

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY JOINTLY
WITH COMMITTEE ON STATE AND
FEDERAL LEGISLATION

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HELD AT: HYBRID MEETING - COMMITTEE ROOM -
CITY HALL

B E F O R E: KAMILLAH HANKS, PUBLIC SAFETY CHAIR

COUNCIL MEMBERS: JOANN ARIOLA
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SHAUN ABREU, CHAIRPERSON
SELVENA BROOKS-POWERS, MAJ. WHIP
FARAH LOUIS

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

DEANNA LOGAN, Director of Mayor's Office
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Molly Slothower, Senior Research Manager,
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KARINA CHRISTIANSEN, Deputy Executive
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1 COMMITTEE ON PUBLIC SAFETY JOINTLY WITH THE
2 COMMITTEE ON STATE AND FEDERAL LEGISLATION

3

3 SGT. RODRIGUEZ: This is a microphone
4 check on the Committee on State and Federal
5 Legislation and Public Safety. Today's date is June
6 24th, 2022. We are located at the Committee of . . .
7 recorded by Sgt. Rodriguez.

8 CHAIRPERSON KAMILLAH HANKS: All set.

9 SGT. RODRIGUEZ: Good morning and welcome
10 to today's Hybrid New York City Council hearing for
11 the Committees on Public Safety jointly with State
12 and Federal Legislation. To minimize disruptions
13 please place all electronic devices to vibrate or
14 silent mode. If you'd like to submit testimony
15 please send via email to testimony@council.nyc.gov
16 again that is testimony@council.nyc.gov. Thank you
17 for your cooperation, chairs we are ready to begin.

18 CHAIRPERSON KAMILLAH HANKS: Thank you.

19 (gavel pounding). Good morning, I am Council Member
20 Kamillah Hanks Chair of the Committee on Public
21 Safety and I am joined by Committee Members Chair
22 Abreu and Council Member Ariola. Today's hearing
23 held jointly with the Committee on State and Federal
24 Legislation will examine access to firearms and City
25 and State efforts to curb gun violence. Additionally
we will be hearing Introduction number 518 sponsored

3 by Chair Abreu, myself and our colleagues which
4 requires the Mayor's office to prevent gun violence
5 to work collaboratively with NYPD to study and report
6 on illegal transportation of firearms to New York
7 City. I do want to take a brief moment to address
8 yesterday's Supreme Court ruling which struck down a
9 New York State law that placed restrictions on carry
10 and conceal handguns. Despite the court's ruling
11 this Legislative body will continue to prioritize
12 public safety and reduction of gun violence within
13 New York City. Let me be clear, the answer to
14 worsening gun violence epidemic is not to allow
15 unfettered carry of handguns and we should not allow
16 it to propagate further. As we approach the summer
17 months, New York City continues to be plagued by gun
18 violence. Lives of heartbroken families and victims
19 of gun violence are forever altered. Gun violence is
20 the most pressing issue our City faces and we must
21 continue to do everything we can to stop it. Early
22 in the spring the Committee on Public Safety held an
23 oversight hearing on the mayor, Mayor Adams blueprint
24 and gun violence during which we examined the
25 Administration's vision for achieving improved public
safety and reducing gun violence. These proposals

3 focus on curbing gun violence, epidemic and expanding
4 community based solutions to crime. I look forward
5 to hearing an update from the Administration
6 regarding the implementation of the various proposals
7 put forth to schedule a flow of guns into the City
8 and examine the results that we have achieved thus
9 far. In doing so I am particularly interested in
10 exploring the collaborative efforts that we must
11 undertake to ensure City, State and Federal
12 governments are working in tandem to address what is
13 truly a national issue with devastating impacts
14 across the country. I will allow Chair Abreu to
15 speak further on Intro 518 but I view this as a vital
16 step in comprehensively studying, tracking and
17 reporting on the flow of illegal guns. With that, I
18 look forward to hearing from the Administration and
19 the public testimony and I will turn to Chair Abreu
20 for his opening remarks. Thank you.

21 CHAIRPERSON SHAUN ABREU: Thank you Chair
22 Hanks. Good morning, my name is Shaun Abreu and I am
23 Chair to the Committee on State and Federal
24 Legislation. I'd like to thank everyone joining us
25 today especially my colleague Council Member Hanks
for co-Chairing this joint hearing. Today we will be

3 discussing a topic that affects so many people, not
4 only in this great city but across our nation. Just
5 yesterday despite countless mass shootings the
6 Supreme Court struck down a New York Law that puts
7 restrictions on carrying guns outside the home citing
8 that it was at odds for the Second Amendments. It is
9 clear now more than ever that despite New York's
10 long-standing efforts to regulate guns the fight is
11 far from over. Access to firearms is a large part of
12 the conversation surrounding gun violence in our
13 communities. At the forefront of this topic is
14 curbing the flow of these weapons from out of state.
15 Recognizing the importance of stemming illegal flow
16 of out of state firearms in to New York City. Much
17 attention has been given to local, state and federal
18 effort needed to target illegal trafficking of
19 firearms along the so called iron pipeline. The iron
20 pipeline generally refers to the trafficking of
21 firearms to New York along the I-95 interstate
22 corridor purchased from states with lenient firearm
23 regulations such as Pennsylvania, Virginia, North
24 Carolina, South Carolina, Georgia and Florida. A
25 recent report from New York State Attorney General's
Office found that 70 percent of likely trafficked

3 guns seized in New York originated from one of the
4 above-mentioned states. Today we'll be hearing Intro
5 518, a bill that I recently introduced along with
6 Chair Hanks in an effort to take action against this
7 problem. I'm glad to see the general positive
8 reception in the testimony that I just glanced pretty
9 quickly. This bill will require the Mayor's Office
10 to prevent gun violence to coordinate with the police
11 department to conduct a study and submit a report on
12 the illegal transportation of firearms. The study
13 and report would need to identify locations where
14 firearms have been seized or surrendered in the city
15 and specifically the locations where firearms that
16 had been connected to a crime had been seized or
17 surrendered in the city including the type of
18 firearm, the manufacturer of the firearm and whether
19 the firearm is a ghost gun or a 3d printed firearm.
20 The study and report would also need to identify the
21 way states and municipalities coordinate to prevent
22 the illegal transportation of firearms,
23 recommendations for states and municipalities to
24 increase collaboration to prevent illegal
25 transportation of firearms and recommendations for
federal, state and municipal policies to prevent the

3 illegal transportation of firearms. I want to
4 emphasize that a crucial part of what we're looking
5 to learn more about today is just how information the
6 NYPD already collects on illegal seizures. As well
7 as gaining understanding of what does and what does
8 not get published and why. Not only is it important
9 for the study and report to inform lawmakers of
10 trends and patterns it is imperative that we use this
11 information to keep making improvements on the way we
12 coordinate the prevention of illegal access to
13 dangerous weapons. I'd like to thank all my
14 colleagues that have joined us today as well as
15 Committee staff Jayshe Kinapathy [SP], Wendy Ori [SP]
16 and Hebing Long [SP]. I also like to thank my staff
17 Jalisa Quigley [SP]. I will now turn it to Josh
18 Kingsley.

19 JOSH KINGSLEY, COMMITTEE COUNSEL: Thank
20 you Council Member. I'm Josh Kingsley, Counsel to
21 the Committee on Public Safety and I'll be the
22 moderator of this hearing. We're going to be doing a
23 hybrid hearing so both in person and there are going
24 to be members participating via Zoom. Before we
25 begin, I'd like to kind of remind everyone that
you'll be on mute until you are called on and that's

3 for Council Members and members of the public on the
4 Zoom. During the hearing I'll be calling on
5 panelists to testify. Please listen for your name to
6 be called and I'll be periodically announcing who is
7 the next panelist. At this hearing we'll be first
8 providing testimony from the New York Police
9 Department, from the Mayor's Office of Criminal
10 Justice and then from members of the public. I will
11 now call on members of the Administration to testify.
12 We will be hearing from the NYPD and the Mayor's
13 Office of Criminal Justice. The Mayor's Office of
14 Criminal Justice, we'll hear from Deanna Logan, Molly
15 Slothower and Karina Christiansen and from the NYPD
16 it will be Director Nicole Berkovich, Deputy
17 Inspector John Hall, and Director Michael Clarke.
18 Before we begin, I've asked the folks to raise their
19 hand and affirm this following oath: Do you affirm
20 to tell the truth, the whole truth and nothing but
21 the truth before this committee and to answer
22 honestly to Council Member questions?

22 DEANNA LOGAN: I do.

23 MICHAEL CLARKE: I do.

24 JOHN HALL: I do.

25 NICOLE BERKOVICH: I do.

2 JOSH KINGSLEY, COMMITTEE COUNSEL: Great.
3 Thank you. You may begin.

4 JOHN HALL: Good morning Chair Hanks,
5 Chair Abreu and members of the Council. I am Deputy
6 Inspector John Hall the Executive Officer of New York
7 Lead Police Department's Office of Crime Control
8 strategies. I am joined here today by Michael Clarke
9 as the Department's Director of Legislative Affairs
10 and Nicole Berkovich the Director of the NYPD Legal's
11 Division or Licensed Division as well as Director
12 Deanna Logan from the Mayor's Office of Criminal
13 Justice. On behalf of Police Commissioner Keechant
14 Sewell we are pleased to testify on the NYPD's effort
15 to keep the illegal firearms off our streets and to
16 discuss the bill being heard today. While we return
17 to our familiar pre-pandemic way of life, we are none
18 the less confronted some familiar challenges. At the
19 top of that list is the epidemic of shootings in our
20 streets driven by the surplus of illegal guns nearly
21 all of which come from out of state. According to
22 the most recent data kept by the Bureau of Alcohol,
23 Tobacco, Firearms and Explosives the ATF. Of the
24 3,639 guns recovered in New York City in 2021, where
25 a source state could be traced only 147 or 4 percent

3 were from New York State while 2,785 or 76.5 percent
4 were from Florida, Alabama, Georgia, Tennessee, South
5 Carolina, North Carolina, Virginia, Ohio and
6 Pennsylvania. The top nine source states that year
7 with the remainder coming from other states. In
8 2020, the top nine source states accounted for 77.1
9 percent of recovery of guns in New York City and in
10 2019 the top 10 accounted for 74.7 percent. But it's
11 not just New York City and New York State as a whole,
12 81.4 percent of the guns traced were from out of
13 state. In Massachusetts 78.8 percent of the guns
14 were from out of State. In New Jersey its 82.6
15 percent. In Washington DC its 96.3 percent. This is
16 a national issue. While we continue to battle the
17 surge on our city streets more work must be done on a
18 national level to disrupt and extend the flow of
19 legal firearms in tough cities. So far in 2022, they
20 have gotten over 2,000 illegal guns off our streets
21 including 175 ghost guns. The emerging threat of
22 ghost guns in our City is also cause for alarm. In
23 all 2018, the NYPD sees just 17 ghost guns but that
24 number increased to 50 in 2019, 150 in 2020 and 275
25 in 2021 and we going to exceed that number of
seizures this year. But no matter how many guns we

3 see there are people ready to bring more into our
4 City, more guns on our streets mean these guns will
5 be used more often, 67 percent of our murders in the
6 City are committed with a gun. In 2019 it was 50
7 percent. A very steady decrease in gun involved
8 robberies in recent years, we saw 61 percent increase
9 in armed robberies from 2021 to 2022 and we saw 112
10 percent increase in armed robberies from 2020 to
11 2022. This trend is alarming and directly correlated
12 to the increase in the availability of illegal guns.
13 Because of the nature of the problem facing us the
14 work done in coordination with our state and federal
15 law enforcement partners and prosecutors is the litch
16 pen in our efforts to extend the flow of guns through
17 what has been referred to as the Iron Pipeline. The
18 path along the eastern quarter of the United States,
19 often I-95 which brings these guns from states of lax
20 gun laws into states and metropolitan areas of much
21 stricter and much more effective gun regulations.
22 These partnerships take many forms. We work with our
23 federal and state partners in a variety of passports
24 is designed to reduce gun violence including the
25 joint firearms task force, the violent gangs task
force, the joint organized crime task force, the New

