

Executive Budget Hearings

Finance/Governmental Operations [Ⓢ]

Date	5/20/08
Start Time	
Finish Time	

Ⓢ Also: Committee on Juvenile Justice
and
Committee on Aging



FY 2009 EXECUTIVE BUDGET HEARING

NEW YORK CITY COUNCIL
COMMITTEE ON FINANCE
COMMITTEE ON GOVERNMENTAL OPERATIONS

TESTIMONY BY COMMISSIONER MARTHA K. HIRST
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
MAY 20, 2008

Good morning Chair Weprin, Chair Felder, and members of the Finance and Governmental Operations Committees. I am Martha Hirst, Commissioner of the Department of Citywide Administrative Services (DCAS). I am joined by a number of my DCAS colleagues and we look forward to answering any questions about our agency.

OVERVIEW

Today I will discuss DCAS's planned expenditures and revenues for FY 2009, as well as highlights of the DCAS Capital Program.

As you know, DCAS ensures that other City agencies have the critical resources and support they need to provide the best possible services to the public. To assist City agencies, DCAS administers civil service and licensing exams, and conducts professional development and employee training programs. Our agency purchases, inspects and distributes supplies and equipment, from paper, furniture and fuel, to computers, ambulances and garbage trucks; DCAS also makes energy purchases for City agencies. In addition, DCAS provides overall facilities management including maintenance and construction services for 53 DCAS-managed buildings, including City Hall, the Manhattan and Brooklyn Municipal Buildings, all Borough Halls, and City and State Courts. DCAS provides security operations for 15 of these buildings as well. DCAS also purchases, sells, and leases real property and locates space for City agencies. DCAS is responsible for citywide equal employment opportunity (EEO) policies and programs and matters of citywide occupational safety and health (COSH). Finally, we oversee the Combined Municipal Campaign, the critical citywide Blood Drive, and we have an exciting partnership with the 100 Year Association, through which we recognize the achievements of distinguished civil servants and award college scholarships to students who are the children of civil servants.

DCAS has planned expenditures of \$1.07 billion for FY 2009, of which \$798.6 million is allocated for citywide energy expenses. The DCAS expense budget provides for a planned headcount of 1,918 in FY 2009. We anticipate that DCAS will generate \$70.9 million in revenue in FY 2009.

EXPENDITURES

As you are aware, all City agencies were directed to reduce their City-funded budgets by 3%. DCAS's budget reduction will be implemented via expense reductions in the City-funded budget as well as through revenue increases. DCAS's City-funded expense budget was reduced by \$2.2 million. One expense savings initiative will be the transfer of 20 City-funded positions to State-funded positions within the Division of Facilities Management and Construction, yielding a savings of \$1 million. DCAS is projecting additional State revenue from the New York State Office of Court Administration for the maintenance and cleaning of court buildings. The increase in State revenue is a result of increased reimbursement due to recent salary increases for personnel working at court buildings and additional cleaning and maintenance personnel hired for the recently opened Bronx Hall of Justice. DCAS has reduced contractual guards at various buildings where Gemini Backscatter and Dual Energy X-ray inspection systems were installed, resulting in an expense savings of \$1.1 million. These machines produce higher resolution images of packages undergoing inspection, which requires less staffing at each post.

As I just mentioned, DCAS's budget reduction program contains revenue enhancements that results in DCAS's revenue budget increasing by \$4.5 million. The Division of Real Estate Services anticipates receiving an additional \$4.2 million from its long-term and short-term rental clients. The Division of Municipal Supply Services is expecting the proceeds from its auctions of scrap metals to increase by \$0.3 million starting in FY 2009 due to increases in commodity prices.

As you may know, DCAS is a key member of the steering committee chaired by Deputy Mayor Skyler, which is spearheading Mayor Bloomberg's PlaNYC 2030. The agency received \$12.8 million in FY 2008 for PlaNYC 2030 initiatives. DCAS is completing interior lighting and interior "lighting-plus" projects throughout the City, replacing outdated ceiling fluorescent lamps with energy-saving lamps and combining lighting upgrades with a variety of supplementary measures, including the installation of occupancy sensors. Regarding facilities maintenance projects, DCAS has initiated

three energy-saving building maintenance programs – steam trap replacements, electrical tightening, and heat timer installations.

Earlier this month, DCAS and other City representatives accepted the National Association of Fleet Administrators' first-ever Green Fleet Award in the Car and Light Truck category. The City was recognized for “pioneering, innovative and creative programs...that helped reduce energy consumption, vehicle emissions and increase overall fleet efficiency.” Recognizing that there is always more to do, DCAS also recently completed a citywide fleet analysis, and based on the results of this study, DCAS is continuing to upgrade the 27,000-vehicle municipal fleet by replacing some of the oldest and least efficient City vehicles with current-year hybrid vehicles. In addition, DCAS is supporting “green fleet” pilot programs for the Police Department, the Fire Department, and the Department of Sanitation. DCAS is now conducting more in depth studies focusing on specific agencies, which will examine fleet operations and ways to right size fleets and incorporate green vehicles and alternative fuels to an even greater extent than is already being achieved throughout the City.

Finally, DCAS is conducting full energy audits in 21 City-owned buildings to assess the current energy consumption of each building, produce site-specific reports that describe and analyze the facilities and their energy consumption systems, and recommend energy conservation measures.

DCAS, in its role as the City's Municipal Civil Service Commission, must address the impact of a 2007 court decision on civil service regulations. Last year, the New York Court of Appeals ruled that the City of Long Beach violated State civil service law by contractually granting provisional employees disciplinary rights after one year of service. In the decision, the court specifically took issue with Long Beach having allowed provisional employees to serve for longer than the legal maximum of nine months. This court ruling significantly affects the City of New York, which currently employs approximately 37,000 provisional employees. DCAS has developed both immediate and long-term strategies to decrease the number of provisional employees and to reduce the tenure of provisional employment going forward.

Pursuant to newly enacted State legislation, in late March the City submitted a five-year plan to the New York State Civil Service Commission, which details how the City will comply with the Long

Beach decision. The first step in the implementation plan is the development of additional civil service examinations targeting titles with a large number of provisional employees. DCAS initially received personal services (PS) funding of \$0.7 million for 13 positions to begin implementing the five-year Long Beach Compliance Plan. Ten of the new positions are Test and Measurement Specialists. This staff will be responsible for developing additional civil service exams and thus be instrumental in the reduction of provisional employees. DCAS also received \$0.6 million in other than personal services (OTPS) funds for the State's oversight of the City's implementation of the provisional reduction plan. The New York State budget requires the Commissioner of DCAS to fund these costs up to \$600,000 annually.

In addition, DCAS received baseline funding of \$0.7 million for the annual administration of two firefighter physical exams. In the past, DCAS administered this exam every four years. At the Fire Department's (FDNY's) request, DCAS will administer physical examinations twice annually for up to 1,200 candidates per semi-annual exam, based on FDNY employment processing needs for each Firefighter Academy class. The revised testing schedule results in an annual need for funding rather than a need every four years. This funding will support expenditures for exam administration personnel and replacement equipment purchases. For the most recent firefighter physical exam which began this past March, 1,241 candidates were called to take the exam, and 706 of those who were called took the exam for the next Firefighter Academy class scheduled to begin June 23rd.

DCAS also received \$2.8 million and 34 Interfund Agreement positions for the continued development of the New York City Automated Personnel System (NYCAPS). Implementation of the benefits portion of this system is nearing completion. The NYCAPS Functional Analysis Unit is now focusing on the development of the civil service module. The civil service module will allow DCAS to consolidate the multiple mainframe systems currently used to track civil service into one streamlined system. The civil service module will also automate many City hiring procedures and allow for greater efficiency in administering and auditing personnel transactions.

