxpayer dollars. Affording individuals the ability to remain in their communities while receiving the services they need to succeed helps improve outcomes for justice-involved individuals and their families. In 2016, MOCJ launched the Supervised Release Program as a pretrial option in New York City. This program provides judges with the option of a structured supervision model, to boosts court attendance while simultaneously addressing participants' needs. We've maintained and improved these programs since 2020 with our contracted partners across all five

boroughs, supporting individuals as they navigate the criminal legal system, while affording them the opportunity to remain engaged in their communities, rather than being detained. It's working. Tens of thousands of individuals a year are supervised through: Regular check-ins with case managers, court reminders and legal assistance, mental health and substance use referrals, employment and educational support. Consistent with Mayor Adams' vision of public safety as the prerequisite to prosperity, MOCJ understands that individuals we support require housing stability. It's the foundation. It's the foundation for success. Without a stable place to live, individuals leaving incarceration are far more likely to face homelessness, unemployment, and may reoffend. MOCJ is committed to ensuring that these individuals have access to stable housing options. Our transitional housing initiative is one of the city's most significant investments in reentry support in recent years. Building on the success of our COVID-19 emergency housing, we evolved that housing model for supports into a sustainable model of transitional housing, to meet people where they are and provide a direct pathway to permanent

housing. Here we see return on our investment.

Transitional housing doesn't just provide a bed, it

provides the foundation for stability, safety, and

success. In 2022, we were fortunate enough to move

over 250 individuals into permanent housing thanks to

our sister agency HPD, partner providers, and

emergency housing vouchers. In support of housing

for all New Yorkers, MOCJ's Office of Special

Enforcement plays a critical role in helping achieve

Mayor Adams' goal of maintaining affordable housing

options. The office fully implemented Local Law 18

in 2022-- yay City Council-- the short-term rental

registration law preventing illegal short-term

rentals that destabilize neighborhoods and undermine

the City's housing supply. The Office of Special

Enforcement conducts its work in conjunction with the

Department of Buildings and the Fire Department to

maintain the integrity of the City's rental market,

ensuring that housing remains safe, habitable, and

available for New Yorkers. MOCJ's Office for the

Prevention of Hate Crimes performs critical work to

address and prevent bias-related incidents. New

York City is a leader on these efforts in our state

and across our nation. Hate crimes and bias incidents

threaten the mosaic and cohesion of our communities.

We work closely with NYPD, local organizations,

national consortiums of cities, and impacted

communities to provide education, support and

interventions following hate crimes and bias

incidents. We also fund community-based anti-hate

initiatives through Partners Against the Hate, also

referred to as PATH program. It includes programs

focused on the needs of women and girls, education,

and youth engagement. Working with the Mayor's

Office of Community Affairs, we fund the Breaking

Bread, Building Bonds program, an initiative Mayor

Adams began as Borough President, bringing together

individuals from diverse backgrounds to foster

dialogue and understanding over a simple meal that's

shared, and ultimately creates a safer, more unified

city. MOCJ's is proud, proud, proud of our history

of innovation and we continue that undaunted. For

example, we created an intensive case management"

model to address individuals with higher needs

mandated to supervised release programs by the

courts. Earlier you heard DA Gonzalez talk to you

about his Project Restore, well that's a partnership.

Project Restore Bed-Stuy invested in and graduated a

cohort of 30 wonderful young men from a collaborative-focused deterrence model, providing off-ramps from gun and gang violence. The partners included the Brooklyn District Attorney's Office, Columbia University Center for Justice, Bridge Street Development Corporation and Community Organization Both Sides of the Violence. This is one of the most promising models for disrupting cycles of violence. We must never compromise an individual's right to quality representation when accused of a crime, regardless of ability to pay. Which is why MOCJ, tasked with administering the City's indigent defense portfolio, works closely with the New York State Office of Indigent Legal Services, also known as ILS, to effectively administer funding to providers. We also manage the city's conflict counsel, known as the Assigned Counsel Plan. As part of our transition to our own agency, MOCJ reorganized its personnel resources to create a dedicated team of professionals in our legal division focused on the contracts, the invoicing, and the payments for this large portfolio of indigent defense. Collaborating with our contracts and fiscal teams, Fiscal Year 25 contracts were registered timely, and we are now on track for

timely registration in fiscal year 26. As I alluded to, the new fiscal year marks a significant milestone for MOCJ: the finalization of its own agency code. Woo [sic] for us. This code facilitated the establishment of our key administrative functions, including the critical build-out of dedicated Human Resources and IT teams to support all the innovative work that our members do. It's allowing us to continue providing resources for the long-term to our nonprofit partners, as well as the most vulnerable New Yorkers. Perhaps most importantly, it just makes us more efficient. By expanding our technological-- Lord, I can't even speak now-- technological capabilities, it ensures our policies and initiatives are guided by empirical evidence and real-time analysis. Our work, from re-entry services to community safety initiatives, is grounded in the belief that healthy neighborhoods are the foundation of a safe city. And our collaboration with the stakeholders throughout the criminal legal system is helping us to identify barriers, tailor solutions, and ensure a holistic public safety strategy. MOCJ and the Mayor remain committed to investing in people as a pathway to public safety. With a front-row seat

1
2 to how those investments are providing return, I'm
3 confident MOCJ is well-positioned to further enhance
4 its impact in the years ahead, benefiting all New
5 Yorkers. Thank you for the opportunity to present
6 this testimony and for your continued partnership in
7 advancing justice and safety. I welcome your
8 questions. Look forward to discussing how we can
9 further our shared goals.

10 CHAIRPERSON SALAAM: Thank you for your
11 testimony. I just have a few questions regarding the
12 plan. The Preliminary Plan includes an increase of
13 \$135,000 in fiscal year 25 and a baseline increase of
14 \$270,000 in the out-years to hire a Fiscal Manager, a
15 Senior Fiscal Analyst, and a Contract Manager at
16 MOCJ. Will these positions help alleviate the
17 contract delays that MOCJ is currently experiencing,
18 and what recruitment strategies are being implemented
19 to hire and fill these positions?

20 DIRECTOR LOGAN: Thank you very much for
21 the question, Chair. Yes, the new positions that we
22 have listed are ones that are to assist in the
23 efficiency, and I would turn to our Chief Operating
24 Officer to talk about the specifics of the
25

1
2 individuals and then our Chief Financial Officer to
3 explain further.

4 CHIEF OPERATING OFFICER JULIEN: Thank
5 you for the question. Yes, as far as recruitment
6 efforts, we've been utilizing the hiring halls.
7 Through the City's NYC Jobs Portal we're able to
8 recruit the expertise needed to move on contract and
9 finance actions. Of those three positions we
10 actually have two candidates in the approval process,
11 and we'll turn it over to our Chief Financial Officer
12 for additional details.

13 CHIEF FINANCIAL OFFICER FIATO: Our total
14 expenditure budget of fiscal 25 is \$967 million
15 that's devoted to contracts, and we anticipate the
16 new Fiscal Analysts that are being hired to ensure
17 that we're having adequate invoice turnaround time.
18 We also have total active contracts of 164 with 70
19 [sic] unique vendors. So, we envision the contract
20 manager that will be coming on board to ensure that
21 we are meeting our timely registration goals and
22 ensuring that nonprofit providers get paid in a
23 timely and appropriate fashion.

24 CHAIRPERSON SALAAM: The plan includes an
25 additional \$87,500 in fiscal year 25 and then a

baseline increase of \$175,000 starting in fiscal year 26 from funds transferred from POD to MOCJ for a Deputy Director of Policy and Justice Operations. What is the purpose of this transfer? What will be the responsibilities of this position, and is this currently a vacant position for which you are hiring, or is the position filled by someone who previously worked at the POD?

DIRECTOR LOGAN: The position is a backfill for us. We promoted when our First Deputy Director moved to DCAS as their General Counsel. We promoted our current Senior Attorney to be our First Deputy Director, and we are now backfilling her position which we are grateful that we have done so. the role for this position will be very dedicated to policy work that we are doing as it relates to all of the initiatives that support the overall efficiency of the criminal justice system, case processing very specifically which you heard a lot about earlier today, where we look very specifically at the log jams that we're seeing with our stakeholders and come up with the solutions on how to move them. And sometimes that's really as simple as figuring out how to make sure that a sally [sic] port [sic] door is

being opened timely. So, that person will coordinate the other members of the policy team to create strategy, but also on the day to day making sure that log jams are moved.

CHIEF OPERATING OFFICER JULIEN: I will also add that that position is no longer vacant. The Deputy Director for Policy and Justice Operation is now serving in his second day at MOCJ.

CHAIRPERSON SALAAM: Moving to headcount and staffing. In the Preliminary Plan, MOCJ's headcount decreased from 119 in fiscal year 25 to 57 positions in fiscal year 26. Please explain why there is such a large decrease in budgeted headcount. Does the headcount in the Preliminary Plan reflect the actual needs of the office in fiscal year 26 or are there additional positions that are required? How many of these positions are dedicated to managing MOCJ's criminal justice and indigent defense contracts, and does MOCJ's central staff have sufficient resources to administer and monitor its significant contract portfolio? Why or why not?

CHIEF OPERATING OFFICER JULIEN: Thank you for the question. The reduction in headcount would have been from the transition of various

1 portfolios to sister agencies across the City. Our
2 headcount has actually increased since then as we've
3 been working with our colleagues at OMB to ensure
4 that the agency is adequately staffed. We received
5 six lines in the FY 24 January Plan for agency
6 operations. As you mentioned, we recently received
7 three additional lines to support contract and
8 finance actions. We are constant-- we are always
9 looking at the staffing needs and are very proud of
10 the work that our colleagues are doing at MOCJ to
11 move the needle on the various programs and contract
12 actions. So, yes, the decrease would have been
13 related to the transition of various portfolios to
14 other agencies and we have been working with OMB to
15 ensure that we are adequately staffed which is
16 reflected in the increased headcount in recent
17 financial plans.

18
19 CHAIRPERSON SALAAM: I want to move to
20 closing Rikers Island. We have been informed by the
21 Administration that there's approximately \$1.5
22 billion currently budgeted for initiatives to reduce
23 the jail population and provide responsible
24 alternatives to incarceration. Can you confirm that
25 the budget includes this funding? What programs and

services does the Administration currently fund to meet the goals of responsibly reducing the jail population?

DIRECTOR LOGAN: I will-- thank you for the question. I will let our Chief Financial Officer keep the numbers so I don't everything twisted. But in terms of the programming and the initiatives, I will also give our Chief of Staff time to discuss them. But we are ensuring that we are looking at reentry services. What we're trying to do is make sure that as a whole the criminal legal system is functioning efficiently. We're making sure that there are less people going in and more people coming out. That's the straight [inaudible]. So, for supervised release, what are the programs, what are the services that the courts, that the DAs, that the defenders all agree they need in order to have individuals that can safely navigate their cases in community stay in community? For individuals that are currently on Rikers, we continue to work with the Population Review Team, TJI [sic], to continue to look at individuals. All of the DAs are very responsive. We are able to call. We are able to have conversations about individuals and cases for

1
2 them to look at again. And as we're talking about
3 making sure that people just don't go back. So
4 giving them either alternatives to incarceration or
5 the ability to reenter community where they have
6 foundation so that they're not coming back into the
7 system.