3 York Metro Safe Street Task Force to conduct
4 investigations in to and prosecutions of gun
5 traffickers and those who cause violence on our
6 streets. Every day we bring together over 20
7 federal, state and local law enforcement agencies and
8 prosecutors as part of the gun violence strategies
9 partnership to identify trigger pulls and to ensure
10 that every level of the criminal justice system is
11 engaged in their case. Our gun violence suppression
12 division conducts investigations into our most
13 violent individuals and criminal groups. The goal of
14 their work is to help solve homicides and non-fatal
15 shootings and bring those willing to fire a gun in
16 our City to justice. Long term investigations are
17 also conducted by the Firearm Suppression Section
18 which builds complex cases against those trafficking
19 and using firearms and works with our local and
20 federal prosecutors in these often complex
21 prosecutions. So far this year, the unit has been
22 responsible for the recovery of 275 firearms as a
23 result of the successful execution of search
24 warrants, undercover and confidential informant gun
25 buys well outpacing 2021 numbers. Our review
coordination officers and our neighborhood

3 coordination officers work with members of the
4 community to stop gun violence before it begins and
5 the crisis management system which the Mayor's Office
6 of Criminal Justice will speak about provides
7 critical tools to help stem the tide of violence.
8 However, the law enforcement community and our
9 community partners cannot do this work alone. We
10 need Congress to act to help stop the never ending
11 influx of illegal guns from states with lax to nearly
12 non-existent regulations. We need to stop people
13 from possessing deadly firearms without being
14 licensed, without background checks without waiting
15 periods and without any record of a sale when they
16 are not done by a federally licensed firearm dealer.
17 All of this is currently legal in many places and
18 allows the trail of the gun to go cold making it
19 extremely difficult for us to identify who is
20 trafficking guns into our City. These loop holes
21 allow the weapons to enter the City. Weapons which
22 are too often used to mow down people and gain force,
23 peaceful worshipers at their places of worship,
24 people simply trying to buy groceries and school
25 children sitting in class. Sadly even if we even are
able to enter every gun coming in to New York City we

3 must recognize that there is an unacceptable amount
4 of illegal guns already here. That is why it is
5 critical that we continue to use precision policing
6 to identify and arrest those who carry illegal guns
7 and the criminal justice system must be recalibrated
8 to allow judicial discretion to hold those dangerous
9 to you in custody pending trial. In short, there
10 must be consequences and accountability for carrying
11 and using illegal firearms if we are to make any real
12 headway in any of the cycle of gun violence. I would
13 also like to talk about the bill being heard today,
14 Intro 518. This bill would require the Mayor's
15 Office to prevent gun violence with the NYPD to study
16 and report on the illegal transportation of firearms.
17 The Department supports the intent of this bill and
18 agrees that it is vital to traffic flow of guns into
19 our City and we look forward to working with the
20 Council as the most effective way to report the
21 information called for in the bill. We would also
22 note that much of data is data collected and reported
23 by the ATF and is subject to certain federal legal
24 requirements. We look forward to further discussions
25 with the Council and the Law Department on how best
to report certain data. The bill also contemplates

3 that the study of important of clues, reviews, and
4 recommendations regarding how guns are illegally
5 transported into the City and ways to reduce gun
6 trafficking and violence. And I will defer to my
7 colleagues at MOCJ to speak further on those
8 provisions of the bill. Thank you and we look
9 forward to answering your questions. I will now hand
10 it over to Director Logan.

11 DEANNA LOGAN: Thank you. Good morning
12 Chair Hanks. First time in person so I'm just
13 thankful for that. Good morning Chair Abreu and
14 members of the Committee on Public Safety and the
15 Committees on the state and federal legislation. My
16 name is Deanna Logan and I am grateful to be here
17 this morning with my colleagues from the NYPD. Also
18 with me today are Molly Slothower and Karina
19 Christiansen members of our atlas and research
20 programming. MOCJ advises Mayor Adams on Criminal
21 Justice Policy and is the Mayor's representative to
22 the courts, district attorneys, defenders and state
23 criminal justice agencies among others. MOCJ works
24 with law enforcement, city agencies, not for profits,
25 foundations and the public to implement effective
strategies that make the City safer by improving

3 system coordination. MOCJ brings together community
4 and institutional stakeholders to address systemic
5 issues that undermine the safety and stability of our
6 neighborhoods. We strive to move our City forward to
7 providing better resources and access to support,
8 needed to promote and maintain healthy communities
9 for all New Yorkers. Our office is committed to
10 implementing Mayor Adams vision for a safe and fair
11 City for all New Yorkers. MOCJs teams work along a
12 public safety continuum. That supports the healthy
13 neighborhoods that create safety. Recognizing the
14 interconnected and holistic nature of public safety
15 in historically disinvested communities that also
16 experience the brunt of over policing and heightened
17 levels of gun violence. In December 2019, this City
18 launched the Office of Neighborhood Safety. In 2021
19 we were grateful to this body for codifying that
20 office who's primary task is the primary unit tasked
21 with addressing the root causes that challenge public
22 safety. ONS is housed with MOCJ and is a crucial
23 component of the public safety continuum and is a
24 necessary part of our efforts to co-produce public
25 safety in partnership with local communities. ONS
provides efforts for the Mayor's Action Plan which is

3 also referred to as MAP. The Office to Prevent Gun
4 Violence which is referred to as OPGV and Atlas. To
5 share resources and holistic assistance for New
6 Yorkers affected by violence. ONS's teams works with
7 our network of residents and community leaders to
8 ensure that more New Yorkers have the agency and
9 ability to define public safety directly for
10 themselves. As such, ONS relies on the strength and
11 experience and expertise of community as guiding
12 principles and is committed to ensuring that
13 marginalized communities have access to capital and
14 opportunities. As part of the launch of ONS, Atlas
15 was created to build on the foundations that MAP and
16 OPGV approach to foster deep relationships,
17 investment resources and provide support for people
18 hardest to reach in the criminal justice continuum.
19 Given these initiatives, goals of enhancing safety,
20 Atlas, OPGV and MAP serve overlapping populations in
21 the City's highest crime neighborhoods. All three
22 programs are housed within ONS and are part of a
23 larger effort to reduce violence and prevent and
24 minimize criminal justice involvement by addressing
25 the root causes of violence that has
disproportionately impacted ONSs service to

1 communities. ONSs programs and initiatives operate
2 on a spectrum that flows from the broader environment
3 to the community the down to the individual. I will
4 share a few more details about MAP, Atlas and OPGBs
5 porfolios. Starting with MAP, which was launched in
6 July 2014 following a spike in shootings in some of
7 the city's public housing developments. Over the
8 past seven years MAP has become an internationally
9 recognized model for how residents co-create safety
10 in their communities through innovative problem-
11 solving. It's signature initiative, neighborhood
12 staff, or in staff brings together residents,
13 community stakeholders and city agency
14 representatives to identify and solve public safety
15 and quality of life issues. Residents take the lead
16 in safety realization efforts through partnerships
17 with community organizations and various City
18 agencies including the Police Department, Parks
19 Department, Department of Aging, NYCHA, and the
20 Department of Sanitation. In addition to our local
21 NSTAT, MAP site also conduct this work citywide in an
22 annual summit that results in actionable priorities
23 for NYCHA developments across the City. MAP sites
24 across the City have experienced substantive drops in
25

3 crime over the last five years as compared to similar
4 sites without the program. OPGV also launched in
5 2014 works to address gun violence through a shift in
6 social norms and the work of community members in
7 mediating disputes to prevent shootings. The Crisis
8 Management System or CMS deploys pairs of creditable
9 messengers, community members whose backgrounds allow
10 them to connect with and motivate Atlas individuals
11 to 29 sites where they implement Curvana's model of
12 mediating conflicts on the street and direct New
13 Yorkers to services that can create peace, provident
14 mental health services, trauma counseling and other
15 opportunity centered resources. This initiative has
16 brought measureable benefits to communities city
17 wide. Research has found that across CMS sites,
18 shooting victimizations fell by 28% over the first 24
19 months following a site launch compared to the 24
20 months prior to the launch with gun injuries down
21 33%. Research has also found that CMS increased
22 trust in police and decreased resident's reliance on
23 violence to settle disputes. The Administration
24 continue to increase and improve its commitment to
25 innovative programming that enhances safety within
communities. Our Atlas component seeks to address

3 the risks and the needs of individuals released pre-
4 trial on their recognizance who are at heightened
5 risk of future victimization or justice system
6 involvement. The program offers participants
7 therapeutic services to address past trauma,
8 mentorship, education and employment opportunities
9 and entry into supportive community networks. Atlas'
10 therapeutic services engage entire families in order
11 to strengthen family bonds and reduce future justice
12 system involvement. In looking at Intro 518, it
13 would require OPGB to work with NYPD to paint a
14 better understanding of the flow of firearms in the
15 City by reviewing and submitting report on the
16 illegal transportation of firearms. While we support
17 the goals of this legislation, it is important to
18 note that OPGV as a part of ONS is dedicated to
19 applying upstream solutions to public safety as well
20 as crisis management when an act of violence occurs.
21 By contrast, the broader MOCJ research and policy
22 team has supervised similar studies in the past and
23 would be best equipped to conduct the study and
24 report as the legislation envisions. We look forward
25 to discussing the bill further and working with the
Council and our colleagues at NYPD to define the

2 provisions. Thank you for the opportunity of coming
3 before you and presenting this morning and I'm happy
4 to answer any questions.

5 CHAIRPERSON KAMILLAH HANKS: Thank you.
6 Before I get into the next line of questioning. I
7 would just like to acknowledge the Council Members
8 that are here today. Council Member Holden, Council
9 Member Ariola, Council Member De la Rosa, Joseph,
10 Major Whip Brooks-Powers and joining us virtually,
11 Council Member Tiffany Caban. So I'd like to and
12 Farah Louis. Good morning. So I'd like to start by
13 reexamining the components of the Mayor's Blueprint
14 to end gun violence. I very much appreciate all of
15 your testimony. So regarding the expanding
16 partnership between NYPD and State Police what
17 information is currently shared between NYPD and
18 State Police if any?

19 MICHAEL CLARKE: Sure so there are a few
20 avenues where we work with State Police. You know we
21 have a state trooper who is assigned to work out of
22 One Police Plaza and he is a person who can be a
23 liaison between our two agencies. They are also a
24 part of the gun violence strategic partnership which
25 is a daily meeting that we do includes NYPD includes

3 local prosecutors, federal prosecutors and local law
4 enforcement and state law enforcement and federal law
5 enforcement. And that is a daily meeting regarding
6 gun violence, shooters in the City, people who had
7 recently been arrested for carrying guns. Some of
8 the most dangerous people in our city. Additionally
9 the State Police run a couple of working groups. One
10 of which is a nine state consortium includes most of
11 the northeastern states, us, New Jersey,
12 Pennsylvania, Massachusetts, Connecticut and I think
13 maybe the rest of the New England States. That is
14 not a daily meeting but we are meeting with them in
15 that group with the, you know, larger states to share
16 information to, intelligence, best practices and
17 there is also a group that State Police runs that is
18 a intrastate, so it's New York State Law Enforcement
19 Agencies, meeting and again the sharing information
20 and sharing tactics and.

20 CHAIRPERSON KAMILLAH HANKS: During your
21 testimony, NYPD testified what data may be withheld?
22 I know you mentioned that there are certainly some
23 information that may not be shared. So, can we have
24 an idea specifically what some of the things that
25 would not be shared?

3 MICHAEL CLARKE: Sure, I think the, the
4 big thing is in the bill it requires us to report on
5 every gun.

6 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

7 MICHAEL CLARKE: And much of the data
8 that is required in this report is ATF data. In
9 Federal Law it's called the deheart amendments.
10 Prohibit the ATF and that anyone who gets data to
11 report on individual gun levels. There's some
12 provisions for the ATF to report aggregate level data
13 which they do and some of that data they publish on
14 their website and it's what kind of guns, where they
15 came from on their trace reports but in terms of each
16 individual gun, the Federal Law would make it
17 difficult or if not prevent us from being able to
18 report that.

19 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

20 What information does NYPD intend to share that is
21 not currently shared with State Police and why has
22 this information not been shared previously?

23 MICHAEL CLARKE: I think at this point we
24 are doing pretty good about data sharing with them.
25

2 JOHN HALL: Yeah, yeah, right now we are,
3 we do actively share data with the State Police and
4 there's, there's no asks in either direction.

