

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON IMMIGRATION

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HELD AT: 250 Broadway - Committee Rm.  
14<sup>th</sup> Fl.

B E F O R E: CARLOS MENCHACA  
Chairperson

COUNCIL MEMBERS: Margaret S. Chin  
Daniel Dromm  
Mathieu Eugene  
Mark Gjonaj  
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## A P P E A R A N C E S (CONTINUED)

Bitta Mostofi, Commissioner, Mayor's Office of  
Immigrant Affairs, MOIA

Sabrina Fong, Deputy Director of Research and  
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Amaha Kassa, Executive Director, African  
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JoAnn Yoo, Executive Director of Asian American  
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Jojo Annobil, Executive Director of Immigrant  
Justice Corps

Hasan Shafiqullah, Attorney-in-Charge of the  
Immigration Unit, Legal Aid Society

Lena Wood, Senior Staff Attorney, Shikh Coalition

Sajeet Kaur, Executive Director, Shikh Coalition

Sarah Gilman, Co-Legal Director, NSC Community  
Legal Defense

Gregory Copeland, Co-Legal Director, NSC Community  
Legal Defense

Rex Chen, Director of Immigration, Legal Services  
NYC

Nina Sullivan, Intern Paralegal, Malik Law Firm

Chhaya Chhoum, Executive Director, Mekong NYC

2 [sound check] [pause]

3 CHAIRPERSON MENCHACA: Buenos Tardes,  
4 everyone. Than you for being here today. I'm going  
5 to call this hearing [gavel] on Wednesday, June 12<sup>th</sup>.  
6 My name is Carlos Menchaca. I'm the Chair of the New  
7 York City's--New York City Council's Committee on  
8 Immigration. Thank you all for being here and  
9 joining us for today's hearing as we take a deep dive  
10 into the Mayor's Office of Immigrant Affairs' Annual  
11 report on Calendar Year 2018. I want to thank the  
12 members of the committee who are not here yet  
13 actually. I will say that we're in the middle of  
14 budget negotiations, and so there's a lot of things  
15 that are kind of happening today. There's three  
16 other hearings that are happening today. I will be  
17 leaving to go to that hearing for a quick moment.  
18 So, I will--I will disappear for a few minutes, but  
19 this is all in the spirit of doing good work for the  
20 city of New York. Over the last year we've had  
21 numerous hearings touching on specific programmatic  
22 features of MOIA's work from legal services for  
23 immigrants to IDNYC, our Municipal ID Program.  
24 Through the last two budget hearings we've gotten the  
25 opportunity to ask specific questions about the

2 resources that are being allocated to these and other  
3 programs. Today, we want to look at the data that  
4 informs the programs and policy decisions made by the  
5 Mayor's Office of Immigrant Affairs. How many of  
6 have read this? Raise your hand. Awesome. We have  
7 a warm crowd here. I you haven't you can con on  
8 your-on your phone and-and download it, and-and walk-  
9 walk through it with us. We've said this before, but  
10 it bears repeating now more than ever we are at a  
11 critical point in our history repeated and calculated  
12 attacks on immigrant New Yorkers are being  
13 orchestrated by the White House. These attacks have  
14 bee pervasive, targeting the most vulnerable through  
15 rule changes proposed for non-cash benefit  
16 recipients, deploying immigration-immigration  
17 enforcement at State Courthouses including a  
18 citizenship question on the decennial census form and  
19 acting to end temporary status for DACA recipients  
20 and TPS recipients. Now, more than ever it is  
21 critical that we make decisions take policy positions  
22 informed by data. Looking at Drivers Licenses for  
23 All Campaigns, the advocates have been calling for  
24 driver's licenses regardless of immigration status  
25 for years. Finally, the data coming from Connecticut

2 where similar legislation passed four years ago is  
3 providing the benefits—I'm sorry, is proving the  
4 benefits that advocates have been describing namely  
5 that 50,000 undocumented residents of Connecticut  
6 have taken the required driver's test and obtained  
7 driver's licenses. As a result, the state is  
8 reporting the 9% decrease in hit and run accidents—  
9 crashes, and a sharp decline in individuals found  
10 guilty of unlicensed driving. This data even  
11 translates to revenue for the state, an increased  
12 revenue derived from the State DMVs. It's metrics  
13 like these that can help make the case for similar  
14 policies in New York. With an eye to the power of  
15 the—of the data, the Council passed two laws in 2017  
16 to expand the scope of MOIA and ensure that programs  
17 and policies were informed by information and  
18 informed by data and coordination amongst the  
19 agencies, which is integral to the work accomplished  
20 for the success of all New Yorkers foreign born and  
21 native. I'm referencing Local Laws 185 and 186 of  
22 2017. The 2091 MOIA report provides descriptive  
23 statistics on the immigrant population of New York  
24 touching on the socio-economic realities faced by  
25 this population. The report describes federal and

2 state activity that has had an impact on immigrant  
3 New Yorkers before reporting on the many activities  
4 MOIA itself has engaged in over the last year. The  
5 report ends with a list of broad policy  
6 recommendations. As we update—digested this report,  
7 the result of Local Law 185 of 2017-2017, we have  
8 four areas of concern that we hope to address during  
9 the hearing today and look forward to continuing this  
10 dialogue as we move into the next year, MOIA's  
11 Calendar 2019 reporting period. So, these are the  
12 following concerns that we have: (1) A lack of  
13 consistent siting and detailed methodology making it  
14 difficult to decipher the descriptive statistics that  
15 were determined. (2) A general disconnect between  
16 the descriptive statistics included in the report and  
17 programmatic activities described. (3) A lack of  
18 success metrics for programs described making it  
19 difficult to measure the effectiveness of MOIA  
20 programming, and then finally (4) a lack of clear  
21 descriptions of MOIA monitoring agency efficacy in  
22 conducting outreach and serving immigrant  
23 populations. As required by Local Law 185, and  
24 further facilitated my MOIA's Task Force created by  
25 the Local Law 186. I look forward to digging into

2 these concerns today, and hearing from MOIA's staff  
3 on ways to improve the his report so that moving  
4 forward we can be stronger together ensuring that our  
5 programs and policies are truly motivated by data,  
6 and benefitting all immigrant communities and all New  
7 Yorkers. I want to thank the staff who prepared for  
8 this hearing: Committee Counsel Harbani Ahuja, and  
9 Committee Policy Analyst Elizabeth Kronk, and with  
10 that, I want to invite the Administration to join us  
11 at the--the dais over here, and I want to welcome our  
12 Commission Bitta Mostofi and Sabrina Fong from the  
13 Mayor's Office of Immigrant Affairs, and I also want  
14 to welcome the two Council Members, Council Member--  
15 Council Member Danny Dromm from Queens and Council  
16 Member Mathieu Eugene from Brooklyn, and we'll--we'll  
17 get you sworn now. Thank you.

18 LEGAL COUNSEL: Please raise your right  
19 hand. Do you affirm to tell the truth, the whole  
20 truth and nothing but the truth in your testimony  
21 before this committee, and to respond honestly to  
22 Council Member questions?

23 COMMISSIONER BITTA MOSTOFI: [off mic] I  
24 do.

25 LEGAL COUNSEL: Thank you. [pause]



2                   COMMISSIONER BITTA MOSTOFI: Now? Okay,  
3 great. Alright. Thank you to Chair Menchaca and  
4 members of the Committee on the Committee on  
5 Immigration. My name is Bitta Mostofi. I'm the  
6 Commissioner for the Mayor's Office of Immigrant  
7 Affairs, and I'm pleased to be here with Sabrina  
8 Fong, our Deputy Director of Research and Policy  
9 Advisor in MOIA who is also available to answer  
10 questions. I'm excited to testify about MOIA's  
11 Annual Report, which covered our work in 2018, and  
12 was published in March of this year. This report is  
13 a testament both to the extensive work that our  
14 office does in serving immigrants New Yorkers as well  
15 as the crucial research and analysis that MOIA  
16 conducts day to day. MOIA works with quantitative  
17 and qualitative data to inform program and policy  
18 design both for our office and our sister agencies to  
19 engage in advocacy at all levels of government and to  
20 tailor outreach to communities in need. My testimony  
21 today will discuss some highlights from the report,  
22 our analysis of demographic and program data, and how  
23 we use that analysis to inform the work. I look  
24 forward to discussing this important topic with you.  
25 This year's annual report, our second ever, included

2 new data on immigrant New Yorker and a detailed  
3 discussion of MOIA's successes in 2018. Beginning  
4 with a few notable demographic highlights, I want to  
5 start with the decline of undocumented immigrants  
6 living New York City. This decline is in line with  
7 national trends that predate the Trump  
8 Administration. Other research has shown that there  
9 has been a decline over the last decade. As noted in  
10 our report, this can be attributed to a number of  
11 reasons including a weak U.S. economy following the  
12 2008 housing market collapse, improved economic  
13 conditions in the country of Mexico, as well as  
14 heightened enforcement at the border. In this year's  
15 Annual Report, we presented a profile on household  
16 and family level data for the first time. This data  
17 shows that millions of U.S. citizen New Yorkers are  
18 deeply connected to the undocumented population.  
19 Nearly 60% of New Yorkers live in households with at  
20 least one immigrant and over a million New Yorkers  
21 live in a mixed-status household including over  
22 200,000 U.S. born children who live with undocumented  
23 parents or other household members. Included in our  
24 demographic profile of the immigrant population of  
25 New York City is an exploration of the many economic

contributions of immigrants. We know that over 75% of undocumented immigrants are in our labor force, that's it's higher than the labor force participation rate for the U.S. born population, which is about 65%. Immigrant New Yorkers are employed in a wide range of industries with over a quarter working in the key industries of education, health and human services, and in 2017, immigrants contributed an amazing \$228 billion to the city's GDP. Our report also highlighted ongoing demographic disparities by immigration status including economic disparities. Although immigrant New Yorkers participate in the labor force at the same or greater rates than the New York City born residents, in the U.S. immigrant's median earnings are significantly lower than those of U.S. born residents especially for undocumented residents. The median earnings for U.S. born residents is about \$49,000 compared to about \$26,000 for undocumented residents. Not surprisingly, undocumented immigrants have higher rates of poverty than New Yorkers more generally. According to our colleagues and our partners at NYC Opportunity, the NYC Government Poverty Measure shows that the poverty rate was 20% for all New Yorkers in 2016. When

2 accounting for immigration status, this jumps to  
3 about 23% for immigrant New Yorkers and about 31% of  
4 undocumented immigrants. The report also helps MOIA  
5 monitor changes in disparities over time. One area of  
6 good news is in the health-is in health insurance  
7 where the gap has begun to close due in part to the  
8 Affordable Care Act, and the city's efforts to expand  
9 coverage including a campaign by MOIA in 2016 to  
10 connect DACA eligible immigrants to Medicaid. The  
11 uninsured rate for non-citizens declined by about 14  
12 percentage points between 2012 and 2017. More work  
13 remains to be done and MOIA is excited to be working  
14 with our partners at NYC Health and Hospitals and  
15 with NYC Care, which will help ensure that all New  
16 Yorkers have access to the healthcare that they need.  
17 Part 2 of MOIA's Annual Report looks broadly at our  
18 Key Initiatives Programs and achievements. I have  
19 testified extensively about some of this work in  
20 recent hearings before this committee. To emphasize  
21 just a few of the office's successes, MOIA has  
22 coordinated multi-agency responses to various cruel  
23 and anti-immigrant policies on the federal level.  
24 This includes family separation and the proposed  
25 changes to the Public Charge Rule. MOIA expanded the

Poll Site Interpretation Project to the largest it's ever been sending interpreters to 101 poll site and serving about 2,000 voters in 2018. For immigrant legal services our report highlighted the expanded city investments in immigration legal services including removal defense, support for separated families and unaccompanied children and expanded immigrant legal services in Chinese, Korean and South Asian immigrant communities. Action NYC providers conducted over 9,500 comprehensive immigration legal screenings, an increase of about 21% compared to 2017 and opened over 6,200 new cases, an increase of about 285 compared to 2017. As part of the response to family separation, the city allocated \$4.1 million to legal services for migrant children, and as part of an initiative to serve hard to reach immigrant communities, MOIA coordinated the training of eight community-based organizations, who then were able to provide immigration legal services. The Annual Report has proved popular with stakeholders eager to use the data we provided about demographics and our programs. We held briefings for elected officials including the Council as well as for community groups. In addition to publishing the Annual Report

2 on our website, we shared the report with over 80  
3 community-based organizations over email. We  
4 distributed over 777 physical copies of the report  
5 including over 700 copies to community members who  
6 attended our Immigrant Heritage Week celebration at  
7 Gracie Mansion and those who attended these events,  
8 and dozens of copies to agencies, public and private  
9 healthcare staff and our library partners for NY  
10 citizenships. The response has been very positive,  
11 and we have heard anecdotally that the report has  
12 been useful both for advocates and for community  
13 members. In fact, our report has been extensively  
14 cited by multiple media outlets including NYC  
15 Noticias (sp?) NY1 Noticias, Korea Daily and US China  
16 Press. This shows the desire for the kind of data  
17 and analysis that the program—and program data that  
18 the report produces. Turning to our work in  
19 analyzing the demographic data, MOIA plays a key role  
20 in quantitative and qualitative analysis for the  
21 Mayor's Office, City agencies and the city at large.  
22 Central to this work had been our ability to used  
23 data to highlight ongoing disparities and barriers  
24 that exist within immigrant communities, and they're  
25 often driven by differences in immigration status.

2 To make these estimates, we work in close partnership  
3 with our city agencies, and demographers. Developed  
4 by NYC Office of Economic Opportunity, and in  
5 partnership with our national researchers such as the  
6 Center for Migration Studies, the city has developed  
7 a methodology to use American community survey data  
8 to estimate the city's various immigrant groups  
9 including the undocumented populations. The ACS is a  
10 national survey that the U.S. Census Bureau  
11 administers every year on 3.5 million households. It  
12 is designed to produce reliable estimates on small  
13 areas and smaller population groups covering over 35  
14 topics such as age, employment, education, English  
15 proficiency, and place of birth amongst others. The  
16 ACS makes this data available at the individual  
17 response level through the ACS Public Use Microdata  
18 sample, which are the anonymized individualized  
19 responses to the survey questionnaire. It is this  
20 micro data that serves as the foundation for the  
21 demographic data found in our Annual Report.  
22 Beginning with the non-citizen population in the  
23 Microdata, we make a series of assumptions, which we  
24 call, or the researchers do, logical edit [laughs]  
25 based on characteristics of what we know of non-

2 citizen populations to infer legal status.

3 Assumptions that infer status include occupations

4 that require legal status, receipt of certain public

5 benefits that require status, and certain immediate

6 relatives of U.S. citizens among others. These

7 assumptions help distinguish legal residents and

8 undocumented immigrants in the survey data. Next, in

9 order to further validate and refine our estimates,

10 we perform an adjustment based on recent federal

11 immigration data looking at actual Visa and Green

12 Card numbers that arrive and/or just status by

13 country of origin. This step called Country Controls

14 ensures that we can more accurately adjust our

15 estimates to reflect the changing immigration

16 patterns over time as well as to better account for

17 the diversity of New York City's population in our

18 estimates. Finally, we adjust the estimates for

19 under-counts of the undocumented population by about

20 7.5%. We use undercount assumptions that are

21 consistent with undercount rates measured by the

22 Census Bureau of the last few decades. The AC data

23 is released in 1-year and 5-year estimates. For this

24 year's report we chose to use the single year

25 estimates in order to provide the most up-to-date



2 snapshot of the city's immigrant population. NYC  
3 Opportunities Methodology as described is a result of  
4 decades worth of work from statisticians that has  
5 made it possible to come up with an increasingly  
6 accurate way to estimate the undocumented population  
7 in New York City. However, with any form estimate  
8 space on a sample, we are always subject to some  
9 error as well as misclassification errors based on  
10 our logical edits. Additionally, because our  
11 methodology is centered around the ACS Survey, our  
12 analyses are limited to the variables presented in  
13 that questionnaire. We are incredibly proud of the  
14 work that we've done with New York City Opportunity,  
15 and I'm going to go off script for one minute to just  
16 acknowledge Vicky Bergen (sic) who's here, who has  
17 really been the core person who's developed this.  
18 So, thank you Vicky, and this methodology and the  
19 data we have produced with it have allowed us to look  
20 deeper into the needs and the barriers of immigrant  
21 populations and families that we have ever been able  
22 to ever before. Moving now to the program data given  
23 the range of the programs that we oversee we  
24 collected and—and analyze a wide variety of program  
25 data. The data shows our successes and challenges

2 remaining for us both in terms of growth and in terms  
3 of concrete effects that the programs have in our  
4 communities. Choosing what information to collect is  
5 a central part of program design. For that reason  
6 the information we collect represents the diversity  
7 of the programs that we run and the differences in  
8 the rules of such programs. For example, knowing how  
9 many IDNYC cards have been issued is important, but  
10 when planning for the future it's equally important  
11 to understand why people seek out IDNYC and how they  
12 use that card. Not every data point is collected  
13 fore every program. A collection of certain  
14 information can impose a burden on the people we  
15 serve, and organizations that we fund. For example,  
16 the Administration's policies and Local Laws actually  
17 prohibit us from asking about immigration status for  
18 most programs, and with the reasons. Asking about  
19 immigration status when there is no need to do so can  
20 cause alarm amongst New Yorkers especially in this  
21 climate and chill service and uptake. Given the  
22 limits and the types of information we collect, there  
23 are corresponding limitations on how we can analyze  
24 that data. However, it's important to note the data  
25 we collect at point of service is the starting point

2 and not the end of our own analysis and understanding  
3 the efficacy of programs. There are other tools that  
4 we can and have used like focus groups and surveys to  
5 glean additional information about programs and how  
6 they serve immigrant New Yorkers. In addition to  
7 informing program design and outreach, data plays a  
8 critical role in bolstering our advocacy work. We  
9 regularly share research with stakeholders in other  
10 cities to help advocate and educate about the impact  
11 of federal policies on immigrant New Yorkers. For  
12 example, with the 2018 Dream Act Factsheet that we  
13 published, we were able to demonstrate that this bill  
14 would have benefitted 150,000 New Yorkers in our  
15 city. With data we are able to make our advocacy  
16 more compelling painting a fuller story about the  
17 population. For instance, that—in that group  
18 specifically on average they arrive here at the age  
19 of 11 and have lived here for 10 years or more. The  
20 Factsheet is just one example of how our office uses  
21 data as an important tool. Other examples include  
22 our factsheets presenting what increase immigration  
23 enforcement looks like in the city as well as what  
24 the impact of Public Charge could be in our city.  
25 These tools help inform our policy discussions as

2 well—here as well as across the country. We use both  
3 demographic and program data in designing programs  
4 that we oversee. The Poll Site Interpretation  
5 Project is a good example of a program that has been  
6 deeply influenced by demographic data. That is  
7 because our analysis of where there was need for the  
8 service was heavily based on where there was eligible  
9 voters with limited English proficiency, for which  
10 the DOE had not provided interpretation services.  
11 For the November 2018 General Election we analyzed  
12 languages spoken by the greatest concentration of  
13 eligible voters with LEP by poll place and identified  
14 six languages for which we could provide assistance  
15 with additional interpretation. We have then  
16 identified 101 poll sites with the highest  
17 concentration of eligible voters with LEP. We also  
18 often use demographic data in targeting outreach as  
19 well as producing materials. On multiple occasions  
20 we design and transit flyers for outreach we are  
21 doing in certain neighborhoods based on what we know  
22 about the demographics of that area. Again,  
23 demographic data is just the starting place for this  
24 kind of work. In many cases we will organize events  
25 to reach certain harder to reach communities even if

2 they are demographically smaller and harder to count.  
3 For example, we held a first ever Getty and Sunnah  
4 and Central American Town Hall in the South Bronx in  
5 collaboration with most of the City agencies and  
6 local community boards. Finally, MOIA employs a  
7 mixed up message to continually re-evaluate our work.  
8 This includes analyzing the program data described  
9 above and administering additional surveys,  
10 interviews with our providers and conducting focus  
11 groups directly with community members. These  
12 conversations with our partners in the field to help  
13 supplement this the story that we get from the data.  
14 MOIA's annual report is a great source of information  
15 we hope for our partners across the city. By  
16 highlighting both successes and challenges ahead the  
17 report provides a picture of the work that we do  
18 everyday. In coalition with our many partners across  
19 the diverse city, we will do our utmost to build a  
20 city where everyone irregardless of immigration  
21 status or place of birth can achieve their goals for  
22 a better future. Thank you again for calling the  
23 hearing and we look forward to taking your questions.

