

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CIVIL AND HUMAN RIGHTS

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Friday, March 15, 2024

Start: 11:42 a.m.

Recess: 2:41 p.m.

HELD AT: 250 Broadway - Committee Room, 16th  
Floor

B E F O R E: Hon. Nantasha Williams, Chair

COUNCIL MEMBERS:

Rita C. Joseph  
Christopher Marte,  
Rafael Salamanca, Jr.  
Kevin C. Riley

## COMMITTEE ON CIVIL AND HUMAN RIGHTS

## A P P E A R A N C E S

Annabel Palma,  
Commissioner and Chair of the New York City  
Commission on Human Rights (CCHR)

Sapna Raj,  
Deputy Commissioner of the Law Enforcement Bureau

Karjori Chaudhuri,  
Deputy Commissioner of the Community Relations  
Bureau

Mariela Salazar,  
Deputy Commissioner for Administrative Services

Dr. Aldrin Bonilla,  
Chair and Commissioner of the Equal Employment  
Practices Commission

Jeanne Victor,  
Executive Director of the Equal Employment  
Practices Commission

Nicole Yearwood,  
Commissioner of the Equal Employment Practices  
Commission

Russell Ferri,  
Director of Research at the Equal Employment  
Practices Commission

Ngozi Okaro, Esq.,  
Commissioner of the Equal Employment Practices  
Commission

Rebekah Cook-Mack,  
Staff Attorney in the Employment Law Unit of The  
Legal Aid Society

COMMITTEE ON CIVIL AND HUMAN RIGHTS  
A P P E A R A N C E S (CONTINUED)

Tahmir Williams,  
Disability Justice Program at New York Lawyers  
for the Public Interest

Connie Ticho,  
Urban Justice Center Free to Be Youth Project

Cristobal Gutierrez,  
Make the Road Lead Attorney, Workplace and TGNCIQ  
Justice Projects

Amy Blumsack  
Director of Organizing and Policy at Neighbors  
Together

Paul Keefe,  
VP of Legal Services at Community Service Society

Jonathan Eber,  
Program Officer at Enterprise Community Partners

Nycole-Lanyse Jacques,  
Unlock NYC

Allegra L. Fishel,  
Founder and Executive Director of the Gender  
Equality Law Center

Kayt Tiskus,  
Collective Public Affairs, on behalf of Trans  
Equity Initiative

Tabber Benedict,  
Housing Advocate at Fortune Society's David  
Rothenberg Center for Public Policy

COMMITTEE ON CIVIL AND HUMAN RIGHTS  
A P P E A R A N C E S (CONTINUED)

Julia Elmaleh-Sachs,  
Attorney at Crumiller PC, the  
Feminist Litigation Firm; Member of the  
Legislative Committee of the National Employment  
Lawyers Association

Wendell Walters,  
Manager, Policy & Advocacy  
Osborne Center for Justice Across Generations

2 SERGEANT LYNCH: This is a microphone check for  
3 the Committee on Civil and Human Rights, recorded by  
4 Layla Lynch on March 15, 2024 on the 16th Floor  
5 Hearing Room.

6 SERGEANT AT ARMS: Good morning, and welcome to  
7 today's New York City Council hearing for the  
8 Committee on Civil and Human Rights.

9 At this time we ask that you please place all  
10 electronic devices to vibrate or silent mode to  
11 minimize disruptions throughout the hearing.

12 If you have testimony you wish to submit for the  
13 record you may do so via email to  
14 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov), once again that is  
15 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

16 At no time throughout the hearing is anyone to  
17 approach the dais.

18 We thank you for your cooperation, Chair, we are  
19 ready to begin.

20 CHAIRPERSON WILLIAMS: Thank you so much,  
21 Sergeant.

22 [GAVEL SOUND] [GAVELING IN]

23 Good morning, and welcome to the Fiscal 2025  
24 Preliminary Budget Hearing for the Commission of  
25 Civil and Human Rights. My name is Nantasha Williams,

1 and I am the Chair of this committee. This morning  
2 the Committee is looking forward to better  
3 understanding the landscape of the Commission and its  
4 consistent efforts in protecting New Yorkers from  
5 human rights violations. The Commission on Human  
6 Rights or CHR enforces human rights laws, engages,  
7 educates, and encourages positive community  
8 relations. The Commission's Fiscal 2025 Preliminary  
9 Budget totals nearly \$13.7 million, which includes  
10 \$11.7 million for personnel services to support 136  
11 positions. CHR's budget also includes roughly \$2  
12 million for other than personnel services of which  
13 approximately \$387,000 is projected to be spent on  
14 contractual services. Similar to the November plan,  
15 the Preliminary Plan includes a PEG that will reduce  
16 CHR's budget by \$676,000 in Fiscal 2024 and 24 vacant  
17 positions as of January 2024.

18  
19 The Commission on Human Rights is such a small  
20 agency, and these reductions will impact its work  
21 regarding enforcement, training, communications, and  
22 operations. Today we will examine CCR's Fiscal 2025  
23 Budget and how it allows the Commission to  
24 efficiently carry out its important duties. We are  
25 interested in hearing the current vacancies' impact

1  
2 on its mandated task and the actions that must be  
3 taken to fill those vacant positions soon. We will  
4 delve deep into resources and strategies that CHR  
5 utilizes for retaining existing staff when the City  
6 is cutting agencies' budgets.

7 Lastly, and among other topics, we will review  
8 local law reports on workplace protections for  
9 domestic workers and how the law is enforced to  
10 prohibit discrimination based on someone's criminal  
11 background.

12 I look forward to learning how the Council could  
13 better support the Commission on Human Rights in this  
14 fiscal year. I want to thank our committee staff for  
15 their work, Florentine, Mia, Jessica, William, and my  
16 Legislative Aide, Nader.

17 Before we begin, I'd also recognize my colleagues  
18 who are not here, but hopefully they will be coming  
19 shortly.

20 I will pass it to committee counsel to swear you  
21 in.

22 COMMITTEE COUNSEL: Thank you, good afternoon....  
23 good morning, still, barely, everyone. Welcome, I'm  
24 Jessica Boulet Counsel to the Committee on Civil  
25 Human Rights.

1                   Before we begin testimony, I want to remind any  
2 member of the public joining on Zoom that you will be  
3 on mute until you're called to testify. I will call  
4 public witnesses to testify after the conclusion of  
5 the Administration's testimony and council member  
6 questions.  
7

8                   So we will call representatives of the  
9 Administration to testify. We will hear testimony  
10 from the Commission on Civil and Human Rights first  
11 and subsequently from the Employment Practices  
12 Commission.

13                  I will administer the affirmation to our panelist  
14 from the Commission on Civil and Human Rights,  
15 Commissioner and Chair, Annable Palma; Karjori  
16 Chaudhuri, Deputy Commissioner of the Community  
17 Relations Bureau; Sapna Raj, Deputy Commissioner of  
18 the Law Enforcement Bureau; and Mariela Salazar,  
19 Deputy Commissioner for Administrative Services.

20                  Panelists, please raise your right hand. Do you  
21 affirm to tell the truth, the whole truth, and  
22 nothing but the truth, before this committee, and to  
23 respond honestly to council member questions?

24                  PANEL: (AFFIRMS)  
25



2 COMMITTEE COUNSEL: Thank you. I will now invite  
3 Commissioner Palma to begin testimony.

4 COMMISSIONER PALMA: Thank you good morning, Chair  
5 Williams and Members of the Committee on Finance and  
6 Civil and Human Rights.

7 Thank you for convening today's hearing. I'm  
8 Annable Palma, the Commissioner and Chair of the New  
9 York City Commission on Human Rights.

10 Today I am joined by joined by Sapna Raj, Deputy  
11 Commissioner of the Law Enforcement Bureau; Karjori  
12 Chaudhuri, Deputy Commissioner of the Community  
13 Relations Bureau; and Mariela Salazar, Commissioner  
14 for Administrative Services.

15 I'm excited to speak about the work our agency  
16 has accomplished over the past year. For over 80  
17 years, the Commission has cultivated a city where all  
18 New Yorkers can live work and thrive free from  
19 discrimination. Today the New York City Human Rights  
20 Law is one of the broadest anti-discrimination laws  
21 in the country. The law prohibits discrimination in  
22 housing, employment, and public accommodations - and  
23 it includes more than 25 protected categories.

24 The Commission has a dual mandate, first, the  
25 Commission's Law Enforcement Bureau enforces the

1 City's Human Rights Law. Second, the Community  
2 Relations Bureau seeks to prevent discrimination  
3 through education. There is more detail on the work  
4 of each unit in my written testimony.  
5

6 The Human Rights Law, was amended twice in the  
7 past year. Most, recently Fair Chance Housing  
8 Protections were added. This amendment will go into  
9 effect in January of next year.

10 In November 2023, height and weight were added as  
11 protected categories. The Human Rights Law aims to  
12 advance equity in employment, in housing, and public  
13 accommodations.

14 Over the past year, the Commission's Law  
15 Enforcement Bureau strengthened its efforts to  
16 address voucher discrimination and launch  
17 investigations to ensure employers are including good  
18 faith wage ranges in job postings. They continue to  
19 enter into transformative settlements that reduce  
20 barriers to employment, change hostile work  
21 environments, help voucher holders secure housing,  
22 and foster equitable treatment in public spaces.

23 Consistent with past data, the highest number of  
24 inquiries and claims continue to be in the areas of  
25 disability and gender. The Commission continues to

1 use the tools at our disposal to ensure that covered  
2 employers, housing providers, and providers of public  
3 accommodations understand the Human Rights Law and  
4 their obligations.  
5

6 We reach more Yorkers than ever before by  
7 leveraging a strong, innovative outreach,  
8 partnerships, and communication channels. Since the  
9 FY24 Budget Hearing the Commission has expanded  
10 trainings to reach law enforcement, school safety  
11 officers, real estate agents, and health care  
12 providers - the major stakeholders that ensure rights  
13 are respected and New Yorkers are treated with  
14 dignity.

15 Trainings are one example of the wide ranging  
16 outreach carried out by our community liaisons and  
17 lead advisors who work specifically with historically  
18 underserved and underrepresented populations.

19 This year the Commission also developed several  
20 new signature events to bring New Yorkers together.  
21 We hosted an inaugural Human Rights Summit in  
22 December. This event featured training and  
23 discussions about the law and spotlighted the  
24 Commission's partnership with the Office for the  
25

1 Prevention of Hate Crimes that award grants  
2 organizations combating bias in New York City.

3  
4 More recently to round out Black History Month,  
5 we hosted a spoken word event that celebrated the  
6 rich tradition of oral history and storytelling  
7 ingrained in Black history.

8 I will now focus on a Law Enforcement Unit. In  
9 FY23, the Commission resolved over 400 cases and  
10 secured over \$5 million in damages and penalties.  
11 The staff in the Law Enforcement Bureau, known as  
12 LEB, evaluates and investigate allegations of  
13 discrimination brought to the Commission by members  
14 of the public.

15 In Fiscal Year 2023, the largest number of  
16 inquiries and claims were in employment; housing has  
17 the second highest number of inquiries and claims;  
18 across all jurisdictions, disability related  
19 inquiries and claims were the most common, followed  
20 by gender, and then race and color. When appropriate,  
21 LEB can use pre-complaint interventions to obtain  
22 expedited relief from harm in.

23 In Fiscal Year 2023, the Law Enforcement Bureau  
24 resolved hundreds of matters without filing a  
25 complaint. The most pre-complaint interventions

1 involved source of income discrimination, where a  
2 voucher holder was denied an apartment, repairs, or  
3 renewal of a lease. That comprised more than 140 of  
4 the interventions. Disability accommodations and  
5 housing with the second highest number of  
6 interventions.

7  
8 When the Commission identifies the potential of  
9 widespread violations of this discriminatory practices,  
10 the Commission can initiate an investigation.

11 The Commission also proactively uses testing to  
12 investigate whether the entities have engaged in  
13 discrimination. In FY23, the Commission tested more  
14 than 1,000 entities.

15 As a right to file agency, reports of  
16 discrimination from the public are top priority. The  
17 Law Enforcement Bureau filed more than 300 public-  
18 initiated complaints of discrimination in FY23.

19 In Fiscal Year 2023, the Commission secured over  
20 \$4 million in damages for complaints and over  
21 \$800,000 in civil penalties.

22 I will highlight two examples of case  
23 resolutions:

24 The first, in settlements involving claims of  
25 discrimination based on the existence of a

1 disability, respondents were required to construct  
2 ramps in both housing and businesses.

3  
4 The second, in one case involving a large company  
5 with stores throughout New York City, an LEB  
6 investigation uncovered persistent sexual harassment  
7 and retaliation, which the company failed to address.  
8 The settlement included \$330,000 in damages and  
9 penalties, policy changes, and ongoing monitoring by  
10 the Commission to prevent future gender-based  
11 harassments.

12 I also want to highlight the work of the  
13 Commission's Community Relations Bureau, better known  
14 as CRV. This unit cultivates understanding and  
15 respect among the City's diverse communities, builds  
16 partnerships, and informs New Yorkers about the  
17 rights and responsibilities that stem from the Human  
18 Rights Law

19 In Fiscal Year 2023, we reached a record number  
20 of New Yorkers. We engaged with 130,000 people  
21 through more than 2,000 conferences, workshops, and  
22 trainings.

23 In Fiscal Year 2023, the most requested training  
24 was the Human Rights Law 101, which was offered more  
25 than 100 times. Outreach conducted in collaboration

1 with the DCWP and SBS focused on Know Your Rights  
2 materials, and informed New Yorkers on how to report  
3 bias and discrimination. The Agency was pleased to  
4 collaborate with a number of City Council Members in  
5 these efforts.  
6

7 Additionally, our Community Relations Bureau  
8 partners with NYPD Office of Equity And Inclusion, as  
9 well as DOE's Office of Safety and Youth Development  
10 to train new staff. The Commission presented  
11 workshops about the fundamentals of the Human Rights  
12 Law, as well as anti-Black, racism, and other forms  
13 of discrimination based on race and color.

14 Consistent with our mandate to foster intergroup  
15 understanding, the Agency continues to emphasize the  
16 importance of dignity and respect for all people in  
17 New York City. One example was a January citywide Day  
18 of Visibility Against Hate, a Commission activity  
19 that will take place annually.

20 We have been active in Jewish, Muslim, Sikh, and  
21 Arab community spaces, talking about New Yorkers'  
22 protections against bias and hate, with federal  
23 agencies as well as local partners.

24 Effective outreach and prevention must include  
25 New York City's youth - work that the Agency

1 continues to expand on. This year, as part of the  
2 75th Anniversary of The Universal Declaration of  
3 Human Rights, the Commission partnered with the  
4 United Nations to bring over 500 youth together to  
5 discuss the Human Rights Law in New York City.  
6

7 In Fiscal Year 2023, the Agency's policy and  
8 regulatory priorities continued to reflect our  
9 commitment to serving diverse communities. For  
10 example, we recently worked with the DCWP and MOIA  
11 to finalize a Worker's Bill of Rights, that has  
12 launched citywide, and worked with the DOHMH on the  
13 Reproductive Justice Bill of Rights for New Yorkers.

14 I will turn to the Agency's Communications and  
15 Marketing Unit. The Commission continues to leverage  
16 social media, digital platforms, and community press  
17 to expand our reach. In FY23, campaigns included  
18 vouchers pay discrimination (INAUDIBLE) raising  
19 awareness of source of income discrimination, our  
20 multilingual campaign spanned social media, radio,  
21 print outlets, and convenience stores. As a result of  
22 our campaigns and focus on expanding social media,  
23 our reach has grown to several million people in  
24 FY23. Additionally, the Commission's website had over  
25



1  
2 2 million visits, and our agency was mentioned over  
3 1,000 times in the press.

4 All of this work, and more, is made possible by  
5 the passionate and committed staff that show up every  
6 day to prevent and address discrimination in New York  
7 City.

8 I will now focus on staffing. As of today, the  
9 Commission has a headcount of 136. We have 113 active  
10 staff members. We are a small but diverse staff that  
11 speaks over 20 languages across our agency.

12 Finally, I will highlight our budget. The FY24  
13 Agency Budget provided for approximately \$12.9  
14 million. For FY25, the Preliminary Budget provides  
15 for \$13.6 million.

16 In closing, I appreciate the opportunity to speak  
17 about the New York City Commission on Human Rights.  
18 We look forward to continuing to champion the human  
19 rights of all New Yorkers with the leadership of the  
20 Adams' Administration and the support of the New York  
21 City Council. Thank you so much, Madam Chair, and I  
22 welcome any questions.

23 CHAIRPERSON WILLIAMS: Thank you.

24 So, just jumping right in, the preliminary plan  
25 includes a PEG vacancy reduction of eight positions

1 for savings of \$691,000 starting Fiscal 2027. The  
2 Commission has yet to determine the type of positions  
3 that will be reduced. Have you determined what these  
4 positions will be? If not, when do you think you will  
5 have this information?  
6

7 DEPUTY COMMISSIONER SALAZAR: Thank you for the  
8 question.

9 So, we remain optimistic about the City' budget,  
10 and we hope that at that time, we will have to  
11 reevaluate, of course, our current staffing levels at  
12 that point, our resources, priorities, and then work  
13 closely with OMB to determine how we minimize impact.  
14 But as it gets closer to the time will be able to  
15 make the assessment.

16 CHAIRPERSON WILLIAMS: So you... so, you have  
17 vacancies, but you're not sure what positions and/or  
18 if those positions will truly be eliminated by  
19 adoption? Is that what you're saying? (CROSS-TALK)

20 DEPUTY COMMISSIONER SALAZAR: Correct.

21 CHAIRPERSON WILLIAMS: Okay. Can you explain why  
22 this was reduction was instituted starting in Fiscal  
23 2027 and not earlier?

24 DEPUTY COMMISSIONER SALAZAR: Again, we want to  
25 remain optimistic about the budget, and we wanted to

1  
2 make sure that if we needed to touch our headcount  
3 that it was later on and not currently.

4 CHAIRPERSON WILLIAMS: Is it fair to say that  
5 there is a concern that removing the positions will  
6 impact services? If so, how?

7 DEPUTY COMMISSIONER SALAZAR: As the Commissioner  
8 mentioned in her statement, I think that we are... we  
9 have expanded our reach, and we have continued to  
10 fulfill our mandate regardless of the number...  
11 regardless of our budget and our headcount. And we  
12 will continue to fulfill our mandate.

13 CHAIRPERSON WILLIAMS: The preliminary planning  
14 includes a City funding reduction of \$676,000 in  
15 Fiscal 2024 for less than anticipated personnel  
16 services spending. Your Commission stated that they  
17 met this PEG by reviewing the budget of the  
18 Enforcement and Training Team, Communications,  
19 Operations, and Intergovernmental Units. It was then  
20 determined that the savings will be met through  
21 unused funding from vacancy accruals throughout the  
22 agency. Can you provide a breakdown of the 24  
23 positions that are currently vacant as of January  
24 2024?

1  
2 DEPUTY COMMISSIONER SALAZAR: Don't have the exact  
3 breakdown, but we are at 23 vacant positions  
4 currently, and they really vary across all units. So,  
5 we have vacancies, I would like to say, in each of  
6 our units so LEB, CRB, our HR Department, our IT  
7 Department. We all have at least one or two vacancies  
8 in each unit. But I am happy to provide you with that  
9 information after.

10 CHAIRPERSON WILLIAMS: Thank you.

11 Do you... well, you can't really explain this,  
12 but I will ask you this anyway, so you can provide  
13 this information to us later, why are these positions  
14 vacant and how long were those positions vacant?

15 DEPUTY COMMISSIONER SALAZAR: Some of the  
16 positions have been vacant for months, some have been  
17 a little bit longer over a year. We are coming out of  
18 a hiring freeze, so we are looking forward to be able  
19 to fill all of our vacancies, and will be working  
20 with OMB to be able to do so.

21 CHAIRPERSON WILLIAMS: And how did you calculate  
22 the \$676,000 PEG? Like, when OMB asks you to conduct  
23 the exercise within your agency what did you do?

24 DEPUTY COMMISSIONER SALAZAR: That number equals  
25 about 5 percent of our agency's budget. So that was a

1  
2 mandate that came from the Mayor, making sure that  
3 any cuts that we do minimize impact and don't affect  
4 don't critical and essential functions. So, that's  
5 what we did, we used that number, and then made our  
6 assessment.