5 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

6 MICHAEL CLARKE: And I think these
7 partnerships have really helped make sure that we are
8 in constant communication and you know, this is, this
9 is a new obviously in order for multiple law
10 enforcement agencies to police in the City we have to
11 be in communication with each other and we've been
12 called the task force for years and there's always
13 been a constant stream of communication but these,
14 these dedicated meetings have really, can be really
15 helpful in sharing the information as well. But, the
16 boots on the ground so to speak.

17 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

18 MICHAEL CLARKE: You know there are
19 people who can just pick up the phone and talk to
20 each other. That's always been in the case, um, and
21 sort of in trying to share information and share part
22 of it is we don't want to step on each other's toes.

23 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

24 MICHAEL CLARKE: Right. If they have an
25 investigation and we get a lead we want to make sure

3 we're working together on it and part of it is to
4 make sure that we're all, have the information we
5 need.

6 CHAIRPERSON KAMILLAH HANKS: Thank you.

7 So I mean, um, so we know and I appreciate that there
8 are daily meetings, local, state, federal partners
9 that share intelligence and information on specific
10 cases but for the, for the purpose of letting the
11 public know what are the current scope of the
12 departments gun violence, strategic partnerships?
13 What other jurisdictions and partners are currently
14 involved? And how is that sharing of information to
15 leads to successful investigation, arrest and
16 prosecution of gun traffickers?

17 JOHN HALL: So I don't have the complete
18 list of involved entities. We can get that for you.
19 Um, but I have attended these meetings. The New York
20 State Police are present, the ATF, the FBI, the DEA.
21 We have a representative from each prosecutor's
22 office for all the counties in New York. We have
23 obviously the NYPD intelligence divisions present
24 there. We, we, some-, occasionally have visitors
25 from other agencies like last time the Connecticut
State Police had a representative there. And the

3 purpose of that is to discuss the events of one of
4 the, the first thing that they do is discuss the
5 events of the prior day. They talk about people who
6 were arrested if there's any sort of. It's, it's
7 only priority people that we're discussing. And, we,
8 we talk, we make sure that all of our work is de-
9 conflicted, that other people don't have
10 investigations into those people and that we share
11 any information that relevant to any investigations
12 that they do have ongoing.

13 CHAIRPERSON KAMILLAH HANKS: How many
14 arrests has this um, the partnership, how successful
15 is it in, in your opinion and anything that needs to
16 be done further to make even more successful?

17 JOHN HALL: So that's something that
18 we're continuously looking at trying to to refine it
19 and improve it.

20 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.

21 JOHN HALL: We do, we are in the process
22 of evaluating the impact of it. And that's something
23 that we do do. They typically talk about a couple of
24 arrests a day but those things can spawn larger
25 investigations into the gun violence and gun
trafficking so I don't have an exact number for you

3 right now but it is something that we look at and try
4 to improve.

5 CHAIRPERSON KAMILLAH HANKS: We
6 definitely would like follow up on that. Thank you.
7 So we're going to move over to, regarding like spot
8 checks for gun trafficking at City entry points.
9 According to the blueprint, the State Police and NYPD
10 will implement spot checks at entry points of port
11 authority and/or other bus and train stations. My
12 question is how will individuals be identified for
13 spot checks? Will there be random spot checks?
14 Targeted spot checks? Will demographics and outcomes
15 of such stops be publicly reported?

16 MICHAEL CLARKE: So I think, you know,
17 what we are doing is when we work with our partner
18 agencies and even on our own it's, we're following
19 where the intelligence goes, following where our
20 leads go. Um, it's not random checks, it's not bad,
21 it's when we get information that we believe someone
22 might be coming in with a gun then we are going to
23 try to and interdict those people. And we will work
24 with our partner agencies to do that but it's mostly
25 intel-based rather than, you know, random.

3 CHAIRPERSON KAMILLAH HANKS: Yeah, so,
4 um, thank you for that, uh, so that would lead me to
5 the next question of thus far have there been the
6 demographics of individuals searched at such
7 locations? Have efforts been made to project against
8 the increased potential for a racial profiling?

9 MICHAEL CLARKE: So I don't, I don't have
10 that number. I don't, we can try and find that out I
11 think the, the goal is certainly not, we're not
12 looking to be racially profiling. That's against our
13 policy. It is again when we get information, it's
14 really targeting towards people we believe from
15 either informants or under covers or why they are
16 bringing in guns.

17 CHAIRPERSON KAMILLAH HANKS: Mm-hmm.
18 Thank you. So what evidence is there that guns are
19 being trafficked through public transportation
20 facilities as compared to private vehicles? Does the
21 Department have any data supporting the belief that
22 this approach will successfully drive down gun
23 violence in the City?

24 JOHN HALL: So guns are trafficked into
25 the City by all manner of conveyance. They, they do
come through public transportation. We get that

3 information from informants. We get that information
4 from wire. It comes from actual cases. But they
5 also come in through rental vehicles, private cars,
6 any manner of conveyance guns are trafficked into the
7 City typically. The numbers of guns that come in at
8 any given time can vary but it's usually small
9 numbers of guns and the, the trafficking isn't
10 necessary concentrated on one or two people. It's
11 very diffuse into the city. So, as far as specific
12 data we do not have exact statistics on what
13 percentage of guns come in what way. One of the
14 concerns that we have with putting any numbers on
15 something like that is we don't know what we don't
16 know. So, and guns that we don't interdict we
17 really, we really can't tell you how they're coming
18 in but we do know they come in through a variety of
19 ways.

20 CHAIRPERSON KAMILLAH HANKS: So
21 effectively saying that targeting stops the, you
22 know, not really spots checks or check points as it's
23 characterized in the blueprint?

24 JOHN HALL: So far, the interdictions
25 that we've been doing this year have been based on
credible information. Yes.

3 CHAIRPERSON KAMILLAH HANKS: Excellent
4 thank you. So, Staten Island is connected. I'm from
5 Staten Island is connected to surrounding areas by
6 four bridges and so the trafficking of guns into the
7 City through those bridges is of significant concern
8 to me. Will spot checks or as you would say targeted
9 checks include motorists and bridge and tunnel
10 entrances to NYC and how will these targeted checks
11 be conducted and what will the seaports play in guns
12 coming into New York City and will spot checks be
13 targeted to be conducted at the seaport?

14 MICHAEL CLARKE: So again I think you
15 know if the intelligence leads us that someone is
16 coming through Staten Island with guns you know
17 obviously we'll seek to interject that. You know, I
18 don't know if they get the majority of where the guns
19 that the information is coming up through buses and
20 private automobiles. But we obviously have port
21 security as well that we're, uh, looking to prevent
22 any guns or explosives from coming into the City but
23 you know I don't know of any plans for spot checks
24 right now or vehicle check point but if that
25 information is coming sound, we will go there and try
and get the gun.

3 CHAIRPERSON KAMILLAH HANKS: Thank you.
4 That concludes my first round of questioning. I'm
5 going to pass it along to Chair Abreu.

6 CHAIRPERSON SHAUN ABREU: Thank you Chair
7 Hanks. So I, when I have a set of questions, I'll
8 first begin with City's collaboration with state and
9 federal entities. So, I'll start broadly, what
10 information does NYPD or MOCJ already share with
11 state officials and federal officials.

12 JOHN HALL: We do conduct data sharing
13 with the New York State Police likely mentioned
14 earlier any specific case related information that
15 leaves New York City we let them know about. We also
16 let them know about information within New York City
17 where there are, there jurisdiction overlaps as far
18 as any other state entities.

19 MICHAEL CLARKE: We also, I mean there's
20 arrest data is shared with the DC, or the Division of
21 Criminal Justice Services and ultimately the FBI. So
22 they are getting our individual arrest level but in
23 terms of intelligence and what's going on with
24 individual cases, we are sharing the through our task
25 forces, through our meetings, you know, I'm not
saying every case is because you know there are cases

3 where an MI team is running or an FBI team is
4 running. There is a system to make sure that we
5 don't step on each other's toes. So, but it is a lot
6 of data sharing through meetings and agreements.

7 CHAIRPERSON SHAUN ABREU: So other than
8 arrests can you characterize any other sense of
9 information that you share to the state or federal
10 government?

11 JOHN HALL: Yes. Well when we're working
12 a case like with our federal partners like the Joint
13 Firearms Task Force. We will share data related to
14 within the boundaries of the MOU that we have with
15 them.

16 CHAIRPERSON SHAUN ABREU: Do you share
17 like, do you go more into the arrests? The type of
18 guns or -- oh, I'm just trying to see like what
19 nature of information is provided. You don't have to
20 get into the specifics of the case but what is the
21 category of information that is shared?

22 JOHN HALL: Well we work side by side
23 with them so it's one, we're working in the same
24 office with them so it's what they know in terms of
25 those investigations we, we know and vice versa.

3 CHAIRPERSON SHAUN ABREU: Okay.

4 Respectfully I think it was very broad but I'll move,
5 I'll move on. What information does NYPD or MOCJ
6 receive from state officials and federal officials?
7 Receive.

8 MICHAEL CLARKE: So, I mean I think in
9 the same, in the same sharing back and forth we
10 certainly get when we submit guns for traces from the
11 ATF they provide us with the trace information. I
12 think that that's a big one otherwise it's again the
13 sharing of information related to our investigations
14 and it's, it could be arrests. It could be, you
15 know, who we think was involved in the shooting, who
16 we think is running guns or drugs into the City so it
17 could be very granular details but in terms of like
18 that I think the trace information from the e-cab is
19 probably the biggest.

20 CHAIRPERSON SHAUN ABREU: As part of the
21 trace information do you, do we have any information
22 on the dealership level or the manufacturer level?

23 JOHN HALL: Yeah we do

24 CHAIRPERSON SHAUN ABREU: Thank you for
25 that. So when you were mentioning before that there
are certain federal legal requirements that prevents

3 some disclosure of information on the 518, my
4 question to that is does ATF specifically limit the
5 information that NYPD can share with the Council or
6 the public?

7 MICHAEL CLARKE: So I, I think that the
8 law not necessarily ATF itself but the law
9 specifically limits what we can then share from the
10 data they give us.

11 CHAIRPERSON SHAUN ABREU: Which law?

12 MICHAEL CLARKE: It's called the T-hart
13 amendments. It's part of the federal appropriate
14 bill that they pass every year.

15 CHAIRPERSON SHAUN ABREU: And which
16 specific aspect of that law prohibits the information
17 distribute, limits your ability to distribute that
18 information to us so that we can do our due diligence
19 to make sure that is in fact the case, that you are
20 limited in providing that information?

21 MICHAEL CLARKE: Yeah. I mean we can, we
22 can send you guys the provision. It's not like US
23 Code 92, it is in the budget bills every year so I
24 get you all.

25 DEANNA LOGAN: Yes. So, Chair Abreu I do
know that you, when you did your opening you

3 referenced some work that had been done by the AGs
4 office, right? And I think that's the report that
5 was done in 2018 and that report in and of itself
6 also shows a new methodology the fact that the ATF
7 was limited in the information that they give them on
8 a granular level so in terms of being able to go back
9 to the manufacturer, that is, that is specifically
10 prohibited. That data is not released. I think some
11 of the data is, data that is allowable for the US
12 Attorney to have in connection with criminal
13 investigations but it does not necessarily go down to
14 state officials and because of that there is a lot of
15 aggregate information and things that we can look at
16 but the granular level of data, the ATF is not going
17 to give and they didn't actually give it to the ADs I
18 that report on I think it was June 13, 2016 when they
19 gave them the data that they asked for and in the
20 methodology they specifically explain why they had
21 much more macro data to work with and how they
22 cleaned it and how they got to all of the statistics
23 that you cited in terms of the 70 percent and we at
24 MOCJ had done a similar study with NYPD, seizures
25 between 2010 and 2015. We could, you know, work with
the Council and NYPD to really figure out what

3 information is publicly available and ATF has been
4 very cooperative in a lot of the meetings, that 10:00
5 a.m. meeting they are making sure that they are
6 there. They are working with so I, I do believe that
7 there is a way to get to some of the goals here. I
8 don't know that we will . . .