8 CHIEF OF STAFF DANIEL: Just to reiterate
9 what Director Logan was mentioning. We do run
10 supervised release through MOCJ. We work with HUD
11 providers to fund that program, and last year there
12 about 28,000 that came through the supervised
13 release. In addition to that, we have alternatives to
14 incarceration whose goal is to really work with
15 people and provide the services that they need so
16 that they are less likely to return to the criminal
17 justice system. So through that program over the
18 lifetime of the alternatives to incarceration most
19 recent contract, it averaged about 6,600 people a
20 year, and last year was around 8,000. So we've seen
21 some increase in the use of ATIs. And we also work
22 with 10 reentry providers to do discharge planning
23 on-island as Director Logan mentioned in testimony,
24 and also to provide in-community services for
25 reentry. That was about 4,000 people a year in

1 programming. We also have transitional housing that
2 seeks to connect people to a safe place to land when
3 they're leaving jail or prison, which is also-- has
4 an impact on how people-- ensuring that people are
5 less likely to go back in the system.

7 DIRECTOR LOGAN: And just to be clear,
8 the transitional housing program is not just a bed,
9 as I said. It's foundation, but it also is very
10 proactive. So, our director for transitional housing
11 worked with other stakeholders to change hearts and
12 minds, and created an initiative that was Open Minds,
13 Open Doors. Making sure that we're addressing the
14 stigma and the misconceptions about individuals
15 coming back to the community so that landlords and
16 brokers and your neighbor who has a two-family house
17 would be making their units available for individuals
18 who are coming back who need-- as I will quote
19 Yolanda Johnson Pearkin [sp?], "second, third,
20 fourth, and fifth chances," in order to become
21 functioning and reintegrated with their community
22 members.

23 CHAIRPERSON SALAAM: Can you clarify the
24 \$1.5 billion as to where that is in the budget?

CHIEF FINANCIAL OFFICER FIATO: I'm
sorry, could you repeat the question, Chair?

CHAIRPERSON SALAAM: I just wanted
clarification on where the \$1.5 billion was in the
budget?

CHIEF FINANCIAL OFFICER FIATO: \$1.5
billion is primarily within the DOC Capital Plan, not
within MOCJ's budget.

CHAIRPERSON SALAAM: What funding does
the Preliminary Budget include to address PICs with a
mental health diagnosis?

CHIEF OF STAFF DANIEL: So, the funding
for people in custody who are-- who have mental
health diagnoses, that comes through the Correctional
Health System, Correctional Services. So that
funding is within their budget.

CHAIRPERSON SALAAM: And how is MOCJ
working to eliminate unnecessary incarceration in our
city?

CHIEF OF STAFF DANIEL: So, as we were--
you know, as we were talking about all of-- our work
is designed around creating a justice system that's
smaller, safer, and fairer, and that still maintains
public safety for all New Yorkers. and so in order

1 to do that, we run programs that either divert people
2 away from jail or prison or seek to-- and/or seek to
3 reduce the likelihood of someone returning. So
4 that's within supervised release which diverts people
5 away. It diverts people away from incarceration as
6 they await their case disposition, and then
7 alternative to incarceration which diverts people
8 away from jail or prison as the accountability
9 measure when their case is resolved.
10

11 CHAIRPERSON SALAAM: Are there any tools
12 that MOCJ currently has that can be leveraged to
13 increase the ATIs and lower the population at Rikers
14 Island?

15 CHIEF OF STAFF DANIEL: So, we're
16 committed to continuing to work with all of our
17 partners to make sure that ATIs are used to their
18 fullest extent. It's definitely something that we
19 are continuing to work on. We have been working with
20 our research and-- our Research Innovation Team to
21 develop both quality assurance measures and also
22 better data to really dig into see where the gaps are
23 that we need to fill in order to make sure that the
24 ATIs are being used to their fullest extent.
25

CHAIRPERSON SALAAM: Has your office met with the Lippman Commission to discuss how MOCJ can assist in expanding ATIs?

DIRECTOR LOGAN: We have actually spoken to different members of the Lippman Commission about multiple areas of not only the ATIs, but addressing the larger seriously mental-ill population. We continue to have those conversations and find common grounds as to where we can do better, where we can talk to our partners to do better and where there may be options for new ideas, things to start doing.

CHAIRPERSON SALAAM: And what assistance is MOCJ able to provide with regards to upcoming Lippman Commission recommendations for lowering the population at Rikers?

DIRECTOR LOGAN: When we look at lowering the population at Rikers, again, we're talking about the programming, but we're also talking about how we can move the needle of individuals who are staying in the-- in custody for longer periods of time with delay. So, when we are looking at what tools we have, one of the things that we talk to various members of the DAs offices as well as to other stakeholder partners is to think about how we, in

1 line with what the courts are doing, can get the
2 information to DAs and to defenders sooner. So where
3 in the flow of individuals coming through the
4 criminal legal system can we give better assessment
5 tools, where can we give better screening tools so
6 that people have more information sooner and can make
7 more concrete decisions sooner. One of the thing that
8 our Research Innovation Team has looked at is very
9 specifically the timeline for adjournments and
10 understanding that reducing the time to adjournment
11 even just one day could actually save 67 beds in
12 Rikers. And so looking at it not only holistically
13 as the individuals and what the services that are
14 needed to be provided, but looking very concrete
15 using the empirical data to look at what is actually
16 happening within the system and what the system can
17 do to better address the case processing needs,
18 address the needs of the individuals are the tools
19 that we bring to the table with all of our
20 stakeholders.
21

22 CHAIRPERSON SALAAM: Why hasn't the
23 Points of Agreement Tracker been routinely updated as
24 projects were completed or postponed? According to
25

the MOCJ's website, it has not been updated since 2022.

CHIEF OF STAFF DANIEL: So, we did have some staff turnover in that we needed to have someone who was in charge of Tracker, but we do anticipate updating the Tracker sometime within the next month or so.

CHAIRPERSON SALAAM: Has your office written an interim-- internal, rather, progress report regarding the investments listed in the Points of Agreement?

CHIEF OF STAFF DANIEL: We do have internal updates on the POAs, we do.

CHAIRPERSON SALAAM: Can you send that report to us?

CHIEF OF STAFF DANIEL: It's not a report, per say, but when we do-- when we are ready to update it, we will send it over to you.

CHAIRPERSON SALAAM: Thank you. Has the NYC Jail Population Review Program in Brooklyn and Manhattan been expanded citywide?

DIRECTOR LOGAN: so, the program has not yet gone citywide. It is still in Queens and Manhattan, and we are at this point reviewing with

the teams to figure out what is the best path forward for moving the program ahead.

CHIEF OF STAFF DANIEL: So, we started to-- we have the funding to expand it, and so we are looking to expand it fully within-- by the end of this fiscal year.

CHAIRPERSON SALAAM: What impact on public safety and the average daily population have you seen come out of the NYC Jail Population Review Program?

DIRECTOR LOGAN: Thank you. I'm going to start and then I'm going to let Ms. Daniel go ahead. The impact for us in terms of public safety has been a very clear granular level understanding of the individuals that are coming into the system, and having that new data was something that we did not originally have. We have been able to start creating the solutions for the services and the things that needed to be enhanced. So for example, I mentioned our Intensive Case Management program. What our data folks had seen was that there were a core group of individuals who were not responding to the supervised release model that had been in operation for quite some time, and based on that information we were able

1 to realize the specific steps that we needed to add.
2 We needed to reduce case sizes for the individuals
3 that we saw that were coming in that were presenting
4 with this persistent pattern. So, we needed more
5 senior case managers who had more experience, because
6 these individuals had higher needs. We needed to
7 make sure that we were providing them with more
8 supports to come to court, because their nervous
9 system responded in ways that the average New Yorker
10 may not. If I say to you and to Ms. Daniel and to
11 myself, we have to be at City Council for a 3:00 p.m.
12 hearing, then we make sure that we get here at 3:00
13 p.m. What we saw with these individuals that were
14 being not so successful in supervised release was
15 that their nervous system responded to that as a
16 fight or flight. So where you thought it was a
17 meaningful opportunity, it really wasn't because
18 their nervous system did not have the coping skills
19 to be able to get them to that place at that time.
20 So, giving them a case manager that got them to the
21 behavioral supports that helped them develop coping
22 skills so that they didn't receive that information
23 as a fight or flight scenario were some of the things
24 that we used, that other information to then be able
25

to build within the current structure of the tools that we provide.

CHIEF OF STAFF DANIEL: And apologies, a correction. Jail Population Review has expanded citywide. It is citywide.

CHAIRPERSON SALAAM: And according to the jail population forecast terms and conditions report, there are two major factors driving the increase in the jail population: people with mental health diagnosis and case delays. What strategies is MOCJ implementing to lower the specific population on Rikers Island?

DIRECTOR LOGAN: Right now, we're working with our partners in Correctional Health services and Health + Hospitals to really think about what the services are to address that population because we know from the data what is referred to as BRAD [sic] H [sic] and the individuals within DOC custody is growing significantly, and even within just the time from December to now, we have seen that population grow. So it is looking at the opportunities to provide stronger services for that population to get the level of personnel that needs-- that our partner providers will need to assess what caseloads should

look like when we're dealing with that population, and then always it comes back to making sure that there is the appropriate housing for individuals to thrive.

CHAIRPERSON SALAAM: Regarding alternatives to incarceration, exactly how much funding is budgeted for ATIs and other diversion programs in this plan?

CHIEF FINANCIAL OFFICER FIATO: In FY 25 we're budgeted for about \$32 million, for our ATI providers \$14, and for the reentry providers we're budgeted for about \$26 million [inaudible] providers.

CHAIRPERSON SALAAM: So there are discrepancies between what is outlined in the proposed budget and what advocates have been told would be cut. Can you please clarify the proposed cuts for services that flow through MOCJ for alternatives to incarceration and reentry services?

CHIEF FINANCIAL OFFICER FIATO: Our FY 26 PEG in the alternative to incarceration program is \$8.9 million and our FY 26 PEG in the reentry program is \$8 million, and we're continuing to work with our partners at OMB and our vendors that we work with

every day to assess the impact of these cuts as we enter into fiscal 26.

CHAIRPERSON SALAAM: So, there was nothing in this plan in terms of the PEGs. We wanted to know why there was such a decrease?

CHIEF FINANCIAL OFFICER FIATO: The only PEGs that we have in effect right now for ATI and reentry are for next year, \$8.9 million for ATI and \$8 million for reentry. The fiscal 25 PEGs were restored.

CHAIRPERSON SALAAM: Okay. Can you please list the programs that-- the program providers that would be affected by the cuts, these cuts that are coming?

CHIEF OF STAFF DANIEL: So, for reentry services we have 10 providers and for ATIs we have 14, and we can send you that list.

CHAIRPERSON SALAAM: Okay. Thank you. Seeing that there's no one left to question you, thank you for your testimony.

DIRECTOR LOGAN: Thank you, Chair.

CHAIRPERSON SALAAM: Thank you for being patient. I now open the hearing for public testimony. I remind members of the public that this

is a government proceeding and that decorum shall be observed at all times. As such, members of the public shall remain silent at all times. The witness table is reserved for people who wish to testify. No video recording or photography is allowed from the witness table. Furthermore, members of the public may not present audio or video recording as testimony, but they may submit transcripts of such recordings to the Sergeant at Arms for inclusion in the hearing record. If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant at Arms and wait to be recognized. When recognized, you will have two minutes to speak on today's hearing topic. We spoke about the budget. If you have a written statement or additional written testimony you wish to submit for the record, please provide a copy of that to the Sergeant at Arms. You may also email written testimony to testimony@council.nyc.gov within 72 hours of the close of this hearing. Audio and video recordings will not be accepted. For in-person panelists, please come up to the table once your name has been called. I will now call the first in-person panel. Arisleyda Skinner, Olivia Duong, Glenys

Rivera, and Jane Fox. You may begin in any order you would like.