7 CHAIRPERSON WILLIAMS: Alright, that does make  
8 sense. I guess I'm looking for more micro answer. So,  
9 understanding OMB's directions to reduce, but within  
10 your agency you also have to be more intentional  
11 about where you're taking money from. So, I just  
12 wanted a little bit more detailed of an explanation  
13 as to how you calculated that? And where are you  
14 pulling money from? How did you decide where to cut  
15 and why to cut?

16 DEPUTY COMMISSIONER SALAZAR: The majority of  
17 those funds came from structural... like a structural  
18 surplus in PS, if I'm not mistaken, for the amount  
19 that you mentioned. And, again, there were... there's  
20 several factors that showed us that we were  
21 (INAUDIBLE) going to have this money, and that we  
22 weren't going to be able to spend it. And, again,  
23 just looking at (INAUDIBLE)...

24 CHAIRPERSON WILLIAMS: (INAUDIBLE) share like some  
25 of those factors?

1  
2 COUNCIL MEMBER STEVENS: Sure, I mean we've had an  
3 OTPS freeze. There were hiring freezes. So... And  
4 then again, based on the needs of our agency and what  
5 we were able to do, we factored that this was the  
6 amount that we had, and here's what we were able to  
7 do.

8 CHAIRPERSON WILLIAMS: You said something, you  
9 said structural PS, which I'm... is I guess  
10 Structural Personnel Services. So, what does that  
11 mean? What is like... What do you consider Structural  
12 Personnel Services?

13 DEPUTY COMMISSIONER SALAZAR: PS. So, we have  
14 vacancies, and we know that by the end of the fiscal  
15 year we were not going to be able to either hire, or  
16 if we did hire and onboard someone, they were not  
17 going to use all of their salary. So that's what  
18 calculates into a structural surplus.

19 CHAIRPERSON WILLIAMS: Have you requested  
20 additional headcounts or funding from OMB in Fiscal  
21 Year 2025? If yes, is the request still pending or  
22 was it denied?

23 DEPUTY COMMISSIONER SALAZAR: No, we have not  
24 submitted any new needs.

1                   CHAIRPERSON WILLIAMS: And you mentioned that  
2  
3 you're excited about the ending of the hiring freeze,  
4 so do you have a plan to fill the vacancies, and if  
5 so, can you share the plan?

6                   DEPUTY COMMISSIONER SALAZAR: Sure. We have  
7 posted... make sure that we posted all of our  
8 positions or as many as we are ready to hire for. We  
9 are attending different job fairs. We are going out  
10 to different law schools, alumni associations, just  
11 really wherever we have an opportunity to do  
12 outreach. That's what we're doing.

13                  COMMISSIONER PALMA: We also created an internal  
14 hiring committee to help with recruitment of future  
15 employees for CCHR.

16                  CHAIRPERSON WILLIAMS: The November Plan PEG  
17 reduced your headcount by three positions, one in the  
18 Community Development Program area and two in the  
19 PSOTPS program area. What type of position or  
20 positions were reduced in the Community Development  
21 Program area, and what type of positions were reduced  
22 in the PSOTPS Program area? And how have you been  
23 covering the work streams for those vacancies?

24                  COMMISSIONER PALMA: I would highlight that in  
25 terms of the work stream we... that the Commission

1  
2 has a mandate of fulfillment, so we have to continue  
3 to do the work, despite any reductions that we have  
4 faced.

5 DEPUTY COMMISSIONER SALAZAR: In general, those  
6 three positions were positions that we know that we  
7 had other staff that was able to cover, and so that's  
8 why they were reduced.

9 CHAIRPERSON WILLIAMS: Thank you. Just wanted to  
10 acknowledge that we have been joined by Council  
11 Member Rita Joseph.

12 So, I know that the lack of adequate headcount  
13 could be an issue and has been an issue, especially  
14 in the future for your agency to efficiently carry  
15 out its duties... You know, the Council loves to give  
16 you more work. Do you believe that reducing the  
17 budget headcount has impacted your agency's core  
18 function of enforcing the Human Rights Law and  
19 educating the public?

20 COMMISSIONER PALMA: You know, Council Member, as  
21 you know, CCHR has an expansive mandate. And we  
22 work... we work to make sure that New Yorkers' rights  
23 are protected. And we have to continue to do the...  
24 you know, we have to continue to do that work. And we  
25 have a, you know, we do it with a mission driven team



1  
2 that, it's, you know, very thoughtful and very  
3 intentional when we go out into the community. So,  
4 while we've had challenges with the headcount and  
5 with the hiring freeze and just doing our part during  
6 this budget process, we continue to enforce the Human  
7 Rights Law under our mandate.

8 CHAIRPERSON WILLIAMS: Can you share how many  
9 staff attorneys and supervising attorneys you have in  
10 the Law Enforcement Bureau right now? How does that  
11 compare to pandemic headcount?

12 DEPUTY COMMISSIONER RAJ: We have 55 staff in the  
13 Law Enforcement Bureau at this time.

14 UNKNOWN: (INAUDIBLE)

15 DEPUTY COMMISSIONER RAJ: Oh, attorneys, we have  
16 25 attorneys altogether.

17 CHAIRPERSON WILLIAMS: And compared to pre-  
18 pandemic levels?

19 DEPUTY COMMISSIONER RAJ: We had 48 staff  
20 attorneys and 13 supervising attorneys at that time  
21 in 2018... (CROSS-TALK)

22 CHAIRPERSON WILLIAMS: So you have 25 now, and  
23 before COVID you had, I can't count... 62?.

24 DEPUTY COMMISSIONER RAJ: Yes.  
25

1  
2 CHAIRPERSON WILLIAMS: Okay. How are cases  
3 redistributed when a staff member leaves to avoid  
4 backlog?

5 DEPUTY COMMISSIONER RAJ: As you know our mandate  
6 is to enforce the New York City Human Rights Law. And  
7 no matter what the number of staff that we have we  
8 continue to address the investigations that we have  
9 to do - and take cases to litigation. We have more  
10 cases at OATH (Office of Administrative Trials and  
11 Hearings) in litigation now than we have ever had in  
12 the last 10 years that I know of. So we have been  
13 continuing to litigate the claims. We... (CROSS-TALK)

14 CHAIRPERSON WILLIAMS: I'm sorry, you say you have  
15 more cases ow than you ever had...(CROSS-TALK)

16 DEPUTY COMMISSIONER RAJ: At OATH and in  
17 litigation.

18 CHAIRPERSON WILLIAMS: Oh, at OATH...

19 DEPUTY COMMISSIONER RAJ: Yes, that have been  
20 referred to OATH in litigation, uh, for trial. Of  
21 course, a lot of them get settled (INAUDIBLE)...  
22 (CROSS-TALK)

23 CHAIRPERSON WILLIAMS: (INAUDIBLE) less attorneys  
24 as well... (CROSS-TALK)

1  
2 DEPUTY COMMISSIONER RAJ: Yes, we have your  
3 attorneys, but we still have more cases that we've  
4 taken to OATH and we are very proud of that. We try  
5 our best to assign the cases out as soon as possible,  
6 so that they can be handled by the attorneys that we  
7 have, and move the cases along in order to be  
8 resolved - either as dismissals or settlements or  
9 referrals to OATH.

10 CHAIRPERSON WILLIAMS: On average how long do pro  
11 se callers wait before they have an intake  
12 appointment with an attorney?

13 DEPUTY COMMISSIONER RAJ: So, that depends.  
14 Actually, we brought down that amount quite a bit. I  
15 think right now we are three and a half months that  
16 people have to wait for an appointment with an  
17 attorney.

18 CHAIRPERSON WILLIAMS: Okay, is it fair to say if  
19 you had more staff you would be able to shorten it  
20 even more?

21 DEPUTY COMMISSIONER RAJ: We always welcome having  
22 more staff, that would always effect how soon cases  
23 can be handled, but we are here to make sure not only  
24 that people get intakes with attorneys. We also have  
25 a pre-complaint intervention program, so whether it

1 is in source of income, or whether it is an  
2 employment, where people are facing discrimination  
3 because they want a reasonable accommodation, because  
4 of pregnancy or religion or because of medical  
5 condition, or whether it's a public accommodation, we  
6 try to address that pre-complaint, so that our  
7 attorneys and our pre-complaint interventionist are  
8 able to reach out, get people housing, or get people  
9 access to housing, get people the accommodations that  
10 they need, so that they don't have to file a  
11 complaint and wait for that entire process to take  
12 place. As you know, litigation takes a long time and  
13 investigation take a long time. So, if it is possible  
14 for the person to get relief immediately, then we try  
15 to address that without the filing of a complaint.  
16

17 CHAIRPERSON WILLIAMS: I want to go back to case  
18 transfers. So, you have departures, people leave, do  
19 you have any statistics on how much time is added to  
20 a case every time it has to be transferred?

21 DEPUTY COMMISSIONER RAJ: So, it's difficult to  
22 say that, because each case is different, and the  
23 complexity of each case is different. And time may be  
24 added to the case, not only because of the complexity  
25 of the case, but because of the parties that are

1 involved - how long complainants to get us  
2 information, or respondents take to get us  
3 information. There are different things that happen  
4 in litigation that takes... or an investigation that  
5 takes time. So, it's difficult to say that there's a  
6 specific amount of time that's added to a specific  
7 case. It just depends, it's on a case by case basis

9 CHAIRPERSON WILLIAMS: Do you have data on the  
10 percentage of complaints that have experienced one  
11 or more case transfers? So maybe you can't quantify  
12 how much time is added when a case gets transferred,  
13 but do you have a sense? Are you tracking how many  
14 times a particular case may get transferred to a  
15 different attorney or someone else within LEB?

16 DEPUTY COMMISSIONER RAJ: We don't track how many  
17 times the case has been transferred, because that  
18 doesn't necessarily mean that the case is not getting  
19 resolved quickly. Just because it's transferred twice  
20 it may be different than a more complicated case that  
21 has been transferred just once. So we just... we  
22 don't track that particular data.

23 CHAIRPERSON WILLIAMS: How much overtime if any,  
24 uh, happens due to vacancies? And how has that been  
25 included in the past year?

1  
2 DEPUTY COMMISSIONER RAJ: We don't have overtime,  
3 we have what is called comp time. And that is added  
4 when people are... uh, that is granted when people  
5 have complicated cases, when cases are going to  
6 trial, when there are... there are specific  
7 investigations that need to be done, depositions,  
8 then people are given comp time. And we also try to  
9 reduce the number of cases that each attorney has, so  
10 that they are able to handle that caseload within the  
11 time period that, uh, our unionized staff can work.

12 CHAIRPERSON WILLIAMS: A few more questions about  
13 delays and transfers.

14 Do you all have a policy about when about  
15 administrative convenience closures are appropriate?  
16 And when an administrative closures are appropriate  
17 after finding probable cause? Two questions. And then  
18 how does this potential delay impact a decision about  
19 whether or not to close the case for administrative  
20 convenience?

21 DEPUTY COMMISSIONER RAJ: So administrative  
22 closures go through a specific process with us. It's  
23 not taken lightly. There is an investigation that  
24 takes place, and then there is a detailed analysis  
25 that's done - not only by the attorney, but the

1 supervisory staff are involved in that, too. And then  
2 if a decision is made, and a case does not is not  
3 jurisdictional, uh, for whatever reason, or there's  
4 no evidence of discrimination, then the case is  
5 administratively closed. We should also remember that  
6 when a case of administratively closed, it can be  
7 appealed to the Office of the Chair. So if the person  
8 appeals it to the Office of The Chair, you know, the  
9 Office of The Chair then looks at it to see whether  
10 that decision was appropriate or not. And if it  
11 wasn't it's remanded back to the Law Enforcement  
12 Bureau for more investigation or whatever the Office  
13 of the Chair decides needs to be done.

14  
15 CHAIRPERSON WILLIAMS: Can you share with us how  
16 many cases you have in total right now?

17 DEPUTY COMMISSIONER RAJ: I can give you that  
18 information later. I don't have that with me right  
19 now.

20 CHAIRPERSON WILLIAMS: Okay. Turning back to  
21 headcount, you know, the attorneys that work for the  
22 Agency perform such essential investigatory reporting  
23 and enforcing of our very expensive Human Rights Law,  
24 could there be an overlap between attorneys who work  
25 for the City agencies compared to private practices?

1  
2 DEPUTY COMMISSIONER SALAZAR: What we found is  
3 that the City's or Government's pay rates for  
4 attorneys is more comparable to the nonprofit sector  
5 and not the private sector. The private sector has a  
6 different compensation model. It's hard to compare.

7 CHAIRPERSON WILLIAMS: What is the current  
8 attrition rate of attorneys at your agency? And what  
9 is the average length of employment for attorneys at  
10 your agency?

11 DEPUTY COMMISSIONER SALAZAR: I don't have that  
12 information at the moment, but I can definitely  
13 follow up and provide that later.

14 CHAIRPERSON WILLIAMS: Okay. I also want to know  
15 how the attrition rate of attorneys has impacted the  
16 quality and effectiveness of the services provided?  
17 If at all.

18 DEPUTY COMMISSIONER RAJ: I think that I would say  
19 that I am very proud of the work that the Law  
20 Enforcement Bureau and the attorneys at the Law  
21 Enforcement Bureau do. Whether we have had very few  
22 staff ,you know, post COVID, or whether had a lot of  
23 staff, our attorneys are dedicated to their... to the  
24 work they do and the mission of the Agency. So, I  
25



1  
2 don't think that the quality of the work has suffered  
3 at all.

4 CHAIRPERSON WILLIAMS: Thank you. How many testers  
5 do you have in LEB that conduct proactive testing?

6 DEPUTY COMMISSIONER RAJ: Right now we have only  
7 three testers because we have testers who have left,  
8 and we are looking to increase that number. But our  
9 testers do quite a bit of testing ,you know, I think  
10 last year we tested with four testers. We tested more  
11 than 1,200 entities. Not just the number of test, but  
12 entities that we tested in in New York City.

13 CHAIRPERSON WILLIAMS: Do you have any plans to  
14 conduct any Commission initiated investigations this  
15 year? If not, what kind of additional capacity would  
16 you need to perform these?

17 DEPUTY COMMISSIONER RAJ: I'm sorry, I missed the  
18 first part of the question.

19 CHAIRPERSON WILLIAMS: Like, any Commission  
20 initiated investigations? Like, there might be  
21 something that you're hearing or that you're seeing  
22 and maybe you want to launch a unique investigation  
23 to do a little bit more digging. Do you plan to do  
24 any of those?

1  
2 DEPUTY COMMISSIONER RAJ: We are constantly  
3 looking for issues that we want to investigate as the  
4 Commission. We have filed quite a few Commission  
5 initiated complaints during this fiscal year - and  
6 during this calendar year, and we will continue to do  
7 that. We are always looking for issues to file. Cases  
8 (INAUDIBLE)... (CROSS-TALK)

9 CHAIRPERSON WILLIAMS: Can you share the ones  
10 you've done, because you said this year. Could you  
11 share the... the investigations you have conducted?

12 DEPUTY COMMISSIONER RAJ: So we have... we have  
13 some of them on our website... that have been posted  
14 on our website. We've done quite a bit in the salary  
15 transparency area. A lot of the Commission initiated  
16 investigations are not complaints. They start out as  
17 requests for information, because we're trying to  
18 find out what the policies and practices are before  
19 we determine whether we want to file a complaint or  
20 not. Other times we are sending cease and desist  
21 letters, you know, asking entities to not violate the  
22 law, and to work with us to come up with policies and  
23 practices that are in compliance with the law. So  
24 there are different ways in which we enforce the law  
25 through Commission initiated matters.

1                   CHAIRPERSON WILLIAMS: Just a few questions on  
2 your contract budget, and then I'll turn it over to  
3 my colleague, Council Member Joseph, for questions.

4                   So your contract budget was \$43,000 less in  
5 Fiscal 2025 compared to the Fiscal 2024 adopted  
6 budget contract of \$430,000. This was due to the  
7 removal of three contracts for data processing  
8 equipment, training programs for City employees, and  
9 professional service. Why were these three contracts  
10 removed in Fiscal Year 2025?

11                   DEPUTY COMMISSIONER SALAZAR: Our contractual  
12 needs vary each fiscal year, so it really just  
13 depends or is dependent on the service that was being  
14 provided, and perhaps for... not perhaps, but for the  
15 upcoming fiscal year we have or we're planning to do  
16 different things. So it may just reflect a different  
17 vendor that we're using and a different cost.

18                   CHAIRPERSON WILLIAMS: Cool. Can you share a  
19 little bit more detail on the training program for  
20 employees that was reduced?

21                   DEPUTY COMMISSIONER SALAZAR: I'm not sure which  
22 specific program, but I know that we had... and we  
23 would like to do this, because we find that it's also  
24 an incentive for staff retention. But, wherever  
25

1  
2 appropriate, we're trying to promote professional  
3 development opportunities. So that could be that we  
4 are using DCAS trainings. Most recently we had  
5 coaching opportunities for our staff. So that can be  
6 what is reflected in in the contractual budget.

7 CHAIRPERSON WILLIAMS: It would be good to just  
8 see details In macro level.

9 What is a typical training program that you all  
10 provide for employees and/or provided on a yearly  
11 basis? Does that also fluctuate? I know you mentioned  
12 some already. You mentioned the DCAS, and...

13 DEPUTY COMMISSIONER SALAZAR: Mm-hmm?

14 CHAIRPERSON WILLIAMS: So do you have anything  
15 else? Or it is just more so along the same lines...

16 (CROSS-TALK)

17 DEPUTY COMMISSIONER SALAZAR: It would still vary,  
18 but, yes, it would be more in line with, again, more  
19 trainings that are offered from DCAS. And, then,  
20 again, depending on our staffing needs, and perhaps  
21 what we are seeing... what kind of trainings our  
22 staff needs, then we are going to be looking into  
23 other opportunities with vendors.

24

25

1  
2 CHAIRPERSON WILLIAMS: Okay. And because that  
3 budget was cut, is there a plan to restore the  
4 training program in the future?

5 DEPUTY COMMISSIONER SALAZAR: The training program  
6 hasn't has necessarily been cut. So I just think,  
7 again, that depending on... for the upcoming fiscal  
8 year what the need is that... it could very well be  
9 that we found another vendor, and so the cost may  
10 have gone down. But...

11 CHAIRPERSON WILLIAMS: It would be good to get  
12 that. Because you're the expert, I don't what's in  
13 your budget. So, all we see is a number, and so if we  
14 see a number, and next to the line item it says  
15 training and it's slashed, like, it's hard for me to  
16 believe that you still have a program if you have no  
17 money for the program. And it could be what you said,  
18 but I don't know that.

19 COMMISSIONER PALMA: Council Member, and I would  
20 just add that our internal trainings when our laws  
21 (INAUDIBLE) when ,you know, the law is amended, those  
22 internal trainings are still happening. That's not  
23 affected by contracts. We still do our mandatory  
24 inhouse trainings around sexual harassment and other

1  
2 topics of law that we cover. And, so, those are not  
3 affected by this... (CROSS-TALK)

4 CHAIRPERSON WILLIAMS: Yeah, absolutely. I mean, I  
5 think there is consensus or perception that there are  
6 retention problems across the City especially for  
7 these super professional positions like attorneys.  
8 So, you just mentioned, like you have professional  
9 development to support (INAUDIBLE) retention. And,  
10 again, we are just looking at numbers on a paper.  
11 This is why we have hearings, because we want to  
12 learn more about what is going on. So, we obviously  
13 care about retention and training and just want more  
14 detail. Because what is reflected is that it was  
15 slashed.

16 Okay, Council Member Joseph?

17 COUNCIL MEMBER JOSEPH: Thank you, Chair.

18 I want to push ahead and look into future, right?  
19 So, what are some of the CCHR goals in the current  
20 and projected fiscal years?

21 COMMISSIONER PALMA: Thank you, Council Member  
22 Jospeh. So, since joining the Commission, there's  
23 been no secret that I've really have stressed that  
24 New Yorkers need to know that CCHR is here, you know,  
25 that we exist. So visibility has been key for me and

1 the team. This fiscal year, we were able to launch  
2 our first time ever what we call Info Line Live. So,  
3 now New Yorkers can actually dial us starting at 9:30  
4 in the morning and get a live person to take their  
5 call, take their complaint. Before I came to the  
6 agency, folks had to call in and leave a message and  
7 wait anywhere between 10 to 15 days to get a  
8 response. So right now, you know, we are actually  
9 making it... we have made the Commission more  
10 assessable to New Yorkers. And I want to continue to  
11 do that by expanding the work that we do in our  
12 communities service centers in each borough. As well  
13 to have... to be able to do then intake in a way  
14 where we're going to New Yorkers rather than having  
15 them wait and come to us.