9 CHAIRPERSON SHAUN ABREU: Yeah. And I
10 think a big part of the goal here is to get the
11 dealership information from ATF and I don't want to
12 make a note of that fact and so I guess is ATF itself
13 not any other entities, ATF itself prohibited from
14 giving information? Does ATF itself is there some
15 sort of agreement with the Council that limits your
16 ability to give us that information, like the public.
17 That is my question?

18 DEANNA LOGAN: So, my understanding is
19 that T-Hart prohibits ATF from giving out firearm
20 trace data. Um, it requires the FBI to destroy all
21 of approved gun purchase records within 24 hours. It
22 prohibits ATF from giving out, requiring gun dealers
23 to even submit their inventory information to ATF.
24 There, there are definitely things within that
25 Amendment that, that frustrates our ability to.

3 CHAIRPERSON SHAUN ABREU: See, that's the
4 part I'm confused about. If ATF is prohibited from
5 giving firearm tracing the how are you receiving this
6 information?

7 MICHAEL CLARKE: Because there is some
8 information that we are allowed to get for
9 specifically, for a law enforcement investigation
10 purpose and that alone.

11 CHAIRPERSON SHAUN ABREU: Okay.

12 MICHAEL CLARKE: We can't then become a
13 cor-, become a public report from that data. So we
14 are limited what we can do with that, we're limited
15 to the four walls of the investigation of using it.

16 CHAIRPERSON SHAUN ABREU: Okay. So, if,
17 if so, so what type of information does it limit
18 then? Um, can you characterize that information?
19 And can you characterize the information you are
20 receiving from ATF? And also characterize the
21 information that you, for whatever reason are not
22 receiving from ATF?

23 JOHN HALL: Okay. Uh, so, it is my
24 understanding that we can give aggregate data, we can
25 mix-, we can analyze the data and give you summary
statistics related to the data like, like, the, uh,

3 the fact that, uh, 96 percent of our crime guns are
4 from out of state. Um, by, by summarizing that data.
5 We can tell you the top source states, that kind of
6 thing. Um, what was the second part of the question?

7 CHAIRPERSON SHAUN ABREU: If you could
8 characterize information that that you are limited
9 from v-, sharing with us or, or the public?

10 JOHN HALL: So we get, we do get incident
11 level trace data so, so we get like you said the
12 dealers. We get the, the federal firearm licensee.
13 We get the purchaser. Um, sometimes it's complete.
14 Sometimes it's not. I think that's just the, a
15 function of the data. I, we can from my
16 understanding aggregate that data and, and provide
17 summary statistics on it but I, I think that is the
18 limit.

19 CHAIRPERSON SHAUN ABREU: Okay. And, if
20 it is in fact prohibited right? Would the admin-,
21 Administration support the advocacy of federal law to
22 change so that you can have that information and be
23 able to share with the public?

24 MICHAEL CLARKE: Yeah. I mean, I think,
25 you know, it's been a focus of law and gun control
groups to get that law passed. I mean, repealed.

2 The law that repeal that passed. Um, I don't think
3 we would oppose that at all.

4 JOHN HALL: We, we definitely think it is
5 important to understand what's happening in our City
6 with the influx of guns and data helps us understand
7 that. So, I think we would agree to that. Yeah.

8 CHAIRPERSON SHAUN ABREU: All right. Um,
9 now moving on from that. I, there, just ask qu-, you
10 sort of kind of already sort of got to it at some
11 point today in one way or another. But perhaps not
12 to everything I'm asking here on gun trafficking
13 trends. Um, do you have any statistics about the
14 origins of guns that are surrendered and seized in
15 the City? I know you went in to that somewhat in
16 your opening.

17 JOHN HALL: Yeah. So I have some
18 statistics, uh, to kind of put trafficking into
19 context in the City. The ATF considers the, a short
20 time to crime as a proxy for the likelihood that a
21 gun was trafficked. So time to crime is the time
22 between the purpose of the gun to the time it was
23 received in New York City. In 2019, the average time
24 to crime for a crime done in New York City was 12.3
25 years. In 2020, it went down to seven years. So.

2 CHAIRPERSON SHAUN ABREU: Seven years?

3 JOHN HALL: Yeah, seven years. Um, just
4 that to further expound upon that in 2021, we
5 recovered 228 traceable guns within three months of
6 their purchase from out of state. In 2019, that
7 number was 71. So, just based on that we know that
8 trafficking has increased in the City.

9 CHAIRPERSON SHAUN ABREU: And where are
10 firearms being trafficked from? I, again, I know you
11 went into that in your opening.

12 JOHN HALL: Georgia is the top source
13 state. Um.

14 MICHAEL CLARKE: After that Virginia, uh,
15 South Carolina, North Carolina, Florida, Alabama,
16 Pennsylvania, Ohio.

17 CHAIRPERSON SHAUN ABREU: Makes sense.
18 And do you know who is transporting the firearms?
19 Again, you don't have to give specifics of the person
20 although it may be public but what is the cool. Who
21 is transporting it? And are they coming in large
22 quantity or small loads?

23 JOHN HALL: They come in a variety of
24 different means and they also come by a variety of
25 different numbers through the average incident. The

3 average trafficker is bringing in a small number of
4 firearms at a given time. Uh, like I said before
5 trafficking isn't concentrated among just a few
6 people. There are multiple people trafficking small
7 amounts of firearms and that's one of the most
8 common. We do, we do see big numbers on occasion but
9 the lead trafficker is trafficking a few guns at a
10 time.

11 CHAIRPERSON SHAUN ABREU: Would you say
12 they're more guns coming in larger quantities or
13 smaller loads? Or you can't say?

14 JOHN HALL: It's smaller quantities.

15 CHAIRPERSON SHAUN ABREU: Okay. And
16 obviously we have to find the smaller quantities, I
17 mean, right? And how are they getting here, mode of
18 transportation?

19 JOHN HALL: Like we said earlier, it's,
20 it's the bus, the bus is popular. Um, private cars
21 as well as rental autos. We can't really put numbers
22 on the frequency of, the relative frequency.

23 CHAIRPERSON SHAUN ABREU: A lot of it
24 cannot be characterized so I understand that. Um,
25 who is selling firearms? Uh, is it mostly as a
trafficker or intermediary?

3 JOHN HALL: So, so the majority of, the
4 average time to crime in New York City is in 2020 was
5 7 years so most of the guns were already there. So,
6 most of the guns were already there. Most of the
7 guns that were used in crimes in New York City were
8 already there. Um, we have brokers that are, we call
9 brokers and, in, in the boroughs that just know how
10 to find things and know how to get guns for other
11 people. So that's one of the, a common intra-city
12 method of selling guns. Um, but we also like I said
13 we saw an influx in trafficking so, so we do have
14 straw purchasers and stolen guns coming up from, up
15 the iron pipeline.

16 CHAIRPERSON SHAUN ABREU: Uh, where
17 specifically?

18 JOHN HALL: Uh, like I sa-, uh, Georgia
19 is the outsource state.

20 CHAIRPERSON SHAUN ABREU: Okay. Got it.
21 I, I, it would be helpful to know where the
22 concentration of these dealer are along this iron
23 pipeline. Um, but that's something we can, you know,
24 try to ascertain a little later. When an individual
25 is arrested with a firearm what investigative
measures are taken to track the origins of the guns?

3 Is state and federal law enforcement included in
4 investigation on a regular basis?

5 JOHN HALL: Well we trace, we trace every
6 gun that we recover if it's traceable. Um, the ATF
7 has given us access to their E-trace system. So
8 that's how we do it. Uh, the ATF is and the gun line
9 strategies partnership is aware of a lot of the gun
10 arrest that happen in the city if not all.

11 CHAIRPERSON SHAUN ABREU: So, I, I don't
12 have a lot from there, how it works. Can you walk me
13 through the steps?

14 JOHN HALL: So when a gun arrest is made
15 and we, we can trace that gun based on the serial
16 number. Um, we find out where it comes from. The,
17 the ATF might actually run it themselves at the gun
18 violence strategy partnership. If there's any gun
19 that is a short time to crime. I don't know what
20 their exact threshold is now but that's, that's what
21 I good indicator that it was recently trafficked and
22 that will kick off an investigation. If that
23 investigation goes anywhere or it starts to spawn
24 then they will refer it to the joint firearms task
25 force. I'll kick it back to Chair Hanks. I do have
a second round of questions.

3 CHAIRPERSON KAMILLAH HANKS: Thank you
4 Chair Abreu. Do we have any of my colleagues that
5 have questions? Um, Council Member Holden?

6 ROBERT HOLDEN: Thank you Chairs. And
7 thank you for your testimony. I'm sorry, I was going
8 back and forth. I missed some of it. There was a,
9 we have a press conference outside against Asian
10 hate. Um, but I have a few questions and I may be
11 I'm sorry if I ask a question that you've already
12 answered but, uh, I believe in check points. I, you
13 know, when we were fighting crime and I remember the
14 battle days of New York City when, you know,
15 thousands of people getting killed a year. Uh, and
16 it was really an effect of check points we started at
17 particular areas of the City. Yes, it was intrusive.
18 It was a little, you know, people who were law
19 abiding got caught, you know, in maybe long lines but
20 it actually did, uh, it really stopped the flow of
21 guns for at least the most part of New York City. I
22 thought, but I would start. Here's, here's what I
23 would start because we see a lot of autos, we see a
24 lot of vehicles with tinted windows. Very dark
25 tinted windows. Very legal. Yet, I don't see that
much enforcement. That's a good way to start where

3 if you have a check point, any vehicle that has
4 tinted windows, that has a license plate that's
5 doctored. By the way looking, you know, we've been
6 documenting many of these vehicle and, uh, I would
7 say almost one out of every 10 vehicles has a
8 doctored plate. Whether it's a paper plate from New
9 Jersey or Texas or wh-, and it's expired. Or the
10 plate has been bent or, or painted over or whatever.
11 But those are the individuals. First of all, you
12 have a, you already, you have just cause to stop.
13 And if we have technology and this is my question, do
14 we have technology? I know it's been advancing that
15 could recognize a firearm? If it's present within a
16 vehicle or around, you know, within a certain amount
17 of feet. Do we have that?

18 MICHAEL CLARKE: So, I'm, I'm not sure.
19 I know one of the things that the mayor has said I
20 part of the blue print is to try and evaluate whether
21 this technology is.

22 ROBERT HOLDEN: Could you get the mic a
23 little closer. Yeah.

24 MICHAEL CLARKE: Sorry about that. Yeah
25 I know one of the things that mayor has mentioned is
trying to explore any technology that would help us

3 to find guns. Obviously we'd have to do it in a
4 matter that's constitutional and, and you know
5 minimizes disruption. Um, I'm not aware of anything.

6 ROBERT HOLDEN: Well we had them out over
7 here at City Hall. They were out there a few weeks
8 ago. They were just, uh, they were, again, they,
9 they're talking about putting them in schools where
10 it wouldn't be a metal detector. You wouldn't have
11 to go through a machine but the technology I, I just
12 want to. If we, you can find out from the NYPD if
13 we're at least exploring that. So, it would be less
14 dangerous for police officers. They would know what
15 they're dealing with right away. Especially with a
16 car with a tinted window.

17 MICHAEL CLARKE: Right. No, I, I guess I
18 wasn't aware of us currently deploying anything like
19 that. I, to the extent it's out there, I think we're
20 willing to check out any technology that will help.
21 Um, I don't I don't specifically know about that
22 piece of technology whether we're evaluating it but I
23 know we have a team of people who are always trying
24 to see if there is any technology that could be
25 helpful.

ROBERT HOLDEN: Right.