GLENYS RIVERA: Good evening everyone. Chairman Yusef Salaam and distinguished members of the Committee. I am Glenys Rivera, Second Vice President of Local 372, New York City Board of Education employee, District Council 37, AFSCME. It is an honor of the Local 372 to present this testimony on behalf of the Level One and Level Two School Crossing Guards that are represented under the leadership of our President Sean D. Francois, the first. Local 372 respectfully request the City to restore the School Crossing Guards vacancy positions that were cut off from the previous budget, city funding to support the promotion of a citywide public awareness campaign to stop the violence against School Crossing Guards and permanent reforms to School Crossing Guards, paid practices conforming the same that the DOE support staff types. Local 372 has long testified the need to hire additional school crossing guards. It's vital in order to keep our children safe from danger of reckless drivers and to ensure that our crossing guard members are not stretched thin by the continuous decline of staff.

1 Student pedestrians often face major safety traffic
2 hazards every day caused by double and triple parked
3 cars and buses stop sided [sic] in close proximity to
4 school buildings, and school crossing guards are
5 often the first line of defense in ensuring the
6 safety of these students. These workers have risked
7 their own health, safety and lives to perform vital
8 services to the community, and as the members of the
9 crossing of the guards continue to decline, thousands
10 of children cross main intersections without any
11 supervision, putting our children's' safety in
12 jeopardy. The need for increased protection for our
13 student pedestrians and members of our community make
14 it essential that the City of New York allocate
15 funding for the additional hiring of the school
16 crossing guards. In 2023, Mayor Adams authorized the
17 elimination of almost 500 open crossing guard
18 positions, completely eliminating the hiring of
19 additional school crossing guards. And just last
20 year, in March, an eight-year-old boy lost his life
21 due to the driver's recklessness just five blocks
22 from school. By eliminating these open positions and
23 not hiring additional school crossing guards send a
24

dangerous message, the safety of New York school children is not the City's priority. Local--

CHAIRPERSON SALAAM: [interposing] Can you-- I see that you're reading your testimony. In the interest of time, if you have that to submit to us, that would be great. That way it'll be a part of the record.

GLENYS RIVERA: Will do.

CHAIRPERSON SALAAM: Thank you. I appreciate it.

ARISLEYDA SKINNER: Good afternoon, Chair Salaam and distinguished members of the Public Safety Committee. My name Arisleyda Skinner. I am the President of Local 5911 of DC37, representing the New York City 911 Operators. My understanding is that the NYPD Commissioner Tisch today stated that the 911 calls aren't going into a voicemail. In correction of her statement, our 911 calls are going into a recording. I wanted to play a recording, which I will submit, of today march 11 during her testimony by a civilian who called 911 for her mother-in-law whose sugar level was up 500 and was disoriented and unable to speak to a live 911 operator. So [inaudible] EMS responded 'til 10 minutes after. I want you to know

1 that a fire can double its size within 30 seconds,
2 transforming a small flame into a raging inferno in
3 minutes. However, when you call 911 you might end up
4 going straight into a voice recording. When someone
5 stops breathing, cardiac arrest can follow within
6 moments. The brain can only survive for three to four
7 minutes without oxygen. Moreover, time response for
8 the NYPD is crucial when a person's attacked-- is
9 under attack or in danger. A reliable 911 system is
10 essential for the safety and wellbeing of our city.
11 Chairman, unfortunately, over the past few months and
12 as recently as today, calls to 911 have been directed
13 to a voice recording due to shortage of operators and
14 increase in sick callouts caused by burnouts and fear
15 of not being able to go home after every shift.
16 After their shifts are due, excessive mandatory
17 overtime is required of every 911 operator. It is
18 important to emphasize that 911 operators are the one
19 group that cannot afford to be short-staffed as
20 they're responsible for dispatching or connecting
21 emergency responses such as EMS, FD and NYPD. When
22 individuals are in distress, it is our operators who
23 answer those calls, calm a mother who's losing a
24 child, talk to someone off a ledge, and comfort those
25

1 who are having difficulty breathing until an
2 emergency response arrives in-person. The
3 emergencies are numerous and we need to be alert and
4 focused and provide the best possible assistance.
5 With that, I conclude. New York City's 911 system is
6 in crisis due to the severe understaffing with fewer
7 than a thousand active operators handling a
8 population of 1.2 million+ people in this city.
9 Again, we are in an emergency situation today. The
10 number of unanswered calls, mandatory overtime, high
11 absences, and resignation rates among operators
12 impacting the wellbeing of job performance on our
13 operators and the safety of New York City. The City
14 Council is urged to address this crisis by increasing
15 staffing, improving transparency, prevent-- to
16 prevent a potential strategy. Sir, my full testimony
17 will be submitted with you today as well as recording
18 of today's audio. Thank you for giving me this
19 opportunity to speak, and I will take any questions
20 if needed.

21
22 CHAIRPERSON SALAAM: Thank you.

23 OLIVIA DUONG: Good evening, Chair Salaam
24 and the members of the Public safety Committee. My
25 name is Olivia Duong and I am President of Local 3778

of District Council 37, representing 300 civilian NYPD professional titles such as Criminalist to Research Scientists. I got a little bit excited today when I heard DA Melinda Katz mention the need for a forensic crime lab and that's because I'm here today to highlight the urgent need for a new facility for our hardworking forensic scientists under the city title of criminalist working at the NYPD police laboratory. The need for a new updated forensic laboratory building is long overdue. Currently, there are just 400 employees working in forensic chemistry, firearms analysis, and crime scene units out of a five-story building in Queens built in 1930, originally a department store refitted as a college university, and most recently a chemical laboratory, firing range and office building. The current facility is outdated and in a constant state of repair and disrepair. I believe that many years ago our former Forensic Investigations Chief testified right here in this room about how urgently we need a new home. Millions of dollars have been put into our roof just to ensure it doesn't leak. Our operations have long out-grown the space provided for our testing needs. In short, our workers deserve a state

of the art facility with ventilated spaces so we can safely handle bulk powder evidence of unknown origin like fentanyl, xylazine, fake oxy tablets, and increasingly more hazardous and toxic chemicals. We need safe spaces to test live firearms in the increased case load of ghost guns. I ask the committee to ensure that this is put into the NYPD capital budget on behalf of civil servants who are rarely seen or heard, but make a profound difference and impact to public safety in New York City. In spite of many facility challenges we face, my colleagues have strived to maintain the highest quality and integrity of their forensic work for the citizens of New York City. I will submit a written testimony for the record. Thank you for your time.

CHAIRPERSON SALAAM: Thank you.

JANE FOX: Good evening. Thank you for the opportunity to speak. My name is Jane Fox. I am the Chair of the Legal Aid Society Attorney's Chapter at the Association of Legal Advocates and Attorneys. We are United Auto Workers Local 2325. UAW 2325 represents over 3,400 active and retired legal services workers at over 30 nonprofit organizations in the New York City metro area and beyond. UAW 2325

members are attorneys, paralegals, social workers, investigators, and support staff. We are the workers who guarantee community safety by making sure New Yorkers have access to justice in our courts and vital social services in our city. While our members are an essential labor force, decades of underfunding has led to untenable working conditions. We are facing a student debt crisis. Our salaries and retirement benefits have failed to keep pace with our counterparts in the District Attorney's offices and Corporation Counsel, and this inequity in our funding speaks volumes about who is valued in the legal system. When our wages stagnate, the services our clients receive are degraded. Our members are dedicated to public service, and when we can no longer afford to stay, we go to jobs in the public sector that have better salaries and real pensions, such as the Attorney General's Office and the Office of Court Administration. Positions requiring experience go unfilled, leaving those who remain overburdened with rising caseloads. Our salaries are just too low and the cost of living in the City is just too high. In 2025, UAW 2325 has fundamentally changed the terrain of legal services through our

union organizing, and now over 95 percent of legal service workers in New York City are UAW 2325 members, and this year we have aligned the contracts of over 2,100 of our union members across 12 chapters to expire on June 30th, 2025 for potential sector-wide strike in July that could shut down courts across the City. And while we are committed to bargaining in good faith with our employers, and while we do not want to strike, we are prepared to withhold our labor to win a future for thousands of our members who need better wages for here long-term. In fiscal year 26 we are asking the Council to fully fund legal services so our employers can meet our core bargaining demands. Together, we are bargaining to establish a living wage floor of \$70,000 for our entry-level members. We are bargaining to guarantee a minimum 4.5 percent COLA. We are bargaining to ensure our retirement benefits match what public sector employees get in the state retirement system. And finally, we are bargaining to increase salaries to keep pace with agencies such as the federal defenders an Attorney General's Office to retain our most-experienced members. Our members are not immune from the affordability crisis that has hit this city.

Austerity budgets in legal services hurt our union and they hurt New Yorkers.

CHAIRPERSON SALAAM: If you can submit the remainder of your testimony--

JANE FOX: [interposing] I just have--

CHAIRPERSON SALAAM: so that it could be.

JANE FOX: one final statement which is that settling fair contracts centered on these demands provide stability to our members and assure working class New Yorkers get the absolute best legal representation, because they deserve nothing less.

CHAIRPERSON SALAAM: Thank you. I do have a question for this panel. How many hours of overtime are 911 operators working?

ARISLEYDA SKINNER: Sixteen hours.

CHAIRPERSON SALAAM: Sixteen hours.

ARISLEYDA SKINNER: We are scheduled to work eight hours. Some are on 12, but we're mandated for 16 hours tours every day.

CHAIRPERSON SALAAM: You said every day.

ARISLEYDA SKINNER: Majority of the members are ordered every day.

CHAIRPERSON SALAAM: Sixteen hours daily.

ARISLEYDA SKINNER: Every day.

CHAIRPERSON SALAAM: 911 calls.

ARISLEYDA SKINNER: Almost 150 calls a day, working on three to four hour sleep, because most of our members are working on three to four hours of sleep every day for 16 hours.

CHAIRPERSON SALAAM: And just-- you made a statement and I wanted to get some clarity. You said the 911 calls are going to voicemail?

ARISLEYDA SKINNER: They're going into a recording system. I have the recording for you when-- to provide to you as well. As of today and last week, when you call 911 you will get a recording telling you to stay on the line followed by TT tap which is like a-- sounds like you're going into a fax machine, and it will continue to tell you to hold, hold, hold until a live operator comes on. It can take up to a minute to two minutes for a live operator to come on. The statement I made about the issue that happened today with one of the civilians, was she had to wait for a minute or two for that call to go through, 10 minutes for EMS to respond to the person who needed assistance.

CHAIRPERSON SALAAM: Alright. Any time where the call is not being answered at all?

ARISLEYDA SKINNER: No. We eventually pick up, eventually.

CHAIRPERSON SALAAM: But it could take time.

ARISLEYDA SKINNER: it can take time.

CHAIRPERSON SALAAM: like you're saying, in terms of like--

ARISLEYDA SKINNER: [interposing] And again, we are not aware of the caller is stating on the other line. So you can have someone's child who is not breathing. She has to wait until that call gets responded for us to give her EMS on the line. While there's a fire in your home, you have to wait on the line until we get on live to transfer you to the Fire Department. So no one gets the emergency dispatched until we're live on the phone call.