17 COUNCIL MEMBER JOSEPH: Has the data risen from  
18 that approach? And there's been communities that are  
19 hard to reach, what is the plan to make sure you're  
20 reaching those communities whether it is through  
21 language access and all of that?

22 COMMISSIONER PALMA: So, we continue to  
23 proactively go out into communities. We continue to  
24 proactively engage in partnerships with the City  
25 Council, with elected officials, with our partners

1 out in the community, especially in communities that  
2 are hard to reach. We are intentional about trying to  
3 get out to those communities. I know that through the  
4 work of our CRB team we have done hundreds of  
5 thousands.... we have reached hundreds of thousands  
6 of people who have done thousands of workshops. And  
7 that work continues, and that's the work that enables  
8 us to reach those communities.  
9

10 DEPUTY COMMISSIONER CHAUDHURI: Thank you for the  
11 question.

12 I think for us there are a few things. One is, as  
13 Commissioner mentioned, we have community service  
14 centers in all the five boroughs. So this a  
15 geographical outreach, but there are also specialized  
16 positions called Lead Advisors and Liaisons, which  
17 our agency over the years has very thoughtfully  
18 thought about, like who are the communities who have  
19 historically mistrust in government? And how do we  
20 ensure that we have staff who represent, who speak  
21 the language, who look like folks, and who have built  
22 trusted relationships in those communities? So, those  
23 are some ways that we ensure that we are reaching  
24 different communities. Language, uh, we are proud to  
25 say of the Local Law 10 languages, we speak, within



1  
2 our agency, eight of them, and we ensure that we are  
3 working using other translation and other pieces for  
4 the other languages as well. So, language access is  
5 very key in terms of our relationship and  
6 partnerships.

7 COMMISSIONER PALMA: And I think I would just add,  
8 Council Member, that we also ,you know, we have  
9 leveraged our social media, we have leveraged in  
10 ensuring... we are communications team has created  
11 these human rights minutes that explain the law  
12 literally in one minute. And, so, those have been  
13 successful in reaching communities. We have also been  
14 talking about creating a radio show, and also have  
15 been engaging ethnic media to do roundtable  
16 discussions to be able to bring our information  
17 through the press directly into communities,  
18 especially communities that that English is not their  
19 first language.

20 COUNCIL MEMBER JOSEPH: That was going to be my  
21 next question, thank you.

22 How can the Council support your goals?

23 COMMISSIONER PALMA: The partnerships that you all  
24 provide are key and vital, and we take advantage of  
25 every opportunity that we can to show up where you

1  
2 are. To show up and make sure that we are talking to  
3 your constituents, to New Yorkers. I know that a few  
4 months ago, I did walk throughs in business corridors  
5 with Council Member Riley, with Council Member  
6 Krishnan. Those opportunities are always key to  
7 ensuring that New Yorkers are getting the full  
8 (INAUDIBLE) of services that the Commission has to  
9 offer.

10 COUNCIL MEMBER JOSEPH: Well, thank you for that.

11 I always put the dream out there. If CCHR had  
12 more resources, what would its top priorities be, and  
13 what is the reasonable level of funding that you  
14 would propose to support those?

15 COMMISSIONER PALMA: You know, I wish I could put  
16 a number on a budget, but there is no magic number.  
17 Right? We have a mandate to fulfill, and no matter  
18 what the budget looks like, we have to continue to  
19 fulfill that mandate. I will say that the team is  
20 dedicated and continues to do the work. And, so, we  
21 will continue to accept all the support that we get  
22 from the Council and continue to work with the  
23 Administration and with OMB to ensure that the needs  
24 of our agency are met.  
25

1  
2 COUNCIL MEMBER JOSEPH: Are you currently facing  
3 any challenges?

4 COMMISSIONER PALMA: I think our biggest challenge  
5 is recruiting attorneys to come and work at the  
6 agency. But we are actively, again, you know,  
7 speaking with OMB and trying to be creative and  
8 innovative in how we can attract attorneys to come  
9 and work at CCHR.

10 COUNCIL MEMBER JOSEPH: How are you thinking about  
11 adapting to expansive in this mandate including  
12 discrimination, housing discrimination, and economic  
13 abuse going forward?

14 COMMISSIONER PALMA: I'm sorry, can you repeat  
15 that?

16 COUNCIL MEMBER JOSEPH: How are you thinking about  
17 adapting to expansive in this mandate including  
18 discrimination, housing discrimination, and economic  
19 abuse going forward? Like, for example, my district  
20 has a huge discrimination about landlords taking  
21 vouchers. So, that is a huge thing. And I have a  
22 couple of... two other neighboring districts that are  
23 facing the same thing.

24 COMMISSIONER PALMA: You know, I always... we  
25 always encourage anyone who knows of that situations

1  
2 that are happening, so bring it to our attention. We  
3 can respond quickly and effectively. We will continue  
4 to do trainings. We will continue to bring the  
5 information regarding the amendments that were made  
6 to our law. We will continue to ensure that we are in  
7 those spaces. And, so, wherever you need the  
8 Commission to come and provide that information to  
9 the community, please let us know. And we will  
10 continue to do our part through our Community  
11 Outreach Unit.

12 COUNCIL MEMBER JOSEPH: And economic abuse, how is  
13 that looking to expand and mandate and making sure  
14 people know about it?

15 COMMISSIONER PALMA: The same way, through  
16 trainings, through discussions, through community  
17 meetings. Wherever we get an opportunity to highlight  
18 the amendments that have been made, and to those  
19 areas of the law, we are in those spaces doing that.

20 COUNCIL MEMBER JOSEPH: Are there any of those  
21 areas we foresee in the future that in five years we  
22 will need more resources to make sure it is getting  
23 the work done?

24

25

1                   COMMISSIONER PALMA: The Commission has a mandate.  
2  
3 And, so, in five years, our mandate will be the same.  
4 We have to enforce the law.

5                   COUNCIL MEMBER JOSEPH: Okay, thank you so much.  
6 Thank you, Chair.

7                   CHAIRPERSON WILLIAMS: No problem, just  
8 acknowledging that we have joined by Council Member  
9 Riley.

10                  COUNCIL MEMBER RILEY: Thank you so much, Chair.

11                  How you doing, Commission, how you doing Team?

12                  I just had a great meeting with your team last  
13 week. Looking forward to doing amazing things, and  
14 thank you so much for supporting the corridor walk  
15 with the small businesses in my district, truly  
16 appreciate it.

17                  I have a few questions I just want to run through  
18 real quick. First is personnel restructuring. Given  
19 the restructuring of your personnel services and  
20 Community Development staff, what is your plan ensure  
21 that your staffing levels meet these of those who  
22 turn to you for support?

23                  COMMISSIONER PALMA: As I mentioned before,  
24 Council Member Riley, regardless of what our staffing  
25 levels look like, we have a mandate to fulfill, and

1 so the staffs show up every single day dedicated and  
2 ready to do the work and that will continue.

3  
4 COUNCIL MEMBER RILEY: Thank you.

5 Going to recidivism continued to compliance, do  
6 you have any data you can share with us on the  
7 recidivism rate of the offending parties, and what  
8 mechanisms do you have in place to ensure continued  
9 compliance after resolution has been reached?

10 COMMISSIONER PALMA: Are you referring to matters  
11 we resolved or...

12 COUNCIL MEMBER RILEY: Yes.

13 COMMISSIONER PALMA: When we resolve cases?

14 COUNCIL MEMBER RILEY: Correct. Yes.

15 DEPUTY COMMISSIONER RAJ: So, as part of our  
16 settlement agreements what we usually... well, not  
17 usually, but a lot of times what we will have is a  
18 monitoring provision in there, so that the respondent  
19 has to provide certain information to us about  
20 compliance at regular intervals. So, it depends on  
21 the settlement agreement, sometimes it is once every  
22 four months, sometimes it is once every six months  
23 that they have to provide us information. Or we will  
24 say, uh, in the settlement agreement itself, we will  
25 provide that we can ask for that information at any

1 point within a certain period of time for them to  
2 provide it to us, so that we can see that they are in  
3 compliance. And I still get, as part of our  
4 settlement agreements, emails kind of showing us how  
5 they have been... with proof that they have been in  
6 compliance.  
7

8 COUNCIL MEMBER RILEY: Thank you, Deputy  
9 Commissioner.

10 And how do you explain the steady decrease of  
11 dollar amount damages received every year by  
12 complaints from FY21 to today?

13 DEPUTY COMMISSIONER RAJ: They actually have  
14 increased.

15 COUNCIL MEMBER RILEY: It has increased?

16 DEPUTY COMMISSIONER RAJ: Yes.

17 COUNCIL MEMBER RILEY: Oh, okay, so... (CROSS-  
18 TALK)

19 DEPUTY COMMISSIONER RAJ: The damages have  
20 increased.

21 COUNCIL MEMBER RILEY: Well, I have to tell my  
22 team that. They have decrease on here, excuse me.

23 Which mechanisms can you introduce to ensure that  
24 plaintiffs who want to pursue litigation or reach a  
25 settlement, reach a successful outcome?

1  
2 DEPUTY COMMISSIONER RAJ: So, we work... we are as  
3 of right to file agency. So if someone comes to us  
4 with a claim that's jurisdictional within our law, we  
5 have to take that complaint - we have to take that  
6 claim, file a complaint, investigate it, and if we if  
7 we find through that investigation that there has  
8 been a violation of our law, we will either settle  
9 the claim to ,you know, so that both parties get...  
10 both parties are in compliance - so that the  
11 complainant who has come to us gets damages. The  
12 respondent who comes to us, has to either pay  
13 penalties and the damages to the City... penalties to  
14 the City and damages to the complainant. And, then,  
15 also engage in what we call affirmative relief. So  
16 they have to go through training, they have to change  
17 their policies and practices to be in compliance with  
18 our law. They usually have to post our notices of  
19 rights in either their housing, if there housing  
20 providers... in their... wherever there offices are,  
21 if they're employers, then in the employment places.  
22 And, then, we also, as I said, we also ask for  
23 monitoring of some kind. And then according to each,  
24 we also have different ways in which we get  
25 affirmative relief - like in source of income cases,



1 we have been asking for set asides, so that certain  
2 apartments or a set number of apartments are set  
3 aside for people with vouchers. We... in Fair Chance  
4 Act cases we've asked for the employers to engage in  
5 job fairs that are targeted towards people who are  
6 entering to work with reentry organizations So, there  
7 are different ways in which we make sure that it's  
8 not just the individual who has come to us who gets  
9 relief, but that relief is something that affects  
10 people going forward, the public going forward.

12 COUNCIL MEMBER RILEY: And something you touched  
13 on I think is mediation. That was my next question.  
14 So, I understand the well-known power and balance  
15 between organizations individuals in alternative  
16 dispute resolution processes, how do you ensure that  
17 mediation remains a fair and equitable process for  
18 individual plaintiffs?

19 Can you just please elaborate a little bit more  
20 on your mediation process?

21 DEPUTY COMMISSIONER RAJ: So we have one mediator  
22 who handles our mediation, the Law Enforcement Bureau  
23 refers cases to mediation if both parties are  
24 interested in mediation and if both parties are  
25 represented. If the complainant is not represented,

1 then we will try to find an advocacy organization or  
2 legal services that will agree to represent the  
3 complainant during the mediation.  
4

5 COUNCIL MEMBER RILEY: And have you seen any  
6 barriers when individuals are trying to find  
7 complaints? And if you have seen any barriers, what  
8 are your kind of resolutions to respond to those  
9 barriers.

10 DEPUTY COMMISSIONER RAJ: I am not sure I  
11 understand the question. (INAUDIBLE)... (CROSS-TALK)

12 COUNCIL MEMBER RILEY: So, if you are seeing any  
13 barriers, because people don't want to file  
14 complaints or don't comfortable file complaints, they  
15 might come to you for resources, and then be kind of  
16 restrictive with giving you some information. So,  
17 what do kind of you know help them out?

18 DEPUTY COMMISSIONER RAJ: So, we actually get  
19 quite a bit of that where people are not willing to  
20 file a complaint, because... for different reasons  
21 either they don't want to... they are afraid of  
22 retaliation, or they just don't want to invest the  
23 time, or they don't want to file a complaint. We  
24 call them tips. So, the Commission then looks at that  
25 and determines whether Commission initiated actions

1 should take place, because if we determined that  
2 there's possibly a pattern and practice issue, then  
3 we will either send a letter- a cease and desist  
4 letter, or soft touch... what I call a soft touch  
5 letter to the to the respondent, or we will file a  
6 complaint, or we will send them a request information  
7 to find out more. So the Commission will take it over  
8 at that point.

10 COUNCIL MEMBER RILEY: Thank you.

11 One thing I'm really, really happy about is your  
12 increased outreach with youth. Just wanted to know  
13 the rationale of why you increased your outreach with  
14 youth. Can you please elaborate on the key  
15 distinction between these two types of trainings that  
16 you incorporate now?

17 DEPUTY COMMISSIONER CHAUDHURI: Thank you for the  
18 question. And I am really glad to hear that you are  
19 excited about our youth programming.

20 So, at the Commission we have a program called  
21 Peer Mediation that is in its 21st year now. So,  
22 youth engagement at the Commission is not a new  
23 thing. We have been doing it for many years. But, it  
24 is in a new place where we are doing much more focus  
25 and much more thoughtful engagement. And, so, a few

1 years ago we launched what is called our Y.E.S.  
2 Initiative that stands for Youth for Equity and  
3 Solidarity Initiative. So, the Y.E.S. Initiative has  
4 a few things in it. One, we have a Y.E.S. Council  
5 where young New Yorkers who are high school and above  
6 are part of the council. So, they do a full academic  
7 year program with us where they... they talk about  
8 issues of discrimination and bias that they are  
9 seeing in their schools, their communities. And we  
10 work with them to provide engagement skills and  
11 leadership schools. And that is... when the  
12 Commissioner was talking in her testimony about the  
13 UN event that we did end of last year at the 75th  
14 Anniversary of the Universal Declaration of Human  
15 Rights, our Youth Council was a very integral part of  
16 it. They spoke, they presented. Their voices were  
17 upheld.

19 So, our youth trainings differ slightly from our  
20 adult trainings, because they are for young people,  
21 and they are based on the needs and what the schools  
22 or community based organizations may request from us.  
23 So, for our youth training, we have a general human  
24 rights law not training for them, but we also do  
25 trainings around race and color. We do a training

1  
2 around gender and sexuality. And we do a training on  
3 focusing on young... on women's empowerment. So,  
4 along with the peer mediation program that I talked  
5 about is in its 21st year.

6 COUNCIL MEMBER RILEY: Thank you. Chair I'm almost  
7 done.

8 In the first four months of Fiscal Year 2024, the  
9 number of complaints closed by 12 percent from 188 in  
10 the same period of Fiscal 2023 to 166 in Fiscal Year  
11 2024. This is due to part two increased demand for  
12 other aspects of CCHR's work including the greater  
13 number of complaints filed which were necessary to  
14 more intake and filings for staff focused on  
15 complaints. So, the questions I have are what sort of  
16 complaints has CCHR typically received? What is the  
17 average time that CCHR resolves pending complaints?

18 DEPUTY COMMISSIONER RAJ: So most the number of  
19 complaints, the jurisdictional complaints that we  
20 file are in employment. Second is housing, and then,  
21 of course, public accommodations. Across all of those  
22 jurisdictions disability is the largest number of  
23 issues that... is the largest issue that we address.

24 I think it's very difficult to say why there has  
25 been a fluctuation within a quarter, because each

1 complaint is different. And what people come to us...  
2 the public comes to us with complaints is also  
3 different, not the subject matter, but also the  
4 complexity of what we need to investigate, and how we  
5 need to investigate it and how long that  
6 investigation might take. So, I think you may be able  
7 to look at it more towards a whole year rather than  
8 just a quarter - it can fluctuate within a quarter.  
9 And then even within a year, it's hard to tell,  
10 because we may get very complex cases in a year. We  
11 may not get such complex cases the next year. People  
12 can come to us to file complaints. People can go to  
13 the Safe Division, people can go to EOC. They can go  
14 to HUD and file. They can go to court and file. So,  
15 it just depends on who chooses to come to us.  
16

17 COUNCIL MEMBER RILEY: And lastly, do you believe  
18 there were enough staff members to manage issues? I  
19 know, Commissioner you said, regardless you're going  
20 make sure the work is done, but I just want to drill  
21 down to see if you believe that enough staff members  
22 were there to manage the issues. And, also did these  
23 complaints affect the number of overtime hours for  
24 these staff member?  
25

1  
2 COMMISSIONER PALMA: Obviously, we will never deny  
3 that we can do more with more on. Our mandate is our  
4 mandate. We have to continue to enforce the Human  
5 Rights Law.

6 Did you want to talk about overtime?

7 DEPUTY COMMISSIONER RAJ: I think I addressed that  
8 but... So, if over... if comp time is needed, and we  
9 do allow our attorneys to use the comp time to  
10 address cases, and the issues that are raised in  
11 those cases, like I said before, if there are  
12 depositions, if there are interviews that need to be  
13 done that cannot be done during the work hours, if  
14 there are other types of preparation that need to be  
15 done, we do allow for comp time.

16 COUNCIL MEMBER RILEY: Thank you so much. Thank  
17 you, Chair, for allowing me this time. Thank you,  
18 Commission, and thank you, team, for presenting  
19 today.

20 CHAIRPERSON WILLIAMS: I just wanted to follow up  
21 on your comments that recruitment is one of the  
22 biggest challenges. Do you have a sense why? Is it  
23 salaries... recruitments, yes. Do you have a sense as  
24 to why? Can give a little bit more?  
25

1  
2 COMMISSIONER PALMA: I think what we've seen, I  
3 mean not in our agency, but across the City, there  
4 are some determining factors that play into it.  
5 Salary can be one of those challenges, right?  
6 Competing against the private sector, City agencies  
7 competing against the private sector in terms of  
8 recruiting folks can be tough. And, obviously, you  
9 know, when offers are made, some of some of the  
10 attorneys have come back to us and said, you know, I  
11 was offered something with more money. So, those are  
12 the challenges that we see. Again, we continue to try  
13 to be creative and innovative and then work with OMB  
14 to see what we can do to be able to attract attorneys  
15 to our agency.

16 CHAIRPERSON WILLIAMS: Okay.

17 How does the salary at your agency compare to  
18 other agencies that may have attorneys or other  
19 similar positions? Is it on par or is it below?

20 COMMISSIONER PALMA: All of... the majority of our  
21 attorneys are our unionized, so the salary ranges are  
22 part of the collective bargaining agreement, and we  
23 follow that.

24 CHAIRPERSON WILLIAMS: Thank you.  
25



1  
2 Just some more questions on your responsibilities  
3 and the services you offer. Does LEB work in  
4 collaboration with other agencies?

5 COMMISSIONER PALMA: To?

6 CHAIRPERSON WILLIAMS: If there is anything that  
7 might be happening around enforcing the City Human  
8 Rights Law? I'm thinking of source of income, which  
9 was in HRA, and there's still some things there. Like  
10 how do you all work with other agencies to address  
11 different issues?

12 COMMISSIONER PALMA: So, the LEB Department  
13 enforces the law... the unit that will work with and  
14 collaborate with other agencies is our CRB team. So,  
15 we ,you know, with... you mentioned HRA flex time.  
16 We are now talking with DSS to be able to go in and  
17 do some trainings. And to the Housing Team in the  
18 shelters, right? Around source of income... so  
19 that's the collaboration that our agency will do. LEB  
20 won't do it, CRB is the unit that will do that.

21 CHAIRPERSON WILLIAMS: There was an increase of  
22 \$95,000 in FY25 in the plan compared to the Fiscal  
23 Year 2024 adopted budget. What has driven the  
24 increase in FY25?

25 DEPUTY COMMISSIONER SALAZAR: In what category?

1                   CHAIRPERSON WILLIAMS: One second, we will look  
2  
3 that up.

4                   How does the Commission maximize its current  
5 resources and ensure that its efforts are cost-  
6 effective specifically in the Law Enforcement Bureau?

7                   So, how are you maximizing your current resources  
8 to meets demand and also reductions in your budget?