3 MICHAEL CLARKE: So I mean I can take
4 that parti- and go.

5 ROBERT HOLDEN: I, I suggested this to
6 the police com-, the last two Police Commissioners
7 that check points actually do work, especially I mean
8 if you lo-, most of my, you know, a lot of, a good
9 part of Queens. I can't, I, I can't speaks for State
10 Islands or some of the other boroughs. But, at
11 night, I'm, you're trying to sleep we hear cars
12 racing around the community. And it's, it's like the
13 Indy 500. That's what it sounds like. You hear
14 that, especially if you open, if you dare open your
15 windows because it's a cool night. You're going to
16 hear that. The, and I think you know I would rather
17 have the check points, rather than you know 4:00,
18 4:00 or 5:00 in the afternoon on Sunday that we have
19 it at 1:00 or 2:00 in the morning when a lot of
20 these, you know, these vehicles are racing around the
21 community and again if you have dark tinted windows
22 you're hiding something. You're hiding something.
23 Why would you want such dark windows, nobody could
24 see in. So that's why, and they're illegal. But I
25 don't see a crackdown and that's, that's what I think
we need to get. Let's identify the vehicles first

3 and see what we, and then we go through the next step
4 to, to help, you know, check every vehicle but I
5 think we have to start and do a pilot program where
6 we can get guns coming in to this City. Somehow,
7 where we have, you know, where they're coming from,
8 identify the vehicles that, you know, pass arrest and
9 then let's move on from there and lets, let's go up
10 the ladder. So, I again, I, we need to, you know,
11 obviously the plan, um, needs to get more serious
12 actually. And I know you're not going to stop the
13 flow of every gun that comes in it's a never ending
14 battle but we really have to take and try to make a
15 big dent in this. Thank you so much. Thanks Chairs.

16 CHAIRPERSON SHAUN ABREU: Thank you.

17 JOHN KINGSLEY, COMMITTEE COUNSEL: Thanks
18 Council Member. Next we will hear from Council
19 Member Brooks-Powers followed by Council Member
20 Ariola.

21 SELVENA BROOKS-POWERS: Thank you and
22 good morning everyone. Thank you Chairs Hanks and
23 Abreu and our committee staff for convening today's
24 joint hearing and to the administration's
25 representatives, advocates and the public for joining
us to discuss this critical and timely issue. I'm

3 proud to Chair Abreu and our other Council colleagues
4 as co-prime sponsor of Intro 518 which will require a
5 report on the trafficking of illegal firearms. New
6 Yorkers deserve streets free of violence which is why
7 we must do everything possible to address the gun
8 violence epidemic. And this is especially true in
9 light of yesterday's Supreme Court decision which has
10 eroded New York State's celibate act and will
11 decimate our ability to keep guns out of our public
12 spaces and communities. We know that many guns come
13 to the five boroughs via the iron pipeline which
14 illegally transports weapons mainly from southern
15 states and enables unspeakable violence here at home.
16 This bill will centralize the information we have on
17 this pipeline and help this Council determine how we
18 can effectively curtail the flow of firearms into our
19 communities. I'm looking forward to hearing the
20 Administration's perspective on Intro 518
21 specifically and I have a few questions. This Bill
22 will require the collection of various data points
23 about a give firearm, it's location of origin, the
24 way it came to the city and so on. How does the
25 Administration currently track the data and also how
do the, how does the NYPD, the Office to Prevent Gun

3 Violence and the Bureau of Alcohol, Tobacco, Firearms
4 and Explosives currently coordinate with each other
5 to keep track of the City's firearms? Does the
6 Offices see any potential obstacles in terms of
7 complying with this reporting requirement? And it is
8 my hope with this Bill, um, which I think is a really
9 good step in the right direction that the data that
10 can be collected from this can help to better inform
11 policies and legislation to really combat the
12 trafficking of illegal firearms here in New York
13 City?

14 DEANNA LOGAN: So, I'll start and I'll
15 turn it over to NYPD because I just want to make that
16 the Office to Prevent Gun Violence does not track
17 this data. OPGV is the deploying of crisis
18 management systems and the solutions to how we work
19 with communities. MOCJ as a whole's policy and
20 research team in 2017 did commission the study and
21 that study did find many similarities to what you,
22 what my colleagues at NYPD had said. You know, I, I
23 do want to stress that that study did show that in
24 qualitative studies of individuals that had been
25 interviewed that were, that were arrested for guns
that they reported getting their guns from diffuse

3 places and diffuse mechanisms within communities and
4 that it noted that individuals that had ties to crews
5 and/or gang affiliations were much more likely to be
6 able to get a community gun and not necessarily a
7 specific trafficker consistent with what my
8 colleagues at NYPD have said. So, um, our, that
9 study had the median. It looked at the guns that
10 NYPD intradited between 2010 and 2015 and that study
11 showed that the time at that time to crime was 12
12 years. So, we're moving in a much faster direction
13 as, as the colleagues at NYPD have pointed out. And
14 so, being able to kind of study that information also
15 would probably be very helpful for the, for the PD
16 for the City and for the Council to really start to
17 understand how, how we can put resources where and
18 what we can do to start really droning down on this
19 concern. And with that I'll give my colleagues, PD.

19 JOHN HALL: Thank you. As far as how we
20 get the data, we get the data, we get most of the,
21 majority of the data from ATF. Some of the data
22 elements are difficult to get like the point of last
23 sell is some-, is, is difficult because we don't
24 always know that. How it was trafficked in is, is
25 sometimes difficult because we don't always know or

3 have that information. Um, but we, for, for several
4 years we used to have access or we did, we still do
5 have access to the trace data system which allows us
6 to run any gun and see where it came from. And, uh,
7 over the past se-, past few years they've been giving
8 us the data in its entirety so we just can see all
9 the data, uh, of recently recovered crime guns.

10 SELVENA BROOKS-POWERS: Can I ask another
11 question? Also, um, in looking at the shooting data
12 from 1990 to 2021, I'm interested in understanding
13 from your perspective the trending, and terms of
14 murder versus shooting victims versus shooting
15 incidents and how like, how do you think that this or
16 how do you see legislation such as Intro 518 being
17 able to be do a tool to address, um, you know
18 interrupting this trend that we see. So, right now
19 in 2021, we see that there were 488 murders, 1876
20 shootings of victims an 1561 shooting incidents.
21 Some of which, you know, spike to where it was in the
22 early 2000s essentially. So do you see best use of
23 the data to be able to inform the work that you all
24 are doing and what, and do you have any
25 recommendations of how you can strengthen it to
really be impactful with this?

3 JOHN HALL: So, so just to follow up on
4 the trends that you were talking about. One of the
5 trends that you seen is that 2/3 of our murders are
6 by gun in 2020. In 2019, only half of our murders
7 were by gun. So, that combined with the influx of
8 firearms, um, definitely is, is troubling because the
9 increase in gun murders suggest that there is people
10 out, willing to carry guns and use them to a level
11 that we haven't, we had previously gotten away from.
12 As far as using this data to help inform our work,
13 it's the data always paints a picture of trafficking
14 trends and you can see changes in trends and it
15 directs us to inform our deployment of our joint
16 firearms task force. Our firearm investigation
17 units. Those units that work specifically on
18 trafficking and creating barriers for guns to get
19 into the City.

20 SELVENA BROOKS-POWERS: And so you have
21 someone in the department that regularly like focuses
22 on these trends specifically for the, the gun
23 violence that is happening?

24 JOHN HALL: Yes.

25 SELVENA BROOKS-POWERS: Thank you. Thank
you Chairs.

3 CHAIRPERSON KAMILLAH HANKS: Thank you so
4 much Majority Whip Brooks-Powers. Um, that is an
5 excellent question by the way. So before I would go
6 into my second round, I would like to recognize
7 Council Member Bottcher has joined us and we do have
8 a question from Council Member Ariola.

9 JOANN ARIOLA: Yeah. I would like to
10 just revisit the check point issue because I strongly
11 support the check points. The check points that you
12 are having there at ports of entry to New York
13 possibly from the states where these guns are coming
14 from, correct? That' where you're focusing?

15 JOHN HALL: So I mean we certainly we do
16 do vehicle check points as part of general law
17 enforcement strategies. I think in terms of the guns
18 it's been more focused on actual intel based on where
19 it's coming in to try to intradict rather than check
20 point necessarily. Um, but obviously we are doing
21 some check point in the city and you know the rules
22 about how you do a check point, how many cars you can
23 stop it has to be very complaint with, you know the
24 rules that Supreme Court and Court of Appeals have
25 laid out over the years. But in terms of the guns it

3 is more intel based trying to find the guns coming
4 in.

5 JOANN ARIOLA: So, so you don't do check
6 point just as a matter of course. Like we did with
7 drunk driving and check points at holiday weekends
8 and that certainly brought the number of people who
9 were driving drunk to a lesser percentage. We, each
10 in our districts have gun violence, have had gun
11 violence where people have lost their lives because
12 someone had an illegal firearm. And we have lots of
13 bridges and we have lots of tunnels and we have lots
14 of ways to get in and out of our City and it is not
15 wrong to really kind of pump up the check point
16 aspect of, of, you know, trying to stop illegal
17 firearms from pouring into our City. If as Council
18 Member Holden mentioned, you know, a lot of, if you,
19 if you don't have a firearm in your car it's really
20 not an issue if you're stopped. If you don't have
21 anything to hide but there are so many things that
22 are plaguing our City. Like he said the, the cars
23 that have the paper plates, cars that have those
24 popping from their mufflers and, and illegal
25 firearms. There was a fatality just last weekend in
my District and the video shows it all. That was a

3 firearm used to take a life of someone who was from
4 another state but was here. So, I just think that if
5 we're not aggressively battling this at the ports of
6 entry to our state then we're never going to get
7 ahead of it. We will also be behind it. We have to
8 be proactive and not reactive. Yes, we get intel.
9 But we also have to be out there making the arrests.
10 Making sure that this trafficking is stopped. And I
11 know the federal laws that guide this but nothing
12 should come before the safety of the people who live
13 in this city and this state and it is something that
14 plagues the entire state and I commend you on the
15 work that you are doing now. The fact that the mayor
16 is going, blueprint against gun violence has really
17 incorporated a task force like committee. Like the
18 people assembled here today. I applaud that but I
19 think if we really focus on getting the guns before
20 they get into the hands of the wrong people, you know
21 we're, we're just going to have more lives lost but
22 thank you for the work you've done so far.

23 CHAIRPERSON KAMILLAH HANKS: Thank you
24 Chair Ariola, excuse me, Council member Ariola. So,
25 um, my next line of questioning is really for MOCJ.
When the Mayor announced his blueprint he included

3 social and community, a social and community
4 component and declared need for a citywide approach
5 to meet this challenge. Uh, one of my question is
6 with, you know, um, the launch of ONS, MAP, do you
7 find that these programs are distributed equitably by
8 borough and, and actually throughout the City we know
9 that there are 30 neighborhood safety teams
10 throughout the City. We would like to know like what
11 is, you know, what's being done to make sure that we
12 are all speaking to each other?

13 DEANNA LOGAN: So, thank you Chair Hanks.
14 The OPGV map used very specific criteria to determine
15 geographic area for expansion and for citing. So the
16 criteria include data on gun violence. Quality of
17 life data and input from local partners. And we work
18 with the Office of Management and Budget to determine
19 the available funds and appropriate funding levels as
20 well as obviously talking to electeds and community
21 leaders about where resources should be cited. And
22 will continue to be open to having those
23 conversations going forward.

24 CHAIRPERSON KAMILLAH HANKS: Yeah, so you
25 know that that's my whole goal is communication,
communication and education and so what do you think

3 you could be doing better as far as the liaising
4 between violence, NYPD community stakeholders
5 violence. How, how are you really incorporating and
6 using this data to make sure that we are, you know,
7 laser focused on problem areas to prevent future gun
8 violence episodes in the City?

8 DEANNA LOGAN: So the teams make sure
9 that they are in constant communication with NYPD,
10 um, we are also in constant communication with
11 community leaders. All of the initiative managers
12 are getting data. They, they get information from
13 NYPD. That information is then passed on to the
14 relevant site and those sites then begin to
15 mobilization activations of spaces especially where
16 there has been a shooting as well as the proactive
17 making sure that if we know that there are there is
18 issues where a potential retaliation is right for our
19 current stat the partners in that neighborhood that
20 have the trust and that have the relationships are
21 going out to start to mediate those conflicts and de-
22 escalate the levels of animosity that one finds there
23 that can unfortunately lead to shootings and traffic
24 events.

3 CHAIRPERSON KAMILLAH HANKS: Yeah so
4 we're looking at, uh, thank you for that. We're
5 looking at higher, you know, rates especially with,
6 uh, young people. The ages have gotten younger and
7 so particularly in Staten Island a lot of our active
8 shooters are between the ages of 14 and 17. However,
9 a lot of the programs are still targeted to 18 to 24.
10 So what are we doing to kind of, you know, adapt and
11 you know really looking at the demographic that may
12 be changing and how are we changing with that?