CHAIRPERSON SALAAM: Well, thank you for your testimony. I'd now like to call to the witness table Tina Luongo, Lisa Schreibersdorf, Anthony Martone, Juval Scott.

PIYALI BASAK: Piyali Basak.

CHAIRPERSON SALAAM: Piyali, got you.

PIYALI BASAK: Hi, Council Member.

CHAIRPERSON SALAAM: Perfect. I didn't want to jump [sic] that one up. So, just to remind you, you have about two minutes to speak. Once you hear the audible chime, try to wrap in the interest of time. We have a lot of people that are signed up. You can start in any order you'd like. Oh, just press the button.

PIYALI BASAK: Okay. I'm saying that I wish we had the five minutes, but I'll be brief. My name is Piyali Basak. I'm with the Neighborhood Defender Services of Harlem. I'll introduce myself and I think my colleagues are going to introduce themselves. As you know, our offices provide constitutionally mandated representation for those who are accused of crimes. Collectively, our organizations represent thousands, thousands of largely Black and Brown New Yorkers each year. But the Council supports us. You're familiar with our work, because we're more than just public defenders. We offer holistic interdisciplinary defense representation. So what does that mean? We work with attorneys, advocate, and administrators who work collectively because everyone is invested in our mission to fight for justice and equity for the

1 communities that we serve. Let me give you some
2 examples of that. It looks like a social worker who
3 sits for hours with a young client who's facing
4 arraignment, making sure they are released and able
5 to go home. It involved investigators who are being
6 trained to keep up with the ever-changing landscape
7 of technology which is vital to ensure that have
8 access to critical discovery to get cases resolved
9 quickly. It-- and most importantly I think so
10 critically it involves advocates who are accompanying
11 clients to sometimes life-saving mental health
12 substance abuse treatment. And the earlier that our
13 teams get involved, the more successful our advocacy,
14 but we want to discuss why we need increasing
15 funding. For the greatest impact that funding has
16 had in the last few years is that it's impacted our
17 ability-- inability to offer competitive salaries
18 which my colleagues will discuss. So what we are--
19 and we'll have a joint statement to actually lay out
20 what our specific requests are, as well the response
21 to some of the statements made earlier, but our ask
22 is a 25 increase-- 25 percent increase on the
23 personnel budgets of our baseline contracts to raise
24 existing salaries. Just three more statements. Our
25

ask also increases funding to support the rising cost of health insurance on our baseline contracts to support the increase, the substantial increase we're seeing in OTPS, the occupancy cost, rental cost, and as well as supporting our homicide contract which we very much need additional funding to support our homicide contracts. So, I think each of my colleagues will speak specifically about those requests.

CHAIRPERSON SALAAM: Thank you.

JUVAL SCOTT: Hi, good evening. I'm Juval Scott. I'm the Executive Director of the Bronx Defenders. I began as the Executive Director for the Bronx Defenders about six months ago. I started there after a two-decade career in the federal public defender system, and so I have spent the last two decades really working towards making sure that the promise enshrined in Gideons-- Gideon vs. Wainwright came to fruition. I was heartened to hear the prosecutors say that they, you know, want a system that is fair and one that looks at people as individuals. That's precisely what public defenders do. we tell the stories of the people who find themselves entangled in the system, in the criminal

1 legal system or other systems, and we make sure that
2 each of those people is seen as an individual and not
3 merely a cog in the wheel, that the system is not one
4 where people who find themselves, you know, in courts
5 across the city agree treated as though they are
6 similar or exactly the same as people who are
7 standing next to them. the reason why this is
8 important is because those people like myself who
9 spend decades in public defense, people who want to
10 be public defenders, we do so knowing that we could
11 go and have far more lucrative careers in big law
12 incorporations, but we don't because the work that
13 we're able to do to serve the community is sustaining
14 for us. But what is different in New York City than
15 the federal system is the way that public defenders
16 are paid. And I think it boils down in some ways to
17 the fact that public defenders even in this process
18 year are not even seen in the role that they-- as
19 important as they are. We are constitutionally
20 mandated service. We are a service that is provided
21 in accordance with, you know,-- in accordance with
22 the condition. But here today, we were given two
23 minutes to respond to a very big issue, and I'll wrap
24 this up very briefly which is we need more money.
25

Public defenders are sustaining large rates of burnout because we live in the world's most expensive city, but the pay has not keep pace. And it's very different. There are public defenders right here in the City in the federal defender system who make more money, and it's a part because the federal government has decided that they will not allow public defenders to be less than their counterparts on the other side of the aisle, that public defenders in the federal system will make at least as much as they prosecutors that they have cases against. New York City could make that same commitment to public defenders, if not more. It's not a perfect model, because prosecutors get other benefits, pensions, thing of that nature that we would never get. But at a minimum we could do that. It would stem a burnout. It would allow us to like stem the tide of attrition that happens in public defender offices, and it would allow us to serve the community and the clients that really on our services. And so I'm asking you, the Council, to make sure that we're properly funded to provide that 25 percent increase so that people who want to be public defenders and one of the most expensive cities

in this country have the opportunity to do so and will stay.

CHAIRPERSON SALAAM: Thank you.

ANTHONY MARTONE: Good evening. Thank you for giving us the opportunity to speak to you today to advocate for our city's public defenders and thousands of residents we represent each day. My name is Anthony Martone. I'm the Executive Director of Queens Defenders, and today I'm calling out to New York City Council to support a 25 percent salary increase for public defenders. This increase will bring our staff salaries closer to the recent increases in the 18B [sic] assigned council plan and to aid in the retention of our staff. Our attorneys are trained only not only to enhance legal skills, but also to represent our clients beyond the case itself and to use services for our offices creating opportunities for change which minimize recidivism. This could only be done in a public defender office, but it's become increasingly challenging to keep talented attorneys once we've instead in that. Experienced attorneys often leave around the third or fourth year for more lucrative government jobs or to gain the 18B council plan which recently has received

an increase in hourly compensation from \$75 an hour to \$158 an hour. That's 110 percent increase that aligns with the federal assigned council and meets the minimum wage requirement to maintain effective council for indigent New Yorkers. An 18B attorney billing 35 hours a week, which is modest, makes over 100-- \$287,000 a year. Public defenders compensation on the other hand is woeful inadequate. 18B's increased hourly rate is both for felonies and for misdemeanors. Supreme Court judge knowing this usually give enhanced rates for felonies, up to \$200 an hour as they realize misdemeanor attorneys are getting paid the same. When Governor Hochul increase the 18B rate, she acknowledged that it was a fair rate, and she also said this is absolutely a need. The work we do is-- the work they do is critical. Since discovery reforms, attorneys spend countless hours combing through-- combing through gigabytes of data and watching hours upon hours of body-worn cameras. All defense attorneys spend much more time in each case. The difference is 18B counsel bill for each hour when we do not. We urge the City Council to increase the funding of public defenders to include a 25 percent salary increase for the critical work they

do for New York City's residents and provide the City with a more cost-effective option for representing client who cannot afford an attorney. This increase would demonstrate the value of their work, the lives they change, the vital role they play in New York City's criminal system, and simultaneously support the retention of high-quality staff. Our organization spends years of training and development. Thank you.

CHAIRPERSON SALAAM: Thank you.

TINA LUONGO: Good evening and thank you very much for this opportunity, Chair Salaam, and also for your dedication to sit here and listen to the testimony. I'm Tina Luongo. I'm the Chief Attorney of the Criminal Defense Practice, and I've the people of New York City as the chief defender and a public defender at Legal Aid Society for over 20 years. And from that seat I have watched the City reform laws-- bring some segment of justice and fairness to the criminal legal system's Stop and Frisk, right, remove broken windows policing from our courts, but I have to admit that with my status of being somewhat of a veteran at this table. I am perplexed and very disappointed in the level of

1 information or misinformation that was shared earlier
2 today about discovery reform in our state. And I
3 feel that while the issue of salaries for public
4 defenders and monies for our office is critically
5 important, we also have to set the record straight to
6 some of the things that were shared today. Let's be
7 honest about discovery first and foremost. The
8 discovery law that was passed in Albany in 2019 and
9 went into effect January 1st, 2020-- two months
10 before the world stopped with a pandemic. Did not
11 create more discovery to be handed over. It simply
12 requires the prosecutors to turn over discovery that
13 tests. So when I practiced when I first started in
14 New York City in this county over at 100 Center
15 Street, and my client was to take a plea or go to
16 trial or go to hearing, and I was given 15 pages of
17 papers and told to try the case; we did. But that's
18 not justice. That's not fairness. That created
19 wrongful convictions. That created tons of appeals
20 and delays on the backs of the people we represented.
21 The fact is that yes, discovery reform created the
22 obligation of prosecutors to turn over more, and we
23 actually agree with the prosecutors on a few points
24 here that I think are important. technology and
25

1 staffing is critical which is why three years ago all
2 the defender chiefs and all the prosecutors wrote the
3 Mayor and told the Governor what was needed was
4 funding, and that funding just started to flow only a
5 couple of years ago, and I want to set the record
6 straight. You heard DA Gonzalez talk about a system
7 that they're putting in place that will make
8 efficient discovery review. They're building that
9 system now. It's not in place. Legal Aid Society is
10 using that same vendor. Our system isn't in place
11 either, because it takes a really long time to put
12 that technology in, and I raise that because Governor
13 Hochul's proposal is not a tweak. It isn't going to
14 be more efficient, and in fact, it's going to cause
15 more delay, because I will tell you what the public
16 defenders in New York City will do-- and state. We
17 will file motions because we aren't getting the
18 proper discovery, because under the Governor's
19 proposal, the prosecutor will be able to dictate what
20 gets turned over or not. We will fight that. The
21 last thing I want to say, and I know there are other
22 people, but I'm hoping that the folks that are here
23 in the public want to understand what discovery--
24 what the data shows. Felony cases are not being

1 dismissed. The OCA data shows that, and Judge Zayas
2 who testified in the state hearing specifically was
3 asked whether or not cases are being dismissed and
4 his answer was felony cases are not being dismissed
5 as a result of discovery. So I--

6
7 CHAIRPERSON SALAAM: [interposing]
8 Question about the discovery.

9 TINA LUONGO: Yes, please.

10 CHAIRPERSON SALAAM: Why is it so
11 difficult from the defense's perspective for the New
12 York City prosecutors to comply with the discovery
13 laws? Is it a managerial or a technological problem?

14 TINA LUONGO: What I've been saying is
15 it's not a law fix. It's a management fix. And the
16 management fix-- here's the reality. NYPD holds all
17 the evidence for the prosecutors. They have to
18 process it. NYPD has to process it, store it and
19 hand it over to the prosecutors. No money was put on
20 the table in 2019 to build out a system. The
21 prosecutors admitted today that they're just building
22 that system out. It's a system called NICE. Four of
23 the five prosecutors are going to be using it. DA
24 McMahon is opting out of that. That is going to
25 allow NYPD to share electronically that data, and the

1 prosecutors then to review it, analyze it and turn it
2 over to us electronically. That's key. There is
3 also a bill that's sponsored by Senator Myrie and
4 Assembly Micah Lasher that would allow the
5 prosecutors automatic access to take the discovery
6 from NYPD themselves instead of waiting. The other
7 issue I want to say is they talked a lot earlier, and
8 I agree-- we all agree that we need more staffing
9 because of discovery. You need more-- perhaps they
10 need more prosecutors. Our argument would be we need
11 more defenders. But more importantly, you know who
12 we need? We need paralegals, what we call litigation
13 assistants at Legal Aid Society, non-attorneys
14 trained on analyzing, organizing, getting the case
15 ready. Do you know the model that works out there?
16 It's called law firms. Law firms in our city and
17 across this country deal with terabytes and terabytes
18 of discovery. The model they use is they put
19 paralegals in place first so that lawyers could
20 lawyer. So that if you're a prosecutor, your ADA can
21 move that domestic violence case to a trial or a
22 hearing. If you're a defense attorney, your
23 attorney's resources are to be over to court or at
24 Rikers or investigating a case to be ready for trial.
25

1
2 Monies need to be used to put that type of staffing
3 in place. And more money needs to be put towards the
4 technology to get it set. And the key here is if we
5 can do that, the law doesn't need to be rolled back,
6 because it's not the law that's going to create the
7 efficiency. It's staffing and technology.