24 CHAIRPERSON MENCHACA: Thank you

25 Commissioner for your—for your testimony today and

2 presentation. I want to recognize Council Member  
3 Margaret Chin from Manhattan, Council Member MOIA  
4 from Queens, and Council Member Miller from Queens as  
5 well. Thank you for being here today. I'm—I'm going  
6 to start with one question, and really preface it  
7 with saying there's no doubt that the partnership  
8 that we have is—is critical and really building  
9 budgets and laws and policies together, and when we  
10 first developed the Law 185 is really under that—that  
11 premise of trying to figure out how we—how we can  
12 expand your ability as the Mayor's Office of  
13 Immigrant Affairs to give us a set of detailed  
14 reporting--

15 COMMISSIONER BITTA MOSTOFI: Yep

16 CHAIRPERSON MENCHACA: --and you went  
17 through some of them, and I think it's—it's—it's  
18 important that we're going to—we're going to kind of  
19 drill down. We hoped it would be self evident that  
20 we wanted a robust set of reporting that followed  
21 universally how tenets of publication, and that's  
22 what we're going to be showing you how we found that  
23 the reporting itself did not meet publication  
24 standards. For example, consistent citations, which  
25 appear to be missing throughout the report, and it's

2 from this vantage point that we'll ask some of the  
3 questions, and the first one that I want to—I want to  
4 point out is something you actually mentioned in your  
5 -in your testimony on page 3, at the bottom of page 3  
6 you talk a little bit about the logic—the logical  
7 edits, and you kind of really did a great job of  
8 explaining what logical edits mean, and how you can  
9 take this microdata with non-citizen population, and  
10 the report states that New York City is home to  
11 approximately 477,000 undocumented immigrants, but it  
12 didn't have a cite, and those are the kinds of things  
13 when we think about publications from the government  
14 especially New Yorkers who are helping us build  
15 policy is problematic. Thank you for addressing that  
16 in the testimony. I think that it's important, but  
17 that's a consistent issue that we saw throughout the  
18 report that I think don't meet our expectations.

19 COMMISSIONER BITTA MOSTOFI: Can I  
20 respond to that?

21 CHAIRPERSON MENCHACA: Sure.

22 COMMISSIONER BITTA MOSTOFI: Okay great  
23 and obviously Sabrina here who can go even deeper as  
24 needed. So, I guess the first place I'll start is to  
25 say the—I think the collaboration has been hugely

2 important and valuable, and I think it's worth  
3 noting, and kind of due to the fact that this is the  
4 second such annual report ever. [laughs] The fact  
5 that something like this has previously just not  
6 existed and really an intentional and thoughtful way  
7 of requiring and I think creating an expectation. He  
8 city cares enough about this pop—these populations  
9 that it's going deeper in understanding who they are,  
10 what their challenges, and how we can best be  
11 responsive to them is tremendous, and I think—you  
12 know, I'm super—very grateful that that is a shared  
13 goal of ours, and I think some of the challenges  
14 partially that you articulated at the beginning, and  
15 I'm sure that will be part of these questions are due  
16 to the fact that it's the second time, right that  
17 this is a new presentation of how we as a city are  
18 doing this work that—that even from last year to this  
19 year we've made some changes in how we do the  
20 analysis based on our learnings and understanding,  
21 and that really understanding what we're seeing in  
22 terms of an evolution of impact will take a little  
23 bit of time in the development of this research. We  
24 couldn't do, for example, a comparison this year of  
25 this sort of last year because it was too short a



2 distance, and the data or the changes wouldn't have  
3 been announced enough or significant enough to—to put  
4 forward. So, I think that is worth noting, and I  
5 think important for context in considering sort of  
6 why something might be there or isn't is that this is  
7 new, and it is—it requires a little—some time, right,  
8 to get or right or do some those with that analysis  
9 and that consideration. To answer to your question  
10 directly, we very intentionally made sure, in fact,  
11 that the methodology was published before we  
12 published this, and it is cited to actually the third  
13 footnote explains the methodology how it's utilized,  
14 and then the fourth footnote—or sorry. Yep, and the  
15 fourth footnote continuing does the same in speaking  
16 to sort of the samples that are—that are used, and  
17 maybe Sabrina if you want to sort of add to that.

18           SABRINA FONG: Sure. I think our third  
19 footnote we—and, I guess to avoid kind of citing  
20 every sentence almost with the same source, I think  
21 we just say: Unless otherwise noted, all data is  
22 from this augmented file of the 2017 One-Year  
23 American Community Survey Estimate, and—but I think  
24 it's helpful moving forward if we want more frequent

2 citations of the same source, and we're happy to  
3 discuss that as well.

4 CHAIRPERSON MENCHACA: Got it. So, let  
5 me—let me just do a quick response, and then I'm  
6 going to have Council Member Dromm ask a few  
7 questions while running to five different hearings at  
8 the same time, but I want to—I want to say that I—I  
9 appreciate the—the kind of—the sense of newness and—  
10 and essentially that's why we're having the hearing.

11 COMMISSIONER BITTA MOSTOFI: Yes.

12 CHAIRPERSON MENCHACA: So, we can—we can  
13 kind of have an open public conversations about  
14 those. We're going to hear from folks, and I want to  
15 hear from a lot of you who come and testify whether  
16 you agree or disagree, or what you want to see in the  
17 report as well. Part of this is to if we need to  
18 create more legislative fixes to this, we will do  
19 that, and that's part of our work here. I think—I  
20 think, though that—that this is a commitment that I  
21 want to see in the next—the next report. Citing is  
22 important. Every piece of data is so important to  
23 understand where it comes from because—because I—  
24 we're building policy around it, and as a municipal  
25 government we have such little power and the federal

2 government holds so much that we want to be able to  
3 make decisions at the budget level, and I'm just  
4 thinking about budget set that we're talking about,  
5 and how—how we're—how we're needing so much  
6 information. Now, when we think about our seniors and  
7 we think about our young people, when we think about  
8 people going to detention and the programs that—that  
9 this—this has to be understood at the fullest, and  
10 when I can—when I walked into spaces without  
11 understanding the data, it—it weakens the argument,  
12 and then I use in spaces we're negotiating budget,  
13 and that's—that's not something that we want. And  
14 so, this we're relying on you based on a lot of past  
15 agreements that—that—that data, and we're going to  
16 come back to some of the specific pieces. Okay, Danny  
17 Dromm from Queens.

18 COUNCIL MEMBER DROMM: Thank you very  
19 much. Alright, hi Commissioner, how are you?

20 COMMISSIONER BITTA MOSTOFI: Hi, Council  
21 Member. Hello, how are you?

22 COUNCIL MEMBER DROMM: Good, thanks.

23 COMMISSIONER BITTA MOSTOFI: Thank you  
24 for coming.

2 COUNCIL MEMBER DROMM: Oh, yes. Yeah, I  
3 was looking through the report, and so I had some  
4 questions, but I want—I want compliment you also. On  
5 page 48 where you show the number of U and T Visa  
6 certification—certification requests and approvals.

7 COMMISSIONER BITTA MOSTOFI: Yes.

8 COUNCIL MEMBER DROMM: It's gone up like  
9 double almost---

10 COMMISSIONER BITTA MOSTOFI: Yes. .

11 COUNCIL MEMBER DROMM: --since '14 and I  
12 remember when I was Immigration Chair and like we  
13 could hardly ever get any agency in the city to gives  
14 us a certification. I remember--

15 COMMISSIONER BITTA MOSTOFI: [interposing]  
16 Yes.

17 COUNCIL MEMBER DROMM: --pleading  
18 personally to Commissioner Kelly at one time, you  
19 know, just trying to get something for a constituent,  
20 and how difficult that was, and so that is something  
21 to really complimented. So, thank you for that, and  
22 for the hard work that you did to improve that  
23 process, but I do have some questions on page 47.  
24 So, and it also involves the U and T Visa  
25 certifications.

2 COMMISSIONER BITTA MOSTOFI: Great.

3 COUNCIL MEMBER DROMM: So, U requests  
4 actually are pretty impressive, but I'm wondering why  
5 the T request there are virtually none. Can you  
6 explain why that is?

7 COMMISSIONER BITTA MOSTOFI: Sure. So  
8 thank you for the questions and also for your,  
9 Council Member as previous chair of this committee  
10 and also in your current capacity as a member of the  
11 committee. I come from this space. In fact, I was  
12 part of the coalition of that advocated the city in-  
13 prior to 2014 and the immediately after changes to  
14 the U Visa certification process. So this is deeply  
15 personal for me, and a big part of what my practice  
16 was. So, thank you for again your commitment to this  
17 and for allowing us to present what really has been  
18 incredible progress. I think to answer your question  
19 on T's it's a little complicated and something that  
20 we are actively engaged with. So, one-two sort of  
21 factors of no-that are important is trafficking  
22 investigation often have not or traditionally not  
23 begun at the local level, they begun at the federal  
24 level, and so often if a certification was being  
25 fought, it was not because, you know, to the-the

2 local federal or enforcement rather agency, it's—  
3 that—it has been the federal one. Secondly, the way  
4 that T Visa decisions have in the past been made the  
5 requirement of a certification wasn't always there.  
6 It's not actually legally required and as I think we  
7 have moved into the reality that the Trump  
8 Administration has seen a shift in the way cases are  
9 adjudicated and challenges in working with the  
10 federal government, this has become more important  
11 for employees (sic) and more critical for people  
12 going through that process. So we are at this moment  
13 engaged with those stakeholders and providers as well  
14 as local law enforcement to see how we can increase  
15 access to T Visa certifications locally and what kind  
16 of changes need to be done or awareness building.

17 COUNCIL MEMBER DROMM: Do you work at all  
18 with the courts themselves with T Courts? Because  
19 like I know in Queens we have one, and I believe  
20 almost every borough has a trafficking court if I'm  
21 not mistaken.

22 COMMISSIONER BITTA MOSTOFI: Yes, so as a  
23 part of the kind of coalition of groups that meet we  
24 include within that the district attorneys from all  
25 of the boroughs, and are engaged and so, they're an

2 actor at the table with whom we are engaged, but also  
3 welcome thoughts on kind of engagement directly with  
4 the courts and kind of ways that we can ensure every  
5 actor that can play a role here is actively engaged  
6 in being a positive contributor.

7 COUNCIL MEMBER DROMM: So, if they're in  
8 trafficking court is--does the judge ever inform the  
9 person, usually it's a woman who is before them of  
10 their right to apply for a T Visa?

11 COMMISSIONER BITTA MOSTOFI: I admittedly  
12 don't know the answer to that. I think the answer is  
13 no, not necessarily. It's probably judge dependent,  
14 but, of course, next to those courts are the Family  
15 Justice Centers where crime victims, trafficking  
16 victims are referred where there are--there is  
17 holistic access to this information as well as  
18 representation. So, you know, we can certainly  
19 follow up to make sure that there is kind of active  
20 referral. Admittedly in most of our engagement with  
21 courts broadly, it's been harder to get prescribe if  
22 you will, actions that judges have to take in these  
23 instances, but guidance and information can be  
24 shared, and so we can certainly follow up and make  
25 sure that there is some here.

2 COUNCIL MEMBER DROMM: So what do you  
3 credit the increase in terms of the number of U  
4 requests? Well, has there been more education on  
5 that or what is it such a positive increase in that?

6 COMMISSIONER BITTA MOSTOFI: Yeah, some  
7 of—some of the questions we are ourselves asking, and  
8 trying to think about how we can better answer  
9 honestly, but I think a huge part of that is frankly  
10 the change in the way that the city agencies both  
11 receive requests and—and issue decisions on them.  
12 So, we—there was a major overhaul at the Parks  
13 Department, as you know, in terms of assistance  
14 before this Administration. It literally, a  
15 certification had to be signed by the Commissioner  
16 himself. So, really creating an unnecessary  
17 bottleneck to the issuance of—and timely issuance of  
18 the Vs. So, there is transparency on how the  
19 decisions are made. NYPD actually went through rule  
20 promulgation to codify the process issuance of  
21 certification to make it more transparent and also to  
22 include an appeals process within that, and has  
23 continued to make adjustments along the way.  
24 Similarly, we've brought on board additional agencies  
25 who have investigative powers who had not previously



2 been certified including the Human Rights Commission  
3 and the Department for Consumer Affairs for the first  
4 time, and a huge part of that, of course, is ongoing  
5 collaboration with stakeholders both in terms of  
6 awareness of challenges that they're seeing and ways  
7 that we can seek them, but also that they have access  
8 to this. We recently shared with the Task Force a  
9 one-pager that simply includes all of the points of  
10 contact in the way and to—and where you need to go to  
11 make certification requests as sort of a new addition  
12 to the tools that stakeholders can use, and I've been  
13 talking about sort of ways in which non-traditional  
14 actors so that lawyers and others can get this  
15 information. We have, as you know, a dedicated page  
16 on our website as the way to make this as easy as  
17 possible where people not only see what it is, but  
18 how they can make the requests, and our work have  
19 worked with the Department of Education and others  
20 in—in collaboration with you to ensure that  
21 information is shared out. So there's some great work  
22 that's been done, and that is ongoing and then I  
23 think there are other things that we need to better  
24 understand and make sure we're addressing.

2 COUNCIL MEMBER DROMM: And ACS can do it  
3 because they are an enforcement agency--

4 COMMISSIONER BITTA MOSTOFI:  
5 [interposing] I that--

6 COUNCIL MEMBER DROMM: [interposing] or  
7 it's an enforcement division within, I want to say  
8 the child?

9 COMMISSIONER BITTA MOSTOFI: Right.

10 COUNCIL MEMBER DROMM: Okay.

11 COMMISSIONER BITTA MOSTOFI: Yep.

12 COUNCIL MEMBER DROMM: I get that. Okay,  
13 just at the bottom of page 47 the second graph. The  
14 first category: Public Safety Concern, and U and--  
15 this is in regard to U and T Visa certification  
16 denials.

17 COMMISSIONER BITTA MOSTOFI: Yes.

18 COUNCIL MEMBER DROMM: So, what would be  
19 examples of public safety concerns for denial?

20 COMMISSIONER BITTA MOSTOFI: So, again,  
21 this is not--there's not one--one sort of prescriptive  
22 method by which each of the agencies kind of make  
23 their determination around cooperation and  
24 willingness to certify, and--and at the federal level  
25 there isn't such, right. It is completely sort of

2 bestowed upon the—the certifying officials to make  
3 the determinations on whether they will or won't  
4 certify, and in so doing, while we have worked with  
5 agency partners to ensure a level of transparency for  
6 stakeholders, ensure that there is adequate due  
7 process in terms of being able to appeal if something  
8 is denied, and that they are being as inclusive and  
9 sort erring on the side of granting versus no. They  
10 have come up with their own internal policies and  
11 decisions. I'll speak, for example with NYPD a  
12 safety concern is from their point of view where they  
13 see somebody who has come forward with a request for  
14 whom they believe that that individual themselves may  
15 pose a public safety risk because of their prior  
16 history. They may choose not to certify in that  
17 situation. So, as you can see, that's really the—the  
18 main agency that has sort of made those  
19 determinations and still consider that a fact. We're  
20 very interested in kind of hearing from folks what  
21 the outcomes of some of those cases are or issues  
22 that they are having or ways in which they feel they—  
23 that there ought to be a further conversation, but  
24 that is the position that NYPD has taken.

2 COUNCIL MEMBER DROMM: So, from the way  
3 I'm looking at this is fair to say that NYPD received  
4 966 requests for U and T Visa certifications and  
5 denied 158?