The CityStore will begin selling copies of the revised New York City Construction Code once it is published in the upcoming months. The New York City Construction Code is comprised of five volumes, each of which is sold individually: Building Code, Fire Code, Plumbing Code, Mechanical Code, and Fuel Gas Code. DCAS received \$0.3 million to purchase the books from the publisher,

the International Code Council. In addition, the next edition of the Green Book will be available at CityStore next month.

In the recently released New York State Budget, DCAS received \$2.1 million for the purchase of automated external defibrillators (AEDs). We are researching the basis for this allocation and how the State intends for us to use this funding.

DCAS's expense budget includes the Heat, Light, and Power Budget for Mayoral agencies and other City offices and institutions, which we commonly refer to as the Energy Budget, although it does not include heating fuel oil or vehicle gasoline. The FY 2009 Executive Budget is \$97.4 million, or 14%, more than the \$701.2 million in the currently modified FY 2008 Plan. Rate increases for electricity, gas, and steam account for almost two-thirds of this increase: this includes energy, commodity, and delivery costs. Agency requests for new needs account for 25% of the increase, and another 10% is due to the assumption that weather will be normal, compared to the milder than normal weather experienced in FY 2008. The budget also reflects a \$1.7 million offset to these increased costs from the completion of energy efficiency projects.

REVENUES

DCAS generates most of its revenue through rent collections, the sale of surplus equipment and vehicles, and civil service and license exam fees. Our largest source of revenue is through the Division of Real Estate Services, with projected revenue of \$54 million for FY 2009. Most of this revenue derives from commercial rentals of City-owned property.

DCAS also receives revenue from applicant filing fees for civil service examinations. In FY 2009, DCAS anticipates collecting \$2.4 million in civil service exam revenues. Some of the remaining important exams that we will administer before the end of FY 2008 include Associate Project Manager, Child Protective Specialist, Stock Worker, and Supervising Emergency Medical Services Specialist.

Another significant revenue source is the sale of surplus goods at public auction and by competitive sealed bids by the Division of Municipal Supply Services. The Division has implemented a number of new strategies to increase revenue at its auto auctions. These strategies include setting minimum

prices, spreading the sale of similar equipment over multiple auctions to maintain demand, consolidating auctions when the number of vehicles relinquished by agencies is relatively small, and enhancing the auction information on NYC.gov to include pictures of the more popular equipment available. The revenue plan for the sale of surplus goods is \$6 million in FY 2009.

CAPITAL

I would now like to turn to the DCAS capital plan for FY 2009. DCAS's focus remains on maintaining and preserving buildings – paying particular attention to health and life safety issues and legal obligations – as well as projects that further energy conservation goals. In the DCAS portion of the City's capital commitment plan, \$280 million is allocated for DCAS-managed facilities for FY 2008 and FY 2009.

DCAS is undertaking numerous building improvements in our facilities including the rehabilitation of elevators, fire safety systems, and work associated with Local Law 11 of 1998 in relation to building façades. Critical projects include a \$10.6 million façade stabilization and restoration at 253 Broadway, a \$5.6 million elevator upgrade at the Queens Supreme Court at 88-11 Sutphin Boulevard, and a \$4.5 million fire alarm system upgrade at One Centre Street.

In addition to safety upgrades, DCAS has projects planned for systems upgrades and interior renovations. One key project is a \$21.3 million improvement to build an atrium space at Queens Borough Hall. We are also in the process of bidding contracts for the \$15.8 million electrical upgrade of 851 Grand Concourse. Design is being finalized for two major capital projects: the \$14.3 million expansion of the Midtown Community Court on West 54th Street and a \$5.2 million upgrade of electrical service in the Brooklyn Central Court at 120 Schermerhorn Street. Three clean-energy projects, in various stages of planning, include an \$11.5 million heating system for 60, 80, and 100 Centre Street combined, and two new energy efficient chiller plants: a \$7.3 million project at the Bronx Family & Criminal Court at 215 East 161st Street and a \$7.4 million project at Queens Supreme Court.

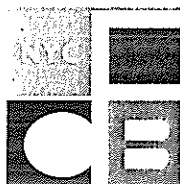
DCAS will manage various construction projects in the City's leased spaces in FY 2009. Notable projects include the \$54 million consolidation of the Department of Transportation offices from five locations into their new headquarters at 55 Water Street and \$3.9 million for the Police

Department's Lower Manhattan Security Initiative. In Queens, DCAS is managing the \$12.3 million relocation of the Department of Correction headquarters to 75-20 Astoria Boulevard (also known as the Bulova Building) in East Elmhurst and a \$12.2 million renovation to the DCAS Central Storehouse at 66-26 Metropolitan Avenue in Middle Village.

Finally, there is \$79.8 million set aside for citywide capital energy conservation projects in FY 2009. These funds will be allocated to specific projects as they are identified by the Energy Conservation Steering Committee. The majority of these projects will involve lighting upgrades, occupancy sensor installations, and high efficiency motor installations for mechanical and plumbing systems.

CONCLUSION

Thank you for this opportunity to testify about the Department of Citywide Administrative Services' planned expenditures and revenues for FY 2009 and our capital commitment program. I am pleased to answer any questions you may have.



New York City Campaign Finance Board

40 Rector Street, 7th Floor, New York, NY 10006

tel. 212.306.7100 fax 212.306.7143

www.nyccfb.info info@nyccfb.info

Testimony of Amy Loprest, Executive Director New York City Campaign Finance Board

City Council Committee on Governmental Operations City Council Committee on Finance

May 20, 2008

Good morning, Chairman Felder, Chairman Weprin and Committee members. I am Amy Loprest, Executive Director of the New York City Campaign Finance Board (CFB). With me are Deputy Executive Director Shauna Tarshis Denkensohn and General Counsel Sue Ellen Dodell.

FY2009 Budget

Pursuant to the New York City Charter, Section 1052(c), the CFB submitted its estimated budget for Fiscal Year 2009 to the Mayor on March 10. The Charter requires that the Mayor include the CFB's estimate in his Executive Budget, which was submitted to you on May 1. The budget request is attached to this testimony.

Post-Election Audits

Local Law No. 34, enacted in July 2007, resulted in several significant new mandates for the Board, including new deadlines to complete Board audits. Starting with the 2009 election cycle, final audits for Council and borough president candidates must be completed within 14 months and for citywide candidates within 16 months. We have initiated a review of our audit procedures, and—with the appropriate resources—we are confident we can meet these unprecedented deadlines without compromising the quality

the public expects from the Board's rigorous oversight of taxpayer funds paid to campaigns.

Upcoming Innovations

One of the ways the Board can help expedite the audit process is through increased use of technology to improve the way Board interacts with campaigns and the public. Recently, we introduced a new, updated version of our Candidate Software for Managing and Reporting Transactions (C-SMART), making it even easier for candidates to organize their financial information and comply with the law. The new version of C-SMART includes features based on input we sought from campaigns after the 2005 election, and refined thanks to feedback from the campaigns which participated in our pilot program earlier this year. More than two-thirds of the campaigns that filed their disclosure statements for the most recent deadline in January did so electronically.

The Board is preparing to introduce a web-based gateway, called C-ACCESS, which will provide a personalized connection between campaigns and the CFB, offering instant and secure access for campaigns to an array of information and services online. Among other features, C-ACCESS will allow campaigns to manage and review all its communications with the CFB over the internet. Also, the CFB is preparing to implement an Electronic Content Management (ECM) system to streamline our operations. ECM will cut down on duplication and waste, and improve communication among units within the CFB.

Enhanced Training

Local Law No. 34 also requires mandatory attendance for all participating candidates at CFB compliance and software training seminars. Since the law took effect in January of this year, the CFB has certified 71 campaigns as having completed the two-part training course for the 2009 election. The CFB's Candidate Services Unit continues to

hold training sessions to help candidates comply with the law, and will increase its training schedule as the election grows nearer.