8 JUVAL SCOTT: And I would just note that
9 in the federal system, you know, that is the way that
10 it is constructed. We've been dealing with terabytes
11 of information since before the discovery law here.
12 We had the structure that Tina mentions with
13 paralegals and different staffing, and it allows
14 attorneys to really be able to process through the
15 information efficiently. It's the right thing to do.
16 It's the constitutional thing to do. People should
17 know what the evidence is against them. When
18 procedures charge cases, they know that. There's no
19 reason to delay handing that over to defense counsel.
20 And I'd note that when cases are picked up and go
21 into federal court. The New York-- NYPD doesn't seem
22 to have a problem handing it over to federal
23 prosecutors. So it seems to be something that is
24 reserved prosecutions here in the City as opposed to
25 when they want to go to something different.

CHAIRPERSON SALAAM: So, I want to know also, is there a ratio of paralegals to lawyers that you would find ideal?

TINA LUONGO: There's a standard that historically we use which is 10 to one, and I'll tell you that's not sufficient.

JUVAL SCOTT: I was going to say, in federal offices it was about four to one.

TINA LUONGO: right. And that was what we had been asking for a number of years, but it's also the training that paralegals should be getting. Our paralegals, we call them again-- we have paralegals and we have litigation assistants. They do very different things. A paralegal will file motions and go to the-- file subpoenas, prepare paperwork. A litigation assistant sits on the case with the defense attorney and organizes all the evidence, indexes it, organizes it, and then presents that to a lawyer. The lawyer then says watch the body-worn camera and give me a synopsis of that. And I'm going to give you a story of a litigation assistant that started last year, sorry in September. Litigation assistant, a case was pending a long time. We heard that they were still working out of COVID

backlog. This case was pending a really long time.

The lawyer had looked at some of the evidence, but

did not have the time to look at all of it. The

litigation assistants watched the body-worn camera,

and after-- our client was out in the community, not

in luckily at Rikers. The litigation assistant found

information on the body-worn camera that when it was

presented to the District Attorney, the case was

dismissed, because it showed that actually the client

had not done what the police had alleged to do.

That's the power of people. Changing the law will

not help that, especially the governor's version that

would have probably allowed a prosecutor to perhaps

not turn over all the body-worn camera evidence,

right? Because they could in essence choose. The

other issues that I think is really a solution that

we need to lean on and I'm going to credit DA

Gonzalez for talking about it, and that is the pilot

in Brooklyn that OCA, Judge Zayas has actually

implemented-- and what I heard DA Gonzalez to say and

I agree with him is that the pilot is working.

Placing a judge and senior members of OCA to

negotiate and convene a meeting that talks about--

"DA's what'd you turn over? Defense, what do you

1 still need? How much more time do you need? Okay,
2 we're going to set it down for trial." -- is working,
3 is working. And so that should be our goal, our goal
4 that has not rolled out yet in the other four
5 boroughs. It's in process, but that's a solution that
6 doesn't require a law to be rolled back. It actually
7 will move things and are moving things quickly. So
8 funding people and the OCA having a judge call
9 conferences, which again happen I think in the
10 federal system all the time. Mirroring our system to
11 more efficient to more efficient systems across the
12 country and in the federal system is the answer we
13 should all be leading on.

14
15 CHAIRPERSON SALAAM: And I just have a
16 last question for this panel. Can you please give us
17 your perspective on this DA-- on this? DA's have
18 claimed larger dismissal rates on misdemeanor cases
19 based on technicalities. Is this what you see as the
20 defense part?

21 ANTHONY MARTONE: Well, I think what the
22 prosecutors are doing in anticipation of an argument
23 to remove the law is that everything gets dismissed.
24 They're just blaming on dismissals as far as
25 discovery. If a complaining witness doesn't come

forward within that same 90 days of an A misdemeanor or 60 days on a B misdemeanor, and they don't have a supporting deposition, that case gets dismissed.

That happened all the time prior to discovery laws and after the discovery laws. But that the DAs are doing-- you manipulate numbers to anything you want them to say. They're all-- they're just clustering them into dismissals as to-- and contributing them to discovery dismissals. Now, did they give discovery in those cases? No, because they know they-- they knew they weren't getting a supporting deposition. So they'll put down that no discovery-- couldn't get the discovery over, so the case is dismissed. It could be insufficient and they'll say they didn't turn over discovery. Therefore, the case gets dismissed on discovery issues. And I think it's calculated differently with felonies and misdemeanors. Pretty much all misdemeanors, they just attribute to a lack of discovery. Because the felony dismissals aren't happening, they really can't do that. And there's studies in OCA and other studies that you can look at that shows quite clearly dismissals actually done in some counties, and the reason why they're down, because it's not because of discovery. I was on a

1 trial-- in the middle of a trial. I got three
2 discovery during trial. I made three challenges to
3 the significant compliance. It did not get dismissed
4 even though it was happening in the middle of a
5 trial. Judge said take over night, take a look at
6 it. I'm not dismissing the case. That's a fallacy
7 thinking that felonies are getting dismissed because
8 of discovery, and it's outrageous that I sat here for
9 some of this today that there were actually
10 government officials saying that people who are
11 caused of a crime should not the discovery which
12 could then lead to unlawful convictions. And we know
13 that's been the fact. That's been proven. Lack of
14 discovery leads to unlawful convictions. Why would
15 someone have to sit in jail for 20, 30 years and then
16 say oh, we should have turned that over? It's
17 outrageous to even go near that.

18
19 JUVAL SCOTT: And I'll also just add that
20 I think we have to be careful and steer clear of
21 naming of prosecutors and ability to meet their
22 constitutional obligation a technicality. It's not a
23 technicality. And so I think we have to be really
24 careful when we frame it that way. They have an
25 obligation to the public. They have an obligation to

the accused, and so they have to meet that obligation. When they don't there is a process, there are laws, there are things that happen on the other side of that. That's not a technicality. It's the rule of law.

CHAIRPERSON SALAAM: Well, definitely thank you for your testimony. Thank you.

TINA LUONGO: Thank you for your time.

ANTHONY MARTONE: Thank you for your time.

JUVAL SCOTT: Thank you so much for your time.

CHAIRPERSON SALAAM: We'll take a five-minute break before the next panel is called up.

[break]

CHAIRPERSON SALAAM: Thank you for your patience. I'd like to call up the next panel. When you hear your name, come up to the witness table to speak. You will have two minutes to speak. I will recognize about the topic of today's hearing, the budget. If you have written testimony that you wish to submit for the record, please provide a copy of that to the Sergeant at Arms, and you may also email written testimony to testimony@council.nyc.gov 72

hours of the close of this hearing. Audio and video recordings will not be accepted. Next panel that I'm going to be calling is Corinthian Black [sp?], Rob DeLeon, Meg Egan, Megan Marcelin, Megan Kirk, and Guiles McCally [sp?]. So, you'll have-- okay. You'll have two minutes to speak. Once you hear the chime from the clock, that means to begin to wrap your testimony. And you can start in any order you would like.

MEGAN FRENCH-MARCELIN: Thank you, Chairman Salaam. My name is Megan French-Marcelin. I'm the Senior Director of Policy at the Legal Action Center. Today, I testify on behalf of the New York City Alternatives to Incarceration and Reentry Coalition, a network of 12 service organizations with decades of experience in providing holistic community-based supports to justice-involved New Yorkers. Collectively, our programs serve more than 30,000 New York City residents each year. The ecosystem of providers that I represent now work in front-end alternatives to detention and incarceration as well as back-end reentry services. We have been a model nationwide for how you get to a more equitable human-centered justice system, and we do this work

1 with pennies on each dollar that the City allocates
2 to the DOC, to the NYPD and other law enforcement
3 entities. Decades of research demonstrate that ATI
4 programs are more effective than incarceration at
5 improving public safety outcomes, decreasing the
6 chance of future convictions, improving employment
7 rates and generating significant savings for tax
8 payers. Across New York City, ATI and reentry
9 programs yield reductions in homelessness and
10 psychiatric hospitalizations, as well as increases in
11 health-seeking behavior, relational connections,
12 meaningful participation in the economy, as well as
13 over desistence from crime. And yet, I sit before
14 you today representing the aforementioned ecosystem
15 now staring down what I heard today over \$16 million
16 of cuts. I will just ask that these cuts be
17 restored, and we are asking for an increase from City
18 Council of \$2.4 million to continue this work. The
19 rest of my testimony is submitted written.

20
21 CHAIRPERSON SALAAM: Thank you.

22 MEG EGAN: Good evening. My name is Meg
23 Egan and it is my honor and privilege to lead the
24 Women's Prison Association. Chair Salaam, I want to
25 thank you for the opportunity to testify today.

Throughout our 180-year history, WPA has been a force for change, challenging the systemic inequities that criminalize and marginalize women, particularly Black and Brown women. For these women, incarceration is not merely a consequence of a single event, but the result of compounding systemic failures, poverty, housing instability, trauma, and lack of opportunity. The harms and failures of Rikers Island are real. The cost to families, communities, and the City is immeasurable. Mothers are separated from children. Communities lose contributors. The cycle of inequity perpetuates and deepens. But what if there was a different way, a way that prioritized prevention, provided support, and treated justice as an opportunity for restoration rather than punishment. WPA envisions that path forward. There are just over 400 women held on Rikers Island right now. We believe that together with our partners we can develop the services and support to make the community the public safety-minded default rather than Rikers Island. Our work will center on the following priorities to develop the infrastructure of services to meaningfully address the compounding and systemic failures that diminish safety. As Megan

said, the City must not just restore the ATI and reentry funding currently cut, but expand these essential and effective programs. We are also requesting funding to lay out a clear and practical pathway to make incarceration for women obsolete in New York City, funding to provide robust clinical care to our clients and improve outcomes-- to improve outcomes and public safety, and funding to develop a robust discharge planning infrastructure to ensure that planning begins the moment a woman sets foot on Rikers Island. Through this work, WPA will break barriers, shatter systems, and reshape societal norms to significantly reduce the number of women incarcerated in New York City. This will significantly increase the opportunity, financial security, and stability for women, their families, their communities and our city. Thank you.

CHAIRPERSON SALAAM: Thank you.