6 COMMISSIONER BITTA MOSTOFI: It's not  
7 perfect in that this is calendar demonstration of the  
8 numbers, but the--but there might be overlap from a  
9 prior calendar year for one of the denials for  
10 instance. So, I'd say that's probably an imperfect,  
11 but you could, you know--

12 COUNCIL MEMBER DROMM: [interposing]  
13 Yeah--

14 COMMISSIONER BITTA MOSTOFI: --a closed  
15 destination.

16 COUNCIL MEMBER DROMM: --also.

17 COMMISSIONER BITTA MOSTOFI: Yeah.

18 COUNCIL MEMBER DROMM: And--and so just--I  
19 want to know exactly, if we can get that information,  
20 what they consider--what the NYPD considers to be a  
21 public safety concern. At what level? Is--is it a  
22 felony? Is it a, you know, a Marijuana arrest or,  
23 you know, gang related or what is it, you know, and  
24 we'd love--we'd love to get more information on that,

2 and I had a question also on insufficient  
3 documentation. NYPD has 19 of those.

4 COMMISSIONER BITTA MOSTOFI: Okay.

5 COUNCIL MEMBER DROMM: Do you know what  
6 is considered insufficient documentation?

7 COMMISSIONER BITTA MOSTOFI: And so,  
8 again I think that varies depending on the -the  
9 request. So, this might be that they've been unable  
10 to kind of verify or confirm something that--so either  
11 the individuals was the victim or did cooperate in  
12 some way. So, it's--it's a kind of case-by-case, but  
13 that's often what they're referring to is an  
14 inability for them to feel confident in--in  
15 demonstrating or certifying that that person or  
16 individuals was, in fact, either the--the victim or--  
17 or--or that the information that they received fell  
18 within the--the framework set out by the U Visa Law  
19 itself. So, but there was a qualifying condition for  
20 which this person was a witness or a victim. So,  
21 sometimes people come and don't actually have the  
22 police reports, right or the incident reports, and so  
23 they have to look those up, and sometimes they're  
24 unable to either find them or verify that what the

2 individuals noted was—is it actually on—in the  
3 records?

4 COUNCIL MEMBER DROMM: So, with the non-  
5 qualifying crimes, ACS had three and NYPD had 88 and  
6 the rest had zero. Would you know what portion of  
7 the appeals are to get NYPD to correctly classify the  
8 crime? You know, they have a bit of habit of under-  
9 reporting.

10 COMMISSIONER BITTA MOSTOFI: So, I don't  
11 know. We can certainly circle back with kind of more  
12 information based on the questions that you're  
13 asking--

14 COUNCIL MEMBER DROMM: [interposing]  
15 Okay.

16 COMMISSIONER BITTA MOSTOFI: --on City  
17 practices. I would, of course note that NYPD and ACS  
18 are—are older certifiers. They have the bulk of the  
19 cases so, of course, there will be a disparity in  
20 terms of the numbers of denials that you see here.

21 COUNCIL MEMBER DROMM: Okay and then if I  
22 look on page 48 again, I see 44 appeals were filed.

23 COMMISSIONER BITTA MOSTOFI: Yes.

24 COUNCIL MEMBER DROMM: Right. Okay, and  
25 then finally on page 45, the last paragraph: In

2 accordance with Local Law 185, which codified MOIA's  
3 responsibility to advise law enforcement agencies  
4 about U Visa certifications and (2) Visa  
5 declarations. What does that exactly look like?  
6 What do you do in terms of advisement to the law  
7 enforcement agencies?

8                   COMMISSIONER BITTA MOSTOFI: Sure. So, we  
9 convened the Task Force in partnership with the  
10 Mayor's Office to end gender and domestic violence,  
11 gender-based domestic violence, and together we  
12 convene all of the certifiers, not just the city  
13 agency certifies, but the others. We continue to try  
14 to with that also convene stakeholders. So,  
15 primarily legal service providers and others who are  
16 operating in this space to understand again  
17 challenges that exist and—and the way that we can  
18 address them with the agencies specifically. We've  
19 helped agencies come on board as certifiers through  
20 that process. We've created things like the one-  
21 pager we—we distributed at the last meeting based on  
22 requests that we've received. We've also been working  
23 with agency certifiers around best practices so  
24 making sure (1) that there is consistency in the way  
25 that city agencies do their work, but also that there

2 are learnings that are shared for the certifying  
3 officials. So this is an ongoing process an ongoing  
4 process for us. We have some ideas actually on  
5 things that we'd like to do in the coming year, but a  
6 lot of that is kind of hearing what's work and what  
7 isn't and also obviously looking at the data itself.  
8 So, we welcome further conversation on these pieces.

9 COUNCIL MEMBER DROMM: Okay, well thank  
10 you very much.

11 COMMISSIONER BITTA MOSTOFI: Thank you.

12 COUNCIL MEMBER DROMM: Always good to see  
13 you.

14 COMMISSIONER BITTA MOSTOFI: You, too.  
15 Thank you.

16 CHAIRPERSON MENCHACA: Thank you Council  
17 Member Dromm. Council Member Chin.

18 COUNCIL MEMBER CHIN: Thank you, Chair.  
19 Thank you, Commissioner. I—you know this is the  
20 budget season right now, and so I'm looking at your  
21 report. I'm just wondering in terms of outreach, do  
22 you reach out to OMB in terms of, you know, increase  
23 in immigrant population, numbers of LEP adults  
24 because, you know, budget stuff that we're been  
25 advocating on, you know, like every year is a



2 struggle just to get funding, you know, stabilized  
3 for adult literacy. Still the Administration is not  
4 baselining it. Senior services there's a growing  
5 number of seniors and the majority of that increase  
6 are immigrant seniors. So, I guess my question to  
7 you is that how is MOIA in terms of interacting with  
8 the city agency to make sure that there are adequate,  
9 you know, funding for the service to help with the  
10 immigrant population and everything you have in your  
11 report. You're talking about housing and, you know,  
12 the City Council we've been doing a lot to really  
13 supplement that and really push for that, but in  
14 terms of your agency, your interactions with these  
15 agencies and also with the Office of Management and  
16 Budget.

17 COMMISSIONER BITTA MOSTOFI: Yeah. So  
18 thank you so much for the questions. So, I'll start  
19 with OMB, which is to say we do very regularly,  
20 Chair, both the report, but also additional either  
21 findings, not just for our office, but ones that  
22 either receive from our providers or stakeholder,  
23 but—or in the field or articles frankly that we think  
24 are relevant to these discussions and these  
25 considerations. We often do share, and are part of

2 those conversations. Additionally, I would say must  
3 this last month or in May I gave a whole presentation  
4 largely pulling from our report on the service status  
5 of immigrants in the city to OMB to my neighbor  
6 Policy Analyst and others who work across different  
7 agencies and areas of work so that they—the can  
8 better inform and understand their work, and a big  
9 part of what we've done is shared both this  
10 information, but also gone deeper in how some of this  
11 information has been used, but bringing other  
12 agencies in to do workshops or sort of talk through  
13 the way that they've used data in their own either  
14 creation of programs or policies with other agencies.  
15 Some are is part of our Task Force and some more  
16 broadly. So, it is an ongoing thing that we're  
17 doing. We definitely want to improve on it. One of  
18 the things that we did this year in the last several  
19 months was we actually created an interagency portal  
20 where agencies can go to one spot that they have a  
21 link to that actually holds all of the—all of this  
22 information and data, but also some of the best  
23 practices and other sort of policy examples or  
24 program examples from other agencies as the way to  
25 have sort of a central resource that anybody that's

2 doing policy or programmatic development know kind of  
3 where they can access some information that can  
4 support that.

5 COUNCIL MEMBER CHIN: Yeah, but I think  
6 that-that's great, but it's got to be a little more  
7 aggressive in the way [bell] that because they think  
8 the—the population is growing, and in immigrant  
9 community especially, you know, in the older adult  
10 population, and that's more like basic things like  
11 adult literacy. We know that that could uplift, you  
12 know, a person to get a better job and be able to  
13 support their family. It's an important investment,  
14 and somehow [bell] it doesn't—the Administration  
15 doesn't take it, you know, think it's important  
16 enough to really baseline and every year we have to  
17 fight and fight, and the same thing with senior  
18 services. I mean the—the senior center that serves  
19 immigrant populations [bell] the ten new ones that  
20 the Council support. The Administration has not, you  
21 know, supported that, and hopefully in the next RFP,  
22 I think we would—we will help to push that we got to  
23 make sure that these centers that serves immigrant  
24 seniors get into the department for, you know,  
25 agencies before you that they do have a good chance

2 of getting funding in this new Request for Proposal  
3 because we've been supplementing this for the last 4  
4 or 5 years. So, like we've helped to create the  
5 support, but Administration really needs to-to pick  
6 that up.

7 COMMISSIONER BITTA MOSTOFI: Thank you  
8 for that--

9 COUNCIL MEMBER CHIN: Uh-hm.

10 COMMISSIONER BITTA MOSTOFI: --and I'd--  
11 I'd be very interested in sort of sitting down with  
12 you and talking about this specifically to just make  
13 sure that I can do my part, right in making sure that  
14 we're being responsive internally and-and talking  
15 about these needs in a real and holistic way.

16 COUNCIL MEMBER CHIN: Yeah, I-I just  
17 wanted to compliment the -the work on having the-the  
18 translators at the-the polling site. I think that's  
19 going to go and we need to continue to expand on  
20 that.

21 COMMISSIONER BITTA MOSTOFI: Thank you so  
22 much.

23 COUNCIL MEMBER CHIN: Thank you. Thank  
24 you, Chair.

2 CHAIRPERSON MENCHACA: Thank you, Council  
3 Member Chin. So, how do you measure the  
4 effectiveness of the legal assistance referrals that  
5 you provide? I'm looking at measuring how many  
6 people are seeking legal services disaggregated by  
7 case type as required by the bill 185. Why is this  
8 data not disaggregated in the report? Page 42 is  
9 what I'm looking at right now. [pause]

10 COMMISSIONER BITTA MOSTOFI: Do you want  
11 me to respond?

12 CHAIRPERSON MENCHACA: Yes, please.

13 COMMISSIONER BITTA MOSTOFI: Okay, so  
14 thank you for the question. I think one of the  
15 things that, you know, you do when you're creating  
16 reports is also looking at sort of what else is the,  
17 what else exists and what—where you're not being  
18 duplicative, but supplemental in thinking about kind  
19 of what is out there, and I think definitely  
20 appreciate your feedback on the legal services  
21 specifically, and sort of what you all have in mind  
22 in terms of thinking about the disaggregated data.  
23 That information is actually published. Its—its act—  
24 it's published through our OCJ Report where as an  
25 administration we've centralized reporting on our

2 legal services contract. All immigration legal  
3 services are simple (sic) and that included within  
4 that, of course, immigration legal services  
5 contracts. So, we—where we publish data not just on  
6 Action NYC, but IOI and others, and have been  
7 intentionable—intentional about making sure that the  
8 full view of what the Administration is doing in this  
9 regard is in one place, and the OCJ report actually  
10 comes out in the same month that ours does. So, we  
11 work very closely with OCJ who have done our report  
12 as well as theirs, and sort of just made the decision  
13 that that the role that they will play and continue  
14 to play and continue to play in published,  
15 publication of theirs and that we would—we would  
16 paint the different pictures so that you could it  
17 both ways. So, appreciate your question. It's  
18 definitely available in public and we—that was  
19 intentional, but if that's the kind of data that you  
20 also want to sort of see in—in here or sort of the  
21 duplication of it in here, we can do that.

22 CHAIRPERSON MENCHACA: I'm going to come  
23 back and do a final overview of everything, but I'm  
24 going to go to some of the questions.

25 COMMISSIONER BITTA MOSTOFI: Sure.

2 CHAIRPERSON MENCHACA: What is the  
3 outcome of the legal assistance? Do you have success  
4 or case outcome? You mentioned the OCJ Report. Does  
5 that have as well?

6 COMMISSIONER BITTA MOSTOFI: Yeah, I  
7 mean--

8 CHAIRPERSON MENCHACA: So that outcome  
9 has approval ratings and et cetera.

10 COMMISSIONER BITTA MOSTOFI: Yes.

11 CHAIRPERSON MENCHACA: Okay.

12 COMMISSIONER BITTA MOSTOFI: Yes, it goes  
13 through—I'm starting—starting just seeing the various  
14 charts. Those are the kinds of cases sort of  
15 breakdown by year. The kind of representation  
16 whether it was full or not, and provide that based on  
17 each of the programs to IOI and Action NYC.

18 CHAIRPERSON MENCHACA: Would it show and  
19 so services and case types that have fluctuated since  
20 2016 when Action NYC was launched and is that data  
21 tracked as well?

22 COMMISSIONER BITTA MOSTOFI: So, no. I  
23 don't think so, but let me sure I understand your  
24 question fully.

25 CHAIRPERSON MENCHACA: Uh-hm.

2 COMMISSIONER BITTA MOSTOFI: So, I think  
3 as you know in the last five, six now years we've  
4 created these programs, right. So, they didn't  
5 previously exist for us have a comparison from what  
6 predated them, if you will, [laughs] to now and so I  
7 think we don't go prior to 2017 in these—in the  
8 reporting for that reason. We don't have that effect  
9 before those years, which is challenging certainly in  
10 terms of sort of thinking about sort of the increased  
11 accomplishments and the impact of these programs, but  
12 they—it just didn't exist in—because the programs  
13 didn't exist.

14 CHAIRPERSON MENCHACA: It is multi-  
15 funding that Action NYC has done, and can be compared  
16 actually to yours, too.

17 COMMISSIONER BITTA MOSTOFI:  
18 [interposing] I meant—I meant and the—the multiple  
19 years are there.

20 CHAIRPERSON MENCHACA: And I guess what  
21 I'm looking at is fluctuations over time.

22 COMMISSIONER BITTA MOSTOFI: Yes.

23 CHAIRPERSON MENCHACA: So that—that is  
24 there.



2 COMMISSIONER BITTA MOSTOFI: So we do  
3 give the fluctuations. Yes, we do—we—we provide for  
4 the increase in the boroughs, cases that were opened,  
5 the number of screenings that were done and so forth.

6 CHAIRPERSON MENCHACA: Okay. on pages 15  
7 to 16 under the Health section reports dates that the  
8 gap in insurance coverage by immigration status also  
9 persists among children under the age of 19 despite  
10 the fact that universals coverage is available for  
11 children under state law. 18.6% of undocumented  
12 children are uninsured compared to 2.1 of U.S. born  
13 children. This indicates that the gap is not a  
14 result of a lack of coverage--

15 COMMISSIONER BITTA MOSTOFI: Right.

16 CHAIRPERSON MENCHACA: --but rather a  
17 marketing information sheet. Is MOIA conducting  
18 outreach on having insurance coverage? How does NYC  
19 Care fit into this? The footnote 10 states that the  
20 NYC Care Program will guarantee health for every New  
21 Yorker. How will this program guarantee healthcare  
22 for every New Yorker. What elements of NYC Care are  
23 new that haven't already been done?

24 COMMISSIONER BITTA MOSTOFI: Right. So  
25 to get to your first question on awareness building

2 for people who are insurable, but not yet insured, I  
3 would say there's a sort of pre-NYC Care response and  
4 post-NYC Care response to that. So, the pre-good  
5 administration started the Get Covered initiative,  
6 and with that the Public Engagement Unit. A part of  
7 that unit is specifically designed to, in fact, get  
8 people [laughs] who are not yet insured, but who are  
9 insurable, which we estimate to be about 300,000 or  
10 so within the city coverage to-to let them know that  
11 they're both eligible and also ensure that they know  
12 what their options are and we work very closely with  
13 PEU. We even do trainings with PEU around immigrant  
14 populations and eligibility. We do trainings around  
15 outreach and engagement with immigrant communities  
16 and how best to do that. We ensure that our team has  
17 that shared information of what they do, and can make  
18 those referrals. We actually codified within Action  
19 NYC the referral to Health Navigation or H&H for  
20 support for people who are uninsured or need that  
21 support, and--

22 CHAIRPERSON MENCHACA: [interposing] I  
23 just want to step in really quickly. So you're--  
24 you're saying that there is marketing and  
25 information. I guess the question we're trying to

2 ask is whether it's really about that. Is it a  
3 marketing issue?

4 COMMISSIONER BITTA MOSTOFI: I mean I—we  
5 certainly believe, right, I—I certainly believe that  
6 the engagement and intentional engage is—is an issue.  
7 It is a—it is a factor and why people don't get--

8 CHAIRPERSON MENCHACA: [interposing] And  
9 how are you measuring that effectiveness of that  
10 marketing?

11 COMMISSIONER BITTA MOSTOFI: Yeah, and  
12 that's I think partially a good answer, partially  
13 not, but what—I think what we learned, what we have  
14 learned is we have seen gradually throughout New York  
15 City an increase in the number of people who have  
16 moved from uninsured to insured. We credit that  
17 increase to all of these factors, right to having  
18 intentional outreach and engagement to communities  
19 and families, designed outreach and engagement for  
20 specific populations who we know are uninsured, but  
21 are insurable, right. NYC Care, one component of NYC  
22 Care is increasing the efficacy of Metro Plus and  
23 making sure that that 300,000 or so estimated  
24 population that's insurable that has not yet been  
25 connected to insurance is intentionally targeted and

2 looked at through awareness building, marketing and  
3 so forth, and then separately the 300,000 or so who  
4 we believe either can't afford or are uninsurable are  
5 connected to NYC Care itself, and NYC—and H&H has  
6 hired a team that is looking exactly at marketing  
7 awareness building and all of that that that will  
8 supplement what Get Covered is already doing.

9 CHAIRPERSON MENCHACA: Well, and words  
10 are powerful so this concept of guaranteed healthcare  
11 for every New Yorker in the report, can you tell us a  
12 little bit about—about that?

13 COMMISSIONER BITTA MOSTOFI: Sure.

14 CHAIRPERSON MENCHACA: Can we make—and is  
15 that—how do we get there?

16 COMMISSIONER BITTA MOSTOFI: Yes. So  
17 again we're—as a total sort of looking at about 300  
18 or so thousand New Yorkers who we believe are either  
19 uninsurable or cannot afford insurance at this time.  
20 We are working closely with H&H and pulling from  
21 warnings that we've had around that Action Health and  
22 other initiatives that we've done to make sure that  
23 we're understanding the best ways to invite people  
24 into access to care. One of the challenges has  
25 always been just ensuring that there is enough

2 primary care doctors [laughs] right, to ensure that  
3 you can absorb that many people for primary care.  
4 So, that is a key part of what H&H is doing through  
5 the NYC Care Initiative, which is expanding and  
6 hiring the number of primary care doctors that they  
7 have. They're increasing training in both linguistic  
8 and cultural competency for those positions. They're  
9 increasing access to specialty care in certain areas  
10 where we've seen particular need and the number—the  
11 greatest sort of number of referrals, and a part of  
12 the way that healthcare works for you and me, though,  
13 imperfect I think for all of us, is having that  
14 coordinated system frankly, and that absolutely  
15 doesn't exist. So, in addition to what we just  
16 described in increasing the capacity to do the work  
17 throughout the public hospital system, it is ensuring  
18 that there's a system that is actually supporting an  
19 individual in accessing those services. Outreach and  
20 marketing is a piece of that system, but the actual  
21 infrastructure, where you have a phone number that  
22 you can call and say, I need to fill this  
23 prescription today. Like where can I go, and you  
24 have somebody that's helping you navigate that is—is

2 something that doesn't exist and is built-being built  
3 as a part of NYC Care.