Doing Business

Local Law No. 34 places new restrictions on contributions from those doing business with city government, giving New York City the most comprehensive limits on “pay-to-play” of any jurisdiction in the country. The Board is taking steps to implement this important reform. Phase 1 of the Doing Business Database was introduced earlier this year, and Phase 2 is on schedule to be introduced July 1st. The Board will continue working with the Mayor’s Office of Contract Services and the Department of Information Technology and Telecommunications to complete Phases 2 and 3 according to the mandated schedule.

Personnel

To meet the new mandates, the Board is in the process of increasing its staff by 30 percent, adding 22 full time positions and six seasonal employees. Among the new hires will be 12 auditors, four Candidate Services liaisons, two lawyers, and two staff members who will focus exclusively on “doing business” administration. It is important we bring these new staffers on board during the 2009 fiscal year so we can ensure they are properly trained to do their jobs during the key months leading up to the 2009 elections. The submitted budget also reflects an increase in the salaries of the audit staff.

Even with the staffing increases, we were able to achieve some savings by cutting our non-personnel costs by \$185,000, a figure that does not include money budgeted for the Campaign Finance Fund.

We understand the financial constraints the city faces for the approaching fiscal year, and we are pleased to reiterate that our anticipated budget increase is considerably

lower than our initial estimate. Even after taking the directives of the new law into account, our overall increase from the FY2008 budget is only 19 percent.

Campaign Finance Fund and Voter Guide

For FY2009, the Board has appropriated \$1.5 million for the Campaign Finance Fund in preparation for potential special elections. Should these anticipated elections fail to transpire, the Board will return these monies to the General Fund, as in previous years. For FY2008, the Board returned \$800,000 in unallocated public matching funds; in FY2007, the Board returned \$3 million allocated for an anticipated city-wide Voter Guide that was not required.

The Board has also allocated \$425,000 for FY2009 to print and distribute a Voter Guide for the fall elections in council district 30.

Special Election in Council District 30

Though it takes place in the current fiscal year, I'll conclude with an update on the special election called in District 30. Four of the five candidates in that election have joined the Campaign Finance Program. The first public funds payment is tentatively scheduled for May 21, depending on the final determinations of candidate ballot status by the Board of Elections. Additional payments are scheduled for May 28 and 30. We are analyzing matching claims submitted by eligible candidates in their May 2 disclosure filings to determine the amount of these payments.

Conclusion

As always, the CFB looks forward to continuing to work with the Council to make the Program more effective and efficient. Thank you for your time, and we look forward to answering any questions you may have.

**NEW YORK CITY CAMPAIGN FINANCE BOARD OPERATING BUDGET
(FISCAL YEAR 2009)**

	FISCAL 2008 ADOPTED	FISCAL 2009 CFB BUDGET	CHANGES FROM 2008 ADOPTED
	\$ AMOUNT	\$ AMOUNT	\$ AMOUNT
PERSONAL SERVICES (PS)	\$4,798,589	\$6,357,482	\$1,558,893
OTHER THAN PERSONAL SERVICES (OTPS)			
OTPS	\$3,506,960	\$3,397,000	(\$109,960)
VOTER GUIDE	\$500,000	\$425,000	(\$75,000)
NYC CAMPAIGN FINANCE FUND	\$1,000,000	\$1,500,000	\$500,000
SUB OTPS	\$5,006,960	\$5,322,000	\$315,040
TOTAL	\$9,805,549	\$11,679,482	\$1,873,933

HEADCOUNT	FY2008		FY2009		CHANGE FROM 2008 ADOPTED	
	Full Time	Seasonal	Full Time	Seasonal	Full Time	Seasonal
67		1	89	7	22	6



Robert Rodriguez
Chair

George Sarkissian
District Manager

COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN
55 EAST 115TH STREET
NEW YORK, NEW YORK 10029-1101
TEL: (212) 831-8929/30
FAX: (212) 369-3571
www.cb11m.org

**Testimony before the New York City Council
Hearing on Community Board Budgets
May 20, 2008
By Chair Robert Rodriguez
(Delivered by Vice Chair Debbie Quinones)**

On behalf of Manhattan Community Board 11, I would like to thank the City Council for affording us this opportunity to testify on the impact of the Mayor's proposed budget on our Community Board's ability to adequately serve our community. Now more than ever our community needs the intervention of our Community Board and the proposed 5% cut to our budget would drastically impact our services.

As East Harlem experiences unprecedented residential and commercial development, our role in managing and shaping more appropriate forms of development that include truly affordable housing and are contextual in scale, will be compromised by such a drastic reduction in our already limited budget. To effectively engage the community and increase their participation in the review of development projects in our pipeline involves intense outreach and coordination as part of our City Charter mandated ULURP public hearings. We must also have staff on hand with the expertise to review each project's anticipated impact on our community and the urban environment to make thoughtful recommendations and changes. Most of the projects in our pipeline are City sponsored developments, brought to us for review by either HPD, EDC or City Planning. Our increased workload, generated through the review of projects and initiatives sponsored by Mayoral agencies, places an immense responsibility on our Board to maximize the inclusion of affordable housing in each project, stem the displacement of lifelong residents of our community, ensure the creation of jobs resulting from economic development initiatives and secure environmental and health benefits, to name a few.

To cut our budget at this time will curtail our ability to include the community in this process and negatively impact our personnel capability, leading to an insufficient salary budget which will make it much more difficult for us to attract and retain quality staff. Community Board 11

formally requests the City Council demonstrate their continued support of our City's many diverse communities by eliminating the proposed 5% cut to our budgets. Thank you.



Borough President Adolfo Carrion, Jr.

**Statement by Deputy Bronx Borough Earl Brown before the NYC Council
Committee on Government Operations regarding the proposed budget cuts to
NYC Community Boards**

May 20, 2008

Good Afternoon, My name is Earl Brown, the Deputy Borough President of The Bronx, and I am here today to provide a statement on behalf of Bronx Borough President Adolfo Carrion, regarding the proposed reductions in the budgets of community boards, proposed in the FY 2009 Executive Budget.

Borough President Carrion is urging the City Council to rescind the proposed reduction to the FY 2009 operating budgets of the 59 community boards. These cuts would further adversely impact the manner in which the boards are able to carry out their charter-mandated duties.

As a former District Manager, the Borough President knows the valuable work that is done each day by community boards on behalf of the residents of their districts. They provide a strong and passionate voice for their communities as they manage issues affecting the quality of life of their residents.

This proposed reduction to the relatively small budgets of the community boards severely weakens their ability to provide direct services to their communities.

The elimination of the proposed cuts would enable each community board to provide the necessary oversight and City-service advocacy envisioned by the City Charter.

Community Boards have not received an increase in their operating budgets, with the exception of funds for union negotiated contractual increases, since 1986.

Chapter 70 (City Government in the Community), Section 2800,d. of the City Charter clearly requires each community board to perform 21 enumerated functions in areas such as budget, land use and service delivery.

The role of the community board is to accurately reflect the concerns of the communities they represent to city, state and federal agencies. The Community board is responsible for

**THE BRONX
AT WORK**

Office of the Bronx Borough President . 851 Grand Concourse . Bronx, New York 10451 . 718.590.3500

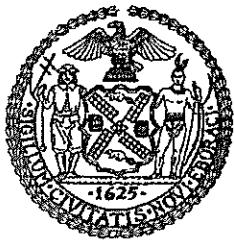
monitoring the delivery of city services, formulating the community's budget priorities, and is an essential part of the land use and planning and development processes.

This morning on the steps of City Hall, representatives of the five Borough Presidents and 59 community boards gathered to protest the reductions in their budgets, and to share how their operations would have to be reduced if these proposed cuts are enacted. Some possible reductions and negative impacts include:

- reductions in hours of part time or full time employees
- Elimination of a staff member, depending upon staffing levels and salary ranges.
- Staff reductions leading to few hours of operation.
- Reduction in supplies and other OTPS categories-- including postage.
- Community outreach on important issues would be affected, and
- The boards may be hampered in their ability to fulfill their Charter mandated duties.