MEGAN KIRK: Good evening, Chair Salaam and members, thank you for hearing me today. My name is Megan Kirk. I'm Team Leader of CASES Nathaniel Assertive Community Treatment, member of the ATI Reentry Coalition. At CASES, we know that New York City's most pressing safety problems are solved best

1 by supporting people, not jailing them, and our
2 programs do what jails cannot. We provide our clients
3 opportunities to recover, reintegrate, and succeed in
4 their communities. The budget is an opportunity to
5 invest in that vision. However, the proposed cuts
6 would compromise the City's safety, and we joined
7 with the call. I was heartened to hear so much
8 support throughout today's testimony for investment
9 in mental health, alternative to incarceration, and
10 the programs we hear today provide. So I'd like to
11 share with you about Assertive Community Treatment,
12 as Nathaniel is the nation's first and now only one
13 of two alternative to incarceration or detention.
14 Assertive Community Treatment teams, we are a long-
15 time evidence-based cost-effective intensive
16 holistic, multidisciplinary community approach to
17 providing services for people who have serious mental
18 illness who have demonstrably not been served by more
19 traditional treatments. This includes psychiatric
20 care, nursing care, peer support, and because of MOCJ
21 and City Council funding, we are also able to provide
22 holistic housing support, substance use support to
23 provide the services that our clients need. I would
24 like to share about one such anonymized client today
25

1 who might live in one of your districts. His name is
2 Alfred. He's a Black man in his 40s. He has
3 experienced intense persecutory delusions and
4 paranoia for as long as he can remember. He
5 experiences command hallucinations which means that
6 he hears voices telling him to do certain things. He
7 was referred to us after a high-profile felony
8 arrest. After he had been released, but it was
9 identified he was not doing well with that clinic
10 referral he had been given on discharge. After we
11 built rapport with Alfred we were able to identify a
12 medication regimen that served him. Over time, he
13 was able to gain employment, develop community
14 connection as he has no family support, and today,
15 he's doing well after graduating from Mental Health
16 Court in the fall. We join the request to enhance
17 the funding for people we serve. Thank you.

18
19 CHAIRPERSON SALAAM: Thank you.

20 CORINTHIAN BLACK: Good evening to all
21 and thank you to Council Committee Chair Salaam and
22 Committee Members for the opportunity to testify
23 today. My name is Corinthian Black. I am a former
24 gang member and an individual who's known to carry a
25 loaded firearm. Today, you see a full-time community

1 navigator with the Atlas Hope Program, partnered with
2 the Fortune Society, a member of the Legal Action
3 Center Youth Advisory Board, an emerging adult for
4 the Annie E. Casey Foundation and much more. As a
5 product of an ATI program, I believe the concept of
6 alternative to incarceration should be the staple in
7 our communities. I support law and order, but prison
8 is not the only solution. The ideology of the
9 correctional system is based upon punishment and not
10 rehabilitation. Some say if you did the crime, you
11 must do the time, but there are alternatives like ATI
12 programs. I was mandated into Fortune Society for a
13 year. If that's not doing the time, I don't know what
14 is, and it wasn't easy. Initially, I was skeptical
15 thinking it would be like Rikers Island filled with
16 people from various backgrounds, including those with
17 gun cases like mine. After a few weeks, I started
18 opening up at Fortune which became my safe haven, and
19 thinking for a change, and anger management classes
20 was very therapeutic, teaching me about myself and
21 different ways to handle conflict. I learned that
22 walking away from confrontation takes more discipline
23 than reacting in anger, a lesson reinforced by
24 mentors with extensive prison experience. This
25

1 highlights the need for credible mentors for youth
2 like those provided by ATI program. I realized that
3 my decisions have wider impacts, a lesson carried
4 into my daily life. Fortune empowered me. Even
5 created the first of kind Client of the Month Award
6 for me. They introduced me to influential settings
7 and supported my development of a youth curriculum
8 backed by the Annie E. Casey Foundation. Now I'm he
9 provider. Through my youth focus group and my work
10 with Atlas Hope, I support individuals age 16 to 40
11 who are justice-impacted and high at risk. I build
12 trust within the community and motivate those I once
13 stood alongside and others, assisting them and
14 finding employment and achieving stability. In
15 neighborhoods like the Bronx, Queens, Brooklyn, we
16 often encounter smoke shops, Kentucky Fried Chicken,
17 liquor stores that promote unhealthy lifestyles. I
18 believe we should allocate funding to establish more
19 ATI programs in these areas giving justice-impacted
20 individuals a better chance to thrive. Instead of
21 waiting to intervene after youth have committed
22 crimes, we need to be proactive and support them
23 while they're young. Thank you for the opportunity
24 to share my testimony.
25

CHAIRPERSON SALAAM: Thank you.

ROB DELEON: Excuse me. Good evening.

Thank you, Chairman Salaam, for your great work and support over the years and for hearing us tonight.

I'll summarize my statement here that I've submitted.

My name is Rob DeLeon. I'm the Deputy CEO at the

Fortune Society. At the Fortune Society, last year,

we served over 13,000 individuals who've had, you

know, impacts with the criminal legal system, and

those individuals were able to be connected to jobs,

to housing, to addiction treatment services, to

mental health services, to health services, to be

connected to medical professionals. And through

doing this work we helped to enhance public safety. I

think it's really, really important to note that

three out of five prosecutors today and the Special

Prosecutors mentioned the importance of ATI programs,

as did our partners at MOCJ. And so the idea that

we're looking to cut ATI programs versus to enhance

them in order-- in compliance with the law, close

Rikers Island ultimately is just-- it doesn't make

sense to me or to any of us. The kind of work that we

do, my story, I tell it pretty often in forums like

this. you know, when I went to prison I was 17 years

1 old when I was interrogated by police and went
2 through adult prisons and, you know, have an adult
3 record on my rap sheet for as long I will. You know,
4 thanks to the Clean State Act, hopefully that will
5 soon be erased. But individuals like myself, the
6 difference between me and someone like Corinthian is
7 that I've been doing this for 21 years and Corinthian
8 just started his career, but ultimately, the work
9 that we do helps to enhance public safety and is an
10 important piece of it. We shouldn't be cutting it.
11 We should be enhancing. Thank you everyone.

13 CHAIRPERSON SALAAM: Thank you all for
14 your testimony. I do have a question regarding-- so,
15 it was mentioned about the cuts, and I'm wondering
16 regarding the ATI Coalition, can you provide examples
17 of the types of programs and services that the City
18 will lose-- that the City will lose from the
19 aforementioned budget cuts that were discussed?

20 ROB DELEON: So, I could start in saying
21 that we don't yet know which of our programs will be
22 cut. That's something that once those cuts come
23 down, we'll be informed of. And the way Fortune is
24 structured is we blend our funding in order to
25 provide services to anyone who walks through our

1 doors who's been in contact with the criminal legal
2 system. What I can guarantee is that the number of
3 people that we're able to serve will decrease
4 significantly, and that won't have any positive
5 impacts on public safety. When individuals aren't
6 connected to opportunities to thrive, they result to
7 the things they know to survive. So, I can't name
8 the programs, but I will say that ATI and reentry
9 services will absolutely be decreased for the folks
10 that we serve.
11

12 MEGAN KIRK: And just to add a little bit
13 of color to that, you know, our programs are a
14 lifeline and a lifetime commitment to people. We work
15 with clients years, sometimes decades after their
16 mandate ends. There are folks that will come in to
17 Fortune or to Osborne or to WPA or to CASES and say,
18 you know what, I need a little bit more support 20
19 years later, and we are here. So our benefits extend
20 well beyond what we are budgeted, because we make
21 commitments that go on forever. But I can tell you
22 that our programs are far more effective than Rikers
23 is at public safety, because they-- as you heard
24 today, they enhance people's lives. They connect
25 people to communities, to healthcare, to jobs, to

1 stability that we need to be able to thrive. So, as
2 people deteriorate on Rikers, they're built in our
3 program.

4
5 CHAIRPERSON SALAAM: Thank you all for
6 your testimony. This has definitely been
7 enlightening. Thank you.

8 ROB DELEON: Thank you.

9 CHAIRPERSON SALAAM: I know we called--
10 I'm going to call the next panel. You'll have two
11 minutes to speak once you are called up: Hailey
12 Nolasco, Darren Mack, Andrew Sta. Ana, Yvette Chen
13 [sp?], Hadeel Mishal. Thank you. You may begin in
14 any order you'd like.

15 HAILEY NOLASCO: Okay, thank you.
16 Greetings Chair Salaam. My name is Hailey Nolasco,
17 Senior Director of Government Relations at the Center
18 for Justice Innovation. Thank you so much for the
19 opportunity to testify today. Public safety is a
20 pressing concern for New Yorkers, but true safety is
21 built on sustainable community-driven solutions. Gun
22 violence and systemic accountability remain
23 challenges, and the criminal legal system too often
24 fails to address the root causes of crime, leaving
25 vulnerable communities at greater risk. We must

recognize that harmful practices like Stop and Frisk have disproportionately harmed vulnerable communities, undermining trust in systems. This is why continued investment in community-driven initiatives are critical. We thank the Council for their ongoing investments in our programs such as our neighborhood safety initiatives and the New York City Crisis Management System, which our SOS Save Our Streets program is a part of, working to reduce gun violence, and ask for this work to be sustained. As mentioned earlier today by District Attorney Clark and District Attorney McMahon, we are also urging our city partners to support the establishment of a fully operational Community Justice Center in the South Bronx as well as well as in Staten Island. This will bring vital resources to those most at risk of violence and helping them engage with the support and services they need. Next, programs addressing gender-based issues are especially vulnerable in these times. Our Staten Island and Queens Community Justice Centers have seen a rise in female-identifying ATI participants in 2024 with 200 women in Staten Island and 334 women in Queens. Women in the justice system face unique challenges including

1 higher rates of abuse and mental health struggles. To
2 address this, we are advocating for the development
3 of Empower Her, a program to provide targeted support
4 for women. Similarly, the Rise Project tackles the
5 intersection of intimate partner violence and gun
6 violence, partnering with anti-gun violence
7 organizations by raising awareness and providing
8 direct services, case management and healing circles
9 for those experiencing IPV. It also engages youth in
10 programs that promote healthy relationships and
11 public safety. We are advocating for increased
12 support citywide to address increases in intimate
13 partner violence. This is our moment to stand with
14 our communities and invest in solutions that create
15 lasting transformative change. Thank you so much for
16 your time. A full list of our budget requests have
17 been submitted with our testimony. Thank you.

18 CHAIRPERSON SALAAM: Thank you.

19 DARREN MACK: Thank you, Chair Salaam,
20 for the opportunity to testify today. My name is
21 Darren Mack. I'm the Co-Director of Freedom Agenda,
22 and we're one of the organizations leading the
23 campaign to close Rikers. Our members have both
24 experienced Rikers and been impacted by crime, and
25

they know what works to create real public safety.

It's things like housing, healthcare, work opportunities, mentorship and safe community spaces.

While Mayor Adams has said he wants to close the pipeline that feed Rikers, his proposed budget would do the opposite. The Mayor's budget proposed \$11.8 million in cuts to the Office of Criminal Justice for alternatives to incarceration and reentry programs while allocating \$150 million to hire 1,100 more correction officers. The mayor's proposed cuts to alternatives to incarceration and reentry programs are clearly not an economic necessity. If our city were truly facing budget constraints, the Mayor would not plan to spend \$150 million to hire 1,100 more correction officers this year when DOC already has about four times more officers per person in custody than the average U.S. jail system. The proposed cuts also ignore the wishes of crime survivors. A recent survey of crime survivors in New York City showed that three of four prefer alternatives to incarceration and mental health treatment instead of jail. The proposed cuts are also not in line with evidence-based practices. Given the documented successes of ATIs reentry programs compared with

research that shows that people detained at Rikers are more likely to be rearrested than those who are not. So why would the Mayor propose a budget like this? It could be a lack of vision or it could be a giveaway to a corrupt union that has supported him but isn't for the benefit of New Yorkers. We're calling on the City Council to ensure that the Adopted Budget paves the way for New York City to deliver on the legal and moral obligations to close Rikers Island, including restoring and increasing funds for ATIs and reentry programs. We will submit along with this testimony of our full budget analysis that outlines the amendments needed to the fiscal year 26 budget to pave the way to closing Rikers and passing the people's budget. Thank you.