4 CHAIRPERSON MENCHACA: So, we're to shift  
5 over to the compliance in the Local Law 186 and 186-  
6 sorry, 186 and 185 of 2017, and which I mentioned in  
7 the opening and referred to in some of the other  
8 questions. So, pursuant to the Local Law of 185,  
9 MOIA is required to report on the efforts of the  
10 office to monitor agency efficacy and conducting  
11 outreach and serving the immigrant population  
12 including the efforts of the Task Force. Now the  
13 Annual Report discusses MOIA's oversight work in the  
14 areas of language access and compliance with Local  
15 Law 228. Can you discuss how else MOIA works in  
16 advising agencies to best serve immigrant  
17 populations, and can you give us some of those  
18 examples? They weren't necessarily reported in the  
19 annual and so we want to (1) that, you know, that  
20 much should be there, and then (2) if you can give us  
21 a sense of that now.

22 COMMISSIONER BITTA MOSTOFI: Sure. So,  
23 you touched on some of this a little bit, but through  
24 the Task Force we actually spend a lot of the time  
25 within the Task Force at frankly in part training in

2 part sharing information building resources and tools  
3 for agencies to better serve immigrant New Yorkers.  
4 That's a big goal of ours. Part of what has come out  
5 of that is just the importance of have learning from  
6 each other in terms of like what is--what has worked  
7 and what hasn't and what is not always the best or  
8 the only actor within the city that's doing good  
9 work, in this space, and so what we've done within  
10 the--

11 CHAIRPERSON MENCHACA: [interposing]

12 Would this space be an immigration--

13 COMMISSIONER BITTA MOSTOFI: [interposing]

14 Yes.

15 CHAIRPERSON MENCHACA: --immigrant family  
16 space?

17 COMMISSIONER BITTA MOSTOFI: Yes, yes,  
18 yes, which is to bring in other agencies with whom  
19 we've worked or observed that they're doing a good  
20 job, right, along certain lines. So, by way of  
21 example, we've then--we have invited in folks to talk  
22 about how best to work with LGBTQ immigrant youth and  
23 the city initiative that the city has challenges or  
24 gaps that exist. We've invited in other agencies to  
25 talk about outreach and engagement specifically the

2 Department of Consumer Affairs and how they engage  
3 with immigrant workers, understanding that population  
4 better. We've heard agencies that a big challenge  
5 for them is simply understanding what something  
6 means, right, in terms of federal impact of a shift  
7 or how it might change the way that they either need  
8 to do their work or how best to do their work. So,  
9 we with intentionality brief agencies on federal  
10 changes. We share information and analyses that we  
11 produce or we work closely with an agency to produce  
12 and analysis, and make sure we're being responsive.  
13 I think by way of recent example the new HUD  
14 regulation that was proposed by the federal  
15 government, we are working very closely with our  
16 agency partners both at looking at what the impact  
17 would be on New York City. Should that regulation  
18 become final, we are working collaboratively with  
19 zipping (sic) a comment together to show what the  
20 city impact would be, or sorry, what the impact would  
21 be on the city and immigrant families within public  
22 housing, and we have trained our Tenant Support Unit  
23 and our Housing Support Unit on the regulations so  
24 that they're aware of it, and they can give good  
25 information to families that have questions as well



2 as staff. So, that's kind of one example of being  
3 responsive to kind concerns or challenges that  
4 agencies have been facing, and how part of what we've  
5 done in the last really year and a half or so is  
6 frankly agencies come to us more proactively, and we  
7 go to them more proactively now, and kind that these  
8 things will be done official, and being responsive  
9 immediately. So, sort of not waiting, but immediately  
10 hitting the ground running together and looking at  
11 things.

12 CHAIRPERSON MENCHACA: Last week  
13 Gothamist reported that four parents are suing the  
14 city Department of Education for failure to provide  
15 adequate interpretation services for their disabled  
16 children. How does MOIA collaborate with or monitor  
17 D-O-monitor DOE's provision of interpretation  
18 services.

19 COMMISSIONER BITTA MOSTOFI: So, we work  
20 really closely with a lot of agencies on  
21 interpretation services, as you know, DOE being one  
22 of them, DOE helping and we want to do the robust  
23 probably the most robust operation in terms of  
24 interpretation and translation with a whole unit that  
25 dedicated to it. And so, this—certainly this—these

2 rallies are deeply concerning not just for me, but  
3 for the Chancellor, and we certainly work closely to  
4 both be responsive and correct challenges that are  
5 existing, and making sure that the system as a whole  
6 is not just responding to an individual case, but  
7 changing the way that things are done where possible,  
8 and addressing the issues. So, I think this is one  
9 example of that. I would be remiss to note that  
10 there aren't others. [laughs] There are others and  
11 we are working with agencies kind of as a whole in  
12 being—in being responsive to language access concerns  
13 that are raised. We will be receiving by the end of  
14 this month I believe the—the kind of reporting on  
15 compliance with Local Law 30. So, that is sort of  
16 one place. This is the first year we'll receive that  
17 reporting. So, it's kind of—the beginning of sort of  
18 a formalized work with agencies to respond to some of  
19 these issues, but as things come up, as we are either  
20 made aware of them or observe them or see them  
21 happening, we—we work immediately with an agency turn  
22 those off.

23 CHAIRPERSON MENCHACA: I'm going to hand  
24 it over to Council Member Gjonaj from the Bronx for a  
25 couple of questions.

2 COUNCIL MEMBER GJONAJ: Thank you, Chair.  
3 Good to see you again, Commissioner.

4 COMMISSIONER BITTA MOSTOFI: [interposing]  
5 You, too. Nice to see you again.

6 COUNCIL MEMBER GJONAJ: It was wonderful  
7 to see you at the first Yemeni and the parade--

8 COMMISSIONER BITTA MOSTOFI: Yes.

9 COUNCIL MEMBER GJONAJ: --in the borough  
10 of the Bronx, an incredible day of pageants for that  
11 community as they waited to celebrate their heritage.  
12 So, it was good seeing you there. I'm glad that you  
13 made it, which leads me into my question. How do  
14 work with them, how do we get to these small pockets--  
15 -

16 COMMISSIONER BITTA MOSTOFI: Uh-hm.

17 COUNCIL MEMBER GJONAJ: --truly  
18 underserved communities whether it be the Yemeni, the  
19 Bangladesh, Pakistani, the Albanian community, and  
20 their various pockets. What are your outreach  
21 efforts that you are doing?

22 COMMISSIONER BITTA MOSTOFI: Sure. So,  
23 thank you for the question. I mean I think certainly  
24 the place to start is to give credit where credit is  
25 due to--which is to community-based providers that are

2 really faith leaders, and others who are really the  
3 kind of backbone for—backbones for communities who  
4 might not yet have huge institutions that advocate  
5 for and support them, but who serve as those places  
6 where community members know that they can go to get  
7 support, and to increase access. We very  
8 intentionally have as a priority of the office  
9 engaging with communities that have—have less access,  
10 and have—do not necessarily have sort of the bigger  
11 institutions that represent them is kind of where we  
12 focus a lot of our outreach, and that is kind of for  
13 that exact reason that we're kind of hearing from or  
14 know more about some communities because they have  
15 representatives, and longstanding institutions and -  
16 and power frankly that they're able to exercise  
17 whereas others we won't. We don't necessarily have  
18 as much access to or know a lot about, and that's  
19 where kind of proactively in the form of the  
20 engaging. So, I'll give some example, the African  
21 community for example in Queens. This is a community  
22 that really doesn't have a ton of institutional  
23 support, and is growing and certainly has the same  
24 needs as every other immigrant community in the city.  
25 So, we've worked very closely with existing

2 institutions or representatives from that community,  
3 and have since about 2017 built--been building on the  
4 relationship that the office has with the community  
5 and its members so that we both hear from the, but  
6 also can ensure that the resources that they need are  
7 either being deployed or that we kind of try to be  
8 responsive in how to that.

9 COUNCIL MEMBER GJONAJ: So, and I'm  
10 following. So, now if this is of the organization  
11 whether it be faith-based or community, reaches out  
12 to you, or if you had the information where you can  
13 located them, and you're reaching out to them,  
14 correct?

15 COMMISSIONER BITTA MOSTOFI: Yes, so I  
16 would say--

17 COUNCIL MEMBER GJONAJ: [interposing] Many  
18 of these pockets have organizations that say, hey, I  
19 just have 501(c)(3)s

20 COMMISSIONER BITTA MOSTOFI: For sure.  
21 Yes.

22 COUNCIL MEMBER GJONAJ: They don't have  
23 offices. They don't have phone numbers. They just  
24 work with the community through some title, and  
25

2 they're off the radar entirely, and I can attest to  
3 that through my own community.

4                   COMMISSIONER BITTA MOSTOFI: Yes. I  
5 would say that's part it, but the other part is  
6 exactly what you're describing. Often that is either  
7 a faith or religious community leader or a community  
8 individual who is sort of the go-to, right? The  
9 person in the community that people know. I think  
10 and—and a community that's a good example of that  
11 that we were—have been working with and building with  
12 is the Beki Community in Brooklyn. They really don't  
13 have sort of this formal institutions. They area our  
14 new and growing population in the city. We have for  
15 the last three years I think engaged with that  
16 population sort of understood even the sort of  
17 Mosques that they go to. The Ahmad that they go to,  
18 the Ahmad for example doesn't speak. We expect these  
19 that we've been working with the mosque and sharing  
20 information, translating information for folks there  
21 and sharing that all. That's one example and I think  
22 I—it's—I—of course I'm being honest in saying it  
23 requires a little bit of a kismet, right like we-we  
24 need somebody or the community. We're very  
25 intentional about trying to understand that, and so

2 welcome sort of feedback on where we're not doing it  
3 that should or individuals we should be engaged with  
4 or meeting that maybe we haven't.

5 COUNCIL MEMBER GJONAJ: So, here is where  
6 I want to challenge you--

7 COMMISSIONER BITTA MOSTOFI: Yes, please.

8 COUNCIL MEMBER GJONAJ: --and this is  
9 clear thinking. Now, looking at my own community's  
10 as the example, not of the nearly 60 organizations  
11 that has no cause, three are registered not-for-  
12 profit organizations.

13 COMMISSIONER BITTA MOSTOFI: Yes.

14 COUNCIL MEMBER GJONAJ: We can actually  
15 empower them by helping them form 501(c)(3)s, not-  
16 for-profits, and they're doing some incredible work  
17 feeding the poor, attending to the elderly, helping  
18 financially those that are going through illnesses  
19 and need medical procedures and raising money from  
20 all corners to make their life a little bit better.  
21 I mean sure project work is what they're doing, but  
22 we haven't empowered them, and they see that this may  
23 be the challenge ahead of us. I mean by empowering  
24 them, now we get them. They become a blip on a  
25 radar. We can track them for their organizations,

2 and making sure that we provide them with the limited  
3 resources that we do have available that actually  
4 trickles into these communities.

5 COMMISSIONER BITTA MOSTOFI: Uh-hm.

6 COUNCIL MEMBER GJONAJ: I would love to  
7 work on that project with you, the chair.

8 COMMISSIONER BITTA MOSTOFI: Yeah.

9 COUNCIL MEMBER GJONAJ: I think this is  
10 something that you would embrace. We certainly have  
11 discretionary funding. With a \$93 billion budget for  
12 New York City somehow it never makes its way into  
13 these pockets, these isolated communities, and the  
14 only way to do that is by helping them become a part  
15 of the process.

16 COMMISSIONER BITTA MOSTOFI: Yeah, we  
17 welcome the conversation and thought, and just for my  
18 own kind of clarity, the Albanian community is  
19 specifically what you're talking about or others?

20 COUNCIL MEMBER GJONAJ: I'm using the  
21 Albanian community as an example--

22 COMMISSIONER BITTA MOSTOFI: As an  
23 example.

24 COUNCIL MEMBER GJONAJ: --but I can  
25 assure you that--



2 COMMISSIONER BITTA MOSTOFI: Yeah.

3 COUNCIL MEMBER GJONAJ: --that's true for  
4 all the other--

5 COMMISSIONER BITTA MOSTOFI: Yes.

6 COUNCIL MEMBER GJONAJ: --more ethnic  
7 pockets that exist.

8 COMMISSIONER BITTA MOSTOFI: Yeah.

9 COUNCIL MEMBER GJONAJ: So, I believe  
10 that this is something we can do quickly, quick turn-  
11 around and use the tremendous result in having  
12 communications. We also send a conflicted messages.  
13 Not to worry you, though. The city took the position  
14 that in a city-owned property where there is more  
15 than one flag pole, no ethnic flag could be flown. A  
16 perfect example is not too far from here, Wall  
17 Street. The NGL installed the two flag poles, three  
18 flag poles I think it is. One is always for the  
19 American flag rightfully for and then when they  
20 change from the state flag, city flag, but they also  
21 celebrate ethnic heritage, independence days. City  
22 has said to that a heavy handed person (sic) no other  
23 flag can be flown on city-owned property. How are we  
24 truly embracing our immigrant community if we don't

2 let them display their cinders of proudness on a  
3 special day of independence or heritage.

4 COMMISSIONER BITTA MOSTOFI: So, thank  
5 you for the question. I think I'm not as familiar  
6 with this as maybe you are, but I'd like to follow  
7 up, and assuming the Parks Department is who you are  
8 engaged with.

9 COUNCIL MEMBER GJONAJ: This is a  
10 citywide initiative of this point--

11 COMMISSIONER BITTA MOSTOFI: Okay.

12 COUNCIL MEMBER GJONAJ: --where this is  
13 not being ruled out or replacing the American flag--

14 COMMISSIONER BITTA MOSTOFI: Sure.

15 COUNCIL MEMBER GJONAJ: --with another  
16 flag. This is where is more than one flag pole  
17 exists, and traditionally in these areas they've been  
18 celebrating for many years--

19 COMMISSIONER BITTA MOSTOFI: Sure.

20 COUNCIL MEMBER GJONAJ: --various  
21 nationalities in their districts.

22 COMMISSIONER BITTA MOSTOFI: Yeah. So,  
23 I'd love to follow up and make sure that I'm  
24 educating myself on sort what, if there's a legal or

2 policy decision that was made and why, and circle  
3 back your way.

4 COUNCIL MEMBER GJONAJ: Thank would be  
5 tremendous. Thank you so much.

6 COMMISSIONER BITTA MOSTOFI: Thank you.

7 CHAIRPERSON MENCHACA: Thank you, Council  
8 Member Gjonaj, and on the--the latter part of the  
9 questions they really spoke to this concept of hard  
10 to reach, and there were no definitions in the report  
11 about what that means. Do you have a sense about  
12 what that means from MOIA's perspective in the Annual  
13 Report?

14 COUNCIL MEMBER GJONAJ: Sure. Are you  
15 speaking--are you speaking to a specific area or just  
16 broadly?

17 CHAIRPERSON MENCHACA: Broadly, but  
18 really it's--specifically so that we can kind of  
19 address the issues--

20 COMMISSIONER BITTA MOSTOFI: Yeah.

21 CHAIRPERSON MENCHACA: --that are  
22 connected to programs.

23 COMMISSIONER BITTA MOSTOFI: Yes. So,  
24 we've looked a number of factors when we're sort of  
25 using those terms or making those assessments. They

2 speak to the kind of size of the population, the  
3 reticence of the population to engage or not—have not  
4 engaged right, with us in some way, language that  
5 they speak and whether or not that's covered or we  
6 can see demonstration that they're engaging with  
7 services or not based on language. It speaks to the  
8 number—as I said earlier kind of institutional—  
9 existence of the institutions that—that advocate for  
10 support. The communities are not often for us. It's  
11 when we're looking at sort of either programs or  
12 funding. It's also geo--geography and diversity is  
13 of that geography and sort of where places are as a  
14 consideration. So, as I said, sort of the number of  
15 factors kind of go into that community may or not be  
16 hard to reach. I think we certainly when we're  
17 looking at programs, are looking at sort of where  
18 services exist, and kind of to the best of our  
19 abilities under-trying to understand who is accessing  
20 those services and who aren't, and sometimes that's  
21 challenging again because we use the city don't ask  
22 for a hold some of that information for  
23 intentionally, right, and sometimes we can based on  
24 reporting requirements that we have the existing  
25 funders or fundees, rather. And so, we have looked

2 at kind of specific programming. It's part of the  
3 reach thing again, kind of where services already  
4 exist or don't exist, who they're serving and who  
5 they're not and kind of where we see gaps based on  
6 what we know of populations or not. Sometimes harder  
7 to reach as often honestly communities like the  
8 undocumented community because they're more reticent  
9 to engage their more fear concerns, and they're less  
10 eligible for certain benefits that are available.  
11 So, I think it's—sometimes it will depend on what  
12 we're trying to do, and what the initiative is, but  
13 we—those are some of the factors that we take into  
14 consideration.