9                   DEPUTY COMMISSIONER RAJ: I'm not sure  
10 (INAUDIBLE)... (CROSS-TALK)

11                   CHAIRPERSON WILLIAMS: Okay... (CROSS-TALK)

12                   DEPUTY COMMISSIONER RAJ: (INAUDIBLE)... (CROSS-  
13 TALK)

14                   CHAIRPERSON WILLIAMS: We can (INAUDIBLE)...

15                   How freely does the Law Enforcement Bureau  
16 investigate complaints of police misconduct? How does  
17 the LEB currently measure impact and effectiveness  
18 and its investigation?

19                   DEPUTY COMMISSIONER RAJ: So we... well, here are  
20 several parts of our law that deal with police  
21 misconduct - one is biased-based profiling, which is  
22 a specific area of our law that deals with misconduct  
23 by law enforcement. But, also individuals can bring  
24 claims to us, because they feel that they have been  
25 discriminated because of whatever protected class of

1 the 25+ protective classes that we have, and of  
2 course, in public accommodations is mostly come in.  
3 So, we do have claims against NYPD - individuals who  
4 bring claims to us based on violations of their...  
5 where feel they have been discriminated against.

6 DEPUTY COMMISSIONER CHAUDHURI: And, Council  
7 Member, If I may add, we are also very actively  
8 working with NYPD's Office of Equity and Inclusion to  
9 ensure that their equity liaisons and others are  
10 being trained on the City Human Rights Law.

11 Similarly, the DOE's Office of Youth and Safety who  
12 hire the school safety agents, we are training every  
13 new cohort of school safety agents around the Human  
14 Rights Law, so that people are aware of that their  
15 obligations are when they are out in the field as  
16 part of their job.

17 CHAIRPERSON WILLIAMS: Okay.

18 The \$95,000 was in the Community Development Law  
19 Enforcement Program? Yeah, Apparently there was an  
20 increase, right? It was an increase in Fiscal Year  
21 2025 in the prelim, which was compared to the fiscal  
22 2024 adoptive budget. So, there was an increase in  
23 this Fiscal Year 2025 prelim plan.

1  
2 DEPUTY COMMISSIONER SALAZAR: I will have to  
3 follow up with you with that.

4 CHAIRPERSON WILLIAMS: Thank you.

5 I'm going to talk about metrics and tracking, and  
6 then just a few more questions on source of income  
7 units and a few other things.

8 So, what is the... I know you need to get back  
9 to the me on the total (INAUDIBLE) of inquiries, but  
10 how do you track it?

11 DEPUTY COMMISSIONER RAJ: So, we have a system  
12 that tracks the number of inquiries we get. Each call  
13 that comes in, whether it is jurisdictional or not,  
14 and we also track the cases that are taken as intakes  
15 - the cases that are taken as complaints where  
16 complaints are filed. So we have a system called  
17 Dynamics that tracks all of that.

18 CHAIRPERSON WILLIAMS: We have learned that some  
19 inquiries get assigned a Matter Number, others  
20 assigned get Correspondence Number, and others don't  
21 get assigned any numbers at all, and I guess  
22 technically they are not tracked in the database -  
23 there's no record. So, how does your agency decide  
24 which inquiries to assign a number to or not?

1                   And, Council Member Brewer would love this, as  
2                   the writer of Open Data Law, so the 311 service  
3                   request data (INAUDIBLE) data (INAUDIBLE) NYC Open  
4                   Data does not contain any data on your agency, and we  
5                   also want to know why.  
6

7                   DEPUTY COMMISSIONER RAJ: 311, I don't know. But I  
8                   know that, at least the Law Enforcement Bureau, any  
9                   inquiry that comes in is tracked and is given a  
10                  Matter Number, whether it is jurisdictional or not...  
11                  or should be (INAUDIBLE)... (CROSS-TALK)

12                  CHAIRPERSON WILLIAMS: What is the difference  
13                  between a Matter Number and a Correspondence Number?

14                  DEPUTY COMMISSIONER RAJ: I'm not sure. It's all  
15                  Matter Numbers...

16                  CHAIRPERSON WILLIAMS: You all give... okay...

17                  In 2023, of the 340 complaint Law Enforcement  
18                  Bureau complaints filed of 2,190 inquiries, 33  
19                  percent reached to settlement. Do you know how many  
20                  of these complaints were related to source of income?

21                  DEPUTY COMMISSIONER RAJ: I would have to get back  
22                  to you about how many of them source of income.

23                  CHAIRPERSON WILLIAMS: Yeah, and what the results  
24                  were of the settlement, and also how many set aside  
25                  units for voucher holders were won through the

1 settlements? And also if there were any civil  
2 penalties and damages?

3  
4 DEPUTY COMMISSIONER RAJ: There usually are civil  
5 penalties and damages. Those are sometimes reduced  
6 somewhat if we are able to get set asides, because  
7 that's really important to New Yorkers, that they  
8 have housing that is available to them - much more  
9 important than... so, we will reduce the civil  
10 penalties that are paid to the City sometimes in  
11 correlation with the number of set asides we get. Not  
12 always, but sometimes.

13 CHAIRPERSON WILLIAMS: Thank you. And because we  
14 are on source of income, I will just ask a few  
15 questions on that.

16 So, the Source of Income Units works to address  
17 discrimination against New Yorkers seeking housing  
18 using varying forms of assistance from federal state,  
19 or city voucher subsidy or other forms of public  
20 assistance. The Administration has indicated their  
21 commitment in the past to addressing the housing  
22 crisis, including City of Yes, and millions of  
23 dollars to fund, I quote, "tenant protection  
24 programs, including more staff, increased  
25 investigation and enforcement against bad landlords

1 who discriminate based on source of income." It was  
2 actually an excerpt from the Mayor in a press release  
3 that your agency released on April 19, 2023. He says  
4 that ,you know, he's investing over \$22 million to do  
5 this. So what are the Fiscal Year 2024 and 2025  
6 budgets for the SOI Unit? And has there been an  
7 increase in funds committed to the SOI Units?

9 DEPUTY COMMISSIONER SALAZAR: The SOI Unit resides  
10 within an LEB, so doesn't have a separate budget. We  
11 are currently at 13 SOI staff members, six of which  
12 are attorneys, six are interventionist, and one is an  
13 admin staff.

14 CHAIRPERSON WILLIAMS: Have the PEGs directly  
15 impacted the work of this unit?

16 DEPUTY COMMISSIONER SALAZAR: No, it has not. It  
17 has actually grown. This is the largest the SOI Unit  
18 has ever been.

19 CHAIRPERSON WILLIAMS: How many positions are  
20 needed for the SOI Unit to execute its mission?

21 COMMISSIONER PALMA: We now have dedicated staff  
22 to SOI. LEB as a whole works on an SOI cases. So  
23 it's not... the work of SOI is not limited to the SOI  
24 Unit.

25 CHAIRPERSON WILLIAMS: Okay.

1  
2 DEPUTY COMMISSIONER RAJ: I'll just add that with  
3 the SOI Unit, we have interventionists who  
4 specifically handle cases where either brokers or  
5 landlords have discriminated against New Yorkers  
6 because they have a voucher. And we are able to  
7 contact the brokers or the landlords immediately to  
8 see whether the issue can be resolved and the person  
9 can get access.

10 CHAIRPERSON WILLIAMS: I'm happy to mention the  
11 interventionists. Can you tell me how many  
12 interventionists you have?

13 DEPUTY COMMISSIONER RAJ: We have six.

14 CHAIRPERSON WILLIAMS: Okay. So, just some  
15 questions or pre-complaint interventions. Has the  
16 Source of Income Unit conducted an annual basis since  
17 2018? So do you sort of conduct these interventions?

18 So, I think we... We what I'm gathering from this  
19 question is that there was some annual thing that  
20 happened, but has it happened since 2018?

21 DEPUTY COMMISSIONER RAJ: Have we been doing  
22 interventions since 2018? We have... (CROSS-TALK)

23 CHAIRPERSON WILLIAMS: Yeah, how many have you  
24 been doing on an annual basis since 2018?



1  
2 DEPUTY COMMISSIONER RAJ: So, I know that in FY23  
3 we had 145 PCIs that were successfully completed. I'm  
4 not sure what the number is for Fiscal Year 2024, and  
5 of course since 2018 we've done quite a few. There  
6 was a little bit of a lull during the pandemic,  
7 because there was a moratorium on evictions, and  
8 housing was just sort of a standstill at that point.

9 CHAIRPERSON WILLIAMS: What percentage of the pre-  
10 complaint interventions have resulted in a move-in?

11 DEPUTY COMMISSIONER RAJ: So I'm not sure that we  
12 track whether it results in a move-in, because that's  
13 not necessarily what someone who contacts us wants  
14 all the time. Sometimes they just want access to view  
15 the unit. So they may be asked... there different  
16 ways that people want to access housing. Sometimes  
17 they have contacted a broker. The broker has told  
18 them, we can't show you the unit, because you have a  
19 voucher, and we don't think the landlord is going  
20 accept a voucher, or we don't work with people with  
21 vouchers. And once the person sees the unit, they may  
22 not necessarily want that unit. To us that's  
23 successful, because the person wanted to see the unit  
24 and would not have even been able to see that unit if  
25 we had not intervened. Of course, there are others

1  
2 that we work with very diligently to have them move  
3 into the unit itself - or if not that unit, than  
4 another unit. So sometimes we work with the person  
5 over a period of time to get them into housing.

6 CHAIRPERSON WILLIAMS: I know you mentioned set  
7 asides, and I am pretty sure you don't have this  
8 answer, but if you could share with us at a later  
9 time how many set aside units your agency has been  
10 able to secure for voucher holders since 2018? And  
11 then just a data tracking question - can you share  
12 why you do not track address level data for source of  
13 income discrimination inquiries?

14 So, for instance, there's no formal tracking of  
15 where these discriminations are taking place across  
16 New York City? So, technically you wouldn't be able  
17 to really assess and say, like, well we see in these  
18 communities or in these areas a higher propensity for  
19 discrimination, because your agency is not tracking  
20 location.

21 DEPUTY COMMISSIONER RAJ: So, We do take the  
22 location of... yes, we do take the location of the  
23 person who's calling us, not necessarily of the unit.  
24 But we have worked with other City agencies to track  
25 where in which neighborhood there has been the least

1  
2 number of voucher holders when the rents are within  
3 the payment standards.

4 CHAIRPERSON WILLIAMS: Did you just say you worked  
5 with other agencies?

6 DEPUTY COMMISSIONER RAJ: Yes.

7 CHAIRPERSON WILLIAMS: Okay, I asked the question  
8 about work with other agencies and you said you  
9 didn't work with other agencies.

10 COMMISSIONER PALMA: I think for this specific...  
11 when it comes to SOI and vouchers, for that specific  
12 type of work, and be able to identify where these  
13 discrimination are happening, that that's the extent  
14 of collaboration... (CROSS-TALK)

15 CHAIRPERSON WILLIAMS: (INAUDIBLE) Yeah,  
16 Commissioner, my question was broad. It wasn't  
17 specific... (CROSS-TALK)

18 COMMISSIONER PALMA: Okay... (CROSS-TALK)

19 CHAIRPERSON WILLIAMS: (INAUDIBLE) interested in  
20 how LED works with agencies. It could be a simple  
21 conversation to something more comprehensive. We are  
22 interested in understanding how this units  
23 specifically works with other agencies - and you said  
24 that you didn't, and that only the Community Division  
25 (INAUDIBLE)... (CROSS-TALK)

1                   COMMISSIONER PALMA: Right, I...

2                   CHAIRPERSON WILLIAMS: You can understand my  
3 confusion... (CROSS-TALK)

4                   COMMISSIONER PALMA: (INAUDIBLE)... (CROSS-TALK)

5                   CHAIRPERSON WILLIAMS: Because you completely  
6 dodged that question, and then you actively said  
7 yourself that you worked with the agencies. So, I was  
8 really confused about that.

9                   COMMISSIONER PALMA: I'm sorry, Council Member. I  
10 don't think... I mean, I know that I jumped in to  
11 response of the question, but it was... it's the  
12 specific work that LEB does in terms of law  
13 enforcement that they... to do their work, there is  
14 not much room for collaboration with other agencies,  
15 unless where we need information of this magnitude to  
16 be able to know where these landlords are committing  
17 this type of discrimination.

18                   CHAIRPERSON WILLIAMS: Yeah, and I feel like  
19 hearings and public forums are opportunities to also  
20 understand the way a person is and how they think.  
21 And, so, I think it's... You know, I don't always  
22 find it important for me to say this disclaimer, but  
23 I say all the time, I am not going to pretend to know  
24 half of the things that you guys do. I am happy that  
25

1  
2 I am an elected official, so I can talk trash about  
3 elected officials, (LAUGHTER) but we are  
4 generalists. We are not specialist. And, so, these  
5 questions are an effort to learn more. And, so, you  
6 know, wanting to understand what that collaboration  
7 looks like, because we might hear things, but we  
8 don't... I don't know, I am not in your agency. I  
9 don't know how many times you're picking up the phone  
10 or working with another agency. So, that was the crux  
11 of this. It's for me to genuinely know. I do not  
12 know, and so just wanting to get more information.  
13 That's all.

14 COMMISSIONER PALMA: Absolutely. And Law  
15 Enforcement Bureau also actively participates on  
16 panels with other... we get invited to speak at  
17 panels and community forums as well, so that  
18 collaboration also happens through LEB, too.

19 CHAIRPERSON WILLIAMS: Okay. Are there any levels  
20 of cases being prioritized when the Source of Income  
21 Unit is understaffed? And is there a current backlog?

22 DEPUTY COMMISSIONER RAJ: So, we are not  
23 understaffed at this point, because we are the most  
24 robust we have ever been. And, also, as the  
25 Commissioner had said, it's not just the unit that

1  
2 does the source of income work, but all of the Law  
3 Enforcement Bureau does that work. So, at this point,  
4 we don't have a backlog necessarily of source of  
5 income cases.

6 CHAIRPERSON WILLIAMS: Okay. I know in the past  
7 folks were in the Source of Income Unit or other  
8 units or divisions within in your very large bureau  
9 here spoke different languages. Can you share how  
10 many languages are spoken at the Commission? If you  
11 still have multilingual people that are not only  
12 going into the community but also working on these  
13 cases?

14 COMMISSIONER PALMA: At the Commission we  
15 currently... our staff speaks 27 languages.

16 CHAIRPERSON WILLIAMS: That's amazing.

17 Okay, I know that in prior years HRA has stepped  
18 in to perform some of the source of income work. Can  
19 you explain the relationship between HRA's work and  
20 Source of Income Unit, and if they are currently  
21 playing the same role?

22 DEPUTY COMMISSIONER RAJ: So, I think the  
23 currently the inquiries that are coming as far as  
24 source of income discrimination is concerned, are  
25 going to be transferred to the Law Enforcement

1 Bureau. And we've been in conversations with them so  
2 that the complaints are not going through HRA and  
3 DSS. They are going to come straight to the  
4 Commissioner on Human Rights.  
5

6 CHAIRPERSON WILLIAMS: Is it is true that there is  
7 source of income testing a contract with contract  
8 HPD?

9 DEPUTY COMMISSIONER RAJ: We don't have a testing  
10 contract with HPD currently.

11 CHAIRPERSON WILLIAMS: Or, no, is there a testing  
12 contract sitting within HPD or HRA?

13 DEPUTY COMMISSIONER RAJ: I am not sure. I know at  
14 one point we had a fair housing contract with HPD. We  
15 have not had that in several years.

16 CHAIRPERSON WILLIAMS: Okay, I just wanted to  
17 acknowledge that we have been joined by Council  
18 Member Rafael Salamanca. Do you have questions?

19 COUNCIL MEMBER SALAMANCA: (INAUDIBLE)

20 CHAIRPERSON WILLIAMS: Okay.

21 The Fair Chance Act will go into effect on  
22 January 1, 2025. The Fair Chance Act Fiscal Impact  
23 Statement states that your agency will need an  
24 additional \$1.4 million annually in order to  
25 implement and enforce the Fair Chance Act. However,

1  
2 in the FY25 budget, the Fiscal Impact Statement only  
3 allocate \$700,000. Does the Commission need to staff  
4 up before the effective date takes place? If so, is  
5 the fiscal statement understating what needs to be  
6 done?

7 COMMISSIONER PALMA: Again I will reiterate with  
8 us with any amendment that is made into a law, we  
9 have to... we are mandated enforce it, and so we  
10 will continue to enforce the laws as they come... as  
11 they are amended, as they are coming into place.

12 DEPUTY COMMISSIONER SALAZAR: I just want to say  
13 that we are in the beginning stages of the budget  
14 season, so I think there is also opportunities for us  
15 to continue the dialogue.

16 CHAIRPERSON WILLIAMS: Well, thank you so much for  
17 all you do. I always advocate for the Commission, and  
18 I know we give a lot of work in the Council. So, I  
19 appreciate everything, and I think you so much for  
20 your testimony.

21 CHAIRPERSON WILLIAMS: Alright, EEPIC!

22 Alright, well I will just start my next opening  
23 statement while these lovely folks take their seats.

24

25



1                   Good afternoon, and welcome to the Fiscal 2025  
2 Preliminary Budget Hearing for the Equal Employment  
3 Practices Commission or EEPC.  
4

5                   Again, my name is Nantasha Williams, and I'm the  
6 Chair of the Committee Civil and Human Rights.

7                   EEPC's FY25 Preliminary Budget totals \$1.2  
8 million, which includes \$1.1 million for personnel  
9 services to support 12 positions and \$87,000 for  
10 other than personnel services. EEPC is an independent  
11 commission that monitors and evaluates the employment  
12 programs, practices, policies, and procedures of all  
13 City agencies to ensure that they maintain an  
14 effective affirmative employment program of equal  
15 employment opportunity for protective groups who are  
16 employed by or seek employment with the New York City  
17 government.

18                   Although EEPC is expected to be exempted from a  
19 future PEG... However, it's Fiscal 2025 budget has  
20 not included any additional funding to enhance the  
21 commission mandated duties.

22                   How does the city expect EEPC to fulfill its  
23 charter mandates without the proper funding for  
24 additional staff? And why isn't the Administration  
25

1 providing adequate resources for this commission to  
2 efficiently serve New Yorkers?

3  
4 At this hearing, I look forward to hearing from  
5 the Equal Employment Practices Commission on ways the  
6 Council could better support its work for this fiscal  
7 year.

8 Also, I would like to recognize my colleagues who  
9 did join us today, Council Member Joseph, Council  
10 Member Riley, and Council Member Rafael Salamanca.

11 Before you begin, I will ask Committee counsel to  
12 swear in the Commissioner and everyone else assembled  
13 here.

14 COMMITTEE COUNSEL: Thank you, Chair. Thank you  
15 everyone for joining us today. I believe we have  
16 Chair Aldrin Bonilla; Vice Chair, Elaine Reiss...  
17 (CROSS-TALK)

18 UNKNOWN: (NO MIC) (INAUDIBLE) she's not here  
19 today...

20 COMMISSIONER YEARWOOD: Commissioner Nicole  
21 Yearwood.

22 COMMITTEE COUNSEL: Oh, okay. Executive Director,  
23 Jeanne Victor; and Director of Research Russell  
24 Ferri.

25 If you could all... I'm sorry, yes?

2 COMMISSIONER YEARWOOD: (NO MIC) Commissioner  
3 Nicole Yearwood.

4 COMMITTEE COUNSEL: Commissioner Nicole Yearwood,  
5 thank you.

6 If you could raise your right hands, please? Do  
7 you affirm to tell the truth, the whole truth, and  
8 nothing but the truth, before this committee, and to  
9 respond honestly to council member questions?

10 PANEL: (AFFIRMS)

11 COMMITTEE COUNSEL: Thank you all. I invite you to  
12 begin.

13 CHAIR BONILLA: Good afternoon, Chair Williams and  
14 members of the Civil and Human Rights Committee. I am  
15 Aldrin Rafael Bonilla, Chair and Commissioner of the  
16 Equal Employment Practices Commission. Joining me  
17 today we have Commissioner Nichole Yearwood; we have  
18 Executive Director Jeanne Victor; and we have Russell  
19 Fetti, Director Research at the EPC.

20 Thank you for the opportunity to testify on  
21 behalf of the EEPC at this Preliminary Budget  
22 Hearing.

23 Established 1989, through an amendment to the New  
24 York City Charter, the Equal Employment Practices  
25 Commission is currently celebrating its 35th

1 anniversary. Throughout these 3 and a half decades,  
2 the EEPC has navigated numerous budgetary and  
3 institutional challenges in pursuit of fulfilling its  
4 Charter mandate. As the City's only non-mayoral  
5 independent overnight entity - underscore *only*,  
6 underscore *independent* - we are tasked with  
7 reviewing, evaluating, and monitoring the equal  
8 employment practices and procedures of City agencies.  
9 The EEPC works tirelessly to ensure a diverse,  
10 equitable, and inclusive workforce that represents  
11 all of New York City.