The community boards are the local government in a community, the Town Halls of New York City, where residents can walk into an office and deal directly with city agencies to address their concerns. By weakening the community boards, communities across the city are weakened and their participation in the governmental process is reduced.

We urge the City Council to advocate for the restitution of these funds to the FY 2009 budget. Thank you.



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD NO. 3
59 East 4th Street - New York, NY 10003
Phone: (212) 533-5300 - Fax: (212) 533-3659
www.cb3manhattan.org - info@cb3manhattan.org

David McWater, Board Chair

Susan Stetzer, District Manager

City Council Public Hearing on Executive Budget for FY 09

Community Boards understand that the city is in a severe financial situation regarding funding for all agencies. We work with the agencies and we understand how their cuts impact our communities. We believe that Community Boards are a very good value for the city. We have 59 boards with a budget of \$199,000 each. Salaries on Community Board 3, total \$179,700—not much for 4 full time staff. Consider that this staff of 4 supports volunteer work of 50 people for each board working for their communities as well as the office work for service delivery and coordination of services for the community.

Without cuts, my board has OTPS of \$20,000. This not only includes the everyday supplies, it includes replacing furniture, training staff, maintaining equipment, buying software and hardware. Community Boards have absolutely no support for training, maintenance, or technology except for the new nyc.gov website which the city maintains for us. You will hear again and again that we have suffered cuts every year since 1990 since costs have increased and there has not been any adjustment to our OTPS. The current 5% cut for FY 09 leaves my board with \$10,000 for OTPS. Of this \$10,000, a little over \$6,000 is contracted for photocopy and telephone. If one computer goes down—we are in trouble. And we do not have new computers, we have used computers donated by NYU, which is also where we get furniture.

Boards have become more and more involved in partnering with agencies. These agencies depend on us to give them information on our specific communities. And our communities depend on us to help them navigate working with city agencies. This makes us all more effective and saves money for the city in the long run.

311 operators have taken over the reporting of potholes and many uncomplicated service delivery complaints. However, 311 operators can only deal with problems on their list. For anything more complicated, or for problems not covered on their list, they now refer constituents to the community boards. We welcome this partnership with 311, but also acknowledge that this has changed the nature of our work to be more complex and time consuming and require much more expertise in how to work with agencies to provide services.

Every Community Board district has its own culture and issues. Many of our boards are dealing with a tremendous increase in development. This not only poses safety and quality of life issues that must be monitored, it changes the nature of the problems. For example: there are no regulations that deal with having large construction sites on both sides of a very narrow street with small businesses. How do these businesses provide visibility and access to customers and receive deliveries. How do people cross the street safely when sidewalks are closed on both sides and they must cross in the middle of the block next to a fence that does not allow them to see oncoming traffic. The merchants and residents appeal to the community board to coordinate agencies and try to work out solutions. A few other examples: we help merchants to create merchants associations and contact the appropriate city agencies to start them off. We work with movie production companies to show them most appropriate places for parking and closing off traffic with least impact to businesses and residents while bringing in revenue to the city. We work with the Department of Buildings to prioritize inspections—etc, etc. We are never caught up in our work—there is always more to be done. The more resources we have, the more efficient and productive we are.

We also work very closely with our council members, which allows us to extend the productivity of all our offices. Community Boards exist to serve our communities—in planning and in coordinating and assessing services. We are the structure for community input and participation in government. We currently have the bare minimum needed to serve, and we are asking that our funding not be cut so that we can continue to serve our communities.

To adhere to these Budget reductions Community Board 9M is not renewing the lease on one of our copiers which reduces our ability to produce timely documentation in the necessary numbers. That would have been devastating in this Fiscal Year when we had the Columbia University Expansion ULURP, our 197A, and the 125th Street River to River UILURP, all within six months.

We had projected with projects such as those, along with a request to increase our mailing list from 650 to 800, and with the Board having to pay for printing City documents that arrive via Disk, or come on line the need for 16,000 additional copies to be made, and more ink jet cartridges to handle the load.

Those costs of approximately \$ 1,600 as well as additional thousands for copier maintenance we CAN NO LONGER AFFORD. This severely limits our Charter Mandate to provide information.

Community Board 9 Manhattan Board Members who when they cast a vote reflect approximately 2,375 constituents each, can no longer count on the support services and documentation they need to make thorough decisions.

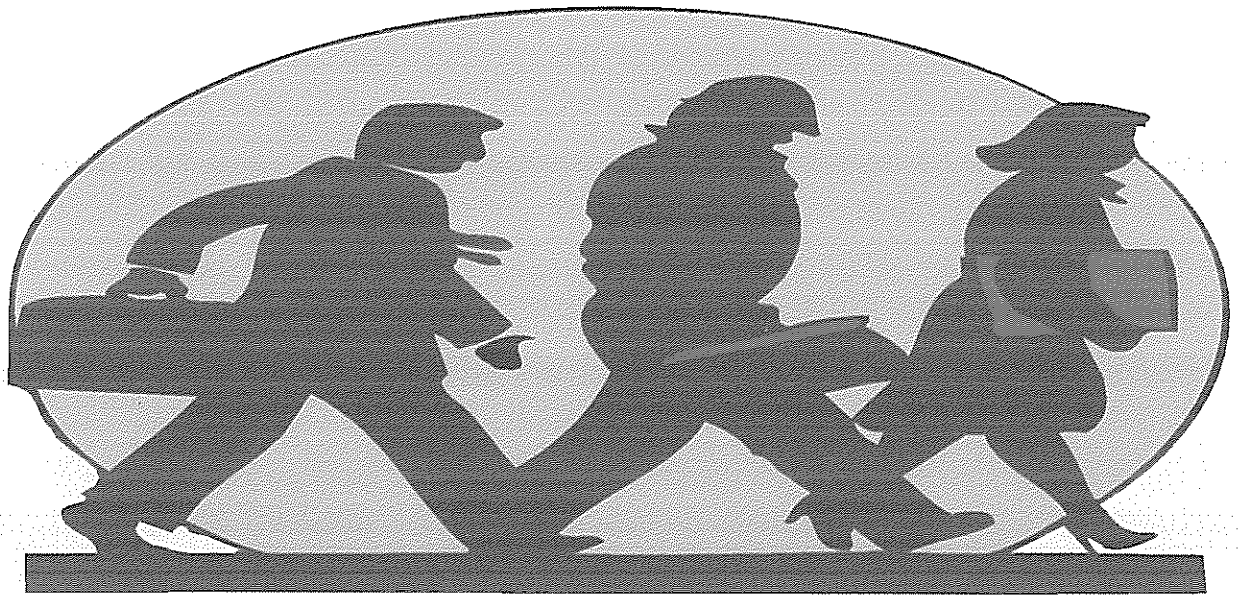
Based on the Mayor's projected Budget, Community Board 9's Budget for it's 112,000 residents will average \$1.36 per person per annum to monitor whether they are indeed getting their FAIR SHARE. That is a ratio of 24,000 to 1. It should also be remembered that had Community Board funding simply risen in line with inflation since the early 1990's when Mayor Gulliani first imposed cuts we would have had a Budget almost \$ 15,000.00 higher before this round of reductions was mandated. Since we were already behind the City Agency funding curve to begin with, these potential cuts creates the grim picture of Boards citywide unable to properly function.

Community Board 9 Manhattan respectfully asks that you consider our comments, and at the very least recommend a restoration of the FY'09 Budget Cuts.

Thank You



Lawrence T. McClean
District Manager



BUDGET TESTIMONY BY CB9Q

MARY ANN CAREY, DM

MAY 20, 2008



Budget Testimony City Council Budget Hearings,

Prepared by Mary Ann Carey, District Manager

Presented by Lisa Gomes, Assistant District Manager

May 20, 2008

The CB's minuscule budget is always under attack. As you know our budget is \$199,000. Out of this budget we operate the District Office's, hire staff, furnish offices with equipment and supplies, rent space for our monthly meetings, mail information to thousands of constituents on a monthly basis, convene committee meetings and work with the changing community's and Board Members. Our Members provide many services to the city pro bono. They comprise engineers, architects, expeditors, lawyers, realtors, a college professor, nursing supervisor, insurance agent, teacher, restaurateur and communications technicians all who provide us with the tools to serve the community.