15 CHAIRPERSON MENCHACA: One of the—one of  
16 the other major areas of concern is the apparent  
17 disconnect between the data presented in the report  
18 and how it informs MOIA's programs and activities,  
19 and we're kind of trying to fit this in multiple  
20 ways, but pursuant to Local Law 185 of 2017, MOIA is  
21 required to provide information regarding the needs  
22 of the immigrant population including, but not  
23 limited to social services, legal services, housing,  
24 public benefits, education and workforce development  
25 needs, and information regarding barriers faced by

2 such a population in accessing such services and  
3 recommendations on how this issue addressed the  
4 barriers. The report provides data on the immigrant  
5 population, which addresses some of these needs, but  
6 there's lack of further analysis in MOIA's report and  
7 presentation of the policies and activities on the  
8 needs the barriers face, and how the city can address  
9 these barriers. So, that—we're just trying to figure  
10 out where it connects--

11 COMMISSIONER BITTA MOSTOFI: Yes.

12 CHAIRPERSON MENCHACA: --and-and again,  
13 this is helpful. I think Margaret Chin said it best.  
14 I think we're all pointing to this idea that we're  
15 trying—we're trying to figure out how out how to land  
16 the budget here, and we're—we're making assumptions  
17 that you're fighting the side with OMB. I don't know  
18 how—how that works or not works, but—but we're  
19 fighting with OMB, and so, we're trying to figure out  
20 how it connects, and on page 23 or 24 on the report,  
21 MOIA discusses linguistic isolations stating 38.2% of  
22 the children in mixed status families live in a  
23 linguistically isolated household in which all of the  
24 adults in the household age 14 or over speak a  
25 language other than English, and none speak English

2 well. This suggested children in the households may  
3 be at a disproportionate level of family  
4 responsibility. As only proficient English speakers  
5 in the home, I'm sure all of you and I-I-I came from  
6 a family like this, and the report does not discuss  
7 how MOIA is working to combat this issue and there is  
8 no strong data informed argument laid out in the  
9 report to show that We Speak New York Program  
10 adequately combats the issue of child linguistic  
11 isolation in a meaningful way. This is an example  
12 that we're trying to highlight that really I think  
13 for us was the expectation of this Local Law, and the  
14 reporting about how we were supposed to get a better  
15 sense of information to make policy decisions.

16 COMMISSIONER BITTA MOSTOFI: Yeah.

17 CHAIRPERSON MENCHACA: Not just to kind  
18 of tout work that's happening, but really understand  
19 the analysis, thorough analysis to connect that.

20 COMMISSIONER BITTA MOSTOFI: Yeah, so,  
21 I'm-I do thank you for that. I will say a couple of  
22 things. One is I think it's helpful to note  
23 certainly in terms of how we think about the report  
24 going forward. I think secondly is like kind of  
25 where I started, which is not, you know, to say as an

2 excuse, but a reality, which is that this is  
3 literally the second report that we're doing on this.  
4 So, some of the ability to assess or ensure that you  
5 have on the upper side the right data to make that  
6 assessment available just doesn't exist. So, I think  
7 some of the questions of like how you address  
8 something this frankly huge is an example, right, is  
9 requires on the other side an evaluation and an  
10 understanding of sort of existing dollars and  
11 programs and what their efficacy is in addressing  
12 this. So, we have known that this is an issue. We  
13 share the Council's concern in the need and—and  
14 addressing the need for increased services in this  
15 area. We have commissioned in partnership with the  
16 Office of Workforce Development and Evaluation  
17 through CUNY on the efficacy of the existing  
18 programs, and the funding that's used to try and  
19 inform and better understand this. So, I think again  
20 keeping in mind that you can't make a logical leap on  
21 the efficacy of a program without something on the  
22 other side that helps you do the evaluation, and  
23 understand it. So, the tools that I mentioned, and  
24 that we use, in the testimony like evaluation, like  
25 survey, like focus groups, like reporting from



2 fundees like talking to community members, all of  
3 that informed are we making progress here or not? But  
4 the indicators that we provide are tremendously  
5 large, and we have been sort of prioritizing and look  
6 at the kinds of research and evaluation that we need  
7 to make—to draw some of the conclusions I think that  
8 you're asking like what is working and what isn't,  
9 and for literacy we did a We Speak evaluation. We  
10 commissioned a CUNY one for system wide. We're  
11 working with DOE and new leadership that will receive  
12 its adult literacy work, and looking more closely at  
13 that program—that programming and how it works, and  
14 that will inform recommendations moving forward.

15 CHAIRPERSON MENCHACA: Well, I—I mean I  
16 guess we can—we can stay on We Speak and just from  
17 reading the—the kind of proposals or not the  
18 proposals, the report, it sounds like a successful  
19 program, and really based on this idea that—that  
20 5,000--on page 32, 5320-L students were engaged.  
21 It's unclear about what engaged means exactly, and  
22 what does that mean, and how does this translate into  
23 for instance a measureable level of improved English  
24 proficiency--

25 COMMISSIONER BITTA MOSTOFI: Uh-hm.

2 CHAIRPERSON MENCHACA: --or what does  
3 that actually lead to? To more job opportunities?

4 COMMISSIONER BITTA MOSTOFI: Yeah.

5 CHAIRPERSON MENCHACA: Help us understand  
6 that.

7 COMMISSIONER BITTA MOSTOFI: Sure. So,  
8 engaged are students who have come to sort of one or  
9 more of the classes, right. So participated in some  
10 way with the classes themselves. It doesn't account  
11 for visitors to the website, which is much greater  
12 than that, and the website is a newer tool, right  
13 that we're trying to frankly improve, and make sure  
14 can actually evaluate and understand who's using it  
15 and how, and so, we're looking at who is watching the  
16 videos, for how long, who's using the--the tests or  
17 the tools for how long, and kind of what that looks  
18 like. So that's an ongoing kind of area that we're  
19 looking at and trying to better understand, and so  
20 when we--what we have in this is, as I said, talking  
21 really about students who are part of the classes one  
22 or more. I think it's not surprising most students  
23 complete the full successful 10 weeks. Some because  
24 of other commitments either family or work, might not  
25 go to every single class, but may come to one or two,

2 may receive the workbook and access to the videos and  
3 then kind of continue their learning. I think--

4 CHAIRPERSON MENCHACA: That--that  
5 information isn't here. Sorry Commissioner, that  
6 information isn't in the report, right?

7 COMMISSIONER BITTA MOSTOFI: In terms of  
8 defining students engaged. That--that's what I'm  
9 suggesting, but we can--

10 CHAIRPERSON MENCHACA: Add?

11 COMMISSIONER BITTA MOSTOFI: Yes.

12 CHAIRPERSON MENCHACA: Got it.

13 COMMISSIONER BITTA MOSTOFI: So, I think  
14 in terms of kind of what people walk away from, and--  
15 and what--what their learnings are, I think for us a  
16 lot of the learnings were round community-based  
17 models being affective because they allow for--they're  
18 oriented sort of around community and community  
19 spaces that people are inter--inter-engaging in  
20 already right? Interacting with already, and one of  
21 the learnings was that the--what they take from the  
22 classes, what they take from the videos, what they  
23 take from the workbook, they're using within their  
24 homes. So, they're sharing that information more  
25 broadly with community--sorry--with families and

2 households, and does that take you to job placemen?  
3 Does that take you to kind of workforce development?  
4 No, not necessarily, but in our mind this is a  
5 spectrum, and what we've heard consistently from  
6 providers and advocates is the importance of ensuring  
7 that literacy while it's a part of thinking around  
8 workforce, isn't valued. So, we put connection to  
9 workforce that often time maybe a stay-at-home mother  
10 or a new arrival family member who is not engaged in  
11 the workforce and might not be engaged in the  
12 workforce the value of literacy for that individual  
13 shouldn't be measured by whether or not they see job  
14 placement as where they're finally going to end up,  
15 and we've certainly absorbed and appreciated that  
16 viewpoint from community providers and taken that  
17 into internal conversations in terms of valuing  
18 literacy and measuring its efficacy and the outcomes.  
19 So, for us what we saw here in terms of kind of  
20 household empowerment and building was as valuable as  
21 job placement, right, but a part of the spectrum is  
22 looking at all of it, right, and kind of how you make  
23 that connection and that-that conversation is what  
24 we're undertaking with the new Office for Workforce

2 Development, Amy Peterson now being at the head of  
3 it.

4 CHAIRPERSON MENCHACA: The sounds like  
5 good information that the Mayor should have, and I'll  
6 be sending that to him and talking about it. The-  
7 let's walk over to this idea of hard to reach  
8 populations, and more specifically the relationship  
9 that the Mayor's Office of Immigrant Affairs has with  
10 Sikh and the Punjabi speaking community.

11 COMMISSIONER BITTA MOSTOFI: Sure.

12 CHAIRPERSON MENCHACA: Can you tell us  
13 first a little bit about what your relationship is  
14 with that community. That community and I think the  
15 Mekong NYC organization to submit its own testimony  
16 about Cambodians and Vietnamese that have been coming  
17 to New York since the 1980s in the Bronx, and these  
18 are-these are communities that kind of feel  
19 disconnected from government and feel a little bit  
20 invisible from-to government, and-and tell me a  
21 little bit about the relationship with those  
22 communities and the Mayor's Office of Immigrant  
23 Affairs.

24 COMMISSIONER BITTA MOSTOFI: Sure. Thank  
25 you. I don't have sort at my fingertips what we've

2 done with these communities specifically. So, we can  
3 certainly circle back to you, but I can start sort of  
4 top lines with that I'm aware of. So, in terms of  
5 the Sikh and Punjabi community, we—we've actually  
6 worked a lot on outreach and engagement with this  
7 community, but also understanding sort of what the  
8 community needs are. So, by way of example we've had  
9 IDNYC pop-up locations at Sikh temples. We have  
10 translated material—like more of the office materials  
11 into these languages through engagement with these  
12 communities. We have been in partnership with our  
13 Center for Faith and Community partnerships and the  
14 Human Rights Commission has done annual celebrations  
15 for the Sikh community, and continued engagement. We  
16 actually do a lot of—we seek classes with some of the  
17 community-based organizations that serve these  
18 populations both in Brooklyn and in Queens. Sort of  
19 some examples of what we've done with those  
20 communities that as I said, I don't have kind of the  
21 things at my fingertips and we can circle back with  
22 more specificity. In terms of Cambodian and  
23 Vietnamese communities so I don't—I know sort of less  
24 off the top of my head what we've done with these  
25 populations. So, we prefer to—to circle back with

2 more specificity so that I don't misrepresent  
3 anything.

4 CHAIRPERSON MENCHACA: And maybe meeting  
5 with organizations and just kind of sit down.

6 COMMISSIONER BITTA MOSTOFI: Yeah.

7 CHAIRPERSON MENCHACA: I know they're  
8 ramping up for a lot of different projects--

9 COMMISSIONER BITTA MOSTOFI: Yes.

10 CHAIRPERSON MENCHACA: --and we're trying  
11 to hear from them on census projects in the future.

12 COMMISSIONER BITTA MOSTOFI: Great.

13 CHAIRPERSON MENCHACA: I'm trying to  
14 think about how we work with them, but maybe that  
15 would be a great first step, too--

16 COMMISSIONER BITTA MOSTOFI: Yeah.

17 CHAIRPERSON MENCHACA: --with you and  
18 your office. And then, you know, this is--this is in  
19 the category of--of the report trying to be as-as  
20 clear (sic) and sensitive as possible, and this is  
21 one example that we have learned about that there are  
22 various references in the reports to the Sikh  
23 community and one of them states that the Vaisakhi is  
24 a celebration of the Sikh New Year. The-so, I'm  
25 referring to caption 35, page 35.

2 COMMISSIONER BITTA MOSTOFI: Yep.

3 CHAIRPERSON MENCHACA: Yep, page 35 is  
4 where it is, and that's the caption on the--on the--on  
5 the photo, and Vaisakhi is not a Sikh New York and so  
6 we're--this is what I'm learning anyway. How does  
7 MOIA consult with communities? Here we're talking  
8 specifically about the Sikh community, but how--how  
9 does MOIA consult with organizations before it prints  
10 out statements. This happens in language  
11 translations, and--and--and we're held at that standard  
12 of the City Council that when we have district  
13 events--

14 COMMISSIONER BITTA MOSTOFI: Yep.

15 CHAIRPERSON MENCHACA: --we're--we got to  
16 get stuff right--

17 COMMISSIONER BITTA MOSTOFI: Yes.

18 CHAIRPERSON MENCHACA: --and that's in  
19 some ways our responsibility to be holding our  
20 communication with communities--

21 COMMISSIONER BITTA MOSTOFI: Sure.

22 CHAIRPERSON MENCHACA: --especially  
23 communities that are in New York City level--citywide  
24 level, and so that kind of just tells us that there  
25 might be a disconnect with communities, and so how do



2 we (1) address that and what are you doing in  
3 consultation with communities so that so we're—we're  
4 building the best kind of sensitivity where we—where  
5 can. Now, we can't change better government  
6 policies, but we can—we can think about this. This  
7 is where we can spend a lot of time building  
8 relationships with communities we gets the focus  
9 right.

10 COMMISSIONER BITTA MOSTOFI: Sure. So,  
11 thank you for that. So, we have done these events,  
12 as I said, and I think those captions in line with  
13 the web CCHR and NCAU we don't do these events  
14 without consultation with the community-based  
15 organizations and participation. I think frankly  
16 sponsorship including this year or multiple community  
17 representatives and organizations. This year, in  
18 fact, we have one at the NYU Community Center with  
19 the new Mayor of Hoboken who actually came and spoke  
20 to the audience, and so, I don't, you know, I think  
21 in terms of sort of how we talk about our  
22 characterize events, it is very much a collaboration  
23 not just from the agency side, but with community  
24 partners and individuals. I think certainly we'll go  
25 back and ensure that we're characterizing things

2 effectively or correct errors that might not be  
3 accurate, but all of that is done, and we don't do—we  
4 don't literally do a single event without a community  
5 collaboration or a sponsorship.

6 CHAIRPERSON MENCHACA: Well, and I guess  
7 for this one, if—can you work with us to ensure that  
8 we can correct the mistake in report--

9 COMMISSIONER BITTA MOSTOFI: Yeah, of  
10 course.

11 CHAIRPERSON MENCHACA: --and that we just  
12 keep moving forward and figure out how—how—how we  
13 double track these things.

14 COMMISSIONER BITTA MOSTOFI: Sure.

15 CHAIRPERSON MENCHACA: So, they're—this  
16 is—this is a limit. So, I'm going to—oh actually  
17 three's one more question before I kind or wrap up,  
18 and also thank you for your patience those who are  
19 still here, and we want to hear from you and your—  
20 your report analysis as well. The—the  
21 recommendations at the end, one of—the first  
22 actually, the first recommendation is to lower  
23 barriers for immigrant access to services. Can you  
24 explain? Well, that's a big—that's beautiful, right?

2 I love hearing that, and you may know that it's  
3 coming.

4 COMMISSIONER BITTA MOSTOFI: [laughs]

5 CHAIRPERSON MENCHACA: So, we want to  
6 lower barriers for immigrant access to services. I'm  
7 assuming excellent healthcare--

8 COMMISSIONER BITTA MOSTOFI: Yep.

9 CHAIRPERSON MENCHACA: --education

10 COMMISSIONER BITTA MOSTOFI: Yep.

11 CHAIRPERSON MENCHACA: --and legal as  
12 well.

13 COMMISSIONER BITTA MOSTOFI: Yep.

14 CHAIRPERSON MENCHACA: And so, this falls  
15 into contradiction with the Detainer Law Carve-out in  
16 the legal services contracts, and expanded the  
17 Detainer Law by rules serves--that--that--that you  
18 served. Well, that the Mayor did anyway, and this--  
19 this falls into contradiction with this  
20 recommendation. I don't know if you have any more,  
21 but I'm just going to point it out that your own  
22 recommendation kind of really speaks to barriers  
23 being removed, and the Mayor just keeps adding more  
24 barriers to this, and I'm not saying that it's you,  
25 but I'm saying it is your boss that is doing this.

2 If you have an opportunity to talk about that, that  
3 would be great. It might not be much, but I'm giving  
4 you the opportunity to do that.

5 COMMISSIONER BITTA MOSTOFI: Sure. I'll  
6 say a couple of things somewhat indirectly. So, I-I  
7 think certainly from the perspective of the prior  
8 leases for our office you see them laid out and  
9 obviously this report is supported by the Mayor. It  
10 is-it includes a letter from the Mayor--

11 CHAIRPERSON MENCHACA: Yeah, I saw the  
12 letter.

13 COMMISSIONER BITTA MOSTOFI: --at the  
14 beginning of the report and, you know, for with which  
15 none of the work of the Office is possible without  
16 the support of the Mayor and the Administration as a  
17 whole. So, I think that's important for me certainly  
18 to know and for folks to understand. I think we've  
19 seen the, you know, the single largest investment in  
20 immigration legal services in the entire country, in  
21 our city in the last six years, and we've seen an  
22 annual increase in that investment every single year,  
23 and so certainly that's credit to many, many people  
24 and not just the Mayor, but I think wouldn't happen  
25 if there wasn't a commitment to doing what this says

2 as well, and I think there are certainly difference  
3 of opinions on where some ones are struck, but I  
4 think the principal of a recommendation here is  
5 shared by everybody.

6 CHAIRPERSON MENCHACA: In the interest of  
7 time we're going to put the rest of the questions on  
8 a letter that we'll send over to MOIA for a response,  
9 and we want to hear from some of the advocates that  
10 are here today, and I want to close by-by saying that  
11 I think you-you've kind of heard the overarching  
12 themes here, and I want to just restate them that  
13 there's a lot alignment between the City Council and  
14 the office, and-and I think that's important to look  
15 up in-in conversations like this that have been I  
16 think typical for-for me because I feel like this  
17 report has not-has not met the standards that we are  
18 expecting. The Local Laws really I think laid it  
19 out, and so I want to explore legislation to help-  
20 help craft the messaging around the report that  
21 really focuses on-on data, but not even just data  
22 because it sounds like you have some of that data,  
23 but it's-it's like simple stuff every-every-and this  
24 is maybe just a-my college like training. I did  
25 study physics as-as a college student.

2 COMMISSIONER BITTA MOSTOFI: You did?

3 CHAIRPERSON MENCHACA: I did. I know.

4 COMMISSIONER BITTA MOSTOFI: Wow.

5 CHAIRPERSON MENCHACA: I was a college  
6 major [laughter] and a physics major, and then I  
7 moved over to politics and performing arts.