CHAIRPERSON SALAAM: Thank you.

ANDREW STA. ANA: Good evening. I want to thank Chair Salaam for holding this hearing and giving the Asian American Federation the opportunity to testify on the public safety needs of our community. My name is Andrew Santa Ana and I am the Interim Co-Executive Director of AAF representing the collective voice of more than 70 member nonprofits serving 1.5 million Asian New Yorkers. My written

1 comments are going to be much more detailed, so I
2 just wanted summarize here. In 2025, public safety
3 for New York's Asian community is at risk due to rise
4 in anti-immigrant policies, ICE's encroachment upon
5 city authority, and increased violence against
6 Asians. These factors undermine the trust and
7 systems meant to ensure safety in a city long-seen as
8 a sanctuary. At AAF we understand that during this
9 unstable climate, community-based organizations play
10 a vital role in keeping folks out of the criminal
11 legal system but also maintaining public safety. I
12 want to raise a couple programs that we use for your
13 evaluations. As you know, as each wave of
14 immigrants, anti-Asian violence and anti-immigrant
15 sentiment ripples through our communities, many Asian
16 New Yorkers are increasingly afraid to leave their
17 homes. They're reluctant to engage in the broader
18 community. indeed immigrant-- recent increases in
19 Islamophobia affecting South Asian, Arab, Muslim and
20 Sikh communities, as well as the resurgence of anti-
21 Asian sentiment following the November 2024
22 Presidential Election underscored the ongoing threats
23 by Asian New Yorkers. We encourage the City Council
24 to re-up its support for AAF's Hope Against Hate
25

1 Campaign which is a program that we developed through
2 the pandemic to sustain the essential delivery of
3 life-sustaining programs, including multilingual
4 safety trainings, youth programs and victim support
5 services. Through this program and another program we
6 hope to launch to protect immigrants and Asian
7 Americans, we urge the City Council and members of
8 the Committee to consider the following
9 recommendations to ensure that all New Yorkers feel
10 safe in their city, to support Asian-led and serving
11 organizations to connect them to necessary services,
12 to increase funding for anti-violence and immigrant
13 safety programs like our Hope Against Hate Campaign,
14 and of course, provide in-language services to aid
15 victims' healing and improve their health. We look
16 forward to working alongside the City Council and
17 members of this community to restore a sense of
18 public safety. Thank you.

19 CHAIRPERSON SALAAM: Thank you.

20 UNIDENTIFIED: Thank you Council for
21 being here and taking time to listen to us. I came
22 here before previously and I was asking for
23 assistance back in 2023. For years I've been asking
24 for assistance because law enforcement had brutally
25

1 assaulted me. They pinned me to sidewalk. They
2 cause bodily injuries. So, I'm just mentioning some
3 of the cases that we have in the news which I gave
4 everybody a copy. Everybody has one? I have extra.
5 This guy named Steve Tally [sp?]. He was arrested,
6 made homeless, and blocked from getting a job. This
7 person name is Nella Gomez [sp?], New York City
8 Police Detective, she was assaulted like I was, and
9 then police claimed that she was crazy. This is
10 another one, New York City police officers Adrienne
11 [inaudible]. He had evidence against police. Thrown
12 on the sidewalk because police was scared of him
13 exposing their corruption. So, law enforcement likes
14 to terrorize people, and since they like to do that
15 so much, just [inaudible] that the Council Member
16 calling cops terrorist. There was another one by the
17 President calling the people who stormed the Capitol
18 terrorist which included a couple of people in law
19 enforcement. So, this came from like a lawyer's
20 website that mention do we have the right to defend
21 ourselves against the police, which we do. So, my
22 question is, what steps do you suggest that we take
23 when we're being brutally assaulted by police? What
24 would you tell your mother, your grandmother, your
25

daughter or your sister if they're being terrorized by police? What steps would you suggest that they take to get the terrorism to stop? I'll just go ahead and listen to your answers. Like anybody can answer.

CHAIRPERSON SALAAM: Well, definitely thank you for your testimony, all of you. There's no questions for this particular panel. Thank you.

UNIDENTIFIED: So, there's no suggestions to get law enforcement to stop attacking me?

CHAIRPERSON SALAAM: Yeah, we-- this is not the form for that particular conversation. We're talking about the budget in this particular thing. So I wanted to be respectful and make sure that you were heard even though it wasn't necessarily on topic. Thank you. We'll now hear testimony from-- we'll now hear from the virtual testimony on Zoom. We'll hear from Hadeel Mishal.

HADEEL MISHAL: Hello. It's Hadeel.

CHAIRPERSON SALAAM: Hadeel.

HADEEL MISHAL: Alright, good afternoon. Well, good evening at this point, Councilman Salaam and the Committee on Public Safety. We appreciate the Council's past support of our work with LGBTQ+

and HIV affected survivors of violence. My name is Hadeel Mishal and I am the Lead Organizer at the New York City Anti-Violence Project. AVP is the only LGBTQ specific victim service agency in the City. We operate a bilingual 24/7 hotline and provide free and confidential legal services, counseling, community organizing and advocacy. We also provide professional trainings on how to create culturally responsive, inclusive, and affirming programs for our community. Hate crimes have been on the rise in New York City in the past five years with the numbers doubling between 2018 and 2023. Anti-gay hate crimes have risen by 141 percent and hate crimes against transgender New Yorkers have risen by 140 percent. These numbers are under-reported for a variety of reasons, language barriers, mistrust in the police and fear of retaliation just to name a few. Time and time again, the solutions to violence that the City offers up is to increase the number of police officers. Our answer is to keep funding service organizations like ours who do the hard work of helping clients report, access to resources, and seek justice through the legal system. For the LGBTQ community, oftentimes the police serve more as a

1 barrier rather than help in cases of violence. One of
2 our clinician's clients called the NYPD to report
3 domestic violence and then was arrested instead
4 because their partner weaponized the client's mental
5 health diagnosis. Another incident was a Spanish-
6 speaking client who was drugged and sexually
7 assaulted. The police apparently did not take their
8 report. Our office had to contact the LGBTQ liaison
9 who then supported the client with the report.
10

11 SERGEANT AT ARMS: Thank you. Your
12 time's expired.

13 HADEEL MISHAL: [inaudible] have to go
14 through this. I'm sorry?

15 SERGEANT AT ARMS: Your time's expired.

16 HADEEL MISHAL: Oh, okay, I'll just warp
17 up. Finally, I'll tell you about one more client,
18 John. John was wrongfully shot by a NYPD officer
19 years ago. He survived but his injuries left him
20 with a permanent physical disability and a lot of
21 trauma. The NYPD's internal investigation found the
22 officer to be in the wrong. He's an immigrant and
23 despite living in the country for decades, there's
24 been no movement on his asylum case. He's being
25 stonewalled by the NYPD in pursuit of his immigration

1 status, and we are unable to serve justice in this
2 way. And we have the capability to proudly support
3 our clients with your support. So thank you for the
4 opportunity to testify, and I hope we can come
5 together to continue this partnership and build more
6 community-led safety initiatives. Thank you.

8 CHAIRPERSON SALAAM: Thank you. Before
9 proceeding with the other people on Zoom. I would
10 like to call up to the witness table Constance Lisol
11 [sp?], Christopher Leon Johnson, William John, and
12 Sharon Brown.

13 CHRISTOPHER LEON JOHNSON: Ready?

14 CHAIRPERSON SALAAM: You can start in
15 whichever order you'd like and you have two minutes
16 to speak.

17 CHRISTOPHER LEON JOHNSON: Thank you.
18 Good afternoon, Chair Salaam. My name is Christopher
19 Leon Johnson. First off, I know it's kind of off-
20 topic, but you sir should jump on the Progressive
21 Caucus's letter in showing your support for Mahmoud
22 Khalil and calling for his release from ICE custody.
23 Free Mahmoud Khalil. Please support him, brother.
24 Please, please sign the letter. But I want to talk
25 about this right now that, first off look, we need to

1 make sure that ShotSpotter stays in the City of New
2 York. We need to expand the contract to ShotSpotter.
3 They need to put one by my house on Lincoln and
4 Buffalo because they be shooting up the block near my
5 house, but they need to put ShotSpotter there. While
6 we're at it about Rikers is that, look, I'm-- yeah,
7 we need to close Rikers because it's a big situation
8 over there, but to keep it real that it's not a lot
9 of space when it comes to these borough-based jails.
10 Like, where you going to put these people at when you
11 close them down? And one more thing I want to say
12 about this whole situation about-- I just heard from
13 the testimony from DC37 about the lack of-- like,
14 they-- what 16 hours a day at four days a week, 64
15 hours a week, and there's only less than a thousand
16 people that work 911. I know Andrew Cuomo is going to
17 be the next Mayor. I know this is political, but the
18 truth of the matter of the fact is that he's going
19 for the hiring of 5,000 more cops. Instead of him
20 hiring-- instead of Cuomo hiring for 5,000 more cops,
21 he need to call for the hiring of 5,000 more 911
22 operators, because that will fix everything with the
23 situation with overtime and stuff like that, and it
24 will get people chance to get a job in the City of
25

1 New York. So, 5,000 more 911 operators, you know
2 what I mean? We already have enough cops. 34,000
3 cops is already enough cops in the city of New York.
4 Issue with the NYPD is that they need to do more
5 proactive policing instead of reactive policing.
6 That's why you got a lot of overtime, because they
7 anticipate a lot of things for the OT, and it
8 shouldn't be like that. So, thank you. Thank you so
9 much.
10

11 CHAIRPERSON SALAAM: Thank you.

12 CHRISTOPHER LEON JOHNSON: Thank you.

13 WILLIAM JUHN: Good evening, Chair
14 Salaam. My name's William Juhn. I'm a Senior Staff
15 Attorney at New York Lawyers for the Public Interest.
16 Thank you for this opportunity to testify today. I'd
17 like to talk about two things today. First, the
18 Mayor's Involuntary Removal program allows untrained
19 police officers who have no expertise with
20 individuals with mental [sic] disabilities to detain
21 by them force and remove them to psychiatric hospital
22 against their will, solely because the officer
23 believes the individual had a mental disability. We
24 do not in any way support the failed policies of our
25 broken mental health care system that leaves at-risk

1 individuals at unacceptable states of distress and in
2 deterioration. But the best way of preventing risk
3 to individuals with serious mental illness is through
4 the expansion of the evidence-based and community-
5 based mental health services. Second, we need to
6 stop police violence at mental health crisis calls.
7 In the past nine years alone, 20 individuals were
8 killed by police while in mental health crisis. In
9 New York City, 85 percent of them were Black or were
10 other people of color. We already know that peers
11 and trained mental health professionals are best-
12 equipped to de-escalate crisis and connect
13 individuals to care. Unfortunately, the City's
14 current program such as B-HEARD program does not meet
15 this goal. The B-HEARD still authorizes extensive
16 police involvement, is likely to continue the violent
17 response by the NYPD. In fiscal year 2024, for
18 example, more than 70 percent of all mental health
19 calls in the B-HEARD pilot areas were still directed
20 to the NYPD. The City must remove police entirely
21 from the equation. For example, CCITNYC is a
22 coalition of over 80 New York City organizations and
23 it has already developed such a proposal in which
24 teams of trained peers and EMTs who are independent
25

of the city government would respond to mental health crisis. We therefore urge this council to support a truly non-police peer-led system in response to mental health crisis calls. Thank you very much.