In addition we boast members and staff of varied backgrounds and cultures who are bi-lingual and assist the District office in reaching out to our new immigrants. Our members speak Italian, Hebrew, Spanish, French, Hindi, Pakistani, Russian and Guyanese. Where else can you find such a wealth of resources?

Through the Board's efforts with the constant vigilance of the District Office we have seen many projects come to fruition. In 1980's this Board helped to form the Aids Committee of Queens County a member of our Board was the initiator and first Director. That organization still exists today. We were the first to lobby our Borough President Claire, Shulman on behalf of the hand carved in 1903, Daniel C. Muller Carousel that was closed and shuttered by the Parks Department for four years prior to our involvement. The renovation and restorations of the carousel began the revitalization of the entire Park. Today, we

have a refurbished golf course and golf house ((Oakridge) with our own Park Administrator, a newly restored Victory Field and Track, Buddy Monument, etc. I could go on and on. Forest Park is a Jewel in the City's Crown. We worked with our legislators to bring City Water to our communities to replace the putrid Jamaica Water system.

We sponsor unique events such as our Community Board 9 Health Fair, (copy attached) with Jamaica Hospital Medical Center and Greenway (bikeway) Events, and our recent tour of the Highland Park Reservoir.

If there is an issue or an idea we do not hesitate to become involved.

We do all this on our meager \$199,000. We cannot sustain any budget cuts without damaging the entire process. You have the power to add items to the Mayor's Budget. We request you restore our budget for this fiscal year and consider an increase in the next fiscal year.



COMMUNITY BOARD NO.9

Queens Borough Hall

120-55 Queens Boulevard, Room 310-A
Kew Gardens, NY 11424

(718) 286-2686

Fax (718) 286-2685

Meeting Hotline (718) 286-2689

Email communitybd9@nyc.rr.com

Andrea Crawford, Chairperson * Mary Ann Carey, District Manager * Helen Marshall, Borough President

May 7, 2008

The Honorable Mayor Michael R. Bloomberg
City Hall
New York, NY

Dear Mayor Bloomberg:

As you know, on top of the 5% budget cut already taken from our next year's FY 2009 budget, you proposed an additional 3% PEG cut for a grand total of 8% to be eliminated from Community Board budgets beginning next year.

According to the calculations, each Community Board's \$200,000 budget will be reduced by \$16,000. In our City of 59 Community Boards, that means the total "savings" to our \$61 billion City budget will amount to \$944,000. This equates to a 0.0015% "savings". This statistically deminimus "savings" to the City comes at the expense of *your* Community Boards- the volunteer members *you* appoint to represent your communities. No Community Board will be able to absorb such a cut without it impacting critical support services.

The below discussion demonstrates how our ability to represent our communities will be affected should these cuts go into effect. Please be aware that this is just a sampling of the affected services:

1. CB's have traditionally been held harmless from citywide agency budget cuts. We believe that this is an important precedent that should continue to be honored.
2. CB's lack elasticity in their budgets to absorb cuts. It is easy to track and see where every dime is spent in a CB's budget.
3. CB's have never had a budget increase to keep pace with the increasing cost of doing business. Postage, supplies, equipment and other expenses have increased and we have never received corresponding cost of living adjustments to compensate. The only increases the CB's have received are salary increases that result from Collective Bargaining and Managerial increases. Our Other Than Personal Spending has never been increased. Never.

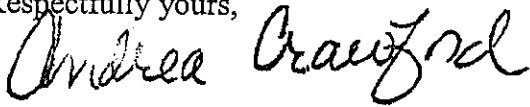
4. Every CB can offer some anecdotal evidence of savings where they've helped the City achieve by doing our jobs day-in and day-out. Whether it is organizing public review and planning for our communities, coordinating the construction impacts of Capital projects in our communities or shedding light on wasteful agency practices, it's our job to promote the efficient and effective use of municipal resources. We do our share every day even though we know that can make us unpopular at times.

We believe it would be unacceptable to settle for a retraction of the 3% PEG cut. This would be a tremendous blow and crushing defeat for us. Anything other than a full restoration of the entire 8% would be an acceptable outcome. In fact, we need to keep the pressure on to increase Community Board's budgets to compensate for the rising costs of doing business and the expanded role of the Community Boards have been expected to play. Had our budgets been adjusted over time we would no doubt have a proper baseline budget of roughly \$275,000-\$300,000, a target we must pursue with zeal.

It is our belief that once the full impact of the proposed budget cuts is fully comprehended by your office, there will be a reversal of this decision. Community Boards continue to act on a daily basis as not only a sounding board for the community, but as an effective tool for the City's numerous agencies in addressing local concerns, and helping to keep a healthy and vibrant dialogue alive between the residents of this great city and the hard working people who keep it all moving forward.

Your attention to this matter is greatly appreciated.

Respectfully yours,

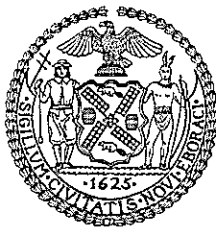


Andrea Crawford
Chairperson, CB9 Queens

CC: The Honorable Helen Marshal, Queens Borough President
The Honorable Melinda Katz, Councilmember
The Honorable Joe Addabbo, Councilmember
The Honorable Dennis Gallagher, Councilmember
The Honorable Thomas White, Councilmember
The Honorable Leroy Comrie, Head of the Queens Council Delegation
Community Boards, Citywide

David G. Liston
Chair

Maxine E. Brannon
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 Fax
www.cb8m.com - Website
Info@cb8m.com - E-Mail

**The City of New York
Manhattan Community Board 8**

May 20, 2008

Honorable Christine C. Quinn, Speaker
New York City Council
City Hall
New York, New York 10007

Dear Speaker Quinn,

We write concerning the proposed \$10,000 cut to the budget for Community Boards as reflected in the FY09 Executive Budget.

So great a cut would have a devastating effect on our ability to comply with our Charter mandates. Manhattan Community Board 8 may no longer have the ability to:

- Pay bills that are necessary to run an office with the result that we may lose office machine contracts and be unable to purchase office supplies
- Respond to community inquires and provide our board members with current vital information needed to make decisions
- File complaints and continue to cooperate and coordinate with other city agencies in an effort to provide maximum services for the residents

In addition, we are required to comment on district needs, land use and zoning issues. These important tasks would be severely hampered if our budgets were reduced. We also anticipate that our ability to get important announcements out to our community will be held back due to a decrease in the funds we can spend on postage or on website maintenance.

We are particularly concerned that the proposed budget cut would force us to reduce our already, over-stretched staff. Community board eight consists of 50 volunteers and a small office of 4 paid staff. Thus, the operating budget is the best value in the city especially since community boards have the smallest budget in the city.

Manhattan Community Board 8, like all other Community Boards, has an important responsibility to its residents to remain proactive, rather than reactive; for that reason, we ask that your office exempt Community Boards from this proposed cut.

Sincerely,
David G. Liston
David G. Liston
Chairperson



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

TESTIMONY OF MANHATTAN BOROUGH PRESIDENT SCOTT M. STRINGER
BEFORE THE CITY COUNCIL GOVERNMENT OPERATIONS COMMITTEE
BUDGET HEARING

May 20, 2008

Good afternoon, Chairman Felder and members of the committee. Thank you for the opportunity to testify on the community board portion of the 2009 Executive Budget.