8 COMMISSIONER BITTA MOSTOFI: Alright.

9 CHAIRPERSON MENCHACA: We could talk  
10 about that later.

11 COMMISSIONER BITTA MOSTOFI: Yeah,  
12 please.

13 CHAIRPERSON MENCHACA: Oh, but

14 COMMISSIONER BITTA MOSTOFI: [laughs]

15 CHAIRPERSON MENCHACA: Oh, but the  
16 charts don't have any--none of the charts have--have  
17 citations, and--and so just little things that I think  
18 have been--have been difficult for--for me to kind of  
19 go through the report has been--has been  
20 disappointing, and--but I know that we can do better  
21 and we will, and we're going to work together to make  
22 that happen, and we've given you some census about  
23 how--how to professionalize this in a way that we can  
24 all feel very proud of because we're doing some  
25 really good work and in some places that are really

2 sticky like the carve-out that are just  
3 contradictions, and then—and then, you know, your  
4 boss is running for president right now, and what is  
5 really difficult for us is to figure out how much of  
6 this report is just some things that we can kind of  
7 show people that we're doing good things for kind of  
8 campaign style light information, and—and I don't  
9 know if that's true, and I don't want that to be  
10 true. So, we want to make sure that we can step away  
11 from that vortex of politics and just be effectual  
12 about everything we're doing so we can build budgets  
13 that are good budgets, and—and fight OMB. Whether or  
14 not you're able to do that at that table I don't—I  
15 don't know, but we—and we're fighting that Office of  
16 Management and Budget everyday for more funds, for  
17 more services. So, and this includes this concept of  
18 duplicative reports elsewhere. The buck stops with  
19 you, Commissioner. You are the Mayor's Office of  
20 Immigrant Affairs. All things immigrants need to come  
21 to you and through this annual report. I don't want  
22 to have to go search somewhere else for information  
23 that impacts immigrants. I want it all to be here.  
24 This is where it needs to belong so that we can all  
25 see it together, and make analysis together. That's

2 the interest of the law so that we can have one place  
3 for everything, and so I'm really charging you to  
4 collect all the different pieces not allow—not ask us  
5 as New Yorkers especially the Chair of this committee  
6 to go elsewhere to find data. This all belongs and  
7 should belong here, and belong over there, too, as  
8 well if DOH (sic) can do their things but they can—  
9 they should all be here so that we can have one  
10 place. I think—I think that's it for me. Thank you  
11 for being here today with your team. Thank you for  
12 all the work. I know you're doing a lot of good  
13 work, but we're going to do better, and we'll do that  
14 together.

15 COMMISSIONER BITTA MOSTOFI: Thank you.

16 CHAIRPERSON MENCHACA: Thank you. Okay,  
17 we're going to go to our first panel. Thank you so  
18 much again for—for being here. The Asian-American  
19 Federation, Tiffany Chang, JoAnn Yoo, the Asian-  
20 American Federation; the African Communities  
21 Together, Amaha Kassa, and then also Manuna Dadi  
22 (sp?) from the African Communities Together, and I  
23 think that's it. If you're still here, we'd love to  
24 hear from you, and then when everyone kind of settles  
25 down, or settles in I should say, we just want to



2 make sure that we have a MOIA representative here  
3 throughout the rest of the hearing. Okay, great.  
4 Thank you so much. [pause] Okay, when you're ready,  
5 and make sure that it's red--

6 AMAHA KASSA: Sure.

7 CHAIRPERSON MENCHACA: --the light.

8 AMAHA KASSA: Yeah.

9 CHAIRPERSON MENCHACA: There we go. It's  
10 hot.

11 AMAHA KASSA: Thank you Chairman  
12 Menchaca, name is Amaha Kassa. I'm the Executive  
13 Director African Communities Together. I'm going to  
14 accede to my colleague Maimouna Dieye (sic) to speak  
15 on our behalf, but wanted to be available for any  
16 questions or follow-up.

17 MAIMOUNA DIEYE: Hi, everyone. My name  
18 is Maimouna, Program Manager of African Communities  
19 Together in charge of all language access work.  
20 Okay, alright. So, good afternoon, Chairman  
21 Menchaca, and members of the Committee on Immigration  
22 and thank you for convening this hearing today.  
23 Again, my name is Maimouna, Program Manager, African  
24 Communities Together, ACP. At ACP I lead our  
25 community interpreter program, and supervise the

2 development of or African language services work  
3 across for this. (sic) African Communities Together  
4 is an organization of African immigrants that  
5 empowers our community members to integrate socially,  
6 get ahead economically and engage civically. MOIA's  
7 Annual Report states that one of its three main  
8 priorities is to combat inequality that harms New  
9 York--New York immigrant communities, and one of  
10 their recommendations for Fiscal Year 2019 is to  
11 lower barriers for immigrants to offer services. So,  
12 one of the most significant barriers for immigrant  
13 communities in accessing services is language.  
14 Language barriers are particularly significant for  
15 communities that speak languages of limited base  
16 fusion LLDs. LLDs include most African languages,  
17 many Asian languages and indigenous Latin American  
18 languages. Speakers of LLDs are often hard to reach  
19 communities for our most disconnected from  
20 immigration services and outreach while also being  
21 the most targeted by the federal immigration polices  
22 that MOIA discusses in its report: Special  
23 determination of Temporary Protected Status, TPS,  
24 restrictions and asylum in escalating immigration  
25 enforcement. The City provides tens of millions of

2 dollars in funding to non-profit immigration legal  
3 service providers through Action NYC, and all the  
4 city initiatives. Currently, language access is a  
5 major-major barrier to successful delivery of these  
6 services. Attorneys at city-funded non-profits  
7 immigration legal service providers spend too much  
8 time trying to find and screen professional and  
9 reliable interpreters for LLDs, particularly in high  
10 stakes cases like deportation and asylum taking  
11 scarce attorney hours and legal services budgets away  
12 from legal representation. Both city agencies and  
13 city funded non-profit agencies depend heavily on  
14 telephonic interpretation, and telephonic  
15 interpretation services is less effective than in-  
16 person interpretation of building trust and accord  
17 between attorneys and clients, and there are often  
18 significant issues of quality and availability of  
19 interpretation for LLDs. In addition, telephonic  
20 services are expensive as much as \$100 per hour. Our  
21 members are often asked to bring their own  
22 interpreters to an appointment and our organization  
23 is often asked-asked to provide volunteer  
24 interpreters to see the agency than city-funded non-  
25 profit service providers, and our office often

2 receives calls from new immigrant members who are  
3 unable to access services because of language  
4 barriers. So, our recommendations are while these  
5 issues are particularly acute in relation to  
6 immigration legal services, they cut across city-  
7 funded services including education, healthcare,  
8 housing and social services creating two inclusive  
9 language access to immigrant New Yorkers would  
10 require a comprehensive [bell] approach. At present  
11 MOIA has not proposed a systemic approach. So, for  
12 this reason, ACP joined with New York Immigration  
13 Coalition, Asian-American Federation and Masa in the  
14 South Bronx and the Coalition to advocate for  
15 language access for the African, Asian and Latino  
16 communities we serve. Our coalition is proposing two  
17 critical initiatives to lower barriers for immigrants  
18 to access services. So, the first one is the-the  
19 first one is the creation of a community legal  
20 interpreter bank that recruits, trains and dispatches  
21 legal interpreters who provide services free of cost  
22 to city-funded non-profit legal service providers.  
23 The second one is the development of language service  
24 workers own cooperatives, community-based with  
25 agencies that build the pipeline of trained language

2 services professional while creating field employment  
3 and business ownership or opportunities for New York  
4 immigrant communities. So, we applaud the City  
5 Council for its response to the 2020 Preliminary  
6 Budget, which calls on the Administration to allocate  
7 \$2 million in the Fiscal 2020 Executive Budget to  
8 pilot a language interpreter bank, and we also thank  
9 Chairman Menchaca in particular for his advocacy for  
10 the language bank. As the City Council continues to  
11 negotiate the budget, we urge you all members of the  
12 Committee on Immigration to continue advocacy with  
13 the Mayor to fund language access expansion in the  
14 2020 Executive Budget, and to work with our coalition  
15 to adjust language access needs for the New York's  
16 most vulnerable populations. Thank you for your  
17 time.

18 CHAIRPERSON MENCHACA: Thank you.

19 Good afternoon. I'm going to have to  
20 start to come to more of these hearings because I'm  
21 finding all these interesting facts that I didn't  
22 know. [laughs]

23 CHAIRPERSON MENCHACA: I know. I have a  
24 lot, by the way. [laughter]

2 JOANN YOO: Good afternoon. My name is  
3 JoAnn Yoo, and I'm the Executive Director of the  
4 Asian American Federation. We are here in solidarity  
5 with African Communities Together. I think we talk  
6 about, you know, having the immigrant families bring  
7 their families bring their own interpreter, and I  
8 think I've shared with you before that I was one of  
9 those kids, and having been in, you know, having been  
10 in this country and being a citizen, you know, over  
11 40 years, it's shocking that this is continuing to  
12 happen, and I think the level of translations that  
13 are—that the immigrant community needs especially  
14 this time having to combat all of these draconian  
15 policies coming out of the Trump White House, and it—  
16 and, you know, having—having our children interpret  
17 for our parents is really unconscionable, and I think  
18 that other shocking is that, you know, we all agree.  
19 I think I see a lot of friends here. You know, we've  
20 had, you know, we've lost some things. Like  
21 sometimes these translation services would be better  
22 served by a group that translate, and so, you know,  
23 we are really—we have been working together very  
24 much—very closely around the whole—the language  
25 interpreter bank, looking at opportunities for us to

2 support the community legal—the Language Cooperative,  
3 and I also want to raise a few other issues that I  
4 think our community—our city needs to be aware of,  
5 you know, that you saw the report from Comptroller  
6 Stringer the Asian-American community has one of the  
7 highest rates of deportation cases happening. I  
8 think that's partly due to the fact like there hasn't  
9 been significant investments made in the immigration  
10 legal services in the Asian-American community. And  
11 so, we're going to raise—we want to raise this issue  
12 with you. Also, you know, we're--any day now we're  
13 expecting the—the Trump rule on Public Charge. What  
14 does that mean for our communities? I think there is—  
15 I think the city had shared some statistics at a—at a  
16 town hall we had, and they're saying that, you know,  
17 Asian-American communities is not—it truly cannot  
18 enroll at 8 times the rate of other communities, and  
19 I think those are really scary statistics—statistics  
20 to us. So, I think at this time, you know, you know,  
21 my concern isn't, you know, it happens to be well  
22 what happens to all this folks who are not in re-  
23 enrollment because how will eat, how will they have a  
24 roof over their heads, and how will they medical  
25 assistance? So, I think something that I want to put

2 on the Council and ask for your assistance, you know,  
3 is there an opportunity for the Council to take the  
4 leadership to be able to convene some kind of a  
5 working group where we figure out what the plan is  
6 going to look like. It, you know, when--when the  
7 policy comes down? Because I think the reality is  
8 that the damage is done. You know, whatever--whatever  
9 the policy is, people are treating that--treating to  
10 opt out, and I think there's--this is really is a  
11 really scary time for vulnerable people. And  
12 finally, one of their--you know, we're all looking at  
13 the census. Howard usually does--usually does these  
14 testimonies, but Howard is with the Census Bureau  
15 right now, you know, at a conference, and he tested  
16 me this morning on something that he told me that I  
17 think you know about. The Census it has--it's not  
18 going to put any money into media for the South Asian  
19 Communities throughout the country. So, what does  
20 that look--? What does that mean for the, you know,  
21 the Indian, the, you know, all of the South Asian  
22 communities who are not going to be able to get  
23 information in the Census. So, is there an  
24 opportunity for the Council to be able to close the  
25 gap in the city to ensure that everybody in New York



2 is aware of the Census, and they are not afraid to  
3 press this case? Thank you.

4 CHAIRPERSON MENCHACA: Thank you. That's  
5 it? Okay, I have questions and comments, and maybe  
6 some more revelations with the--the fight.

7 JOANN YOO: Whoo-hoo.

8 CHAIRPERSON MENCHACA: I feel inspired.  
9 [laughter] I want to start with the Interpreter  
10 Bank. So essentially that's an idea that has been so  
11 inspiring, and I could see has grown into this  
12 blossoming bouquet of flowers in my head, and then I  
13 think the heart a lot of people that we're talking  
14 to, and so just thank you for that because this is an  
15 idea that it's not a new idea, but could be  
16 transformed by the energy of the New York City and  
17 the funds of the New York City at a \$2 million rate.  
18 So, I really want to talk a little bit about this in  
19 terms of would it--would--help me solve this concept.  
20 We are in the middle of budget negotiations right  
21 now,

22 JOANN YOO: Uh-hm.

23 CHAIRPERSON MENCHACA: --and it's not--  
24 it's not a secret that it-it ended up in our  
25 negotiations budgeting or our budget response and so

2 tell me—tell me about the Legal Interpreter Bank.  
3 How—how it—how it launches, how it impacts census.  
4 It could—it could impact census and interpretations  
5 that we need. JoAnn, we talked about who—how do we  
6 go to our communities. Well, does the Language Bank  
7 the Interpreter Bank, the Legal Interpreter Bank help  
8 do that with the Worker Cooperative around trained  
9 language service professionals? So give me—give me  
10 that—that sense so that (1) it's on record, and if  
11 people can hear it, but that—that can really just  
12 make this point clear.

13 AMAHA KASSA: Great. I'll—I'll dive in  
14 on that to start with. So, I mean I think I think  
15 like you, Chairman Menchaca, we've been sort of  
16 inspired by the success of this model other places,  
17 and, you know, good—good artists steal from the best,  
18 right, and so, you know, our proposal was initially  
19 that the Interpreter Bank focus on provision of  
20 immigration legal services just as sort of a  
21 piloting, you know, sort of to—to—to—to give us a  
22 place to start, and as my colleague pointed out, you  
23 know, the city is already putting tens of millions of  
24 dollars into immigration legal services, and one of  
25 the key bottlenecks is immigration—is-is skilled

2 culturally competent interpretation and translation  
3 for immigration legal services, and so in order to  
4 recoup some of this investment and saying—saying how  
5 do we solve this, right? We're already spending this  
6 money. It's just being spent badly right? It's  
7 going to immigration legal service providers who are  
8 not specialists in recruiting, training and managing  
9 immigrant, you know, interpreters and should not have  
10 to be, right. They should be spending their time  
11 preparing their clients for their asylum hearings or,  
12 you know, filing motions to—to keep them from—from  
13 being deported. If we centralize these services, it  
14 enables us to have greater transparency where we know  
15 what languages are we—are—are being demanded most  
16 often? How much are spending? You know a \$180 an  
17 hour is, you know, is not an unusual rate for  
18 telephonic services. With that—with that amount you  
19 can get, you can put a lot of money in an individual  
20 skilled professional interpreter's project if you're  
21 not also putting money in the pockets of these sort  
22 of big agencies. I so I think those are—those are  
23 some of the arguments. I think what's been  
24 informative about engagement with you, with the—with  
25 the Council and—and—and, you know, to some extent

2 with the Mayor's Office is that people see the need  
3 of being even greater than the immigration legal  
4 services. You know, so the questions have been  
5 senseless. How do we use this to reach language  
6 isolated communities, social services, education  
7 support. I think we envisioned that around the co-  
8 ops we hadn't necessarily envisioned in that or  
9 didn't envision that around the Interpreter Bank, but  
10 I think the potential is there, and it's-it's just a  
11 question of-of, you know, the resources to-to get  
12 that off the ground and going. I think the Speaker  
13 in-in his response to the Executive Budget put  
14 forward the idea that in addition to African  
15 languages, indigenous Latin-Latinx languages, and  
16 Asian languages and American sign language, which is  
17 something that the Community Legal Interpreter Bank  
18 in D.C. has provided and, you know, he has a, you  
19 know, the Speaker has a bit commitment to-to  
20 disability access, and so, I think that's an exciting  
21 concept. So, I think that there's a lot to build on,  
22 but we kind of need to start somewhere, and we're  
23 hoping that will happen in this year's budget.

24

25

2 CHAIRPERSON MENCHACA: And the language  
3 service worker cooperatives is that—how is that  
4 connected to the Legal Interpreter Bank?

5 AMAHA KASSA: Well, we have an info  
6 graphic. [laughter]

7 CHAIRPERSON MENCHACA: Well, that has  
8 occurred

9 AMAHA KASSA: They totally got that  
10 question at their--

11 CHAIRPERSON MENCHACA: Does it have a  
12 citation on it?

13 AMAHA KASSA: It's [laughs] um, nope, but  
14 we can work on that.

15 CHAIRPERSON MENCHACA: We're here. (sic)

16 AMAHA KASSA: But we—we'll we and we did  
17 bring 25 copies of this, but we can share the copies  
18 that we have. Yes, absolutely. [background  
19 comments/pause] So, the idea is that the—that the  
20 language co-ops can related to the Legal Interpreter  
21 Bank in a couple ways. One is co-op interpreters  
22 could work for both, right. The—the—the—their  
23 Legal Interpreter Bank could, you know, interpret,  
24 you know, employ co-employ interpreters who also work  
25 for the co-op, and then the co-ops provide services

2 beyond immigration legal even to the private—even the  
3 private sector organizations, hospitals, education  
4 social services city funded or not. Another model  
5 that the CLID and DC has used is one of  
6 subcontracting. A lot of services they have in-  
7 house, but when they have specialized needs including  
8 all of their ASL. They actually subcontract to other  
9 agencies. So, either or both, you know, did we get  
10 into some questions around city contracting rules,  
11 and you know, what—what—what would work. Although we  
12 are proposing that the CLA be based in an  
13 independent not-for-profit agency in part so that  
14 they can attract other revenue streams whether that's  
15 private funding, state funding, charitable funding  
16 and so forth.

17 CHAIRPERSON MENCHACA: And one question  
18 that I got from many Council Members about the deal  
19 was hospitals have rules on information and who can  
20 be in the room. How are those—and—and in courts as  
21 well, they take sworn oaths. Can you talk a little  
22 bit about how those things are not issues in terms of  
23 the co-ops, the worker cooperatives and the bank  
24 itself the Interpreter Bank?