12  
13 EEPC conducts equal employment opportunity  
14 program audits on about 145 mayoral and non-mayoral  
15 agencies once every four years. We also produce  
16 several data-rich annual Citywide reports, examining  
17 critical topics, such as occupational segregation,  
18 pay disparities, underutilization, and  
19 underrepresentation in the municipal workforce.

20 Additionally, we continue to convene  
21 informational sessions into agency task forces and  
22 practitioner conferences, both in person and remote,  
23 to further our mission through collaboration.

24 It is essential to acknowledge that while the  
25 productive EEPC staff and commissioners serve with

1                   unwavering commitment and expertise in execution of  
2                   our mission, the compounded effects of the recent  
3                   PEGs personnel and other than personnel budget cuts  
4                   over the years, have led to a real and  
5                   disproportionally adverse impacts to such a small and  
6                   tiny agency like the EEPC. Valuable experienced staff  
7                   members have resigned, leaving remaining staff to  
8                   take on untenable additional responsibilities - as  
9                   you imagine this may affect morale.  
10

11                  We have faced unprecedented difficulties filling  
12                  vacancies due to disproportionately inequitable  
13                  across-the-board application of PEG cost savings. The  
14                  subsequent vacancies that have resulted in reduced  
15                  administrative, legal, technical, and institutional  
16                  skills sets and capacities to carry out work that  
17                  requires hindsight, oversight, and foresight - so we  
18                  have experienced a reduction in those capabilities.

19                  Currently, the EEPC operates with a staff of only  
20                  12, after a vacancy reduction of two, from the head  
21                  count of 14 - a surprising fact, considering the  
22                  magnitude of our mission and its importance to  
23                  current and perspective employees seeking fair,  
24                  nondiscriminatory workplaces where their talents and  
25                  careers can flourish in public service. In fact, the

1  
2 City spends more resources to remove a one-time, 2-  
3 inch snowfall, which may melt anyway, than it invests  
4 annually on independently auditing and monitoring  
5 employment practices across City agencies.

6 Again, we spend more on a 2-inch snowfall event  
7 then we do annually on auditing and monitoring  
8 practices across City agencies.

9 We know City agency employment practices and  
10 procedures are the main drivers to recruit, higher,  
11 promote, and retain women, Asian, Black, and Latino  
12 perspective and current employees, and much  
13 variation exist in terms of performance and  
14 compliance in this regard.

15 The Mayor and the City Council must consider  
16 funding the EEPC commensurate with its mission and  
17 mandate to be consistent with its public  
18 pronouncements on achieving a diverse, equitable, and  
19 inclusive public sector workforce.

20 Such an investment to increase the EEPC's budget  
21 by less than a half million, within a \$110 billion+  
22 City budget is both minimalist and feasible. This  
23 investment would be more prudent and cost effective  
24 than the tens of millions of dollars paid annually to  
25

1  
2 settle civil service employment discrimination  
3 lawsuits.

4 Despite these challenges and constraints, the  
5 EEPC staff and commissioners remain committed to  
6 operational innovation and efficiencies where  
7 feasible; we proactively offer legislative remedies  
8 and policy recommendations when appropriate; and  
9 convene relevant stakeholders for long-term problem  
10 solving and strategic planning within our limited  
11 resources.

12 This includes numerous commission meetings and  
13 robust conversations with (INAUDIBLE) agencies. We  
14 have initiated efforts to address contemporary  
15 issues, such as recommending equal employment  
16 opportunity and sexual harassment trainings to all  
17 community board members, modernizing and auditing  
18 protocols, creating a pilot program with a city  
19 agency willing to take a deeper dive, and the removal  
20 of barriers for women and people of color convening  
21 agency heads and EEO professionals to be more  
22 communicative about our audit process and compliance,  
23 improving our website content and functionality,  
24 making us more public facing, as well as creating and  
25

1  
2 adopting our bylaws for the first time in agency  
3 history.

4 Yet, there is much more to be done in this  
5 largest and most diverse municipal workforce in the  
6 United States, to realize equal employment  
7 opportunities and compliance. What we have seen over  
8 the last several years is that relatively few  
9 entities are found to be in full compliance when  
10 their EEO programs are audited. In fact, in 2022,  
11 agencies had an average of 6.3 corrective actions  
12 total of 114 corrective actions for all of the  
13 agencies that were audited that year. Last year,  
14 there were total of 119 corrective actions, excluding  
15 community boards for the year - a clear indication  
16 that we are simply not doing enough to keep the City  
17 entities in compliance.

18 Local Law 13 requires that the EEPIC review the  
19 City workforce for a period of 10 years. We are  
20 currently in the fourth year of the review, and as we  
21 delve more deeply into the analysis, we recognize  
22 that we do not have enough bandwidth within our  
23 current staff of three researchers to perform the  
24 types of nuanced and complicated complex analysis  
25 into the drivers of underutilization that we believe



1  
2 are necessary to provide the City with the most  
3 effective legislative regulatory and budgetary  
4 recommendations. Those drivers will include a deeper  
5 review into the recruiting, hiring, promotional, and  
6 separation activities at the City agencies. Thus, the  
7 EEPC is requesting the resources of three additional  
8 staff members to the Research Unit, who would be  
9 analyzing demographic selection rates and recruitment  
10 source information at each stage in the application  
11 of the hiring process to identify obstacles both  
12 before, during employment, review exit interviews,  
13 and offer meaning recommendations and solutions.  
14 These will require a combination of qualitative and  
15 quantitative skillsets.

16 Lastly, we also believe that a full-time  
17 Executive Agency Counsel is indispensable and mission  
18 critical for our agency, as a person who would be  
19 familiar with and understand the work of the EEPC,  
20 and would therefore be able to perform such as tasks  
21 drafting the legislative and regulatory  
22 recommendations that come from the reports. This  
23 person would also be well versed the federal, state,  
24 and city EEO frameworks and best practice.

1                   COMMITTEE ON CIVIL AND HUMAN RIGHTS                   82  
2           In light of the above, we are respectfully  
3 requesting funding for a total of five additional  
4 staff, which includes the Labor Economist, two City  
5 Research Scientist, an EEO Program Analyst, and  
6 Executive Agency Counsel.

7           We estimate that our total request amounts,  
8 again, to less than \$500,000 - half a million  
9 dollars. With the most important and crucial of these  
10 positions being the Labor Economists, Executive  
11 Agency Counsel, and the Research Scientists.

12           This work is important. It must be executed as a  
13 matter of law. We believe that this work is a defense  
14 against discrimination... to prevent discrimination  
15 in our workplace. And we greatly appreciate the  
16 support this committee, Chair Nantasha Williams, and  
17 the Committee on Civil and Human Rights, the City  
18 Council, and the Mayor's office, and any  
19 representatives from OMB.

20           We look forward to working with you for the City  
21 in FY25. And looking forward to the opportunity to  
22 align our professed belief in diversity, equity, and  
23 inclusion and right sizing this budget lack for our  
24 agencies to be consistent with our values.

25           (APPLAUSE)

1                   CHAIRPERSON WILLIAMS: Thank you.

2                   Neither the November nor the preliminary plan  
3 including any new needs for EEPC. The good news is  
4 that EEPC was exempted for the preliminary plan PEG.  
5

6                   I understand that OMB has agreed to not cut  
7 EEPC's budget for at least Fiscal Year 2025.

8                   So, did OMB clarify that EEPC will not have any  
9 PEG going forward?

10                  EXECUTIVE DIRECTOR VICTOR: Yes, there was no PEG  
11 going forward, and as far as needs are concerned, we  
12 were advised that as long as we could self-fund our  
13 new needs, that we could put them in.

14                  Notwithstanding, I put in the same new needs that we  
15 have here today - the five employees that we're  
16 asking for.

17                  CHAIRPERSON WILLIAMS: Was any similar agreement  
18 made in future years?

19                  EXECUTIVE DIRECTOR VICTOR: No.

20                  CHAIRPERSON WILLIAMS: Have you requested any  
21 increased funding new need to be included in the  
22 Executive Budget, if yes, for what area? I think you  
23 already answered this - the \$500,000.

24                  Do you feel that your budget is sufficiently  
25 funded to meet all of your Charter requirements? If

1 not, how much additional funding would the Commission  
2 for their personnel services and other than personnel  
3 services? So, I know you have the \$500,000, but if  
4 you could be aspirational, do you think the \$500,000,  
5 like, that's it, that's what you need? Or do you  
6 think more could be given? And if so, how much? What  
7 would you need it for? And how would that impact your  
8 ability to fulfill your Charter requirements?  
9

10 CHAIR BONILLA: Yes, I appreciate the question.

11 The \$500,000 is really to get us to fulfill the  
12 Charter mandate that deals with hindsight and  
13 oversight. In a city of 8.3 million people, with a  
14 municipal workforce of around 300,000 people, the  
15 most diverse and largest city in the United States,  
16 to have EEPF funded at \$1.2 million - less than what  
17 it takes to remove snow - is insulting. And it  
18 doesn't allow us to really focus on hindsight.  
19 Hindsight in terms of how to overcome the  
20 institutional and historic barriers to our workforce  
21 for women and people of color in the City of New  
22 York. So that the workforce is both representative  
23 and includes the talent of everyone who was either  
24 born and raised here or who comes here to try to make  
25 a future for themselves and their families.

1  
2 We want to be able to focus on foresight issues  
3 in terms of forecasting, in terms of the effects of  
4 the displacement of workers after COVID - separate we  
5 found in last year's report, that the majority of  
6 exits and separations from the City workforce during  
7 COVID were women and women of color. And as they try  
8 to come into the city workforce, we find that if  
9 they've been out of workforce for two years, and even  
10 if they have two years of service, they come back at  
11 the lowest salary range for that job description.

12 So, there's a lot of built-in structural and  
13 inherent and systemic inequalities that we don't  
14 currently don't have the ability to focus on in terms  
15 of hindsight.

16 It pains us to read that sexual offenders of  
17 certain agencies might get employment in another  
18 agency of the City. How does that happen?

19 So, these issues of foresight, in terms of  
20 looking beyond the horizon of how systemic inequality  
21 and these kinds of disparities continue to persist,  
22 it's something that we need bandwidth and capacity  
23 around. And that would be not only beefing up our  
24 Audit Unit so that maybe we do spot checks in between  
25 the four years, we by mandate audit agencies every

1 four years. You know, a lot could happen in between  
2 four years after our spotlight is removed.

3  
4 And in terms of research, all of these questions  
5 about the interconnectivity and intersectionality  
6 around occupational segregation, we have one of the  
7 most segregated occupational workforces in the  
8 country -in New York City. While we don't necessarily  
9 see ourselves that way. Pay disparities are also  
10 correlated with occupational, uh, segregation, and  
11 then we have issues of underutilization and  
12 representation.

13 So there's very much need to fund this beyond the  
14 half-million request. The half-million that we  
15 request is really to bring us back up to speed  
16 around our oversight. Right? The auditing and  
17 monitoring that is heavily important terms of putting  
18 the spotlight, and giving kind of attention that the  
19 issues need. And terms of bringing up the capacity  
20 around legal and institutional issues around  
21 hindsight, we have a labyrinth and byzantine  
22 labyrinth of all of these different municipal laws  
23 that affect workplace. How do these laws interact  
24 with one another? Do they cancel out one another? Are  
25 they being ineffective in comparison to one another?

1  
2 And that is the kind of capacities that, if we had  
3 the opportunity, we would want additional funding  
4 for. But, this \$500,000 is really the minimum, the  
5 *minimum*, to just get us to be... to legitimately and  
6 credibly say that we are doing our best attempt to  
7 auditing these over 145 City agencies once every four  
8 years.

9 CHAIRPERSON WILLIAMS: So, would you say, given  
10 the current budget, you are struggling to meet your  
11 Charter mandated requirements?

12 EXECUTIVE DIRECTOR VICTOR: Yes. At this point, I  
13 would say yes. Because, I think... we have two units,  
14 we have the Research Unit and the Audit Unit. On the  
15 audit side, we're able to do the audits once every  
16 four years as required by the City Charter.

17 But, as the Chair said ,you know, last year we  
18 had 119 corrective actions for the agencies that we  
19 audited that year. The year before that we had 114 or  
20 so corrective actions. It's telling me that ,you  
21 know, something is not working. These agencies have  
22 been audited in the past, and yet they're still  
23 having a substantial number of corrective actions  
24 that indicate that they're not doing something, or  
25 we're not... we're not doing something, or we're not

1  
2 doing enough to get these agencies to remain in  
3 compliance.

4 So, we would need a few more people. I mean  
5 obviously, last year, in 2023, we had a very  
6 difficult year, because almost all of our Audit  
7 staff. We are slowly in the rebuilding phase, and  
8 we're hoping that with the new staff that we bring on  
9 we're going to be able to continue to do the audits  
10 as we are meant to do them.

11 But in order to do more, we are going to need  
12 more. On the Research side, we're scratching the  
13 surface of underutilization of women and people of  
14 color in the workforce. And we want to do more than  
15 that, because we have six years of reporting left to  
16 do to give you and the Mayor's Office the  
17 recommendations that we think will actually move the  
18 needle in underutilization in the City's workforce.  
19 We want to give you meaningful recommendations that  
20 you can look back on and say, yes, so we have  
21 thorough analysis of the workplace, the workforces,  
22 the obstacles in hiring, the obstacles in selecting,  
23 the obstacles in promoting women and people of color  
24 in the workforce. And this is what we need to do to  
25 fix those things. And we know that the EEPC has done



1  
2 a great and thorough job at determining what those  
3 obstacles are.

4 So, we want to be able to give you a product that  
5 you can be proud of. So, you're going to need the  
6 additional staff for that.

7 COMMISSIONER YEARWOOD: And just add, I think  
8 we've been talking as a Commission about training.  
9 So, it's not just about us auditing agencies and  
10 saying ,you know, you have these corrective actions,  
11 but how can we train agency EEO staff to make sure  
12 that they're not in this situation moving forward?  
13 So, if we want to do trainings and that type of  
14 thing, we also need additional funding for that as  
15 well.

16 CHAIRPERSON WILLIAMS: Thank you.

17 And one thing you said, Commissioner, in your  
18 testimony was this idea that your role, your  
19 commission is structured to keep agencies compliant  
20 with the vast array of EEO laws. Have you taken an  
21 analysis... and I know this has been some off-line  
22 conversation, but I would love if you have some  
23 thoughts to get on the record. You know when agencies  
24 are... first, I'm thinking of the Vulcan Society with  
25 the firefighters. Uh, significant lawsuits. The City

1 is definitely going to have to pay some money. And  
2 there's probably a ton more that don't hit the news  
3 or that aren't as salacious or egregious as the FDNY.

4 So, is it fair to say that investing in EEPC  
5 upfront could potentially decrease the City's paying  
6 out of lawsuits that they have - and that they get  
7 every year for a myriad of EEO violations?

8 CHAIR BONILLA: I would say yes. Maybe not be a  
9 direct or linear correlation, but absolutely, when  
10 you put a spotlight on these practices and  
11 procedures, and when you let folks know that the City  
12 cares enough about these DEI issues to audit you and  
13 to monitor compliance, then people will focus on what  
14 is being measured, and people to focus on what being  
15 audited.

16 I think a big challenge is that... and I often  
17 say this in the meetings that it is the minimum right  
18 now what we are doing. Right? It's compliance, but we  
19 all know compliance is not commitment. *Compliance is*  
20 *not commitment.*

21 CHAIRPERSON WILLIAMS: Mm-hmm

22 CHAIR BONILLA: So, when folks get a Full  
23 Compliance Certificate from us, that is, for us, the  
24 beginning of a conversation, right? It is not  
25

1 something that we know everything has already been up  
2 to par.

3  
4 For example, in terms of budget cuts, when we  
5 have to deal with City agencies, guess often where  
6 their cuts are reflected in? In the programs that  
7 deal with the diversity, equity and inclusion or EEO.

8 So, may have to audit an agency that doesn't even  
9 have a EEO personnel.

10 CHAIRPERSON WILLIAMS: Mmmm...

11 CHAIR BONILLA: How do we do that? No one there is  
12 versed and state, federal, or city compliance around  
13 the different laws have been passed. And this is  
14 almost beginning the conversation anew - or not  
15 having the conversation at all.

16 So, it's definitely been deafening in terms of...  
17 and you mentioned the Vulcan Society, we learned  
18 something very important from that in terms of going  
19 deeper than compliance. So, if we looking at when  
20 someone does an EEO complaint, and you have an EEO  
21 complaint log about what the process is, the  
22 procedure uh, when it's been... when the complaint  
23 was launched. But even on our part, when you know  
24 better, you want do better. We want to dig deeper in  
25

1 knowing how long the complaints have gone without  
2 being resolved.

3  
4 Imagine being in workplace where you've done a  
5 complaint on a coworker or supervisor and you have to  
6 work amongst or around these individuals for two,  
7 three, six, seven months? What's an appropriate  
8 length of time to allow this kind of discriminatory  
9 complaints to go on without resolved and not think  
10 it's going to create a disadvantage work environment?

11 For even for us within the limited we start  
12 seeing that's the foresight beyond horizon, but  
13 what's below this compliance stuff that we really are  
14 failing our residents and our employees - perspective  
15 or current - around commitment to diversity, equity  
16 and inclusion. And for us, the data... some people  
17 don't want to.... it's inconvenient, right? Because,  
18 the pronouncements are one thing, but then we ask  
19 people, can we see the numbers?

20 CHAIRPERSON WILLIAMS: Thank you.

21 The preliminary plan includes \$1.2 million in  
22 EEPC's Fiscal Year 2025 Budget to support 12  
23 positions. As of January 2024, the Commission has two  
24 vacant positions. Can you describe the roles and  
25 responsibilities of EEPC's 12 positions?

1 EXECUTIVE DIRECTOR VICTOR: Just to speak directly  
2 to the two vacancies, uh, one of them has been filled  
3 and one is in the process of being filled. We did  
4 have someone accept... those positions were EEO  
5 Program Analyst. Those are the people that are boots  
6 on the ground that get out and do the audits.

7  
8 As far as what our positions look like, we have  
9 the two units, we have three people in our Research  
10 Unit. There are City Research Scientists, that's what  
11 they do, they research.

12 On the other hand, our Audit team is staffed with  
13 EEO Program Analysts. Right now, we will have four  
14 of them and we have a manager. We don't have a  
15 director. I did not ask for a director in order to be  
16 as conservative as possible, but we lost our  
17 director, slash our... she was also serving as our  
18 Executive Agency Counsel, so we don't have that  
19 either.

20 CHAIRPERSON WILLIAMS: Is that the two vacancies?

21 EXECUTIVE DIRECTOR VICTOR: No, the two vacancies  
22 right now are the EEO Program Analysts.

23 CHAIRPERSON WILLIAMS: Okay, got it.  
24  
25

1  
2 Do you have any plans to fill the positions? Are  
3 you actively working to fill the positions? I know  
4 where was a hiring freeze, but now it's lifted.

5 EXECUTIVE DIRECTOR VICTOR: We are actively  
6 working to fill our vacancies. And we will almost  
7 have them filled. Our last vacancy was just accepted  
8 yesterday. So we will be filling that within the next  
9 couple of weeks.

10 CHAIRPERSON WILLIAMS: Awesome.

11 What is EEPIC's attrition rate?

12 EXECUTIVE DIRECTOR VICTOR: I think our attrition  
13 rate has been fairly stable over the years, with the  
14 exception of last year. Last year was really, I  
15 think, an anomaly. We pretty much lost almost  
16 everybody in the Audit Unit. So I would say three-  
17 quarters of our Audit Unit left for various reasons.  
18 Two of them left to take positions in other City  
19 agencies, two of them left to leave the City and in  
20 its entirety, they left city government completely,  
21 and one of them left city government completely, but  
22 her reason for leaving was that she was she was  
23 burned out. So, I'm losing people to burnout at this  
24 point.

25 CHAIRPERSON WILLIAMS: I feel that.

1                   So, just to talk a little bit about the work that  
2 you do, the auditing and annual reporting for  
3 employment practices. You mentioned that some  
4 agencies don't even have EEO Officers.  
5

6                   Can you share what agencies don't have EEO  
7 Officers?

8                   EXECUTIVE DIRECTOR VICTOR: Off the top of my  
9 head, I can't really give you the names of the  
10 agencies. But I can get back to you with those  
11 agencies.