The recently proposed budget cuts must be viewed in the context of the history and evolution of the city's local Community boards. In 1951, Manhattan Borough President Robert F. Wagner established twelve "Community Planning Councils" to advise him on local planning and budgetary matters. And in 1963, the City Charter adopted then Mayor Wagner's neighborhood governance concept and established "Community Planning Boards" for the entire City. The 1975 Charter Commission established common district boundaries for many City agencies and service areas with Community board districts. Over the following decades, many came to view the role of Community boards as overseeing local service delivery.

But it was not until today, in the midst of the city's unprecedented physical transformation by new development, that the need to preserve and restore the role of community planning has become so critical. It is time again to rethink the role of Community Boards. Neighborhood service delivery is no longer our dominant challenge: Mayor Bloomberg has launched 311, and elected officials on the federal, state and city levels all offer full-time constituent services. It is time we put the word "Planning" back into Community boards. It is time that we rethink the role of the Boards.

Community boards can and should play a larger role in planning, a process we have already begun in Manhattan.

Under the direction of my Land Use department, I created the Manhattan Borough President's Community Planning Fellowship, a program which places outstanding second-year graduate urban planning students at each Manhattan Community Board, making their expertise available to each board for an entire academic year. This enhances the ability of community boards to evaluate development proposals and at the same time imparts to the next generation of urban planners an acute appreciation for local government and community to the next generation of urban planners.

And our experiment has yielded fantastic results. Over the past two years, our planning fellows have worked with community boards on creating a community-based zoning proposal for the

East Village within Community Board 3; analyzing residential conversion of Class B office space in Community Board 5; and helping Community Board 10 in Central Harlem to update their 197-A proposal.

The success of this program demonstrates what community boards can do with more meaningful resources. We need to bring this program to scale citywide and provide every local community board with a full-time urban planner. The Mayor's recently announced Charter Revision Commission to be constituted in the coming weeks may be our next best opportunity to do just that.

The Mayor's Office of Management and Budget recently reduced the initial proposed community board budget cuts of 8 percent to 5 percent. However, the fact is that any cuts will make it harder for the boards to perform the essential work of planning for the future of our neighborhoods.

For FY 2008, each board's Operating Expense Budget was \$194,895, granting the average Manhattan board approximately \$1.56 per constituent (\$1.44 citywide). Unlike larger City agencies, the boards' budgets do not allow them to achieve economies of scale in procurements. Plus, while the cost of doing business in New York continues to grow, community boards have not received a budget increase in the last eighteen years. Providing an operating expense inflation adjustment in the Boards' budgets would provide some relief.

Our slowing regional economy necessitates tougher decisions regarding our upcoming budget than we have had to make in recent years. Economic change is on the horizon, and the City must plan accordingly. There has never been a time where it is more important to preserve and strengthen the role of community boards.

I encourage the committee to recommend that community boards be spared a cut in their budget. Thank you.

COMMUNITY BOARDS:
ALREADY DOING MORE WITH LESS
AND DOING IT WELL!

Community Boards began in 1951 as an initiative of The Honorable Robert F. Wagner, Sr., the Manhattan Borough President, who inaugurated "*Community Planning Councils*" within his Borough. This experiment in "town hall" government was extended citywide, as a feature of the 1963 Charter Revision that established "*Community Planning Boards*" in every Borough, during the Administration of that same Robert F. Wagner, who had subsequently been elected Mayor of New York City. An ensuing Charter revision in 1975 formalized the responsibility of "*Community Boards*" in matters pertaining to land use, the preparation of the capital and the expense budgets, and the monitoring of municipal services, prerogatives which were either expanded or reaffirmed by the next revision of THE CHARTER OF THE CITY OF NEW YORK in 1989. In the thirty-three (33) years since their creation as official agencies of municipal government, Community Boards were granted, in 1986, the ONE and ONLY increase in their rather meager annual operating budgets, which currently amounts to approximately two hundred thousand dollars (\$200,000).

Mayor Michael R. Bloomberg, in his FY 2009 Executive Budget, proposes to reduce by ten thousand dollars (\$10,000.00) the operating budgets of each of New York City's fifty-nine (59) Community Boards, in fiscal year 2009. This reduction is as unwarranted as it is futile. Community Boards have been operating all along under Mayor Bloomberg's professed management formula of "*doing more with less.*" Proposed reductions in the operating budgets of all other city agencies would be deducted from allocations that have steadily increased over the years, while Community Boards' budgets have remained stagnant. In fact, since 1986, the only increase in their operating budgets occurred to pay for union negotiated salary increases. Moreover, if the administration is to effect substantive and substantial fiscal savings in challenging economic times, the reductions in the budgets of our Community Boards is of no actual or practical consequence, since it will save not even six hundred thousand dollars (\$600,000), a negligible amount compared to the city's nearly \$60 Billion budget. These proposed reductions in the budgets of the community boards will have a detrimental effect on their ability to exercise their mandated responsibilities under THE NEW YORK CITY CHARTER.

Community Boards have made a powerful and impressive difference in the neighborhoods of New York City. Whether the issue is education, the environment, public safety, housing, transportation, the provision of city services, economic development, enriching the quality of life, or preserving a locality's community character and heritage, Community Boards have not failed to intervene, to advocate, and to get results on behalf of diverse and numerous local constituencies. Utilizing its power under the CITY CHARTER to foster neighborhood growth and development by the design of "197-a" plans, Bronx Community Board #8 conceived and implemented a strategy that will protect the scale and the character of its Community District by augmenting economic, educational, and cultural opportunities, while promoting sound environmental policies and protection of the area's public and historic resources. Another Bronx Community Board, Board #2, created the 59th Business Improvement District, or "*B.I.D.*," within the City of New York along Southern Boulevard, a vital commercial strip. Community Board #12 (Manhattan) has fought to preserve the rights of its citizens' to quietly enjoy their homes and neighborhood by riding herd on local entertainment establishments, insisting that they act as good neighbors who are quiet, clean, and law-abiding, as does its sister Community Board #3 in Queens. This same Community Board, along with Queens Community Board #11, have been insisting that the Department of Environmental Protection (D.E.P.) upgrade the sewer system in order to alleviate unacceptable and unhealthy flooding and storm water back-ups, which endanger private property, personal health, and the environment. *RIVER PARK TOWERS*, constructed in 1973 as an affordable, middle-income *Mitchell-Lama* housing complex in the Bronx, fell prey to grime and crime, an intolerable development for Community Board #5. Thanks to its timely and tenacious efforts, drug dealing, gang congregation and intimidation, and the hurling of debris out of apartment windows and from

building rooftops have been replaced with flower gardens, the sponsorship of family picnics, increased security and police patrols, and bicycle riding; all of which have facilitated the enjoyment of the adjacent Harlem River waterfront. Transportation issues are among the top priorities of Bronx Community Board #7, which has been working to limit the potential negative impact of the new Bx-12 Select Bus Service on Fordham Road businesses, by designating commercial drop-off zones. Further east on Fordham Road, Bronx Community Board #6, is playing an integral role in the re-design of Fordham Plaza, an inter-modal transportation hub that anchors one of the Borough's vital crossroads. Oftentimes, a Community Board is the only champion fighting against harmful proposals put forward by the City Administration, entrepreneurs, and developers, such as a new prison in Hunts Point (Bronx Community Board #2), "hot sheets" motels in Morris Park and West Farms (Bronx Community Boards #6 and #11), an apartment house that would undermine the character of the surrounding community (Queens Community Board #11), and so-called *adult entertainment* establishments, which, at one time, were rapidly multiplying throughout Bronx Community District #12. Bronx Community Board #12 also successfully fought to compel the decontamination of a toxic wasteland created in the wake of the departure of *HEXAGON LABORATORIES*. This conflict was severely complicated by the refusal of the New York State Department of Environmental Conservation (N.Y.S.D.E.C.) and the New York City Department of Environmental Protection (N.Y.C.D.E.P.) to get involved in the process, until they were forced to act as a result of the persistent highlighting of this potentially disastrous situation by the Community Board. It was likewise a multi-year endeavor for Brooklyn Community Board #15 to have its Bay dredged and for Queens Community Board #3 to realize landmark status for the historic Jackson Heights District.