2 AMAHA KASSA: So, I think it—I think  
3 there part of the goal is to provide a baseline of—of  
4 some skills that are active—that are broadly  
5 applicable to all interpreters in timed photos.  
6 There's a -there's frankly a little bit of a lack of  
7 a unified standard around interpretation there are  
8 standards. You know the New York State Courts have  
9 their standards. There are some standards within the  
10 healthcare setting. So the things like training on  
11 professional ethics, training on how—how to manage  
12 situations to where, you know, where there's a  
13 misunderstanding or a lack of communication between  
14 the provider and the client. Those things are  
15 universal. The cost can actually be a vehicle for  
16 people to get more advanced professional training and  
17 certification in things like in legal, in healthcare  
18 and in other settings. We don't necessarily think  
19 that everyone who is in the co-ops is going to be  
20 able to translate at every level right away, but the  
21 point of all of this, and I—I will underscore, you  
22 know, I think it's an issue for all our communities,  
23 but we're talking to Masa and to other organization  
24 and due to the Latin American languages are, you  
25 know, really in a crisis of access, right? It's

2 going to really take building a pipeline in place  
3 where, you know, we can centralize things like  
4 training and in some cases that's basic English  
5 language proficiency and fluency in order to get  
6 people to where they-they can be professional  
7 translators, interpreters and translators. So,  
8 that's what-so, we're trying to build a pipeline and  
9 provide and I think when we-our budget proposal some  
10 of the key costs are bringing in the training  
11 resources, the training and then also covering the  
12 costs of people for professional certification.

13 CHAIRPERSON MENCHACA: So, the \$2 million  
14 would cover both the-the bank, the Interpreter Bank  
15 and Work Cooperative Build-out?

16 AMAHA KASSA: Yeah, the-the total  
17 proposal for this is-is \$3 million, but like we said,  
18 we think this is something that can attract multiple  
19 revenues streams, you know, including the state and  
20 including private funders. I think, you know, we  
21 would-there would need to be some engagement as to  
22 how that Council recommendation of \$2 million breaks  
23 out between the co-ops and the community Legal  
24 Interpreter Bank, but the biggest single line item in  
25 both, I mean there's staffing and training, and those



2 costs. The biggest single line item particularly on  
3 this LID is actually the paid hours of  
4 interpretation, right. You know, if you pay someone  
5 \$50 an hour, you know, which again is still  
6 significantly less than we're paying some of these  
7 telephonic service providers. How many hours are the  
8 interpretation can we buy so that when, you know, you  
9 know, a city funded immigration legal service  
10 providers needs a romo (sp?) or free trial, you know,  
11 or-or Hmong translator for-an interpreter for next  
12 week, they can apply and know that that's going to be  
13 provided by the Interpreter Bank.

14 CHAIRPERSON MENCHACA: Got it. I can  
15 talk forever on this. I'm going to pause here and  
16 just say thank you for-for the questions. I have  
17 enough to go back. I don't know what's going to  
18 happen in the budget. I have to say that. I don't  
19 know. I hope-I hope-I'm going to fight really hard  
20 and it's not just me. I think a lot of people are  
21 really excited about this, but let's see. Let's see  
22 what happens. That's non-committal, but there work  
23 that's happening in the-in the report, the Annual  
24 Report or the work the intentions maybe on page 42,  
25 the report-the Annual Report says that it's expanded

2 and deepened legal service provisions to Chinese,  
3 Korean and South Asians serving organizations and  
4 communities. It doesn't sound like that's happened,  
5 and-and so, I want to get a sense from you about what  
6 on average has been MOIA outreach that's been  
7 expanded.

8 MAIMOUNA DIEYE: Sure.

9 CHAIRPERSON MENCHACA: It's one thing to  
10 say it's expanded yeah, but we need more or there's  
11 been no expansion. We haven't felt it and-

12 MAIMOUNA DIEYE: I think the Commissioner  
13 has made a lot of effort to expand outreach, and just  
14 to get, you know, if anything just to get the  
15 information out there, right because people have got  
16 their rights and what is happening, but I think-I  
17 think the reality is that there isn't an non-profit  
18 organization that, you know, serves in language in---  
19 in my community, and so I think that's a huge  
20 challenge. I think we often, you know, this is what  
21 the Legal Bank idea comes from like I-I need to  
22 borrow, you know, borrow skills to be able to explain  
23 and now more than ever I think, you know, for the  
24 last four years the federation has been trying to  
25 build a non-profit organization that will serve the

2 Asian-American Immigration Legal Services in  
3 language. I think that's really critical, and I  
4 think, you know, I think MOIA does a great job, but I  
5 think we can always do better especially now with all  
6 of the policies that are happening. So, you know, we  
7 continue to work with the Commissioner with MOIA, and  
8 talk to the Commissioner regularly and present ideas,  
9 and he's been very receptive. But, you know, you—you  
10 build on good work that you're doing by being even  
11 better.

12 CHAIRPERSON MENCHACA: I couldn't agree  
13 more. So, the last question is- Well, actually,  
14 I'll—I'll start with a little bit of a revelation.  
15 So, I'm thinking of a language, too, and not in terms  
16 of legal services or whatever, but Yoga. So, I just  
17 got certified as a \$200 Yoga trainee another from the  
18 back (sic) like a month—like a week ago, a week and a  
19 half ago, and there's nothing in Spanish, and I want  
20 to bring Yoga to Spanish Speaking folks in my work.  
21 So, I'm going to call out right now if anybody is a  
22 Spanish Yoga teacher, and so these are—these are  
23 things on the access points, and then I think about  
24 young people like us, JoAnn and all part—all of you  
25 in our— All the things that we just talked about,

2 certifications, understanding hospitals and how they  
3 work. Right now, young kids are doing that in their  
4 communities. We did that for our parents and that's  
5 okay, and look at all the—all the millions of dollars  
6 I have to go to do the training. That's really what  
7 we're talking about. That's the gap of—of—of access  
8 issues between the service and our family and all of  
9 this is being on—is a burden on young people in our—  
10 in our communities and our mixed sized families.

11 MAIMOUNA DIEYE: And I think it's really  
12 a health crisis. I mean it's a crisis because, you  
13 know, as a 9-year-old kid, you know, I didn't have  
14 the vocabulary to translate for certain issues,  
15 medical insurance—medical issues--

16 CHAIRPERSON MENCHACA: Oh, yeah.

17 MAIMOUNA DIEYE: --legal issues. If you  
18 don't have a vocabulary, how do you explain that to a  
19 professional to be able to get treatment so, I think  
20 the kids—the fact that our kids are serving as—  
21 serving in that role and—and having to explain things  
22 that they don't even know what it means I think  
23 that's really dangerous.

24 CHAIRPERSON MENCHACA: Yep, and the—the  
25 fear on top of the constant we're going to see Public

2 Charge. The Supreme Court is going to figure out  
3 their situation on the—or their question on the  
4 census question, the Census question, and so yes to  
5 convening a working group. I think it's a great  
6 idea. We want to do that as soon as possible, and  
7 come together, and we can convene that at the City  
8 Council and ask the Mayor's Office to come with  
9 advocates to figure out how we're going to do this  
10 because I don't think that there is a plan, and we  
11 need one, and we need one now. Okay, I think that's  
12 it for us now. Thank you so much.

13 MAIMOUNA DIEYE: thank you so much.

14 CHAIRPERSON MENCHACA: Thank you. Our  
15 next panel we have the Immigrant—Immigrant Justice—  
16 Justice Corps., Jojo Annobil, Hasan Shafiquallah from  
17 the Legal Aid Society; and then we have Cindy Nesbit  
18 from the Shikh Coalition. [pause] Georgia, do you  
19 want to start?

20 JOJO ANNOBIL: [off mic] I—I think we  
21 have no voice, but I think I can do that. So, good  
22 afternoon. My name is Jojo Annobil. I'm the  
23 Executive Director of Immigrant Justice Corps., and  
24 it's a pleasure to be here, and to be able to comment  
25 on MOIA's Annual Report, 2019 Annual Report. I think

2 first of all what I would is that we work very  
3 closely with MOIA and transfer off some of the work  
4 they've done in immigration. We happen to share  
5 space with them in coming to you—in coming to these  
6 organizations of the American Association of New York  
7 City where the cost of infusion of fellows into that  
8 community-based organization we were able to get  
9 funding from MOIA to put in a navigative, and in time  
10 of probably two years became the largest legal  
11 service provider or come to these provider in South  
12 Brooklyn. So, a lot of what has been done when we  
13 talk about underserved communities and where people  
14 are not going, we served with MOIA in libraries. We  
15 have fellows in all the libraries where they are  
16 there four days a week. MOIA complements that with  
17 naturalization clinics, and help desks. We are in  
18 some of the African communities trying to build up on  
19 some of those areas. We have—we have the Chinese  
20 Planning Council. MOIA is also there. So in that  
21 respect you—I think you see a lot of progress in  
22 terms of providing services within under-served  
23 communities. We've also reached out, we—we serve the  
24 Korean Community. So does MOIA. We serve the  
25 Chinese community. So does MOIA, but definitely

2 there are gaps, and I think the gaps are where you  
3 look at there's a Navigation, a Navigator's Program,  
4 but is it possible for us to move into community  
5 Navigators, have probably one Navigator in  
6 communities who can impact information, do you know  
7 rights information in communities, come up with—be  
8 able to serve these problems that are happening in  
9 communities. So, for example, in South Brooklyn  
10 where you have the Arab community where there are a  
11 lot of USCA's policy issues that affect them, but  
12 it's very difficult for them usually sometimes to  
13 access legal services right, and so trying to work on  
14 those. Is it also possible to think about community  
15 mental health clinics? Because what we're seeing  
16 right now is a lot of fear and anxiety. How do you  
17 explain to a kid whose parent is in MOIA (sic)  
18 proceedings what is going on? How do you talk to a  
19 child like that? How do we educate some of our—our  
20 parents to talk to children about some of the things  
21 that are going on? How do you explain some of the  
22 fear, the fear that if I go to school and I come back  
23 home probably my parents will not be here? How do we  
24 do that? We don't have that, and there's a need for  
25 that, which would also inform some of the work [bell]

2 as legal service providers we do. So, I think those  
3 are my two comments in terms of gaps. So thank you.

4 HASAN SHAFIQUALLAH: Good afternoon. My  
5 name Hasan Shafiqullah, Attorney-in-Charge of the  
6 Immigration Unit at the Legal Aid Society. I'm the  
7 attorney in charge of the Immigration Unit at the  
8 Legal Aid Society. Thank you for holding this  
9 hearing. I do want to give a shout-out to MOIA and  
10 to HRA for some--some things that they did really  
11 well, and part of this is a result of hearings that  
12 this committee held late last year around the  
13 Immigrant Opportunities Initiative in particular. We  
14 had asked the city to reconsider limitations on  
15 funding particularly in two areas under IOI, but it's  
16 what called the Stacking Cap not paying us when we're  
17 doing multiple forms of relief for a given client,  
18 and going into Fiscal 20 did we consider that and the  
19 stacking cap is off, and so that's a great  
20 development, and also the re-enrollment cap.  
21 Previously there was a limitation on the number of  
22 years that we-we get paid for work we're doing on a  
23 case, but given that they're asking us to do  
24 conflicts cases they take multiple years. It didn't  
25 make sense for them to limit them and make-- and



2 remove that cap as well. So, it's the two big  
3 things. In terms of reaching communities that  
4 haven't met their underserved, the city has also  
5 allowed us to expand our outreach in Fiscal 20 onward  
6 and to continue organizations that are legal agency  
7 partners with, African Services Committee and the  
8 Chinese-American Planning Council. So, we're excited  
9 about as well. For public charge we know that the  
10 city is prepared and gearing that for this rule to  
11 drop and we recognize the work that they have been  
12 doing in preparation, but two recommendations for  
13 MOIA around Public Charge in particular. (1) to take  
14 a more direct role in preparing frontline agency  
15 stuff particularly staff at agencies like HRA that  
16 are administering these benefits to make sure that  
17 they're capturing clients who might be either  
18 disenrolling or just afraid to enroll in the first  
19 place because of the term effect roll even right now  
20 in making sure that that sort of training is  
21 happening, and we're not sure that it is, and the  
22 second thing to think about what sort of alternative  
23 sources of assistance there might be for people who  
24 are afraid to receive them if that's because of  
25 public charge admissibility grounds. Are there ways

2 to have whether it's self-insurance or cash  
3 assistance funded by, you know, private foundations  
4 or whatever it is, you know, it's desperately needed  
5 so this is—can get them about triggering this and to  
6 lay the ground because those benefits are—are  
7 government based. In terms of being in the budget  
8 season, just to switch a base—switch gears a little  
9 bit, on behalf of not just the Legal Aid Society, but  
10 also Brooklyn Defenders and Bronx Defenders, urging  
11 the city both the City Council and—and the Mayor's  
12 Office to increase funding for NYFOP given all the  
13 challenges that are happening in detention with the  
14 increase DACAs, with the detailed conferencing and  
15 with the dancing of court dates without advance  
16 notice. There's been about 232, 250 recent arrivals  
17 [bell] from the border and we're dealing with those.  
18 Remember there's a Mumps outbreak in Bergen County,  
19 and so far the unit is under lockdown right now.  
20 It's like the challenges are across the board, and  
21 also as we asked before, funding for increasing our  
22 federal work to be able to do the agencies and the  
23 other sorts of cases that—that folks in detention  
24 need. Thank you.

25 CHAIRPERSON MENCHACA: Thank you.

2           LENA WOOD: Hi. Good afternoon. My name  
3 is Lena Wood. I'm a Senior Staff Attorney with the  
4 Sikh Coalition. Next to me is my colleague Sajeet  
5 Kaur, and she's available to answer any questions you  
6 may have that are committee based. The Sikh  
7 Coalition is a non-profit, non-partisan national  
8 organization that deals with civil right within the  
9 Sikh community. One of the big issues that we wanted  
10 to address was with language access. We appreciate  
11 the state's effort to provide language access to  
12 immigrant communities, but we think it's really  
13 important to continue to expand those services  
14 particularly when we're talking about languages that  
15 aren't in the top 10 foreign language--languages  
16 spoken. When we're talking about these community  
17 members, they're often the--the most vulnerable. For  
18 instance, when you think of the Sikh community, they  
19 have an outside facing uniform. So, they're very  
20 distinguishable. They have unshorn hair and many of--  
21 many members representatives of the community wear a  
22 turban. So, they are disproportionately looked at  
23 and discriminated against, and so when they don't  
24 have access to language services that really impacts  
25 them. They don't understand their rights. They

2 don't understand how to file complaints. They don't  
3 understand how to request services, and another thing  
4 that's really important is when we're talking about  
5 language access it's not enough to just have  
6 interpreters, it's really important, and we  
7 understand this because we've been doing a little bit  
8 with the real government with the ICE issue. Uh-hm,  
9 and I-I hope that these services are somewhat better,  
10 but I imagine some of the issues are similar. When  
11 you're talking about a country like for instance  
12 India, you have three major languages, Hindi, Urdu  
13 and Punjabi, and while the person may speak all three  
14 sort of reasonably well, the likelihood is that  
15 they're only truly competent in one of those  
16 languages, and so when pass someone who say, Well,  
17 yes I'm a native Urdu speaker, but I can speak  
18 Punjabi, perhaps those language services aren't as  
19 great as they should be, and we're talking about  
20 issues like, you know, presenting an immigration case  
21 or another legal case, or a medical issue, it is  
22 essential that they're able to communicate  
23 effectively in their language, and that's not always  
24 true of the interpreters and the translators  
25 provided. Another issue is that when the city is

2 engaging with immigrant communities, it's really,  
3 really important that the organizers understand the  
4 community they're serving. So, for instance with the  
5 Sikh community, many wear turbans, many wear kirpan  
6 and for those of you who aren't aware of kirpan, it's  
7 a religious article of faith, and so when the city is  
8 planning an event to celebrate that community or to  
9 provide important information, for instance, all the  
10 immigration-immigration-immigration information that  
11 we've been providing is really important that the  
12 city understand those cultural aspects so that  
13 members of the community are, in fact, attending  
14 because the person who can't wear an article of faith  
15 is not going to attend an even celebrating his  
16 community or providing essential information to that  
17 community. [bell] And the last thing I wanted to  
18 address just briefly is that it's really important  
19 for the city to also have a way for the NYPD to  
20 communicate with organizations like the Taxi and  
21 Limousine Service, and I bring this the TLC up  
22 because so many taxi drivers are with the immigrant  
23 community. So, we need to have a better way to  
24 interact so that the city understands the concerns of  
25 those community members for things like safety

2 issues. I know right now the—one of the major issues  
3 and one of the issues in the MOIA Report addressed  
4 taxi drivers' financial stability, which is, of  
5 course, very important, but the safety aspects are  
6 also important. Many taxi drivers are required to  
7 choose between either having that plexiglass barrier  
8 or a camera. That's not necessarily adequate for a  
9 lot of these people who are targeted for a crime, and  
10 Sajeet I think wanted to address firstly some of the  
11 MOIA issues so--

12 SAJEET KAUR: Just touching back on the  
13 question you had asked previously to the commission  
14 about the caption on page 35, although the Sikh  
15 Coalition did collaborate with CCHR, MOIA and other  
16 Comptroller Office and some of the other agencies in  
17 the city to put together the event, I can confirm  
18 that we were not consulted about this report or that  
19 caption in particular. So, I feel those are two  
20 distinctions that need to be made. We all worked  
21 together on the event, but I think the report in its  
22 entirety was our first time seeing it. So, we were  
23 not consulted or we didn't really see the report.