12                   Those agencies are either in the process of  
13 trying to hire people. There's been one that's been  
14 trying to hire an EEO Officer for months - like seven  
15 months. But, it's generally speaking a lot of EEO  
16 Officers do other jobs, so they do that plus  
17 something else. So, there could be turnover from  
18 operational work as well as their work EEO work. It  
19 just impacts us in that way. But, I'll get that  
20 information to you.

21                   CHAIRPERSON WILLIAMS: So, there are currently 145  
22 entities within EEPC's jurisdiction including the  
23 Office of The Mayor, all mayoral agencies, and the  
24 City Council. According to the City Charter, EEPC  
25 must audit employment programs of these agencies at

1  
2 least once every four years to ensure that they  
3 comply with city, state, and federal regulations and  
4 requirements.

5 Can you provide details to the Committee on your  
6 audit work?

7 EXECUTIVE DIRECTOR VICTOR: Specifically, we have  
8 a list of standards that we... right now our  
9 standards are geared towards underutilization of  
10 women and people of color in the workplace. We use  
11 those standards to audit the programs and procedures  
12 of the agencies. And essentially what we do, how we  
13 do it, is at the beginning of each year, we will  
14 launch what we call PICS (phonetic) that means our  
15 questionnaires for the agencies to respond to and  
16 provide documentation. They provide the responses to  
17 the PICS, and then we have assigned EEO Program  
18 Analysts to work with specific agencies to understand  
19 what documentation and information they are  
20 submitting in response to the questions. And then  
21 they work with our manager to make sure that the  
22 responses at the agencies are providing actually  
23 meets the standard for the PIC. And if that's so,  
24 then we don't do anything further with that. If not,  
25 then we may be issuing a corrective action.



1                   But it's a two-step process. We issue a  
2 preliminary determination first with the listing of  
3 the any corrective actions -if any. And then we give  
4 the agency an opportunity to cure that. If they do  
5 cure it, then we're done. If they don't cure it, then  
6 we issue a final determination. And we give the  
7 agency four months to cure any corrective actions.

8                   CHAIRPERSON WILLIAMS: Thank you.

9                   Why are there only 18 agencies that are part of  
10 the Employment Practices Audit with the focus on  
11 underutilization as mentioned in the 2023 Annual  
12 Report? That I need to read. I will read it.

13                   EXECUTIVE DIRECTOR VICTOR: Thank you for the  
14 question.

15                   So, in that particular part of the of the report,  
16 we excluded community boards.

17                   CHAIRPERSON WILLIAMS: Do you typically  
18 characterize... Is there a way that you characterize  
19 corrective action as too many corrective actions?  
20 Like, I know you said on average, some agencies have  
21 about six. Is there a number where you're, like,  
22 whoa, this is way too many? Or how do you calculate  
23 that?  
24

1 EXECUTIVE DIRECTOR VICTOR: The maximum number of  
2 corrective actions that we have for this round of  
3 audits is 17.

4 So, sometimes agencies might have 17 corrective  
5 actions. Sometimes they might have six corrective  
6 actions. Sometimes they might have two. It all  
7 depends on how their EEO Officer responds to the  
8 questions and what information they provide.

9 CHAIRPERSON WILLIAMS: How would you say City  
10 agencies are performing according to your audits?

11 EXECUTIVE DIRECTOR VICTOR: I would say that they  
12 could do better. My goal is that there are no  
13 corrective actions, and I am focused on a zero  
14 corrective actions response. But, right now, we have  
15 far too many agencies with more than 10 corrective  
16 actions. And I think that (INAUDIBLE)... (CROSS-TALK)

17 CHAIRPERSON WILLIAMS: How many agencies? Do you  
18 know how many agencies have more than 10 corrective  
19 actions?

20 EXECUTIVE DIRECTOR VICTOR: Yeah, I...

21 CHAIRPERSON WILLIAMS: And the agencies?

22 EXECUTIVE DIRECTOR VICTOR: I can tell you that,  
23 on average... I have a chart here... last year we had  
24 a total of 43 agencies, but also it included a number  
25

1 of community boards. I can tell you we had one, two,  
2 three, four, five...

3  
4 CHAIRPERSON WILLIAMS: Can you share who they are?

5 EXECUTIVE DIRECTOR VICTOR: Yes. So, with more  
6 than corrective actions, at the final determination  
7 we had Department of Consumer and Workforce  
8 Protection with 16; Department of Probation with 10;  
9 Board of Standards and Appeals with 12. That is what  
10 I see for the final determination. We had Department  
11 of Housing and Preservation Development, they had 15  
12 at the preliminary.

13 I hope that gives you a sense of what we are  
14 looking at.

15 CHAIRPERSON WILLIAMS: Thank you.

16 Are you seeing any similar compliance issues  
17 across agencies? So is there one or two things  
18 that...

19 EXECUTIVE DIRECTOR VICTOR: That are common?

20 CHAIRPERSON WILLIAMS: Yes, and if... can you  
21 share what they are?

22 EXECUTIVE DIRECTOR VICTOR: Yes. Training is a big  
23 one. A lot of the people that, like, the EEO Officer,  
24 the people that make the decisions for hiring, they  
25 haven't received training.

1  
2 Another one that is pretty large is whether or  
3 not they have... the agency has distributed a copy of  
4 the EEO policy to all if its employees.

5 What's another one that's Russell?

6 DIRECTOR FERRI: (NO MIC) Reviewing the  
7 (INAUDIBLE)...

8 EXECUTIVE DIRECTOR VICTOR: The plan with...  
9 another one that is big is reviewing their hiring  
10 practices - to sit down at least once a year to  
11 review their hiring practices to see if they have  
12 identified barriers to hiring. And if whatever  
13 barriers have been identified are being addressed.  
14 That is a common one as well.

15 CHAIR BONILLA: In terms of compliance, again, I  
16 want to... for what we care about, right? I want to  
17 be able to distinguish the compliance and commitment.  
18 So, the compliance is really the minimal threshold.  
19 The APC, we really want to get beyond that. So, you  
20 can have an agency that's compliant let's say, and  
21 let's say New Yorkers for the things that they really  
22 care about, for example, let's say in for  
23 firefighters or fire supervisors, why are 88 percent  
24 of firefighters white (INAUDIBLE) supervisors? Why  
25 are 65 percent of all firefighters white? For New

1  
2 Yorkers that's kind of like interocular trauma. It  
3 hits you between the eyes. That is the kind of things  
4 they care about. Why are 99 percent of them are male  
5 who are supervisors? So, if you by agency, by agency,  
6 by agency, by agency and really tackle the issues  
7 that tax payers and New Yorkers care about - about  
8 having a representative bureaucracy from people that  
9 look and from the communities in which they live,  
10 serve, and play, that's kind of like what I'm talking  
11 about in terms of foresight and commitment.

12 So, we definitely need to be funded fully for our  
13 auditing and monitoring mandates. But the resources  
14 and the foresight that I feel this independent non-  
15 mayoral commission ought to really spend some time on  
16 in terms of its expertise - time and energy and  
17 resources is on that foresight, that beyond the  
18 horizon, in terms of getting a workforce that is  
19 aligned and representative of the New York City that  
20 we all know and live in.

21 CHAIRPERSON WILLIAMS: (INAUDIBLE) So, in terms of  
22 foresight, and I hear what you're saying - anybody  
23 can check a box, but that doesn't really tell the  
24 full story.

25

1                   So, are there agencies that you do think, while  
2 they might be in compliance, the commitment level to  
3 equal employment practices is not there? And, if so,  
4 why and who those agencies are?  
5

6                   I know you just mentioned FDNY, but are there any  
7 other agencies that have these glaring occupational  
8 segregation issues or other issues that, again, they  
9 might be in compliance of you know state, city,  
10 federal law EEOS, but there are still significant  
11 disparities?

12                  CHAIR BONILLA: Yes, I am embarrassed to say that  
13 we even have this beautiful graph and table that  
14 shows you agencies and how they get more people of  
15 color. The median salaries decreases. We have it by  
16 job type. There is serious occupational segregation  
17 in New York City Bureaucracy in the public sector  
18 that needs to be looked at - particularly because  
19 occupational segregation is correlated with pay  
20 disparity, and there is genderized inequality and  
21 disparity within our ranks.

22                  So, yes the (INAUDIBLE)... (CROSS-TALK)

23                  CHAIRPERSON WILLIAMS: Could you share, like, the  
24 positions? Or... (CROSS-TALK)

25                  CHAIR BONILLA: Yeah, there are... (CROSS-TALK)

1 CHAIRPERSON WILLIAMS: It can macro...

2 CHAIR BONILLA: (INAUDIBLE)... (CROSS-TALK)

3 CHAIRPERSON WILLIAMS: This will be important,  
4 because this is a very important thing that I think  
5 gets understated. And it is my source of frustration  
6 with both ,you know, CCHR and EEPCC not getting the  
7 adequate funding. And we always use the colloquial  
8 term "drop in the bucket", but the amount of money  
9 that we're talking about, considering we have over  
10 \$100 billion budget in New York City, between your  
11 two agencies is legitimately, like, not even a  
12 drop... it like might be a mustard seed or small...

13 (LAUGHTER)

14 CHAIRPERSON WILLIAMS: Like nano... like it's so  
15 small, and so it's frustrating, because ,you know,  
16 both agencies, commissions are doing work that  
17 supports larger issues. And if we are not being  
18 proactive and investing on the front end, it makes it  
19 that much harder to address issues on the back end,  
20 and to at least challenge systematic institutional  
21 structures that have created these barriers in the  
22 first place.

23 So, yeah, I just think it's important for these  
24 things... Because I know you have a beautiful audit  
25

1  
2 that you did, but it would be so important to just  
3 get some of these things on record.

4 COMMISSIONER YEARWOOD: I just want to add that we  
5 are also joined virtually by Commissioner Ngozi Okaro  
6 as well. So, if you see me texting, she's  
7 commenting.

8 DIRECTOR FERRI: So, just a few examples for  
9 particularly for gender underutilization, or  
10 occupational segregation, firefighters, Police  
11 Department, sanitation workers, laborer, craft, those  
12 kind of jobs.

13 In recent years, the NYPD has had trouble hiring  
14 Black police officers is one that certainly comes to  
15 mind. Firefighters certainly are also very much, you  
16 know, white-male dominated. And then, reversely, you  
17 have many job groups and titles that are  
18 disproportionately female and people of color that  
19 don't pay as much - social workers being an obvious  
20 example. So, that's just a few.

21 COMMISSIONER YEARWOOD: And I will also add EMS  
22 workers - which I had a busy week this week, as you  
23 know, Chair Williams, but they did just I think come  
24 out with an article on the fact that they're supposed  
25 to see a salary increase. So, when we look at EMS



1 workers versus firefighters, who makes up those two  
2 different departments, and the salary disparities,  
3 those are the things that concern us. And we do have  
4 the data and the charts that we can send to the  
5 Committee later. I know that work has been done.

6 CHAIRPERSON WILLIAMS: Thank you.

7 Equal Employment Practices Commission often times  
8 within their reports will provide several  
9 recommendations, corrective actions to agencies and  
10 entities. How often are these recommendations taken  
11 and established? And I know, again, I've had a lot of  
12 off-line conversations about how another commission  
13 can hold another government agency accountable - just  
14 a little tricky, but just would love some feedback on  
15 that.

16 DIRECTOR FERRI: So, one of the things that we do  
17 is we look at underutilization, which is based on the  
18 City says labor market is - what percentage of people  
19 that want to be firefighters are female or Black or  
20 Hispanic and all of that. Those numbers have not been  
21 updated in over 10 years, so they're really out of  
22 date. We have heard, I don't know anything  
23 officially, but that DCAS is now starting the process  
24 of updating the availability estimates and updating  
25

1  
2 its legacy software system that the database resides  
3 in. So that's one that at least it looks like things  
4 are moving. So that's at least one positive example.

5 One other one, last year when we testified, I had  
6 said that one thing that we need is data, data, data,  
7 right? That the more that we have, the more we can  
8 do. And it was added to the legislation on the exit  
9 surveys that we have access to the data. It was  
10 actually added to that. That was great, so that was  
11 also a very positive thing.

12 CHAIRPERSON WILLIAMS: Awesome!

13 Well, I think that is all that questions that I  
14 have. Thank you so much for all of your hard work.  
15 And I do hope that... we all value this important  
16 work that you are doing for so many people in New  
17 York City that serve all of us here. So, thank you so  
18 much.

19 PANEL: Thank you.

20 EXECUTIVE DIRECTOR VICTOR: And, if I could say,  
21 Chair, I know that the City is in dire straits in  
22 terms of funding, but I do believe that a little bit  
23 of funding would help us to do more and to be able to  
24 help the City more. I believe it would be a great  
25 turn on the investment that the City makes. This is

1 not really just a plea just to build our agency. This  
2 is a plea to give you guys better work.

3  
4 CHAIRPERSON WILLIAMS: Thank you, I appreciate  
5 that.

6 CHAIR BONILLA: I want to thank you as well for  
7 your public service, and of your committee and the  
8 different members.

9 COMMITTEE COUNSEL: Alright, thank you very much.  
10 Thank you again for coming today.

11 We will now turn to public testimony. I'd like to  
12 remind everyone before we start that each panelist  
13 will have two minutes to present their testimony. No  
14 recording is permitted while presenting testimony. I  
15 will call individuals by name to step up to testify,  
16 and please begin once the sergeant has started the  
17 timer.

18 Council member questions, I will go back for a  
19 council member questions after each panel has  
20 completed all of their panelists' testimony.

21 So for our first panel, I'd like to invite  
22 Rebekah Cook-Mack, Connie Ticho, Tahmir Williams, and  
23 Cristobal Gutiérrez.

24 (PAUSE)  
25

1  
2 COMMITTEE COUNSEL: Alright, if we could start on  
3 my left, your right, and then we will just go down  
4 the line.

5 REBEKAH COOK-MACK: Thank you for the opportunity  
6 to present this testimony. I am Rebekah Cook-Mack,  
7 Senior Staff Attorney in the Employment Law Unit at  
8 The Legal Aid Society.

9 I am here to ask you to take immediate action to  
10 increase the funding and staffing at CCHR and EEPC.  
11 The Commission is in crisis. It is unable to meet its  
12 mandate. Today the Commission has less than one-third  
13 of the staff attorneys it had in 2018. As Council has  
14 expanded the civil rights protections for New  
15 Yorkers, and given the job of enforcing that to the  
16 Commission, the Commission itself has shrunk. Just a  
17 handful of attorneys cannot be expected to enforce  
18 the strongest human rights law on the country.  
19 Notwithstanding the testimony we heard today, limited  
20 staff means limited intake appointments. The number  
21 of complaints filed at the Commission has dropped  
22 precipitously. In FY18, just over 800 complaints were  
23 filed at the Commission. FY23 that had dropped to  
24 just 340 a 42 percent reduction.  
25

1  
2 Damages collected by the Commission have also  
3 dropped from over \$8 million in 2021 to just \$44.6  
4 million and FY23 an almost 50 percent reduction in  
5 just two years. And pro se callers wait months to get  
6 intake appointments.

7 By any measure, the commission is in crisis. The  
8 City must increase funding and lift hiring  
9 restrictions, so that the Commission is no longer  
10 subject to the two-to-one hiring replacement rule, by  
11 which you can only hire one person for every two  
12 departures.

13 This policy is responsible for accelerating the  
14 crisis of the Commission, where we have so few staff  
15 losing just four people can result in a 10 percent  
16 loss to our LEB Unit that is critical for New  
17 Yorkers. It must be encouraged to promptly replace  
18 any departing staff.

19 The Commission testified that hiring attorneys is  
20 the biggest challenge affecting them. They must be  
21 able to hire attorney - twos and threes - people that  
22 get paid better will be more competitive and better  
23 (TIMER CHIMES) able to do the job. Thank you.

24 TAHMIR WILLIAMS: Good afternoon, my name Tahmir  
25 Williams, I am a third-year law student at CUNY Law

1 School as well as a legal intern with the Disability  
2 Justice Program for the New York Lawyers for the  
3 Public Interest.  
4

5 The NYLPI is also a member of the New York City  
6 Human Rights Law Working Group and we submit this  
7 testimony to support the testimonies of our  
8 colleagues in this coalition and to amplify the  
9 testimony of the community members here today to  
10 support increasing the New York City Commission on  
11 Human Rights' budget.

12 One of the most critical aspects of the  
13 Commission's work is prosecuting violations of the  
14 New York City Human Rights Law on behalf of pro se  
15 litigants. Often, the Commission provides the only  
16 opportunity for pro se litigants to enforce their  
17 civil rights. This is an indispensable and otherwise  
18 unavailable service to the people of New York City.  
19 Pro se litigants, in particular, are negatively  
20 affected by the results of the Commission's  
21 underfunding and understaffing, including lengthy  
22 wait times for intakes, cases taking years to be  
23 adjudicated, bad actors going unpunished,  
24 administrative hearings lingering with no resolution,  
25

1 and cases being administratively closed that could  
2 and should have been resolved.

3  
4 The process of filing and resolving complaints at  
5 the Commission has slowed to a standstill. In short,  
6 pro se New Yorkers are denied access to one of the  
7 only venues available to enforce their civil rights.

8 To meet the incredible demand for the  
9 Commission's services, our coalition's budget ask  
10 Fiscal Year 2025 is as follows:

11 Secure \$3 million in new funding for the  
12 Commission's Law Enforcement Bureau; this funding  
13 would increase capacity at the Law Enforcement Bureau  
14 to mirror staffing levels in 2018, which requires  
15 adding at least 34 attorneys, one Assistant  
16 Commissioner, as well as supporting staff.

17 Second, lift hiring restrictions and create new  
18 positions that allow the Commission a one-to-one  
19 replacement for any staff turnover. Currently, the  
20 Commission (TIMER CHIMES)... thank you... Currently  
21 the Commission can only hire one staff member for  
22 every two vacancies, which hinders its ability to  
23 quickly staff up to meet case urgency.

24 Implement competitive salary rates to attract and  
25 retain talent, the Commission must be allowed to

1  
2 raise salaries to compete with nonprofit legal  
3 service providers in the city.

4 Thank you for this opportunity to testify.

5 CONNIE TICHO: On behalf of the Free to Be Youth  
6 Project of the Urban Justice Center, I would like to  
7 thank the New York City Council's Committee on Civil  
8 and Human Rights for convening this important  
9 hearing. My name is Connie Ticho, and I am a Pro Bono  
10 Scholar, also a third year law student working with  
11 Amy Leipziger, the Director of the Free to Be Youth  
12 Project.

13 Since 1994, Free to Be Youth has been a part of  
14 the Urban Justice Center, a nonprofit law collective  
15 serving New York City's most disenfranchised  
16 populations.

17 At FYP, we serve homeless and at risk LGBTQIA+  
18 youth, by providing free legal services for young  
19 people up to the age of 24.

20 Like the Urban Justice Center, the New York City  
21 Commission On Human Rights protects the rights of the  
22 most vulnerable New Yorkers. But, the Commission is  
23 in crisis as funding has been slashed and headcounts  
24 dwindled, directly affecting our clients and other  
25 local low income New Yorkers.



1                   When many of our clients, who already faced  
2                   number of stressors, including trauma, attempt to  
3                   find shelter, they face discrimination due to  
4                   transphobia, and are often turned away and forced  
5                   live on the streets or in other unsafe environments.  
6

7                   For example, one of our clients, a young  
8                   transgender man, attempted to return to his bed upon  
9                   discharge from respite, he was told that no  
10                  transgender or GNC (gender nonconforming) beds were  
11                  available, and he could not have a male bed due to  
12                  liability. The staff failed to provide him with  
13                  services.

14                  Another client, a transgender woman, who had  
15                  legally changed her name and sex designation, was  
16                  denied space at a female housing in Jericho Project.  
17                  The agent then placed her in house with two cis men,  
18                  one of who threatened the client.

19                  Normally we would recommend both of these clients  
20                  to file with the Commission, but due to budget cuts  
21                  these last few years, homeless youth now face long  
22                  wait times to file a complaint with the Commission.  
23                  These wait times stop our clients from obtaining the  
24                  immediate relief needed, leaving them an unsafe  
25                  conditions.