CHAIRPERSON SALAAM: Thank you for your testimony. We will now resume Zoom testimony. Calling Tarina Garamella [sp?].

SERGEANT AT ARMS: You may begin.

ALLISON HOLLIHAN: Hi, my name is Allison Hollihan. I'm stepping in for Tarini [sp?] and I'm the Director of the New York Initiative for Children of Incarcerated Parents at the Osborne Association. It is critical for NYPD to fully implement the New York City Safeguarding Children of Arrested Parents Law passed in 2019. This law requires NYPD to adopt guidelines for safeguarding children present during an arrest. We train officers and provide families with information about supportive community services. We are grateful for the City Council funds we received to collaborate with NYPD to implement this law. This included training over 6,000 NYPD officers who tell us that our training helps them consider children's perspectives. It helps them take steps to reduce trauma and to better communicate with

1 children, but we've only trained a small portion of
2 the 36,000 uniformed members of service which is why
3 it's critical for us to collaborate with NYPD to
4 develop a sustainable training plan. It is also
5 imperative for us to expand the network of community-
6 based support to ensure all children can access
7 support post-arrest. We encourage the NYPD to
8 collect data on how many children witness a parent's
9 arrest to identify trends and to ensure support is
10 available for children in all neighborhoods. NYPD
11 has declined to do so. In 2019, the New York City
12 Criminal Justice Agency found that people arrested
13 supported more than 60,000 children in New York City,
14 making it clear that this work is critical. CJA is
15 no longer collecting this data and we do not know how
16 many children witness a parent's arrest. We urge the
17 Council to introduce a bill requiring NYPD to collect
18 this data. We also seek to assist the New York
19 Department of Corrections in developing a protocol
20 and to train personnel on how to safeguard children
21 whose caregivers are arrested while visiting Rikers
22 Island. We hear this happens regularly. In closing,
23 Osborne seeks discretionary funding from the Council
24 to ensure that a sustainable NYPD training plan is
25

implemented, community support is expanded, and collaborate with DOC to safeguard children whose caregivers are arrested while visiting Rikers Island. Thank you.

CHAIRPERSON SALAAM: Thank you. I now call Melissa Vergara.

SERGEANT AT ARMS: You may begin.

MELISSA VERGARA: Hello. Good afternoon. My name is Melissa Vergara. I am a member of Freedom Agenda and a mental health clinician. I'm here today to urge you to reconsider the City's budget priorities in the name of true public safety, specifically invest in alternative to incarceration, reentry programs rather than increasing the NYPD and District Attorney's budget. The proposed \$12 million in budget cuts to these crucial programs is a step in the wrong direction and will only perpetuate cycles of harm and instability in our communities. The reality is jail/prisons do not provide effective mental health treatment. Incarceration only exacerbates existing conditions, deepens trauma, and making integration into society more difficult. Research has consistently shown that individuals struggling with mental health and substance use

disorders are disproportionately incarcerated rather than treated. New York City must stop prioritizing punitive measures, and instead [inaudible] community-based alternatives that offer mental health and substance use treatment, stable housing, and job training, solutions that reduce recidivism, successful transitions to communities that promote real public safety. It costs over \$500,000 per year to keep one person at Rikers Island. The mayor has budgeted \$150 million to hire over 1,000 more corrections officers in the coming year. The money could be used to fund treatment and support services that prevent incarceration in the first place. My son is a 23-year-old with intellectual and developmental disabilities along with a mental health diagnosis and spent two and a half years at Rikers Island without mental healthcare. His symptoms in crisis were always met with solitary confinement, repeated use of force from correction officers who lacked training and [inaudible] de-escalate situations often escalated them. While [inaudible] correction facilities, he endured the same trauma, the same abuse. Now, as he prepares for reentry, his parole officer rejected his return to family and

1 instead pushing for him to be placed in a shelter,
2 further destabilizing his transition and denying him
3 the support he desperately needs. His story is not
4 unique. It is a reality for thousands of New Yorkers
5 caught in a system that punishes rather than heals.
6 This is not justice. This is not public safety.
7 Public safety is a city where individuals
8 experiencing mental health crisis are met with
9 trained professionals instead of police who lack the
10 necessary expertise--

12 SERGEANT AT ARMS: [interposing] Your time
13 is expired.

14 MELISSA VERGARA: [inaudible] is ensuring
15 having access to housing, job training, mental health
16 and substance use treatment so they do not end up
17 incarcerated in the first place. Public safety is
18 investing in people, not punishment. Thank you.

19 CHAIRPERSON SALAAM: Thank you. We'll
20 now hear from Samy Feliz.

21 SERGEANT AT ARMS: You may begin.

22 SAMY FELIZ: Good evening. My name is
23 Samy Feliz and I'm reprinting the Justice Committee,
24 a grassroots organizations committed to ending police
25 violence and systemic racism in New York City. I was

born and raised in Washington Heights and in the Bronx, and to me, public safety is very personal. My brother Alex Feliz was killed by NYPD Lieutenant Rivera and Officers Almonsar and Barrett [sp?] in 2019. Lieutenant Rivera who has since been promoted despite a record of 41 misconduct allegations, two fatal shootings, has received over \$1.6 million in salary and benefits from 2020 to 2024. This is an egregious misuse of city money and it is not keeping New Yorkers safe. Lieutenant Rivera continues to patrol the street despite the fact that the CCRB and NYPD Commissioner of Trials have recommended he be fired. The city resources have been wasted to fund Lieutenant Rivera's abuse of New Yorkers and this is not an exception. The CCRB's 2024 annual report shows that police misconduct complaints are at the highest since 2012 and it's been increasing annually under Mayor Adams. Along with the NYPD's budget last year, NYPD paid out over \$200 million in police misconduct settlements. Instead of continuing to flood the city resources into policing and criminalization, we're calling on the City Council to invest in services that will actually increase safety and wellbeing for our communities. The Justice

Committee supports the City Council's Progressive Caucus call for an investment of \$61 million in true non-police public safety solutions. This includes \$22 million to create more intensive mobile treatment teams and \$7 million for more [inaudible] assertive community treatment teams, both which will have long wait list. And also include \$6 million for new respite centers and \$9 million for expanded mobile syringe services. These investments will be life-changing for New Yorkers. Last year--

SERGEANT AT ARMS: [interposing] Your time has expired.

SAMY FELIZ: [inaudible] and NYPD officers shot Salvatoria Longi [sp?] and Matthew Franco in front of his family while struggling with mental health complexities. Wen's [sic] family believes that if trained mental health workers would have responded to Wen's call rather than an NYPD, he would have had access to quality mental health services he would still be alive today. We're calling for the City Council to fully fund the Civilian Complaint Review Board along with [inaudible] by the NYPD and Lieutenant Police Union.

The CCRB's lack of funding contributed to my brother's case lagging on--

SERGEANT AT ARMS: [interposing] Your time is expired.

SAMY FELIZ: for over half a decade, and my family's experience is not unique, especially given historic high rates of police misconduct. Under the current administration, the CCRB must be given the funding that it needs to do its job. Even if it's funded at \$44 million, the CCRB's budget would only be 0.7 percent of the NYPD's budget. Thank you.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Benjamin Engel.

SERGEANT AT ARMS: You may begin.

BENJAMIN ENGEL: Hello. Thank you. Good evening, Chair Salaam and Council Members of the Public Safety Committee. I'm a program manager with the Third Avenue Business Improvement District in the Hub. We're the oldest BID in the Bronx founded in 1990, and we serve the communities of Mott Haven and Melrose. The Hub sees hundreds of thousands of shoppers daily, and the BID represents over 200 businesses. I would like to advocate that the City Council prioritize public safety in the Hub in the

following ways: Have a strategic NYPD presence that prioritizes foot patrols over vehicular patrols. Strengthen community relationships by funding the Community Affairs Program for the 40th precinct, and ensure that the community room at the 40th precinct is active for youth programming. Ensure that security cameras are placed throughout the commercial corridors. Address retail theft of small businesses by allocating additional officers to hold security assessments with business owners. Ensure that officers who confront persons with mental health challenges receive proper training. Make sure that the NYPD coordinates with DOT and the Parks Department to ensure public safety in pedestrian plazas and parks. And finally, expansion of the police athletic league programming to provide afterschool options for youth in the district. We understand that public safety is larger than just having a police presence, and we advocate that Bronx residents have pathways to good jobs. Additionally, there needs to be proper support for people suffering from addiction. Thank you for your time and we look forward to working with you.

CHAIRPERSON SALAAM: Thank you. We'll now hear from Bryan Fotino.

SERGEANT AT ARMS: You may begin.

BRYAN FOTINO: Hi, my name is Bryan Fotino. I'm a tenant organizer at Catholic Migration Services and a proud member of the Association of Legal Advocates and Attorneys. Today, we heard a lot about prisons, but I want to talk about what public safety means to me. At CMS I've organized buildings across Queens, bridging connections among English, Spanish and [inaudible] speaking tenants to demand better living conditions. In one campaign organized tenants in Jackson Heights to sue their landlord in Housing Court. Through a combination of legal action, rallies, and media coverage, we pressured the landlord to make long overdue repairs. One tenant previously living with mold in the shower and a broken window now has a safe home and the confidence to continue advocating alongside his neighbors. While ALAA members are an essential labor force, decades of underfunding have led to [inaudible] tenable working conditions. I want to keep doing this work, but it's incredibly difficult to get by on my salary, especially after paying taxes, rent,

1 groceries, laundry, utilities, medical bills, and
2 student loans, and for our office assistants and
3 those supporting children, parents or elders, it's
4 even harder. However, ALAA has aligned a collective
5 bargaining agreement of over 2,000 of our union
6 members to expire on June 30th, 2025 for a potential
7 sector-wide strike. If management will not meet our
8 demands for fair compensation and realistic
9 workloads, our members are prepared to walk off the
10 job. A strike will paralyze courts across New York
11 City which depend on our members showing up each day.
12 In order to settle fair contracts for our members,
13 we're asking the City Council to fully fund legal
14 services including at least a 50 percent increase in
15 stabilizing NYC funding and at least a 35 percent
16 increase in housing preservation initiative funding.
17 This will allow our employers to meet our core
18 demands. Establishing a living wage floor of \$70k
19 for all legal services workers--

20
21 SERGEANT AT ARMS: [interposing] Thank
22 you. Your time's expired.

23 BRYAN FOTINO: [inaudible] guaranteeing
24 an annual minimum 4.5 percent COLA for all legal
25 services workers.

SERGEANT AT ARMS: Thank you.

CHAIRPERSON SALAAM: Test. We have now heard from everyone who has signed up to testify. If we inadvertently missed anyone who would like to testify in person, please see the Sergeant at Arms table to complete a witness slip now. If we inadvertently have missed anyone who would like to testify virtually, please use the raise hand function in the Zoom and a member of our staff will call you in the order of hands raised. I will now read the names of those who registered to testify but have not yet filled out any witness slip or appeared on Zoom. Seeing none, I would like to also note again that written testimony which will be reviewed in full by committee staff may be submitted up to the record 72 hours after the close of this hearing by emailing it to testimony@council.nyc.gov. Thank you. This now concludes today's hearing.

[gavel]

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COMMITTEE ON PUBLIC SAFETY

C E R T I F I C A T E

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



Date March 31, 2025