24 CHAIRPERSON MENCHACA: Thank you, and—and  
25 we wanted to have the opportunity to—for you to talk

2 a little bit about that, and we definitely want to  
3 make sure that gets corrected, and really across the  
4 board on anything that happens--

5 SAJEET KAUR: Uh-hm.

6 CHAIRPERSON MENCHACA:--in terms of print  
7 or even how-how we celebrate, and so they advise  
8 themselves. That--and this is partly to your point,  
9 which is allowing for events to be holistic in terms  
10 of sensitivity and also awareness for actually  
11 credibility, and making sure people feel like they  
12 can come and represent their--their culture, their  
13 religion, whatever--whatever is part of their  
14 identity, and for immigrant communities it's going  
15 to--it's going to range, and so we--we hear that. So,  
16 thanks for confirming that--

17 SAJEET KAUR: Yes.

18 CHAIRPERSON MENCHACA: --and then also the  
19 request for us is for them to--to change it.

20 LENA WOOD: Yes, and, you know, speaking  
21 a little bit more about the Sake (sp?) event, there  
22 is a huge reason why it was at Kimmel Center and not  
23 a city building had to do with religious  
24 accommodations. Last year when it was the first ever  
25 event, it was at I want to say one of the buildings

2 on Center Street nearby here, but this year we wanted  
3 to kind of bypass the security issue, so we chose a  
4 location where community members would not to request  
5 for accommodations or we wouldn't have to deal with  
6 it, the city wouldn't have to deal with it. So, even  
7 as other events, even if they're not Sikh specific  
8 events, but you're trying to bring together many  
9 different communities, thinking it's DCAS or any of  
10 the other, you know, city security personnel type  
11 might be there, it's important to remember that, you  
12 know, even downstairs like I-Alarm [laughs] to think  
13 that it will discourage community members from  
14 showing up if they know they'll have to like  
15 sometimes in their broken English have to explain  
16 what the articles are safe for. (sic)

17 CHAIRPERSON MENCHACA: Right. We've got  
18 to solve that.

19 LENA WOOD: Yes.

20 CHAIRPERSON MENCHACA: Our city—our  
21 city's bases cannot be barriers themselves to-to  
22 access services. We want to work with you to figure  
23 out how—how we can do that. I want to just really  
24 quickly go through the train of thought here. So,  
25 we're talking about mental health clinics in our



2 communities, and we're thinking about Thrive NYC and  
3 what they've been able to do, and that's been a  
4 conversation in our budget hearings. So, I'm hoping  
5 that we can come back after this budget is over and  
6 figure out where other—our—whatever is left of  
7 Thrive, and other mental health services that we  
8 figure out a way to solve some of these issues around  
9 mental health and bring into community clinics and  
10 I'm really thinking about navigators in terms of how  
11 everything gets connected. Legal Aid is now  
12 partnering with CPC to buildout that effort to bring  
13 legal resources to communities, and really what I'm  
14 hearing from Joanne and some others is that we need—  
15 we need a new organization that can—that can really  
16 focus, and present legal services to the—to  
17 specifically Asian populations, and so I'm wondering  
18 if there's anything that—that Legal Aid has been in  
19 talks with either the federation or about that?  
20 Because I really want to tease that out a little bit  
21 more in—in terms of what Legal Aid thinks that that  
22 need is all that?

23 HASAN SHAFIQULLAH: The need or--? [bell]

24 CHAIRPERSON MENCHACA: [interposing] Are  
25 they two different needs?

2 HASAN SHAFIQULLAH: [off mic] So, our  
3 involvement with CPC and with advocates of this  
4 committee will start in the coming fiscal year, and  
5 so it's something that none of us have seen yet,  
6 right. We'll see how it plays out on the ground, and  
7 as it plays out, if it needs attorney, and if not,  
8 then we should talk about how to—how to do it better.

9 CHAIRPERSON MENCHACA: Okay, great.

10 HASAN SHAFIQULLAH: [off mic] I can—I  
11 can—I can speak to that event because

12 JOJO ANNOBIL: [off mic] I can—I can  
13 speak to that event because we've had some  
14 discussions with them, and the way we are looking at  
15 it is how you're using college graduates who are  
16 passionate about doing immigration work, which is our  
17 Community Fellow Program to be able to help them do  
18 that because the way we recruit is to bring in  
19 college graduates who actually speak the language of  
20 their neighbor-neighborhoods, and so we had that kind  
21 or preliminary discussion with them as to how best to  
22 do it. All our fellows who are working on Chinese  
23 Planning Council are Mandarin speaking. Fellows  
24 working at African-American are Arab speakers. So  
25 that is how we look at bridging that gap, and we look

2 at our community fellows as frontline folks who meet  
3 people for the first time, and they are not able to  
4 take on some of the cases they present. It's  
5 basically with there to lawyers who are the Justice  
6 Centers.

7 CHAIRPERSON MENCHACA: Got it. Well, we  
8 should check in like the first quarter and just have  
9 an informal discussion about how things are going if  
10 that's—if that's adequate. Whenever you feel like  
11 there's an opportunity to report, that would be great  
12 to kind of get a sense of it as we figure out the -  
13 the gap in services, and then I totally appreciate  
14 also the—the—the good work that MOIA and HRA have  
15 done to help solve some of these things, and those  
16 are discussions that we've had in this setting where  
17 we have a good public hearing, we're—we identify gaps  
18 and issues. They go back to work, and they come back  
19 and they say great, we heard you. We're going to  
20 change, and so I totally support that, and I want to  
21 thank and appreciate them as well. Okay, I think  
22 that's it for—for us now. Thank you. Next, we have  
23 Gregory Copeland from NSC Community Legal Defense;  
24 Sarah Gilman from—also from the organization; Rex  
25 Chin from Legal Services; and then Minnie Sullivan

2 from Malik Law Firm. [pause] Is there anyone else  
3 that has signed up, but has not been called? This  
4 might be our last panel. So I want to make sure.  
5 Have you not been called yet? [background comment]  
6 Did you fill out a speaker's slip? You did. Come on  
7 up, and let's get you a seat, and then when you  
8 introduce yourself, we'll make sure that if you don't  
9 have your sheet that we'll have you sign in. Well,  
10 let's just give her another one just in case we don't  
11 have it. Yeah, you could just pull up another chair.  
12 We'll get you up here. Anyone else? Okay, thank  
13 you. Yeah. [pause]

14 SARAH GILMAN: Alright. Good afternoon  
15 Chair Menchaca, and thank you for the opportunity for  
16 us to testify regarding MOIA's report. My name is  
17 Sarah Gilman. I'm one of the Co-Legal Director at  
18 NSC Community Legal Defense. My fellow Co-Legal  
19 Director is here Gregory Copeland. We make up the  
20 entire organization. NSC is a new and innovative New  
21 York services organization led by Gregory and myself.  
22 We're focused on addressing the current unmet in a  
23 flexible and rapid way that can respond to the ever-  
24 changing attacks on our immigrant community, and the  
25 increased enforcement unfortunately efforts by the

2 Trump Administration. The MOIA Report demonstrates  
3 the extraordinary commitment in the city of New York  
4 and its legal services providers serving our  
5 immigrant community members. At the same time it  
6 highlights the need for expanded investment in new  
7 initiatives addressing rapid response needs and gaps  
8 in truly facilitating—facilitating universal access  
9 to justice for non-citizen New Yorkers. Critical to  
10 most effectively responding to the relentless attacks  
11 on immigrants as the report identified as  
12 collaboration and the effective coordination of  
13 programs. Legal services providers and community-  
14 base organizations recognize the urgent need to work  
15 along side government partners avoiding costly  
16 duplication of work in a concerted effort to help  
17 protect and ensure universal access to justice for  
18 non-citizens in New York. NSC's Defense or NSC  
19 Criminal Legal Defense requests MOIA, the City  
20 Council, legal services providers and community-based  
21 organizations work collaboratively in the coming year  
22 to fund and to facilitate necessary new initiative  
23 including NSC Defense to most efficiently and  
24 effectively meet our communal aspiration in providing  
25 all non-citizens in New York meaningful access to

2 justice, and to combat the incessant attacks on non-  
3 citizens in New York City. NSC Community Defense in  
4 particular has focused, and prior to our beginning  
5 this organization we were at another organization  
6 where we focused on individuals who have final orders  
7 of removal. In the past, these individuals were  
8 beneficiaries of the prior administration's decision  
9 not to target them. However, under the Trump  
10 Administration, we all have seen, and I think the  
11 MOIA report addresses the fact that this group of  
12 people have been targeted. Non-citizens with final  
13 orders of removal are both generally ineligible for  
14 legal services currently provided in New York City,  
15 and also at greater risk of summary and immediate  
16 deportation. Defending this population of non-  
17 citizens requires representation combining the  
18 flexibility to respond instantly with expertise  
19 affecting emergency relief in Federal Courts most are  
20 often in the form of temporary restraining order to  
21 prevent removal of legal claims are presented. The  
22 experience working in Immigration Court system  
23 including the Board of Immigration Appeals Level to  
24 holistically affect cases and opportunity to release  
25 from removal [bell] not previously pursuing or

2 competently presented, and three the ability to  
3 engage and involve community-based organizations,  
4 other legal service providers, elected officials, and  
5 any other available resources or partners for the  
6 comprehensive defense. The MOIA Report is both a  
7 testament to the immigration services currently  
8 provided in New York City as well as an unsettling  
9 reminder of the overwhelming need for legal defense  
10 that is not provided by the organizations in New York  
11 City. NSC Community Legal Defense in particular  
12 provides representation in federal litigation that  
13 has been effective and proven to stop deportation and  
14 allow New Yorkers to remain with their communities  
15 and their families. It is also a reminder of why  
16 effective with experiencing new models of defense  
17 such as NSC Defense must be funded to best protect  
18 individuals, their families in our community-  
19 communities from the continuing relentless assault by  
20 the Trump Administration. Thank you. [pause]

21 REX CHEN: Good afternoon. My name is  
22 Rex Chen. I'm the Director of Immigration for Legal  
23 Services NYC. LSNYC helps over 100,000 low-income  
24 New Yorkers every year with a wide range of civil  
25 legal services. We helped over 20,000 immigrants and

2 their family members with immigration services last  
3 year including helping asylum seekers and domestic  
4 violence victims. Our intake staff saw a large  
5 increase in immigration questions since November  
6 2016, and we continue to get a very high volume of  
7 immigration questions. In the past two years the  
8 number of people who benefitted from our immigration  
9 services increased by 30%. So, thank you for your  
10 support. Turning to some things that MOIA's plan for  
11 2019, we do appreciate the focus on economic justice  
12 for immigrant New Yorkers. LSNYC held a conference  
13 just yesterday where our entire staff brainstormed  
14 about economic justice issues, and systemic barriers  
15 to equality. So, with these issues (sic) we're glad  
16 that MOIA and the City Council are thinking about it,  
17 and we also appreciate MOIA's work language access  
18 issues. We have seen how important this issue is.  
19 LSNYC has been working on language access issues with  
20 NYCHA with the court system, and also in other areas.  
21 So, we're looking forward to working with you and  
22 with MOIA in these challenging times. Thank you.

23 CHAIRPERSON MENCHACA: Thank you.

24 NINA SULLIVAN: [coughs] Hi. Good  
25 afternoon. My name is Nina Sullivan, and I am the



2 intern paralegal representing Malik Law Firm. It's  
3 truly an honor to speak before you, and I'm impressed  
4 with the city's efforts in being proactive in  
5 advocating for immigrants and NYC. So, since the  
6 start of my internship I had the fortune of receiving  
7 a vast exposure to different immigration cases. I  
8 had the opportunity to meet clients who had been  
9 victims of violence and clients who are in criminal  
10 proceedings. I have begun working on cancellations  
11 of removal proceedings for some clients including  
12 some of them are them are students who have been  
13 studying in the U.S. and now are being challenged  
14 with the psychological, economic and financial  
15 hardships provoke by their move from the U.S., and it  
16 is truly disheartening to witness the difficult-  
17 difficulties our firm's clients and in firms  
18 nationwide based because of the issues with the  
19 system. As a student at the University of Notre Dame  
20 I've been inspired to pursue social justice issues  
21 especially since the foundation of my school is  
22 rooted in protecting the dignity of all human beings.  
23 So, we need the city and the Mayor to be on our side  
24 to protect the rights of immigrants especially under  
25 this administration. The increasing strict scrutiny

2 of immigrants under this administration is self-  
3 destructive because it has harmed family members like  
4 children and spouses who are U.S.-United States  
5 citizens, and are subject to suffering because they  
6 will no longer have the emotional and financial  
7 support of a parent and/or spouse. So, in addition,  
8 the administration has capped the amount of cases an  
9 immigration judge can cancel, and by the time the  
10 judge reads a case, the children will age out and  
11 will no longer be eligible for cancellation. There  
12 is no reason for a cap, and it's detrimental, too, in  
13 our society. So, we need the aid of your office, the  
14 Mayor's Office to lobby Congress in removing the cap  
15 on the cases that can be cancelled now. Thank you  
16 for your time, and I appreciate this—appreciate you  
17 all for offering us a platform to raise the consent.  
18 (sic)

19 CHAIRPERSON MENCHACA: Thank you for  
20 that.

21 NINA SULLIVAN: Thank you.

22 CHHAYA CHHOUN: Hi. Good afternoon. My  
23 name is Chhaya Chhoum and thank you, Chair Menchaca  
24 for holding this hearing. I am the Executive  
25 Director of Mekong NYC and thank you for bringing up

2 our community issue earlier as well. So, Mekong is  
3 the only organization in New York City that serves  
4 the Southeast Asia community, and our mission is to  
5 improve the quality of life of the South Asian  
6 community in the Bronx, and throughout New York City  
7 through community organizing, arts and culture  
8 programming and providing a safety net through the  
9 improved access to critical social services. And, you  
10 know, we came here in the 1980s as part the Refugee  
11 Summit Program. In response to MOIA's Annual Report,  
12 the service and program laid out in the report do not  
13 reach our community. Even more, the report and other  
14 assessments of immigrant communities and the needs in  
15 New York City often leaves our community's experience  
16 and the barriers facing the communities continue to  
17 be invisible. Since the 1980s, approximately 10,000  
18 Cambodians with needs that live in the Bronx. The  
19 Southeast Asian refugee community have been in this  
20 country in New York City for almost four years after  
21 being forced to flee Cambodia, Vietnam and Laos, and  
22 the war in Southeast Asia, a conflict that was an  
23 intense part of the U.S. Foreign Policy Agenda. As a  
24 result, our community experienced war, genocide and  
25 refugee camps only to be brought to the U.S. as part

2 of the largest Resettlement Program and into the  
3 ghettos. So, we live in the section of what we call  
4 refugee poverty and also urban poverty. Here in New  
5 York City Cambodia's venues were largely resettle  
6 into the Bronx. I mean, you know, we have one of the  
7 highest deportation rates of any community, and, you  
8 know, a few weeks ago when the movie came out--I came  
9 as refugee in 1985 with my family, and when the movie  
10 came out around December '05, (sic) we had been  
11 holding a lot of these deportation cases of  
12 Cambodians and then getting these men who came when  
13 they were 12, 13, 14. [pause] [crying] I'm so sorry.

14 CHAIRPERSON MENCHACA: It's okay. Take  
15 your time.

16 CHHAYA CHHOUN: Too, my brothers, my  
17 uncle are now being deported, and we came as refugees  
18 children and we're tried as an adult, incarcerated  
19 for years, and now what's happening in New York City  
20 that no one knows in New York State, and this  
21 constant way they round-up of Cambodians and the  
22 Laotian people, and people that's been out of  
23 incarceration or the detention scenes for over 20  
24 years. They own nail salons or small businesses and  
25 everything and now they're being deported. I mean

2 this--this is just one of the many issues that our  
3 community feels, and I think that, you know, no one  
4 has asked what's the state of our community since our  
5 resettlement, and the fact of the matter is that we  
6 do our own research, focus groups, and it's remained  
7 the same for the most invisible, highest drop-out  
8 rate, lowest income attainment working in nail salons  
9 [bell] and plastering, and the--the deportation of our  
10 people is the ultimate failure of the Refugee  
11 Resettlement Program, and Mekong as this organization  
12 we only started seven years ago, and in essence we're  
13 doing everything because we are trying to undo or  
14 redo the Refugee Resettlement Program, and we call  
15 upon the city to really re-examine and look at what's  
16 happening in our community and what--what has been--  
17 we've been abandoned by the government, and there is  
18 a responsibility and accountability that I think we  
19 need to talk about and--and share around what--what has  
20 happened since our arrival to the United States in  
21 the Bronx and New York City. So, thank you.

22 CHAIRPERSON MENCHACA: Thank you for the  
23 testimony, but also for highlighting what I think is  
24 incredibly important for us to understand not just as  
25 a--as a budget request or--but as--as families with

2 history, and with a sense of a real just demand for  
3 attention, and especially as a New Yorker. So, I  
4 want to say thank you for—for being here. I did see  
5 your testimony before, which allowed me to ask the  
6 questions that I did, and—and it didn't seem like  
7 there was a connection, and so she agreed to it  
8 immediately, and so I hope that she can go, and I  
9 think that with here, with Commissioner Mostofi to go  
10 and visit and hear directly that's the first step to  
11 a relationship building opportunity with a city  
12 agency. And then what I'm going to kind of do an  
13 overview of all the—all the work, the—the kind of new  
14 community focused on a response to Trump, and what's  
15 happening with ICE and the deportation proceedings  
16 that are happening, and the expanded sense of-of  
17 judges at Varick Street. All that begs us to change  
18 the way that we're doing it, too, and—and that's what  
19 we're trying to do, and that's what we're trying,  
20 that's why we're being so critical of this Mayor  
21 right now to ensure that we can—he can do his best  
22 not for any other reason than by the people of New  
23 York, and that's why you're here, and that's why  
24 we're here to listen. And I think one thing that I  
25 want to say as a final thought is when we think about

2 language access as an example, and this—this may  
3 apply to everything else that we've been talking  
4 about like legal services. The idea that we have like  
5 top 10 languages and that we're going to do  
6 everything around the top 10 languages doesn't fit to  
7 this question about immigrant being connected and  
8 feeling—feel invisible, feeling hurt, feeling  
9 connected to government, and they might say to us  
10 okay so those top 10, there are our top 10 languages  
11 spoken in the city. So, we should—we should focus  
12 our, maybe our TV ads and our subway ads on those  
13 languages, but that we still have a plan to ensure  
14 that every single immigrant has a connection in some  
15 way. So, this is what an interpreter, the Legal  
16 Interpreter Bank comes in to—to fill in any gaps  
17 because any gap is unacceptable period. That's—  
18 that's—that's what I hear, that's what I believe,  
19 and—and so, I'm—I'm proud of the work that we've been  
20 doing and a lot of it is here. This is a partnership  
21 between you as the community, us at the Council and  
22 the Mayor's Office that that's what this represents  
23 at the end of the day, but I'm not satisfied. I'm  
24 not and I think that one of the things that we need  
25 to figure out is how we build those moments of let's

2 say of policy and budget victories to address those  
3 gaps, and this is why you're here and this is why  
4 you've heard very plainly about either the legal  
5 services or-or communities that have felt invisible.  
6 That-that is unacceptable here in the city of New  
7 York. We can-we can do better, and-and we will, and  
8 so with that, I'm going to say thank you all for  
9 being here today, and for-for your responses, and for  
10 your ideas, and let's get you in the conversation.  
11 Thank you. [gavel]

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C E R T I F I C A T E

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



Date June 22, 2019