1                   Without a functioning Commission, young queer and  
2 trans, unhoused New Yorkers, will continue to face  
3 discrimination or remain on the streets without a bed  
4 or protection. Thank you for listening. (TIMER  
5 CHIMES)

6                   CRISTOBAL GUTIÉRREZ: Good afternoon, my name is  
7 Cristobal Gutierrez from Make the Road New York. You  
8 have my written testimony, I don't think I'm going to  
9 read it.  
10

11                   We've just heard from the Commissioner. I  
12 understand that there is a dancing of political  
13 power, but it's just ridiculous that we have to sit  
14 here and think that the Commission is the most robust  
15 that it's ever been, because it's not.

16                   We represent immigrants - mostly undocumented  
17 workers. We have people that have gone through really  
18 horrible stuff. An example, a member that was  
19 trafficked by her employer, and she filed in 2022,  
20 and we just received the answer to our complaint.  
21 They tried to send it to mediation, where the  
22 mediator would have would have her meet with her  
23 aggressor.

24                   So, it's really dire. Our cases are not moving.  
25 Many people have probable causes that are just

1 stacked. This is unattainable. If the federal  
2 administration changes in November, and we're not  
3 ready for it as New Yorkers, we will suffer greatly,  
4 specially our most vulnerable. Thank you.  
5

6 CHAIRPERSON WILLIAMS: Thank you all for your  
7 patience and waiting to testify.

8 You know, I just wanted to piggyback on some of  
9 the mention of the Commission's testimony, and you  
10 know, if you listen to the testimony it seems like  
11 everything's great. You know, they mention that the  
12 first time they're bringing more cases to OATH than  
13 they've ever done before. But, they also admit that  
14 there's only 25 people, and they previously had, I  
15 think I counted correctly, 62 people pre-pandemic.

16 And so what do you say to that? Because ,you  
17 know, as a council member, it's like, really trying  
18 to find the true truth. And you have the Agency on  
19 ones saying everything's great, and we have no  
20 problems. And then you have the advocates on this  
21 side saying this is a huge problem.

22 So, what would your challenge be to this  
23 assertion that all is well, and they're doing even  
24 more than they've ever done before with less staff?  
25 Anyone can answer.

1  
2 REBEKAH COOK-MACK: My colleagues and I are  
3 spending our time filing appeals of administrative  
4 closures by the Commission. We are not filing cases  
5 there. And I think that that the reality of the  
6 advocate experience is fighting for the Commission to  
7 do its job. That is certainly what the Working Group  
8 has discussed. People do not... I know that the  
9 Working Group of... a wide range of advocates, don't  
10 bring their cases there anymore. And the numbers ,you  
11 know, the numbers are clear. Complaints filed by the  
12 Commission or down 42 percent. Do we think  
13 discrimination in New York City is down by 42 percent  
14 as Council has added responsibilities and obligations  
15 to the Commission? That seems, I mean it defies  
16 logic, right?

17 So, we simply don't agree with their assessment,  
18 and don't understand how the Commission ,you know,  
19 down to a really minimal number of staff and watching  
20 people walk out the door, right? How is Commission is  
21 going to be ready on January 1, 2025 when the new  
22 laws go into effect? It's distressing. It's  
23 distressing that the Commission ,you know, testifies  
24 that its able to meet its mandate, when ,you know,  
25 the advocacy community has voted with its feet and

1  
2 are not bringing cases there, because we do not  
3 believe our clients are well served, or ,you know,  
4 and can't... don't feel comfortable referring pro se  
5 people there, because we don't believe our client  
6 will be well served by going to the Commission. It's  
7 a real mismatch.

8 CHAIRPERSON WILLIAMS: So, if you don't go to the  
9 Commission, are you just taking it straight to court?

10 CRISTOBAL GUTIÉRREZ: So, we... many advocates  
11 take different places, really wide range group of  
12 advocates. Some are housing, some are employment. So,  
13 it depends on which advocate. We are filing at the  
14 EEOC which is super troublesome if, you know, a  
15 republican gets selected in the White House, because  
16 it's a federal agency, and if they're documented, as  
17 most of our members are, it's going to be horrible.

18 And, also, the EOC has higher standards of  
19 evidence - has 300 days to file, the Commission has  
20 three years. So, it's we're being asked to make an  
21 impossible choice between a bad remedy but getting  
22 something. And that is sad, and troubling, and  
23 frustrating. We're dedicating our time, that should  
24 be dedicated to our clients, in lobbying to get more  
25 funds for the Commission. And that's not right.

1  
2 CHAIRPERSON WILLIAMS: I am not an attorney, so  
3 this is a whole panel of attorneys here - and future  
4 amazing attorneys. So, because I asked the question  
5 about administrative closures, and the response was  
6 essentially, like, we did these administrative  
7 closures for, I would say, like, legitimate reasons,  
8 like, oh, it needed to be referred out, or it was  
9 something that we couldn't handle, maybe we don't  
10 have jurisdiction... whatever. And, so, I gathered,  
11 that is not your assessment? Maybe you have a  
12 different opinion about why these administrative  
13 closures are happening. So, if you can talk and give  
14 more details around your thoughts, opinion, about  
15 administration closures. Because, as a person who is  
16 not an attorney, you know, when they responded, it  
17 was a like, okay, I guess it could be for some legit  
18 reasons. But, I gather that you don't think that's  
19 the case is why... as you mentioned you are spending  
20 so much time appealing administrative closures.

21 REBEKAH COOK-MACK: We don't agree that the  
22 administrative closures are because they were  
23 jurisdictional or lacked merit. And I think neither  
24 would the Commission if it looked at the cases that  
25 we see, because these are cases where the Commission

1 has in the past found probable cause existed. So very  
2 clearly they had jurisdiction. They found there was  
3 probable cause the discrimination had occurred. They  
4 thought there was merit. So ,you know, I think to say  
5 that ,you know, we don't file cases with the  
6 Commission that we think or meritless. That simply is  
7 not with the advocacy community is spending its time  
8 doing. So ,you know, when we say our cases that we  
9 filed at the Commission, which we spent time  
10 developing and working with these clients, are being  
11 closed years later for administrative, you know,  
12 convenience, I think we very strongly disagree with  
13 their proposition that those were non-jurisdictional,  
14 meritless matters. And I think so would their now  
15 almost certainly departed staff attorneys, who had  
16 worked on those cases in the past and found cause.  
17 It is just that the experience in the statements  
18 don't match.

20 CRISTOBAL GUTIÉRREZ: I also want to add that  
21 these are the things that we are seeing as attorneys  
22 for our clients, the vast majority of people that  
23 file the Commission do it pro se. They don't have an  
24 attorney, and they can't appeal rationally, or making  
25 logic on a legal sense. It's really heartbreaking to

1 watch the Commission, as it was in 2018, uh, to what  
2 it is now. The Enforcement Guides, they were super  
3 expansive in interpreting the law. It was.... our law  
4 is supposed to be super expensive. And it's just  
5 not doing it.

6  
7 CHAIRPERSON WILLIAMS: I think that's one thing,  
8 and I know there's been talk about how to figure out  
9 ways I better support New Yorkers who are essentially  
10 filling out legal documents. You know, I'm thinking  
11 about... it's super unrelated, but the Comptroller  
12 claims forms, like, you ask any attorney, that is a  
13 legal document that they are asking folks who are not  
14 in law school, or don't have a law degrees, to fill  
15 out that have legal ramifications. So, I definitely  
16 hear that, and it definitely pisses me off. Because I  
17 think there should be better support for folks who  
18 are seeking support and having to navigate a legal  
19 system without a legal background.

20 I don't think I have any other questions. I  
21 appreciate you all very much.

22 PANEL: Thank you.

23 REBEKAH COOK-MACK: Thank you so much for making  
24 the time today.



1  
2 COMMITTEE COUNSEL: Thank you all very much. And I  
3 will call up our next panel. We have Amy Blumsack,  
4 Paul Keefe, and Jonathan Eber.

5 (PAUSE)

6 COMMITTEE COUNSEL: Alright, thank you all, and  
7 you can begin.

8 AMY BLUMSACK: Hi, good afternoon, my name is Amy  
9 Blumsack, I am the Director of Organizing and Policy  
10 at Neighbors Together. We submitted written  
11 testimony, so I am going to skip over most of what we  
12 do.

13 I will say that over 60 percent of our members  
14 are homeless. We are community based organization in  
15 Brooklyn, but we work with many, many voucher holders  
16 from all across the City. And we have been working  
17 with and organizing voucher holders since 2019. It's  
18 no secret that source of income discrimination is  
19 rampant, and while I think we have made headway with  
20 the advocacy we're doing, it is still extremely  
21 prevalent. And it is deeply depressing, and  
22 stressful, and dejecting to receive a voucher and  
23 think you're going to get housed with it, and then  
24 not be able to find housing and being discriminated  
25 against at every turn.

1                   I will say that the SOI unit at CCR plays a  
2 really critical role for our members, in particular  
3 their pre-complaint intervention and set aside  
4 program are extremely important and one of the  
5 largest ways that our members can access housing with  
6 their voucher. And I think that broadly we heard that  
7 the SOI Unit sits within the LEB, and so we also know  
8 that discrimination is like not siloed. People's  
9 identities are intersectional, and they are  
10 discriminated against in many ways, beyond just  
11 having a voucher. So, we really do need to fund the  
12 Law Enforcement Bureau at higher rates.

14                  We are asking for an additional \$3 million to  
15 bring it up to 2018 levels. And also we want more  
16 funding to be able to effectively enforce the new  
17 Fair Chance Housing Act. And we also want CCHR to be  
18 exempted from PEGs and hiring freezes. The work that  
19 they do is so important, and we've heard... I'm  
20 running out of time... our members say over and over  
21 again that they wait months for (TIMER CHIMES) intake  
22 appointments or to hear back from someone at the  
23 Commission when they're filing formal complaints.  
24 And we've had many members whose cases have taking  
25 years to be resolved, and additionally, the turnover

1 of staff is really detrimental, because people who  
2 are homeless or unstably housed are really transient.  
3 It's hard. It's hard to have the same phone number  
4 all the time, and have had many of our members lose  
5 touch with the Commission altogether, and vice versa,  
6 because of the turnover rates at the Commission.  
7

8 So, the last thing I want to say is just that the  
9 salaries need to be raised. They're so uncompetitive,  
10 and the hiring process takes so long. And we're  
11 losing good people who might actually want to do good  
12 for the citizens and other folks who live in New  
13 York, but can't because they can't afford to.

14 I think a budget is a moral document, and the  
15 City is showing its values where it put its money,  
16 and the overall budget of the Commission is less it's  
17 like .02 percent of the entire City budget.

18 So, for the impact that this Commission has with  
19 such a small budget, I think we should absolutely be  
20 pushing and yelling from the rooftops that the  
21 Commission needs to be funded more robustly in order  
22 to protect all New Yorkers. Thank you.

23 PAUL KEEFE: Good afternoon, and thank you for the  
24 opportunity to testify. My name is Paul Keefe, I am  
25 Vice President for Legal Services The Community

1  
2 Service Society of New York (CSS). We are a legal  
3 service organization that has filed cases at the  
4 Commission in the past, but I'm in a unique position  
5 in that I worked at the Commission for seven years  
6 before going to CSS. I was supervising attorney in  
7 employment, so I witnessed the rise of Commission and  
8 the fall.

9 You have my written testimony, but I do want to  
10 just highlight a couple things. You know, the budgets  
11 that are being asked for or are good, but they're  
12 still not enough, especially when compared to the  
13 NYPD's budget. We are sort of saying that we value  
14 crime victims - justice for crime victims so much  
15 less when someone who has experienced sexual  
16 harassment. We throw good money after bad when we  
17 spend all this money on housing vouchers, but we  
18 don't have a Source of Income Unit to... that can be  
19 robustly funded to enforce against landlords and  
20 brokers that don't accept those vouchers.

21 And then I also want to point out some hard  
22 numbers on salary. So ,you know, we would lose people  
23 to legal services jobs. They would just want to work  
24 in Housing Court rather than at the Commission,  
25 because they would make \$5,000 to \$6,000 more than

1  
2 they would at the Commission. Similar roles at the  
3 Department of Consumer Protection and Worker  
4 Protection and enforcing Fair Work Week and things  
5 like that. They make \$9,000 more than a Commission  
6 attorney. And then the lawyers at the Law Department  
7 make \$12,500 more than Commission attorneys.

8       So, the salary is a very big issue for a lot of  
9 people, and combined with that is that the collective  
10 bargaining agreement for the attorneys at the  
11 Commission limits to 35 hours a week. If you are  
12 coming in wanting to do work, and like going after  
13 enforcement (INAUDIBLE) discrimination, and someone  
14 says, you only have 35 hours a week to do that,  
15 people look at you like you have two heads. Because  
16 you go to Legal Aide or anywhere else, and the hours  
17 are more than that. (TIMER CHIMES) And it's not that  
18 people should be forced to work more, it just goes to  
19 show how key funding is, because they are limited by  
20 their number of hours. They need more money to hire  
21 more staff so that they can address all of those  
22 cases with the time that they have. Thank you.

23       JONATHAN EBER: My name is Jonathan Eber, I'm a  
24 Program Officer Enterprise Community Partners. We  
25

1 nationwide affordable housing nonprofit. Thank you,  
2 Chair Williams, for the opportunity to testify today.

3 I don't think I really have to explain the  
4 detrimental impact that discrimination has. It  
5 exacerbates our affordable housing crisis, it entrenches  
6 segregation and inequality. And source income  
7 discrimination, in particular, is really undermining  
8 all of the critical investments that New York City is  
9 making in rental assistance and such a pathway to  
10 housing stability for New Yorkers.

11 In 2019, Enterprise led a coalition to outlaw  
12 source of income discrimination on the state level,  
13 and we've been active enforcement ever since.  
14 And despite local protections being on the books for  
15 10 years, it's still a rampant issue in New York  
16 City. It is the most common Fair Housing complaint  
17 type. And, so that all just sort of speaks to the  
18 need to, you know, for more enforcement resources,  
19 and the fact that the issue hasn't been taken  
20 seriously.

21 And in addition, the new Fair Chance for Housing Act  
22 will expand housing protections for New Yorkers  
23 impacted by the criminal legal system, very rightly,  
24 beginning next year, so I'm just echoing kind of the  
25

1 figures that other people are saying. We ask that  
2 CCHR be prioritized this year. The agency saw cuts in  
3 the November and January PEGs, and we urge the  
4 Council to allocate an additional \$3 million to the  
5 Law Enforcement Bureau specifically to bring staffing  
6 levels back to where they were in 2018. And we also  
7 urge the Council exempt CCHR from any future budgets  
8 cuts or hiring freezes. And then also, we request  
9 that the Commission as a whole receive an additional  
10 \$1.4 million to implement the Fair Chance for Housing  
11 Act, which begin protecting New Yorkers next year.  
12 There is going to be a lot of rulemaking and public  
13 awareness that's going be needed to get the law  
14 enforced and get tenants educated on their rights.  
15 So, combined with our \$3 million budget ask to staff  
16 up the LEB, Enterprises' request is a total of at  
17 least at least (TIMER CHIMES) \$4.4 million beyond  
18 with the Executive Budget Purposes. Thank you for the  
19 opportunity.  
20

21 CHAIRPERSON WILLIAMS: Thank you, I had a  
22 question, because you did a comparison of positions  
23 that I believe... is the Law Department position  
24 unionized?  
25

1  
2 PAUL KEEFE: I don't know, but they advertise  
3 their starting salary on their website, and it is  
4 \$12,500 more than the advertised position for an  
5 agency level one at the Commission... (CROSS-TALK)

6 CHAIRPERSON WILLIAMS: Yeah, because the  
7 Commission testified that it was on par with other  
8 agencies.

9 PAUL KEEFE: It's not true.

10 CHAIRPERSON WILLIAMS: Okay.

11 PAUL KEEFE: I mean, and you can just look at the  
12 public job postings and see that.

13 CHAIRPERSON WILLIAMS: Okay, and I am sure you  
14 heard the questions that I asked the other panel. Any  
15 anyone can answer, but I would love to know your  
16 insider knowledge on how you feel about some of the  
17 things that were said, which ,you know, really paint  
18 this very rosy picture that everything's okay.

19 PAUL KEEFE: I mean, it's not okay at the  
20 Commission. You know, still knowing people who work  
21 there, it's not okay, and I know of people who have  
22 left since. You had questions about how you can sort  
23 of, uh, what numbers you can ask for. To dig into  
24 that a little bit more, I would ask about the  
25 caseloads that each attorney is handling. It should



1 about 30 or 40 at the most. But, I am sure they are  
2 much larger than that. I would ask for how many cases  
3 are being... are waiting to be assigned from  
4 attorneys who have left. That is usually a large  
5 number. And then I would ask what it means to have a  
6 case at OATH. Because that can just be referring the  
7 case to OATH and asking for that process to start,  
8 which is the next thing that happens after a probable  
9 cause determination and there's no settlement. And it  
10 also not very impressive that there's more cases at  
11 OATH than usual, because in the past we have had  
12 about two or three a year. Because they are... they  
13 become more intensive, because it is actual  
14 litigation, and it is not a process that control.  
15 Because now we're handing it over, and there's an  
16 Administrative Law Judge that we have to prove our  
17 case to. Because that it's completely within, uh, the  
18 investigator's power to do everything, to ask for  
19 documents, to interview witnesses. So, we lose a lot  
20 of control once a case is referred to OATH.

22 CHAIRPERSON WILLIAMS: Why do you think... why do  
23 think more cases are now in OATH? Do you... I know  
24 you're not there, but if you could make an  
25 assumption, because she really used that to sort of

1           tout their ability to do a lot of a little. So, if  
2           you're saying that's not anything to really brag  
3           about, because essentially what it might also tell us  
4           is that the Commission isn't really doing all that  
5           they can potentially to provide some type of pre-  
6           complaint intervention. I know that came up a lot.  
7           So, yeah, just wondering what your thoughts are on  
8           that.

10           PAUL KEEFE: I don't think that it says that the  
11           Commission isn't doing enough, but it is the step  
12           that you take if you can't settle the case. If you  
13           find probable cause and the defendant will not settle  
14           with you, you have to refer to it OATH and take it to  
15           trial and that is the next step. So, what that says  
16           to me is there is this large backlog of cases where  
17           the investigation has been completed. And there is  
18           nothing left to do, because they are not going to  
19           settle with you, so you have to refer them to OATH.  
20           And I will say to the Commission's credit, their pre-  
21           complaint intervention tools have always been very  
22           successful - specifically around source of income  
23           discrimination, specifically around when people need  
24           an accommodation to physically leave their apartment,  
25           because they are disabled. Things like that where a

1  
2 timely intervention can help, that is a powerful  
3 remedy that the Commission has. But, again, they  
4 should have more resources to do that, because there  
5 still isn't enough for that. They should be able to  
6 act more quickly on that.

7 CHAIRPERSON WILLIAMS: Thank you. I don't know if  
8 anyone wanted to answer anything else, other than  
9 that, I think I'm good. If you want to answer  
10 anything feel free, if not... (LAUGHTER)

11 AMY BLUMSACK: I just wanted to say that I agree  
12 with a previous panelist who was saying that there  
13 are political considerations when the Commission is  
14 answering questions about what they need, you know,  
15 how are they doing? And I think sort of their back is  
16 against the wall. I know for SOI complaints so much  
17 more needs to be done, and they work very hard to  
18 help our members. One thing that I'm curious about,  
19 which I feel like sort of goes to what Paul was  
20 saying, is you know, one area I would be curious to  
21 explore more is data tracking. You asked about open  
22 data, and I think it's not always... to me at least  
23 it doesn't always feel transparent or clear about  
24 what is the data that's being tracked? How is the  
25 Commission to defining the data that they're

1 tracking? What outcomes are they tracking, and how  
2 are they defining those things? And you know what are  
3 all the things that they're not tracking that can  
4 give us a clearer sense of their success, or where  
5 the challenges lie? And I think having more access to  
6 that kind of data would ideally give us some more  
7 objective look at how things are going. Because, it  
8 seems like, for them, there's only so much that they  
9 can say here. There's a ,you know, they have a boss.  
10 They have to be responsible to their boss. And I  
11 think ,you know, that's understandable, but it  
12 doesn't always paint an accurate picture of what's  
13 going on the ground.

14  
15 CHAIRPERSON WILLIAMS: Thank you so much.

16 PANEL: Thank you.

17 COMMITTEE COUNSEL: Thank you all very much. We  
18 have one more in-person panel that I would like to  
19 call: Allegra Fishel, Kayt Tiskus, and Nycole Lanyse-  
20 Jacque.