The fifty-nine (59) Community Boards throughout the City are indispensable agents of local governance.

- Community Boards are an essential source for the *"on-site," "up-front, close, and personal"* identification of local problems and issues.
- Community Boards are a valuable means for giving voice to the diversity of populations and communities in a city as large and as complex as New York.
- Community Boards are a fundamental source of support and partnership for Borough Presidents and City Council Members in advancing local needs.
- Community Boards are the "human face" that bring municipal government closer to the people, giving meaningful access and personal attention to disaffected citizens, such as seniors and the handicapped, who find it difficult to gain effective *entrée* to city services,
- Community Boards, along with Borough Presidents and City Council Members, are a necessary and needed *"check and balance"* upon the expanding power and centralizing control exercised by the Mayor and the Municipal Administration.

Community Boards have performed a unique and crucial service in the civic life of our great City. They can go on doing so, but not without adequate and sufficient funding. The Mayor's proposed budget cuts to Community Boards should be reversed and restored by the City Council.

TESTIMONY OF

Father Richard F. Gorman
Chairman
Community Board #12 (The Bronx)
20 May 2008

The
City
of
New York



COMMUNITY BOARD #3, Q.
82-11 37th Avenue, Suite 606
Jackson Heights, N.Y. 11372

Telephone: (718) 458-2707
Fax: (718) 458-3316
WWW.CB3QN.NYC.GOV
CommunityBoard3@nyc.rr.com

VASANTRAI M. GANDHI, Chairperson
GIOVANNA A. REID, District Manager

HELEN MARSHALL, Borough President
KAREN KOSLOWITZ, Deputy Borough President

Grace Lawrence
First Vice Chairperson
Norma Jimenez
Second Vice Chairperson
Arthur Teller
Treasurer
Darryl D. Hoss
Secretary
Richard A. Cecere
Immediate Past Chair

Good Morning distinguished members of City Council. On behalf of the residents of East Elmhurst, Jackson Heights and North Corona, the home of Louis Armstrong, La Guardia Airport and Alfred Butts- the inventor of Scrabble. The following is submitted by Community Board 3, Queens for your review and consideration for the restoration of Community Boards Budgets in FY 2009.

I refer to chapters 69 and 70 in the city charter sections 2700 and 2801 - Declaration of intent. To paraphrase " the intent is to encourage and facilitate for the planning of community life within the city, the participation of citizens in city government within their communities, and the efficient and effective organization of agencies that deliver municipal services in local communities and boroughs."

In short, Community Boards are the voice of the community and the first level of City government. We are the intermediary between the City's numerous agencies and the local community. We help our residents navigate through the complex complaint process, the capital & expense budget and land use issues. We are the advocates for the community and are the first line of defense in addressing local concerns and managing issues affecting the quality of life of our residents.

At the end of October 2007 Community Boards were informed that our budgets would be reduced by \$ 5,000 effective January 2008 and another reduction of \$10,000 starting July. Fiscal year 2009. We were requested to identify areas within our budgets that could be reduced. We knew before we started the process, that we could not afford to make any reductions. Community Boards run on a shoestring budget of \$199,000 per year, which includes personnel and other operational costs. Our meager budgets cannot sustain the proposed cuts.

While we want to cooperate, with OMB, it is not financially or practically feasible.

For CB#3, Queens in personal services, we have no unallocated funds; reduction in staffing is not a consideration. We are currently under staffed; each employee plays a critical role in the Board Office operations and is expert in the areas in which they work. We can Not stand to lose any employee.

Further, we cannot direct OMB to our OTPS budget for reductions because all the funds are earmarked to pay for expenses that already have been or will be incurred. Our small OTPS budget of \$17,418 has been allocated to cover the expenses for the rental of the copy and postage machines , the purchase of postage, paper supplies, telephone usage and computer maintenance. Reductions within any area of the budget will surely result in handicapping the operations of our office.

Please be assured that we have thoroughly reviewed our budget and there is not an area where we could safely sustain a reduction. In fact, prior to receiving OMB's communication, we were in the process of asking for additional funding.

Community Boards have not seen an increase in their budgets since 1986. Had our budgets been adjusted over time our budget would have roughly been \$275,000-\$300,000. CB's have never had a budget increase to keep pace with the increasing cost of doing business.

To cite just a few examples, the rental fees for office equipment has nearly tripled since 1996 and we have seen an increase of postage fees twice within this past year. Community Board 3 holds approximately 150 meetings each year, Full Board meetings, Public Hearings , District Cabinet , committee meetings and two community events (health fair and youth convention) each of these mailings require postage and a minimum of 100 to 1000 pieces are sent out each time. As you can see, every dollar counts.

The City, yet and still, plans to reduce community Board budgets by approximately \$16,000. We have been told that the boards are not exempt from making the same sacrifices that other City agencies will be required to make. Community Boards have smaller budgets than other city agencies. The proposed reductions will severely harm the boards and adversely influence the manner in which community boards carry out their charter-mandated duties. In fact, Community Boards have been doing their part, we've been sacrificing since 1986 . We were cut again in the 1990(s) when our budgets were reduced by \$28,000. The full amount of those reductions were never restored, we therefore have a credit balance of \$28,000.

The proposed cut of \$16,000 will not provide a substantial savings to the City. The reduction of Community Boards' budgets will only realize a total "savings" to our \$61 billion City budget of approximately \$944,000. This equates to a 0.0015% "savings". While this "savings" will not make a difference to the city's budget, the impending cuts will severely incapacitate our operations.

Despite our meager budget, Community Board 3 has been successful in helping to improve the quality of life our residents with the help our elected officials:

- The Jackson Heights- Historic Designation,
- We fought to reduce overcrowding of area schools, (4) new schools have been constructed
- We are currently fighting for the upgrade of our sewer systems. Each Spring and Fall due to heavy rains our community gets flooded and experience sewer back-ups. We are working with DEP, Congressman Joseph Crowley, Councilwoman Helen Sears, Councilmember Hiram Monserrate and Borough President Marshall.

Other successes include the following:

-CB#3 worked with the State Liquor Authority's Task Force to improve the review process for granting Wine, Beer and Liquor Licenses. The Community Board suggested to SLA that license certificates provide the type of establishment, i.e. (restaurant, bar, nightclub or mixed use and whether music or dancing is permitted). As a result, SLA has issued color-coded license certificates that will allow law enforcement to easily identify the method of operation allowed at a licensed establishment. These new changes will help to streamline the licensing process and provide more information to law enforcement.

We are most proud to have played a part in helping to save lives:

-We assisted a 90-year woman who was living in an unsafe environment; nearly half of her roof had fallen down in the room where she slept each night. In mid January, this senior had neither lights nor heating. We helped to get all the agencies in to make the necessary repairs and saw to it that she got medical treatment.

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- Here is another example; we reported to DOB that 13 mattresses had been delivered to a legal three family home. We suspected that the property might have been illegally converted. As a result of our complaint, DOB, Fire and Police Depts. evacuated more than 40 people from the building. The occupants were from Mexico, deaf-mutes, who had been kept against their will.

In conclusion, don't decrease but increase Community Boards budgets. We ask for your assistance in helping community boards to continue to serve the community and provide the services that they so richly deserve. Thank you for the providing this opportunity to speak with you today about Community Boards budgets and the importance of keeping our funding level to at least \$199,000.

5/ 20/2008

**COMMUNITY BOARD #4 RESPONSE TO THE FISCAL YEAR 2009
EXECUTIVE BUDGET**

On behalf of Brooklyn Community Board #4 I wish to thank you for this opportunity to provide comments on the Mayor's Executive Budget. Annually city agencies and organizations use this opportunity to state their respective worth and to compete for budget restoration. Most times Community Boards discuss the impact of the budget on their community. In today instance, I'm here to plead that the community board budgets are exempt from the cuts.