13 DEANNA LOGAN: So at MOCJ we actually
14 started looking the median age of the demographics
15 and I actually like our Karina Christensen who works
16 with Atlas who is very specific to individuals to
17 kind of talk about what that looks like.

18 KARINA CHRISTIANSEN: Thank you. So just
19 looking at the last three years, suddenly homicide
20 data we can see that the median in each of a fatal
21 shooting victim was 29 years old and for those
22 incidents. So the median age was 29 years old of a
23 victim of a fatal shooting between 2019 and 2021.
24 And when there was a perpetrator identified the
25 median age about 27 or 28 years old over that period
of time. The issue is that there is such a large

3 volume so we do see that range across very, very
4 young to also folks in their 40s, 50s, 60s. There's
5 just quite a large range and so what we aim to do at
6 ONS and at MOCJ is to provide comprehensive solutions
7 that are targeted and specific to people in different
8 age ranges who have a lot of different concerns, a
9 lot of different situations that they are being
10 responsive to. Atlas in particular has fairly
11 targeted specific evidence based therapeutic services
12 that are, have demonstrated to reduce violence for 13
13 to 22 year old age range and we are actively working
14 with YCOs to identify youth in community 13, 14, 15
15 years old to be able to get really strong evidence
16 based and family holistic therapeutic services to
17 those young people.

18 CHAIRPERSON KAMILLAH HANKS: Thank you.

19 Can to drill down a little bit more on what kind of
20 programming because as someone who used to do youth
21 development, we are still looking at the 18 to 24.
22 We know what the statistics that you're talking about
23 is that, um, the shooting victims are actually, you
24 know, even going up to 30. And so we're not really
25 seeing that reflected in the RFP process when it
comes to organizations going out to that funding.

3 Are there requirement that the open line of
4 communication is that in as a condition of award? So
5 how are we really making sure that each of these
6 individual organizations or groups that we're saying,
7 okay, you're going to deal with the 13 to 16 or 17 to
8 24. How is that being reflected? Because I, I don't
9 see it, you know, and the conversations that we're
10 having with law enforcement and cure violence.
11 They're saying something very different. They're
12 saying that the lines of communication are not as
13 they should be and that young people, their journey
14 through, even if they are adjudicated and they are
15 within the criminal justice system. We're really not
16 meeting those marks. So, you know as to Ms. Logan's
17 testimony it's great. I mean this all looks great on
18 paper but I think what this committee wants to do is
19 really drill down on what did that look like on the
20 ground and how do we as Council Members make sure
21 that the folks in our communities are taking
22 advantage of these programs and we know that the age
23 ranges have been changed. So, I know that's a lot
24 but.

24 KARINA CHRISTIANSEN: I can speak to, um,
25 so there are different models that are responsive to

3 people in different phases of their lives and it's
4 really important that there is not a one size fits
5 all anti-violence program. So, we have at MOCJ with
6 an ONS but also within our other programs. Our re-
7 entry programs, our RTI programs a range of models
8 that are responsive to people's life stage and also
9 their situation and their level of risks. So, Atlas
10 in particular was designed for people with very
11 elevated risks of violent re-offense who are in the
12 pre-trial period specifically and we have models that
13 we are rolling out that are age specific. FFT is our
14 family face model. That is really for 13 to up to
15 22. And we are also this year bringing online a CVT
16 plus employment program that's for adults 22 and
17 older that really go to about 25, 30, 35, age range.
18 Because when you're in your 20s and 30s you need
19 different kind of economic support to be able to
20 access those programs. You need guaranteed jobs.
21 You need training. You need social support. And
22 that's really different than the kinds of economic or
23 educational support that a 15 year old or an 18 year
24 old might need. So our, our work has been all about
25 how do we connect the resources across our process
because we have these thresh points in every

3 different place and we're just working together to
4 figure out how do we refer really tight within our
5 own network. And how, we work with many of the same
6 organizations. So many of our CMS partners are also
7 ATI partners are also Atlas partners and so there is
8 just so much opportunity for stronger coordination
9 and integration of our resources and we're working
really hard on that.

10 DEANNA LOGAN: And just in terms of how
11 we are strengthening communications so in te-, as uh
12 Ms. Christiansen just pointed out across the office,
13 right? So MOCJ is yes, ONS but there are a suite of
14 services. We have pre-trial services. We have
15 alternatives to incarceration. We have reentry. All
16 of that work, we have contracted with a HUB that is
17 called Unite Us. And Unite Us has a referral system,
18 so all of our partners are able to go into this
19 database and they are able to put in and said I have
20 a client that is x years old that is gender nonbinary
21 that is in need of this service and how do I now get
22 this service because we provide addiction services
23 but my client also needs mental health, additional
24 mental health stress. All of that information is
25 within that hub and now our providers and our

3 partners can go in and they can, they can pull that
4 information. Additionally we know that that hub has
5 acquired the, the entity that DOHMH health and
6 hospitals also use for their referral system and so
7 now it will be even a stronger connectivity of
8 referrals and services and knowledge across partners.

9 CHAIRPERSON KAMILLAH HANKS: I appreciate
10 that and that will definitely be a lot of good
11 information for a different type of hearing that we
12 plan on hearing because it's a lot that we need to
13 digest and make sure the public understands how we
14 are working in tandem. You know, because the, this
15 is the solution based and these are the issue and so
16 I really appreciate your testimonies today. I
17 appreciate your commitment. Um, NYPDs commitment to
18 the safety of our city and I appreciate everything
19 that you've said here today. I just want to pass it
20 off to my colleague, uh, Council Member Bottcher and
21 then back to Chair Abreu.

22 ERIK BOTTCHEER: Thank you so much. Good
23 morning. The bipartisan gun control package that was
24 passed in the Senate last night includes \$8 billion
25 for mental health and school based programs. Have
you agencies been involved in any discussion about

3 how that money might be spent in New York City? Do
4 you know what the decision process will be to spend
5 that money in New York City and, and how do you think
6 it should be spent? The \$8 billion as part of the
7 gun control package that was passed last night in the
8 Senate?

9 MICHAEL CLARKE: Yeah. So, I mean I
10 think my understanding of the federal process is this
11 would now be grant money that they would have to
12 assign and localities and states throughout the
13 country would apply for a certain amount of grant
14 money and obviously I think whether within the NYPD
15 or other city agencies applying for that money I
16 think would probably be something that we would do as
17 a city. Whenever, I forget off the top of my head
18 which agency is in charge of it but whatever agency
19 is in charge of it put, will put out here the details
20 of what it's used for. Here we want to know and
21 localities about the, to apply for and there is
22 probably a lot of ways that it can be used. Whether
23 with us or be heard or some other, some other mental
24 health program in the city.

25 DEANNA LONG: So when it comes to the
federal grant money, a lot of times what happens is

3 sometimes it will be given directly to the state and
4 then the state will allocate resources and work with
5 us as a locality to basically implement the
6 programming. In other instances, we, MOCJ have had
7 grant money that comes to us for example. We have a
8 partnership in Brownsville that deal with domestic
9 violence and guns, right? And we're one of nine
10 entities that has been looking at that information
11 and working with national partners that, when it
12 comes to mental health concerns, we at MOCJ have been
13 expanding just how we are looking at behavioral
14 health. Um, just this week we were in the Bronx with
15 the Bronx and all the conglomeration of mental health
16 professionals across the City looking at ways that we
17 can strengthen not only the communication that Chair
18 Hanks talked about because also where we're falling
19 down in gaps, right? One of the areas that we
20 identified with all of those partners and just the
21 supports for families. In terms of education when
22 you listen to some of the stories, a lot of
23 individuals that have ended up in the criminal
24 justice continuum. And because family members do not
25 have the understanding and the bandwidth to access
the resources that are available and so part of what

3 we've done, especially in Atlas with family
4 functional therapy is trying to make sure that we
5 build up that foundation and support network and in
6 terms of where we could invest more resources that
7 would be some of the areas because as we have been
8 saying it take more than just enforcement it takes
9 everybody together working collectively and if you
10 build up the family network you have now strengthened
11 a much bigger arm of individuals that can be working
12 for those that have been affected by serious mental
13 health issues that can divert them and support
14 getting them into the appropriate services and not
15 into the criminal justice network.

16 ERIK BOTTCHER: Absolutely. The way the
17 Senate has allocated the money its \$3 billion for
18 mental health clinics and school based mental
19 healthcare, \$2 billion for school safety initiatives
20 and then also grants for medical, mental health
21 training and pediatricians and mental health
22 awareness programs. Thank you.

23 CHAIRPERSON KAMILLAH HANKS: Thank you.

24 CHAIRPERSON SHAUN ABREU: I guess I'll
25 wrap up with another two set of questions. Um, going
back to Intro 518 to what extent is the City

3 currently in possession of the information sought in
4 the proposed Legislation?

5 MICHAEL CLARKE: So I think we have some
6 of it through our investigations. I don't I'm not
7 sure I'm getting ahead of my point but some of it
8 would certainly be information that we would get
9 through our investigations and, and I just want to
10 stress like, you know, we support the goals of your
11 bill. We think more information is great. It's, um,
12 you know and we look forward to working with you.
13 The Council, the law department, the Mayors office on
14 how to best do this with the constraints that we have
15 with federal law. And what we can report.

16 CHAIRPERSON SHAUN ABREU: I appreciate
17 it. I appreciate this energy. I think there will be
18 synergy. I just want to be able to get on the
19 record, um, what is the information that is sought by
20 the Legislation that you currently have in your
21 possession? If you don't have it in front of you
22 it's the type of gun, the manufacturer, the importer,
23 the dealer of the firearm, the date the firearm was
24 last sold, whether the firearm was registered, where
25 the firearm as it goes through. The firearms point
of entry into the city. A review of the ways firearm

3 are illegally transported into the city. Um, those
4 are just about like, some of the few things that I
5 want, to what extent you have this information
6 already to help enhance our negotiations?

7 JOHN HALL: So we have a lot of those.
8 Things that stood out to me was the date that the
9 firearm was last sold. Well, we have the first sell
10 but sometimes there is multiple sales in between the
11 first sale and the ultimate crime. So that's always
12 a limitation. So that's one of the biggest issues
13 that I can see.

14 CHAIRPERSON SHAUN ABREU: Okay. And with
15 access to this information sought in the full
16 Legislation do you think that would benefit the NYPD's
17 investigation of firearm trafficking?

18 JOHN HALL: The access to that
19 information? Yes. Absolutely.

20 CHAIRPERSON SHAUN ABREU: Okay. And a
21 firearm seized by NYPD. To the extent you have this
22 information on hand, what percentage of such weapons
23 were used in accepted crime beyond their possession?
24 Does that make sense?

25 JOHN HALL: So I don't have, I don't have
the . . .

3 CHAIRPERSON SHAUN ABREU: Okay.

4 JOHN HALL: . . . but of, in 2021 of the
5 guns that we recovered like 579 had a connection with
6 you know murder or kind of like negligent homicide.
7 253 with drugs, 299 was robbery, 180 unsolved and
8 then it goes down from there. So there is some
9 percentage that it is. The vast majority is
10 possession itself which is a little over 4,000 was
11 that. So um.

12 CHAIRPERSON SHAUN ABREU: Thank you for
13 that. That makes sense. And then.

14 JOHN HALL: Sorry. I want to say this is
15 data the, the gun was connected with the arrest for
16 those things. So my guns may have been caught with
17 robberies or shootings that the data doesn't show
18 here.

19 CHAIRPERSON SHAUN ABREU: Got it. Okay.
20 So that's only connection to the crime for which the
21 arrest.

22 JOHN HALL: Yes. So it's an arrest for
23 robbery and a gun was recovered with it. That's,
24 that's the data that its showing.

25 CHAIRPERSON SHAUN ABREU: And just to go
back to some of the things that were raised earlier.

3 Um, we mentioned how the guns are tracked to the
4 serial numbers. How do you track ghost guns since
5 for the most part they don't have serial numbers? I
6 know that there was a final rule that came out by the
7 administration by it in April that would require that
8 serial number to be attached, you know, used for the
9 kits. Um, I guess that's my question, how do you
10 track ghost guns?

11 MICHAEL CLARKE: So our intel, our
12 intelligence division is responsible for that. They
13 put out training to everybody in the field to be on
14 the lookout for these types of guns. Anytime they
15 make an arrest of this sort they get notified and the
16 intelligence division they're the experts at this.
17 They verify that it is indeed a ghost gun and then it
18 beco-, we start recording it as a ghost gun.