21 All right thank you when you're ready you can  
22 start.

23 NYCOLE LANYSE-JACQUE: Good morning, my name is  
24 Nycole Lanyse-Jacque, I'm a part of Unlock NYC's  
25 Leadership Collective. Unlock NYC is a nonprofit that

1  
2 is assists voucher holders who have faced  
3 discrimination based on their source of income.  
4 Additionally, Unlock NYC collaborates with  
5 legislators and advocates to uphold for housing  
6 rights for individuals.

7 I'm here today to give my testimony on how budget  
8 cuts contributed to my homelessness. In the winter of  
9 2022, I received my CITYFHEPS Voucher to assist with  
10 rent. From the winter of 2022 into December 2023, I  
11 viewed and applied to dozens of apartments throughout  
12 New York City. Unfortunately, during my search I  
13 experienced a lot of discrimination because I was  
14 voucher recipient. However, after discovering Unlock  
15 NYC, I was able to report people through their  
16 platform. On January 30, 2023, I was contacted by  
17 CCHR's Law Enforcement Bureau stating that I would  
18 receive an appointment. At this point I was unaware  
19 of the staff shortage at CCHR; however, it wasn't  
20 until April of 2023 that I received an email about an  
21 in person appointment that was scheduled for August  
22 of 2023. Once I met with an attorney, I was given two  
23 options, one was a pre-complaint intervention,  
24 which... (CROSS-TALK)

1                   CHAIRPERSON WILLIAMS: (INAUDIBLE) I'm sorry, I  
2  
3 don't mean to cut you off...

4                   NYCOLE LANYSE-JACQUE: Mm-hmm?

5                   CHAIRPERSON WILLIAMS: You said that... I'm  
6 trying to understand this timeline. You said they  
7 reached out... you filed the complaint, when did you  
8 file the complaint?

9                   NYCOLE LANYSE-JACQUE: It was in January...

10                  CHAIRPERSON WILLIAMS: of 2023?

11                  NYCOLE LANYSE-JACQUE: Mm-hmm

12                  CHAIRPERSON WILLIAMS: And then you did not hear  
13 from them...

14                  NYCOLE LANYSE-JACQUE: Until April.

15                  CHAIRPERSON WILLIAMS: Until April 2023 for an  
16 appointment in August of 2023?

17                  NYCOLE LANYSE-JACQUE: That's correct.

18                  CHAIRPERSON WILLIAMS: Okay, thank you. I'm  
19 sorry...

20                  NYCOLE LANYSE-JACQUE: No, you're fine. Okay,  
21 August of 2023...

22                  Okay, so, once there was an attorney I was given  
23 two options, one was a pre-complaint intervention,  
24 which aimed to secure comparable apartments; the  
25 other was for them to draft a complaint on my behalf.

1  
2 Initially I chose the pre-complaint intervention, but  
3 unfortunately it didn't work out. So, I had to file a  
4 complaint.

5 At first the Law Enforcement Bureau attorney  
6 assigned to me was responsive and stayed in touch.  
7 However, after my complaint was signed and notarized,  
8 in November 2023, I didn't receive any communication  
9 until March 2024. And it has been almost a year and a  
10 half since I first reported voucher discrimination to  
11 CCHR, and it's and I still remain unhoused.

12 I have stayed in shelters, medical respite  
13 centers, couch surfed with friends, and had my life  
14 and health up ended by this grueling housing search.

15 This predicament is unfair and avoidable. I  
16 firmly believe that if CCHR had a larger budget, and  
17 more staff, with better wages this entity would be  
18 able to mitigate claims before their statute of  
19 limitation elapses. Since this is not the case, some  
20 agents and landlords will continue to discriminate  
21 against voucher holders. It is imperative not to cut  
22 budgets from City entities that are supposed to be  
23 the backbone of New Yorkers' human rights. It cost  
24 more to have clients in the shelter system than for  
25 them to have their own apartments.

1  
2 Please take a stand against budget cuts that  
3 contribute to homelessness in New York City. To this  
4 day, I haven't been able to fully recover  
5 physically, emotionally, and mentally because justice  
6 wasn't served. Thank you.

7 ALLEGRA FISHEL: Hi, my name is Allegra Fishel, I  
8 am the Founder and Executive Director of the Gender  
9 Equality Loss Center, a not for profit law firm based  
10 in Brooklyn. I've also been practicing civil rights  
11 law for over 25 years in New York City, and I am  
12 testifying on behalf of my personal knowledge of  
13 people that have filed with the Commission, and also  
14 hundreds and hundreds, maybe thousands of other  
15 cases, because I'm very interconnected with the  
16 private bar in York City.

17 First, I want to say that listening to the  
18 Commission today I wondered what planet I was on,  
19 because nothing they said really made sense to me as  
20 an advocate. I am not here to challenge their  
21 capability or talent, but what I am saying is that  
22 the process is absolutely broken. What my colleagues  
23 mostly say to me, is if you want to case to die, you  
24 file it with the City Commission.



1  
2 Frequently we get calls from people every month  
3 saying they missed a statute of limitations because  
4 no one called them back. The case length usually is  
5 between four and six years, my clients have died or  
6 moved out of state, because they can't wait any  
7 longer for resolution.

8 People who lose their jobs or lose housing are  
9 not a great place. There is economic unraveling,  
10 their families are harmed, it's devastating for them.  
11 And they become a liability not just for themselves,  
12 but for the City.

13 I also want to say that, in terms of staffing,  
14 while I think that the salaries could be increased, I  
15 know plenty of people that are willing to work there,  
16 but there is some issue of morale. Some of the best  
17 civil rights lawyers I've known in a generation have  
18 left the Commission in the last three to five years.  
19 I don't know why, but a lot of people have left, and  
20 it's not because of the salaries.

21 I just also want to say that there really is no  
22 other place for folks to go (TIMER CHIMES) pro bono  
23 or represented by you know, free legal services,  
24 which my organization is one of. Many cases aren't  
25 covered by the EEOC or the state division, because

1 federal laws have different requirements than the  
2 city, and the same goes for the state. And almost no  
3 low wage folks are filing lawsuits by themselves in  
4 state court and federal court, that takes a lawyer to  
5 do. The amount of money had to be increased. It's  
6 desperate to have this agency truly function. I was  
7 lucky enough to hear Speaker Adams' State of The City  
8 Address on Wednesday - and I was so inspired, but  
9 most of what she's proposing can't be done unless you  
10 have a city that takes discrimination seriously. Even  
11 in 2018, there wasn't enough staff. But right now, it  
12 is completely dysfunctional and unusable and it is  
13 not giving any relief to the really millions  
14 sometimes of New Yorkers who need assistance. There  
15 are 4.5 million working adults in New York most of  
16 the time, and this city needs to take some  
17 responsibility to ensure that they do not face  
18 barriers to economic equality. And, by the way, I  
19 really appreciated your little mustard seed analogy.  
20 I actually had to have my husband to the math, but  
21 the City ,you know, the allocation now is less than  
22 .02 percent of the budget of probably the wealthiest  
23 city in the United States, much less maybe the world.  
24 Thank you very much.  
25

1                   KAYT TISKUS: Man, those are some hard acts to  
2 follow.  
3

4                   Hi, I am Kayt Tiskus, I work with Collective  
5 Public Affairs, and the reason I'm testifying in this  
6 hearing today is I wanted to talk a little bit about  
7 how, first of all, I support all of my colleagues and  
8 advocates who been here talking about how the  
9 Commission really needs more money in the Executive  
10 Budget in order to fulfill the mandate that has been  
11 put before it. But also sort of talk a little bit  
12 about what happens to some of these folks who require  
13 wraparound services when they can't get it through  
14 the discrimination that they a facing that they would  
15 otherwise bring through the Commission.

16                   The short answer is, one way the City Council has  
17 been helping to fill the gap, as agencies have been  
18 unable to sort of step up and do what they need to  
19 do, is with City Council initiative programs. So, you  
20 know, some of the initiative that I work with include  
21 the Domestic Workers and Employers Empowerment  
22 Initiative, where people can learn more about what  
23 their rights are and learn more about what they can  
24 do practically outside of an enforcement mechanism  
25 when that might be clunky or impractical.

1           The Trans Equity Initiative, I don't know, I know  
2  
3 I don't have to tell you that it's a scary time to be  
4 a trans New Yorker, let alone trans person anywhere  
5 else. And it's only getting scarier. So ability to  
6 access services other than through adjudication is  
7 something that all of those partners work really hard  
8 on - from health to housing and otherwise.

9           The private work initiative, Support for Persons  
10 In The Sex Trades Initiative to combat sexual  
11 assault, where women's rights are human rights, and a  
12 lot of very practical fallout can happen after you've  
13 experienced a sexual assault incident, and figuring  
14 out what to do about your housing can be very  
15 complicated. So, as much as I really want to double  
16 down on support that the Commission on Human Rights  
17 badly needs more budget, uh, I also want to sit here  
18 and (TIMER CHIMES) say that some of the stop gap  
19 services that are picking up where the Commission  
20 currently can't, because of their staffing levels,  
21 many of whom you've heard from today, many of whom  
22 are funded through the City, they also can't fall by  
23 the wayside as we look for a tightening budget here.

24           CHAIRPERSON WILLIAMS: Thank you. I appreciate you  
25 coming and sharing your story, thank you.

1  
2 PANEL: Thank you.

3 COMMITTEE COUNSEL: Thank you very much. I believe  
4 that is everyone who I had for in person testimony.  
5 If I missed you, please fill out a witness slip.

6 For now, we will turn to the Zoom. I believe  
7 that we have four people on Zoom. I will call you in  
8 this order: We will start with Tabber Benedict, we  
9 will go to Nicholyn Plummer, then Julia El Maleh-  
10 Sachs, and finally Wendell Walters.

11 TABBER B. BENEDICT: Thank you, Chair Williams,  
12 and members of the Committee for the opportunity  
13 today to provide testimony. My name Tabber B.  
14 Benedict, and I am the Housing Advocate for the  
15 Fortune Society's David Rothenberg Center for Public  
16 Policy. I'm also a lawyer and went to Columbia Law  
17 School

18 Fortune is a 57-year-old organization that  
19 supports successful entry from and promotes  
20 alternatives to incarceration. We believe in the  
21 power of people to change. As part of that work, we  
22 co-led the Fair Chance for Housing Campaign, and are  
23 here to today to support additional funding for the  
24 Commission on Human rights.

1  
2 There are approximately 750,000 people who have  
3 conviction records in New York City. For people with  
4 convictions, two of the most challenging barriers to  
5 success in the community include employment and  
6 housing discrimination based on legal system  
7 involvement. The lack access to housing contributes  
8 the challenge of finding a job and vice versa.  
9 Housing and employment discrimination based on  
10 conviction records perpetuates homelessness and  
11 undermines family mobility and success across  
12 generations.

13 Discrimination based on records is also a racial  
14 justice issue, because our criminal legal system  
15 disproportionately impacts people of color. For  
16 example, f the 750,000 people with records in New  
17 York, 80 percent are people of color.

18 New York City's bold legislative solutions to  
19 these immense problems, the Fair Chance for Housing  
20 Act and the 2015 Fair Chance Act, regarding  
21 employment, require impactful implementing an  
22 enforcement efforts by the Commission. Therefore, it  
23 is necessary that additional funding be allocated to  
24 the Commission above and beyond what was set forth in  
25 the Mayor's Budget.

1  
2 New York City prides itself on being at the  
3 forefront of protecting human rights. Nevertheless,  
4 for years the Commission has been underfunded  
5 compared similar agencies in smaller cities.

6 Additionally, the Commission must receive  
7 holistic agency-wide funding to conduct robust  
8 education and hire additional staff.

9 We therefore a call on the Commission to be  
10 exempt from (TIMER CHIMES) future budget cuts or  
11 hiring freezes, and also call for... (CROSS-TALK)

12 SERGEANT AT ARMS: Time is expired.

13 TABBER B. BENEDICT: additional funding beyond  
14 what we set for the Fiscal Impact Statement.

15 Expanding resources for the Commission will show  
16 that New York City is truly committed to advancing  
17 and protecting human rights in 2024 and beyond, thank  
18 you.

19 COMMITTEE COUNSEL: Thank you. Next, I believe we  
20 have Nicholyn Plummer (phonetic).

21 NICHOLYN PLUMMER: I am not speaking (INAUDIBLE)

22 COMMITTEE COUNSEL: You may begin.

23 NICHOLYN PLUMMER: I am not speaking you can skip.

24 COMMITTEE COUNSEL: Okay, thank you.

25 We will go to Julia Elmaleh-Sachs.

1  
2 JULIA ELMALEH-SACHS: Good morning, thank you for  
3 the opportunity to testify at this morning's hearing.

4 My name is Julia Elmaleh-Sachs (INAUDIBLE)  
5 pronunciation. I am a lawyer at Crumiller PC, the  
6 Feminist Litigation Firm, and a member of the  
7 Legislative Committee of the National Employment  
8 Lawyers Association, New York affiliate.

9 NELA/NY comprises about 350 New York lawyers who  
10 primarily represent employees. We submit this  
11 testimony today to implore the City to take immediate  
12 action to increase the funding and staffing of the  
13 New York City Commission on Human Rights, which is  
14 charged with the duty of eliminating and preventing  
15 discrimination in New York.

16 You all know New York City has what has often  
17 been described as the most protective and strongest  
18 human rights law in the entire country. The City  
19 Council has frequently added additional important  
20 protections against discrimination, such as  
21 protection against height and weight discrimination  
22 and source of income protection, launching public  
23 education campaigns ensuring the public knows that  
24 they are entitled to further protections from  
25 discrimination.



1  
2           However, the reality is that because of repeated  
3 staffing and budgetary decisions, the much vaunted  
4 New York City Human Rights Law has been drastically  
5 and embarrassingly weakened. In our experience,  
6 employers bent on violating the law are well aware  
7 that at present, there is profoundly insufficient  
8 government enforcement. The burden for enforcing the  
9 law therefore falls largely on those individual  
10 employees who have the resources and ability to avoid  
11 the Commission altogether by retaining private  
12 counsel and sustaining years of often re-traumatizing  
13 litigation in court.

14           These cases routinely drag on for years, and  
15 typically settle privately for money damages, and no  
16 injunctive relief, so there is little incentive for  
17 employers to change their behavior, and no record-  
18 keeping or oversight to prevent offenders from  
19 (TIMER CHIMES) routinely violating the law.

20           SERGEANT AT ARMS: Time has expired.

21           JULIA ELMALEH-SACHS: Ordinary citizens who lack  
22 the resources or desire to engage in expensive,  
23 intrusive litigation, have no realistic method for  
24 timely vindicating their rights, since at present  
25 there is an average six month wait for a pro se

1 intake interview at the Commission. Not surprisingly,  
2 the result is that far fewer citizens than in the  
3 past bother to exercise their rights at the  
4 Commission, and the Commission's overall fine and  
5 damage collection numbers have plummeted.  
6

7 In short, the City has chosen to use its  
8 budgeting and staffing powers to weaken a once-proud  
9 and impactful agency into a shrinking bureaucracy  
10 seemingly destined for insignificance.

11 In order to begin to turn the tide, the  
12 Commission's budget must be expanded from the current  
13 \$13,652,383 in the current Mayor's Preliminary Budget  
14 proposal right now, to at least \$18 million. What  
15 would be a significant budget increase for the  
16 Commission, as you said Council Member, is an  
17 insignificant rounding error for the City.

18 Further, the City must lift hiring restrictions  
19 so that the Commission is no longer subject to a two-  
20 to-one hiring replacement rule by which it can only  
21 hire one person for every two departures. This policy  
22 is responsible for accelerating the crisis facing the  
23 Commission since the remaining staff are forced to  
24 take on more work with no relief and at uncompetitive  
25 salaries. This citywide budget measure has a

1  
2 disproportionate impact on the Commission because it  
3 is so small. With less than twenty Law Enforcement  
4 Bureau staff attorneys, four departures could reduce  
5 the LEB unit by ten percent while saving the City  
6 virtually no money. The Commission must be exempt  
7 from this policy. It must be encouraged to promptly  
8 replace any departing staff members.

9       The Commission must be permitted to hire at the  
10 Agency II and III level attorneys to attract the best  
11 talent. The Commission will not be able to rebuild if  
12 it offers its employees jobs promising low salaries  
13 and large caseloads.

14       In conclusion, while the City Council has every  
15 reason to be proud of the broad protections against  
16 discrimination contained in the Human Rights Law, a  
17 well-staffed and pro-active Commission is absolutely  
18 necessary for protecting these rights. Thank you very  
19 much.

20       COMMITTEE COUNSEL: Thank you. We will now go to  
21 Wendell Walters, and after Wendell has finished, we  
22 will try to come back Nicholyn Plummer.

23       WENDELL WALTERS: Thank you, Chair Williams, and  
24 Committee members for the opportunity to testify  
25 today. My name is Wendell Walters and I am the

1  
2 Manager for Policy and Advocacy at the Osborne Center  
3 for Justice Across Generations at Osborne  
4 Association. As many of you know, Osborne is one of  
5 the oldest and largest criminal justice service  
6 organizations in the state. We serve 10,000  
7 participants in programs from arrest to reentry. We  
8 have offices in Harlem, Brooklyn, Buffalo, Newburgh,  
9 White Plains, and Troy, with our headquarters in the  
10 Bronx. We also have programming in 41 state prisons  
11 and on Rikers Island. Through advocacy, direct  
12 service, and policy reform, Osborne works to create  
13 opportunities for people to heal, grow, and thrive.

14       There are 750,000 people in NYC with a conviction  
15 history who experience perpetual punishment from  
16 their record after they have served their time. This  
17 large community of people, 80 percent of whom are  
18 Black and Brown, endure widespread discrimination in  
19 all manner of life. For years, many of them have been  
20 excluded and restricted from where they can work;  
21 where they can live; what licenses they can possess;  
22 what benefits they are eligible for; whether they can  
23 vote; and where they can travel.

24       This past December, the Council took the  
25 important step in reducing barriers for the

1  
2 previously incarcerated with the passage of the Fair  
3 Chance for Housing Act. After years of unwavering  
4 advocacy, including the dedicated efforts of the more  
5 than 100 organizations - including Osborne and  
6 Fortune - that make up the Fair Chance for Housing  
7 Coalition, landlords are now limited in their use of  
8 criminal background checks. We are thankful for the  
9 leadership of this committee, of the bill's chief  
10 sponsor, Council Member Keith Powers, and his staff  
11 for their patience and commitment to this cause.

12 We now enter the implementation phase, to ensure  
13 this law leads to fairness and opportunity. We must  
14 now put all of our effort to ensure the requirements  
15 under the law are fully enforced.

16 The Fair Chance for Housing Coalition will  
17 continue to advocate on behalf of the law and do our  
18 part to make sure landlords adhere to the new  
19 restrictions, but the burden, as we all know and have  
20 heard throughout day, truly falls to the City  
21 Commission on Human Rights. It's no secret that the  
22 Commission is underfunded compared to the similar  
23 agencies in smaller cities despite rising workloads,  
24 they have done as much as they can with far less  
25 resources. We support the Commission's necessary

1 funding levels to enforce and educate the public on  
2 the Fair Chance for Housing Law; however, given their  
3 current staff shortages, we have to (INAUDIBLE)  
4 funded not just with additional investigators, but to  
5 also fund (INAUDIBLE)... (CROSS-TALK)

7 SERGEANT AT ARMS: Time expired... (CROSS-TALK)

8 WENDELL WALTERS: (INAUDIBLE) including public  
9 education efforts.

10 We are wrapping up... Osborne remains excited by  
11 the passage of the Fair Chance for Housing Act. This  
12 Act removes what was once an insurmountable barrier  
13 and creates a greater opportunity for housing for  
14 those with prior convictions. Providing the CCHR with  
15 the resources they need to meet this new obligation  
16 is critical. We will submit our full written  
17 testimony to Committee. Thank you.

18 COMMITTEE COUNSEL: Thank you so much. We have  
19 learned that Nicolyn will not be presenting  
20 testimony, so I believe that wraps up our public  
21 testimony, unless there are any question.

22 CHAIRPERSON WILLIAMS: I just want thank every  
23 single person for their patience and for testifying  
24 today. And I look forward to a robust budget  
25 negotiation that centers human and civil rights.

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COMMITTEE ON CIVIL AND HUMAN RIGHTS

And with that, this Committee meeting is  
adjourned.

[GAVEL SOUND] [GAVELING OUT]

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 April 16, 2024