19 CHAIRPERSON SHAUN ABREU: But is any of
20 that specific character trait? Oh yeah, I guess it's
21 just a part right? Once you get it, is that how you
22 determine that it's a ghost gun?

23 MICHAEL CLARKE: Yeah. Mostly the lack
24 of the serial number and in terms of tracking it, you
25 know we could track how many we've recovered but
tracking where it came from without the serial

3 number. I mean that's one of the issues with ghost
4 guns it becomes impossible if you've printed it. You
5 got one of those gun manufacturer kits. I know the
6 state has in terms of guns sold within the state, the
7 gun manufacturers now have to put a serial number on
8 it. But that's New York State, right? That's a tiny
9 percentage of where they're coming from.

10 CHAIRPERSON SHAUN ABREU: Got it. Um,
11 you, so you, yeah. Okay. That makes sense, and, you
12 were mentioning that there are a lot of guns coming
13 from the iron pipeline. Is there any individual
14 collaboration with the City of New York, with other
15 states or other cities along the iron pipeline to
16 help reduce the trafficking to your knowledge, or?

17 JOHN HALL: Yeah. And I think that's
18 part of our, I mean, the nine state consortium which
19 I guess is more the end location of the guns from the
20 iron pipeline but we've been working with them to try
21 and, you know, figure out ways to stop it.

22 CHAIRPERSON SHAUN ABREU: Is there a
23 specific city or state you're working with?

24 JOHN HALL: New Jersey, Massachusetts,
25 Connecticut, Pennsylvania, Rhode Island, Vermont but
yeah, we have like meetings.

3 CHAIRPERSON SHAUN ABREU: So Vermont is
4 part of the, the I95?

5 JOHN HALL: They're part of the end using

6 CHAIRPERSON SHAUN ABREU: So I guess I
7 shouldn't so narrowing think about the iron pipeline
8 just being the I95. Are there places outside of the
9 I95 route that you've seen guns coming from?

10 JOHN HALL: Yeah.

11 CHAIRPERSON SHAUN ABREU: Well yeah huge
12 numbers.

13 JOHN HALL: Well Ohio is a, and
14 Pennsylvania both are big contributory in the top 10.
15 I'm not sure if the last 2021, but Ohio make the top
16 10 and you know obviously they're coming through
17 other, other routes too.

18 CHAIRPERSON SHAUN ABREU: Thank you. And
19 with respect to the recent slew of Legislation that
20 just passed in the federal government just last night
21 I believe on the bipartisan bill. I know that you
22 may not have time to review it, I myself haven't seen
23 it entirely. But if you could, based on what you
24 know what impact do you think that, you anticipate
25 that to have on our ability to address gun violence?
Or, you know, the interstate of all guns as well.

3 MICHAEL CLARKE: I think, you know, as
4 Council Member Bottcher mentioned there is some
5 funding there that will be helpful. Not just on
6 mental health but the red flags laws. There's an
7 increased background check for those under 21, um, so
8 not to be increased background check. They close a
9 bit of a loophole on domestic violence where
10 boyfriends who committed acts of violence can still
11 legally be eligible for gunware under federal law.
12 If you have a domestic violence conviction for
13 spouses then you are prohibited. Um, one big thing I
14 think that will happen and I don't believe this has
15 passed the house of representatives yet but its, you
16 know. This is obviously the big, the big hurdle. Is
17 they increased the amount of people at the registered
18 federal firearms licensed dealers. I think that's
19 big because of a lot record keeping and background
20 checks come from sales through the federal firearms
21 licensees whereas when it was individual sales
22 there's no background check in much of the country.
23 There's no record of it so it didn't totally close
24 that but there were people who's main job isn't
25 selling guns but were making a lot of money selling
guns who didn't qualify to be old rule of the federal

3 firearm, for the federal firearm licensee which under
4 this it appears they will. So, these are some of the
5 big provisions.

6 CHAIRPERSON SHAUN ABREU: That's great.

7 So there was a, one state bill that passed that
8 expands categories of people who may file extreme
9 risk protection order petitions. Um, on the red flag
10 laws. What matters in NYPD are we taking with regard
11 to red flag laws?

12 JOHN HALL: So that is something that we
13 are certainly talking about. You know and I think
14 when the initial red flag laws passed we had a pretty
15 big discretion with good cause and I don't think they
16 were filed very much but that law increases or
17 responsibility to file the erbeau applications and
18 that's something we're trying to figure out how to
19 operationalize it.

20 CHAIRPERSON KAMILLAH HANKS: Thank you
21 for that. We were both looking at the same article
22 that said exactly what you did. What, are there any
23 budgetary implications for law enforcement to start
24 looking at these new US Senate laws that they've
25 passed, red flag, um?

3 MICHAEL CLARKE: The Senate laws I don't
4 know. I don't, I mean other than getting hopefully
5 some money from the federal government. I don't
6 think its going to have a big budgetary impact. The
7 Erple laws, I think were a pretty big increase on the
8 amount of applications that we have to file. Um, and
9 I think that might have a bug-, well that will
10 definitely have a budgetary impact. Um, as we, and I
11 don't know that we know exactly how to accomplish it
12 yet but it's, it's really pretty significantly
13 increased some of the what we are required to do and
14 we're working on how many we're going to have to.
15 How many we're going to have to I mean we're going to
16 have to file based on this. It could be a lot and
17 then what we need in order to do it.

18 CHAIRPERSON KAMILLAH HANKS: Yeah. This
19 is the start of an ongoing conversation of course.
20 We are still trying to wrap our heads around what
21 that means and so, um, I don't know if you have any
22 immediate comments about it but what do you think
23 Legislatively the New York State and the City Council
24 can do to help mitigation some of these. What this
25 new law means and how we can be of, be of service to
figure out how to make sure that we are keeping all

3 New Yorkers safe through local laws, resolutions and
4 working with our colleagues in the State?

5 MICHAEL CLARKE: Yeah. I think they're,
6 so especially at the Supreme Court ruling there's
7 going to be some work for the state to, uh, either
8 come back and do some legislation I think to a degree
9 what we can then do on the city level depends a
10 little bit on what they decide to do on the state
11 level. If there's any gaps that we would have to
12 fill. But I think that's something we would like to
13 be in contact with you.

14 DEANNA LOGAN: Yeah. We have already
15 opened lines of communication with our colleagues in
16 the state and so we are working to do that analysis
17 to figure out where the gaps and that as Mr. Clarke
18 said will drive how we as a City are able to then
19 move and what we will be coming back to work with
20 Council on.

21 CHAIRPERSON KAMILLAH HANKS: Thank you.
22 I look forward to having that conversation. I do
23 have a question from my colleague, Council Member
24 Holden.

25 ROBERT HOLDEN: Yes. Thank you Chair.
This is for MOCJ, neighborhood stat could you tell us

3 a little bit about that? Do you get young people
4 like teens on neighborhood stat?

5 DEANNA LOGAN: Yes. The quick answer is
6 yes. The neighborhood stat brings together community
7 members and partners. The activities of how to
8 empower communities usually are interactive events.
9 They have been yes. So people come out in numbers to
10 put in pieces of paper and hear all of the things
11 that we that you as a community have told us needs to
12 be do. Now participatory voting. Tell us how you
13 want to spend the funds of the money that's available
14 and young people are participating in that work.

15 ROBERT HOLDEN: But is like, I'd like to
16 hear specifically though are there, there's mention
17 about guns and the harm they could do? Or, you know
18 because I, I think if you go around it, if you don't
19 really address it directly it, the message could be
20 lost. For instance, in the late 70s, way before your
21 time they had a program called Scared Straight. I
22 don't know if you ever heard of it. Where as, where
23 Scared Straight was where inmates would go and talk
24 to kids that were teens that were getting into
25 trouble. And actually tell them what it's really
like in prison. Tell them like what's going on in

3 jail. So, you don't want to, you don't to go down
4 that road. Um, it, it was, it won awards as a
5 documentary I guess in 1978 or 1979 but it did, there
6 was some question of whether it worked. And what I,
7 I think that sometimes the the teens that get
8 involved, you know if they are part of a gang or they
9 feel like they're part of a family of friends and
10 they get involved in violence without realizing the
11 ramifications. The results. Without actually seeing
12 what happens when guns are fired and hits, and what
13 you know, what it looks like when it hits someone.
14 And the aftermath of violence. I don't know if that,
15 you know, again I'm not a psychiatrist I don't know
16 what, you know what works but I just wonder if many
17 of these programs if they're not directly related to
18 the actual gun violence itself what how it destroys
19 families, individuals, people, how, you know the, the
20 sadness it causes. If we don't even show the graphic
21 aftermath because that can scare people and say you
22 know what, that's that's horrendous I didn't know.
23 It's you know firing a gun what happens. So, the
24 program that's my question here. Is the, do you get
25 into really the aftermath of what what it does to,
you know, what it, what gun violence causes?

3 DEANNA LOGAN: So I, I do think that one
4 of the benefits of the programing and not
5 specifically In Stat, because In stat is more of a
6 community, how are we making our community safer?
7 But when you're talking about gun violence and you're
8 talking about targeting the youth that are gun
9 ajecents per se. Those are the individuals that are
10 doing internships with creditable messengers, inter-
11 violence sites. So they are intimately aware of what
12 happens when families have been impacted by the loss
13 of a loved one and they are working with those
14 violence interrupters who are going out to de-
15 escalate conflict because they intimately know now
16 how that has not only impacted the individual family
17 but how it completely is destroying and wrecking
18 their community and how they now have to take
19 ownership of their lives as well as their civic
20 responsibility in the community to stop that that
21 violence.

22 ROBERT HOLDEN: All right. Thank you.
23 It sounds good. Thank you.

24 CHAIRPERSON KAMILLAH HANKS: Thank you so
25 much so that concludes questioning from the Council
and now I will pass it off to Mr. Josh Kingsley.

3 Thank you so much for all of your help in putting
4 this together. And he will take public testimony.

5 JOSH KINGSLEY, COMMITTEE COUNSEL: Thank
6 you Council Member. I will now turn to public
7 testimony. I would like remind everyone that unlike
8 a Council typing hearing we will be hearing
9 individuals testify one by one. Um, today we're
10 going to be hearing from two panelists on Zoom. If
11 anyone else is present and wants to testify, please
12 make yourself known. Um, so for public testimony, we
13 will start with Jackie Gosdigian. Followed by Katie
14 Adams.

15 SERGEANT AT ARMS: Starting time.

16 JOSH KINGSLEY, COMMITTEE COUNSEL:
17 Jackie. Go ahead. Thank you.

18 SERGEANT AT ARMS: Starting time.

19 JACKIE GOSDIGIAN: Hi. Can everybody
20 hear me okay?

21 CHAIRPERSON SHAUN ABREU: Yes. We can.

22 JACKIE GOSDIGIAN: Okay. Great. Thank
23 you. My name is Jacqueline Gosdigian, I'm a senior
24 policy counsel with Brooklyn Defender Services. And
25 I've been a public defender for 12 years. I want to
thank the Council for holding this hearing and

3 providing our organization with opportunity to
4 testify today. Brooklyn Defender Services is
5 concerned about the possibility of increased funding
6 for surveillance programs using the pretext that this
7 will put an end to gun violence in New York City.
8 New York City has already invested more than \$1
9 billion in a 20 year surveillance infrastructure
10 program building. The city is blanketed in
11 surveillance and no police department in the country
12 has more military grade surveillance resources than
13 NYPD. These tools already heavily invested and then
14 deployed did not make it stop or ameliorate the spike
15 in violence in the first place. All they have
16 accomplished is expanding the surveillance repeatedly
17 encroaching on New Yorker's dignity, privacy and
18 first amendment freedoms. Instead the City should
19 act now to reign in the NYPD's development and use of
20 surveillance technology. We can take shots by our
21 technology as an example which is specific to guns.
22 New York City has been using shots fired technology
23 since 2015. In 2021, after an independent
24 investigation conducted by generalists and academic
25 the Chicago office of Inspector General's Public
Safety Section acted on the reported inquiry and data

3 and conducted an investigation into the accuracy and
4 deployment of the shots fired system in the City of
5 Chicago. The Chicago OID concluded from its analysis
6 that the Chicago police department responses to shots
7 fired alerts can seldom be shown from 10 shots which
8 might have investigative value and rarely produced
9 evidence of a gun related crime. Instead we are
10 asking the City Council to consider reallocating
11 resources away from treated responses to alleged gang
12 membership and instead re-direct these resources
13 towards interventions that have proven effective in
14 reducing violence and other unlawful activity.
15 Specifically we are advocating for an increase in
16 funding for community center, high quality and
17 engaging programming and organizations using the
18 model which we have already heard testimony about
19 today. Another issue with regarding to flag for your
20 committee is the lack of post arrest programming
21 available for those charged with illegal gun
22 possession in Brooklyn. In Brooklyn you have
23 primarily only two available alternative to
24 incarceration or ATI programs. Used in congregations
25 and partnerships which is YBP and project redirect.
Both are run by the Brooklyn District Attorney's

3 office. And when I say available program I mean
4 programs accepted by the DA as an alternative for to
5 incarceration for a gun possession case. Because as
6 I will discuss in more detail shortly, DA consent is
7 required because of harsh mandatory minimum sentences
8 for a gun possession. As of now, both YCP and
9 project redirect are currently suspended and are no
10 longer being offered as an ATI by the district
11 attorney's office for anyone charged with gun
12 possession. That means there is currently no
13 available programming or ATIs for those that are
14 charged with gun possession in New York City, in
15 Brooklyn specifically. The Brooklyn DA announced
16 recently that he plans to launch a restorative
17 justice program to stop shootings but even this
18 program being taughted as the first of its kind
19 program is not an alternative to incarceration and
20 does not particularly stress that participants will
21 be those without pending matters before his office.
22 Since its announcement, New York can . . .

23 JOSH KINGSLEY, COMMITTEE COUNSEL: Can
24 you, can you wrap it up? Can you wrap it up?

25 JACKIE GOSDIGIAN: Yes. Have resulted in
discriminatory policing and criminal mission of black

3 and brown people living in urban low income
4 communities. As public defenders we represent
5 thousands of people each year, the vast majority of
6 whom are young black men who face years in prison not
7 for firing a gun or committing an act of violence but
8 for simply possessing a gun. When someone in New
9 York City is prosecuted for possessing an unlicensed
10 firearm they are routinely charged with second degree
11 criminal possession of a weapon, a violent felony
12 punishable by 3-1/2 to 15 years in prison. Prison is
13 mandatory even if the person has no record and has
14 never been arrested before. Increasing prison
15 sentences is not proven to reduce gun violence and
16 the over use of arrests or unlicensed gun possession
17 is yet another avenue to target and incarcerate black
18 and brown New Yorkers branding them criminals and
19 violent felons for life. We ask the council, the
20 Mayor and the governor to take a hard look at what
21 has not worked in the past. Incarcerating
22 generations of black and brown New Yorkers through
23 rigid and harsh mandatory sentencing is not a
24 solution to any gun violence in the City. Any effort
25 to meet or . . .

3 JOSH KINGSLEY, COMMITTEE COUNSEL: Uh, we
4 have to wrap it up. You are going way, way, way
5 over. All right. So just wrap it up please?

6 JACKIE GOSDIGIAN: Yes. We beg deploying
7 both these authoritarian and measures for decades an
8 there is still violence in our city. Thank you.

9 CHAIRPERSON SHAUN ABREU: Thank you.

10 JOSH KINGSLEY, COMMITTEE COUNSEL: Thank
11 you Jackie. Next we will turn to Katie Adams
12 followed by Julian Molendy. Katie you may go ahead.

13 SERGEANT AT ARMS: Starting time.

14 KATIE ADAMS: Hi. I don't have a fancy or
15 formal written down speech but I am a mom in the
16 Bronx in District 10 and I have two girls going to a
17 public school. PS 24. I'm going to get right to it.
18 So, to get answers about how to change the current
19 NYC DOE policy where public school front doors cannot
20 be locked from the outside during the school day when
21 the kids are in school. I've spoken with a million
22 people and gotten no answers. All the way up from
23 Hockel's office, unanswered emails and calls to the
24 mayor, the governor, FDNY headquarters. They have
25 through kind people who didn't know the answer but
would spend a few minutes with me on the phone. I

3 realized that everybody tells me that I'm not going
4 to get the answers I need because it goes all the way
5 to the top. Obviously I can't get, Hockel or Adams
6 on the phone myself so we as parents need, clearly
7 need elected leaders to get the right people's
8 attention to affect change. I promised myself after
9 I heard Kimberly Rubio the Uvalde mom who lost her
10 daughter Lexi talk about somewhere out there a mom is
11 hearing our testimony and thinking to herself I can't
12 imagine their pain. Not know that our reality will
13 one day be hers unless we act now. I promised myself
14 no matter how many calls and things I needed to do
15 it's my goal to this NYC DOEs policy changed. I have
16 done a bunch of research. Looked at others states,
17 what they do. A lot, as we know a lot of catholic
18 private charter schools have locked front doors and
19 other camera systems. This is an insane in 2022.
20 All public schools are not committed to shut and lock
21 their front door while the children are in school.
22 Many of the doors now have locking mechanisms that
23 can be or features added, its called a dogging
24 feature. I'm not going to get in to it because it
25 will take too much time. Um, panic hardware bars
that are installed already now. The doors that open

3 from the inside so all the kids in an emergency can
4 run out. From the outside some doors may be able to
5 be locked from the outside at the same time as still
6 being able to be opened for an egress door in an
7 emergency from the inside. But those answers I have
8 not been able find or get anybody to talk to me about
9 what hardware is on the door now, et cetera. There
10 are nox boxes. I have all this information. I am
11 happy if you put in a chat or something where I can
12 send this information. We had a PTA meeting,
13 Superintendent Halla forward the information to David
14 English. Superintendent Halla has taken a little bit
15 of invested interest and at least passed the
16 information on about knock boxes. Knock boxes are a
17 secure key bolt like 14 styles in schools and
18 government buildings use these. They are basically
19 like a fire box you can see on the outside of a
20 residence. These are super tough industrial. They
21 can be affixed to the outside of the school that is
22 already, put into the mortar, knock box is a secure
23 key vault that is installed on the exterior of a
24 building near the main entrance. This box contains
25 building keys to provide access for fire department
in situations where there is an emergency. Knox box

3 is basically knox.com. I spoke to the company I got
4 prices. They cost if one of the other council
5 members is what they said is true, if the new bill
6 that they just signed gives \$2 billion in school
7 safety. The dual lock boxes, one side is for fire,
8 one side is for police. They cost \$876 plus
9 shipping. They can be put on all the public schools.
10 All public schools in New York. There's 98,755.
11 That comes to \$86 million and change, that is 4.3 of
12 the \$2 billion safety school budget. I don't think
13 that's too much to ask. The public school kids needs
14 to be just as safe as charter private catholic.
15 Anybody building in the city that you have to buzz I
16 which is a lot of our buildings that you go in to
17 work. Our kids need same. I often drive up to my
18 school building and the door is wide open. We live
19 in a beautiful community and I would love to have
20 front doors open but its no longer safe. The parents
21 on our, in our school feel the same and I know many
22 across do to. So, I have information I can pass on
23 to anybody, uh that can use it and help us get some
24 answers. And I know this involves getting buzzer or
25 camera systems. Um I'm not afraid to ask stupid
questions so I'm don't know if it's as easy as doing

3 these knox boxes and then getting the ring doorbell
4 or you know the front desk or the office to buzz
5 people in or have the security guard who we have who
6 is unable able to if the office says yes this person
7 is fine and then the security opens the front door.
8 We just need to do better for our public school kids
9 because it's not safe.

10 CHAIRPERSON KAMILLAH HANKS: Thank you so
11 much. We have one question.

12 JOANNE ARIOLA: Hi Katie. My name is
13 Council Member Joanne Ariola, I represent the 32nd
14 Council District in Queens. I'm here with another
15 panel member for this committee representative Bob
16 Holden from the 30th and we both held meetings with
17 the members of the chancellor's office. Our
18 principals from our local schools. The
19 superintendent and we are trying to come to a very
20 much what you are saying. Come to some type of
21 agreement with the DOE where kids can be safe inside
22 and outside of school because we are seeing just too
23 much school violence right now and it's becoming an
24 epidemic and too many children are losing their
25 lives. So we at the Council are hearing you and we

3 are having conversations to try to put in place
4 exactly what you are saying so thank you.

5 KATIE ADAMS: Is there any way that I can
6 give you the information?

7 CHAIRPERSON KAMILLA HANKS: Thank you so
8 much I just wanted to say that the Committee on
9 Public Safety will be hosting a school safety hearing
10 in the fall. So we will definitely be inviting you
11 to come out and because I believe that school safety
12 should have its own hearing. And everything that you
13 are saying is definitely appropriate for that time.
14 So we really thank you for all you activism and your
15 concern in keeping our young people safe. But we
16 will be in touch about the public school safety
17 hearing in the fall which will be in September.

18 KATIE ADAMS: Thank you for giving me the
19 chance to speak.

20 CHAIRPERSON KAMILLAH HANKS: Of course.
21 So I believe that concludes.

22 JOSH KINGLSEY, COMMITTEE COUNSEL: We
23 have one more person. We have one more person.
24 Okay.

25 CHAIRPERSON KAMILLAH HANKS: We have one
more person. Okay. Apologies.

3 JOSH KINGSLEY, COMMITTEE COUNSEL: Next
4 we will hear from Julian Molendy. Julian you may go
5 ahead.

6 JULIAN MOLENDY: Hello? Great. Good
7 morning. My name is Julian Molendy and I am a summer
8 associate with the surveillance technology oversight
9 project which fights for New Yorker's privacy against
10 discriminatory surveillance. I am also a fellow at
11 the Arthur Wyman Center for public interest law at
12 Yale Law School and the information society project
13 at Yale Law School. As gun violence continues to
14 devastate our nation, New York other state and the
15 federal government but avoid biased and invasive
16 police technology that is being marketed as the
17 solution to gun violence. Historically, the NYPD has
18 used public safety crisis as an excuse to deploy
19 novel and highly invasive surveillance technology
20 ultimately undermining public safety and democracy
21 itself. One of the examples is the NYPD's contract
22 with shots fired. The system uses microphones to
23 listen to gun shots but it sometimes fails to
24 differentiate between muzzle blasts, car backfiring
25 and construction noise. Shots fired bring police to
neighborhoods looking for active shooters increasing

3 the risks of police shooting and over policing black
4 and latin-x communities where shots fired
5 installation are concentrated. Another technology
6 evolved, a high end metal detector company that has
7 gained the national spotlight after some recent
8 shootings. However if the metal detectors are error
9 prone they can't reliably tell the difference between
10 a gun and a cellphone or an umbrella. In fact, when
11 a school in Illinois tested Evolves standards
12 chromebooks, laptops prompted alerts 60 to 70 percent
13 of the time. It's no surprise that Evolve's own
14 marketing materials admit that they only find the
15 confirmed threat 0.8 percent of the time. This
16 council must look skeptically at any new NYPDs
17 surveillance purchases and hold the agency to account
18 for past practices. In June 2020, stop at our
19 partners worked with the Council to enact the public
20 oversight surveillance technology or post act
21 requiring the NYPD to publicly report it's
22 surveillance technology usage but the NYPD has
23 systemically failed to comply. Every day the NYPD
24 continues to flap this council in the rule of law
25 ignoring requiring that you and your predecessors
have to reaffirm community control over police

3 surveillance. I urge you and as strong as possible
4 terms to hold an oversight hearing on this matter and
5 the NYPD's brazen breach of the post act. When the
6 City adopts fancy technology in the name of public
7 safety it wastes money and hurts residents. In this
8 dire moment when gun violence is worse than ever, we
9 must turn toward evidence based solution that do not
10 infringe on the privacy rights and fuel the mass
11 surveillance apparatus. I thank you for your time.

12 CHAIRPERSON KAMILLAH HANKS: Thank you so
13 much. With that thank you so much. Thank you NYPD,
14 Mayor's Office of Criminal Justice, Josh Kingsley and
15 my colleagues for participating in this very
16 important hearing and this meeting is adjourned.

17 (gavel pounding).
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C E R T I F I C A T E

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



Date August 12, 2022