Community Board #4 hasn't seen an increase in the budget since 1986. As a matter of fact, our operating budget has been reduced and never restored. Today we are here stating that our budget can not withstand additional cuts and we continue to perform at the same level. The five percent cut has a very long lasting effect on the office of a community board compared to a super agency like Dept of Sanitation, Dept of Transportation, Dept of Parks, etc., For a Community Board this cut translates to a loss of an essential staff person, reduced hours and lack of office coverage, less postage for mailings, etc.

Our community has learned to utilize the 311 system as the system has been widely advertised and the residents of the community will use it as the first line call. However, our local residents still depend upon us with complaints that haven't been resolved through 311, they depend upon our offices to provide information on local programs and developments occurring in the district. Our office will get calls regarding Department Sanitation concerns- from planning local clean-ups to evening collection scheduling. Many of our senior citizen residents will call upon a familiar voice at the board's office when a problem occurs. We are their personal choice rather than to utilize a call system where a stranger with a number instead of a name responds.

The District Service Cabinet - chaired by the District Manager, is a venue that is utilized to resolve problems of service delivery issues collected through out the month by office staff. Should the proposed elimination of funds become a reality for the next fiscal year, I have grave concerns about the operation of the board's office as well as the funds within our (OTPS) portion of the budget which pays for paper, office service, contract etc.

The budget cuts are far reaching and the community boards should be exempt.



**Testimony to the New York City Council
Executive Budget Hearing
May 20, 2008**

The Municipal Art Society (MAS) submits these comments to urge that the city reconsider the proposed cuts to the city's 59 community boards. The future ability of community boards to perform their charter-mandated responsibilities will be thrown into serious jeopardy if these cuts are allowed to go forward.

The Municipal Art Society (MAS) is a citywide membership organization that works to enrich the culture, neighborhoods and physical design of New York City. It advocates for excellence in urban design and planning, contemporary architecture, historic preservation and public art—part of our mission is working to achieve a more open, transparent, inclusive, and participatory planning process. Community boards are New Yorkers' gateway to participation in the planning and development decisions that directly impact their neighborhoods. The MAS has consistently recommended *increasing* the boards' resources so that they can plan more effectively for their districts.

The average community district has a population of over 130,000 people, making it comparable in size to Elizabeth, New Jersey and Albany, New York. All board responsibilities are carried out by a very small staff typically consisting of the district manager and one or two administrative assistants. Any extra personnel, such as planners, must be paid from funds raised beyond the board's approximately \$200,000 annual budget—which also pays for all salaries, office supplies, equipment, printing, and mailing. In comparison, Albany's Division of Planning has an annual budget of \$370,000 and employs six full-time staff. While the New York City Charter specifies that the boards are authorized to hire planners, it is the exception rather than the rule that they do so—they are forced to choose between planning expertise and basic operating costs.

The city is poised to add one million more new residents; some districts have already grown by nearly 15 percent over the last census period. Community boards will be expected to make service delivery and planning decisions for this new surge in population—meaning that board members will more sitings of city facilities to deliberate; more land use applications to consider; more variance applications to review; more constituents to inform and engage. We urge that you enable the boards to perform their duties effectively—at the very least, by keeping their budgets intact.

Thank you for your consideration of this matter. For questions please contact Eve Baron, Director, MAS Planning Center, 212/935-3960 or ebaron@mas.org.



ELIZABETH BRATON
Chairperson

COMMUNITY BOARD 10

CITY OF NEW YORK ♦ BOROUGH OF QUEENS
115-01 LEFFERTS BOULEVARD
SOUTH OZONE PARK, N.Y. 11420
TEL: (718) 843-4488
FAX: (718) 738-1184
E-MAIL: cb10qns@nyc.rr.com



KARYN PETERSEN
District Manager

Statement to the New York City Council
Finance Committee & Government Operations Committee
May 20, 2008

My name is Karyn Petersen. I am the District Manager of Community Board 10 in Queens. Thank you for this opportunity to appear before you today.

Community Board 10 urges the City Council to insure that Community Boards be funded for FY09 at the same level as in FY08. We also urge that the budget cuts recently made be fully restored.

In comparison to other agencies, Community Board budgets are small. While no agency desires to implement budget cuts, larger agencies are far more able to cut without impeding their ability to function. In the case of Community Boards, across the board cuts impact on us to a far greater extent and will have a far greater deleterious effect.

The nature of Community Boards is unique. The membership of each of the 59 Community Boards is made up of persons who provide their service to the city without compensation. The City Charter intended for the City Council to play a large role in selecting Community Board members. The Charter states that you, our City Council members, may appoint half the members. That service provided by those many people that you and the Borough Presidents appoint to Community Boards all across the city has value. We believe that value should be recognized and factored into your decisions as you develop the budget.

We believe that value should be quantified, taken into consideration, and used to offset budget cuts. For example, let's say that among the 59 Community Boards there is an average membership of 40. That would result in there being at least 2,360 Community Board members citywide. Let's then estimate that each member devotes just 10 hours a month to Community Board work although many devote far more. That would result in 23,600 collective hours of service to the city each month. If those hours of service were to be valued at just \$10.00 per hour, then the city has been given \$236,000 a month or \$2,832,000 a year in pro bono service.

It is our view, and we hope that it is your view as well, that the city and its people benefit because of the work of Community Boards. The role that Community Boards have in the city's land use process has allowed residents all across this city to voice their opinions, be heard, and to help determine what type of development takes place in their neighborhoods. The role that Community Boards have in the budget process has resulted in residents having formalized processes to get information and participate in review of capital projects that you here in the City Council work so hard to get funded. The role that Community Boards play in service delivery supplements your important constituent service work. Our offices have much background information on many of the long-standing, sometimes difficult to solve issues and concerns. Our staffs are sometimes more able to devote time to researching concerns. We are subject to less pressure and deal with less broad-ranging issues than your staffs sometimes face. We are, and should be, resources for each other.

Again, I urge the City Council to insure that Community Boards are funded to no less than the FY08 level in FY09.

Thank you.

Brad Hoylman, *Chair*
Jo Hamilton, *First Vice Chair*
Bo Riccobono, *Second Vice Chair*
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

Community Board 2 (Manhattan) Budget Testimony Before the New York City Council May 20, 2008

Good Afternoon Chairman Felder and Council Members:

My name is Bob Gormley. I am the District Manager of Community Board 2 in Manhattan. Permit me to begin my testimony, as I began it at the preliminary budget hearing in March, by reading some numbers to you. In calendar year 2006, Community Board 2 reviewed and passed resolutions regarding one-hundred fifteen (115) on-premise liquor license applications. In calendar year 2007, that number increased to one-hundred thirty-seven (137). In 2006, we reviewed and passed resolutions on ninety-four (94) landmarks applications. In 2007, that number increased to one-hundred nine (109). In 2006, we reviewed and passed resolutions on eighty (80) sidewalk café applications and in 2007 the number increased to ninety-one (91). Similarly, the number of zoning applications that were reviewed and resulted in resolutions increased from nineteen (19) in 2006 to twenty-eight (28) in 2007. Finally, in calendar year 2006, we reviewed applications for one-hundred twenty-five (125) street activities permits. In calendar year 2007, we reviewed and passed resolutions for one hundred forty-six (146) applications. All these actions were the result of mandates imposed on the community boards by the City Charter. In addition, we have been dealing with several large issues within our district, including: the plan to rebuild St. Vincent's Hospital; the development of Pier 40; the renovation of Washington Square Park; the construction of the Trump Hotel; the proposed Sanitation garage on Spring Street; as well as issues relating to the expansion of NYU and The New School University. All of these actions and issues are of deep concern to our Board members and CB 2 constituents. In order to support our Board members in addressing these concerns, my three staff people work extremely hard to make sure that notices go out in a timely manner, resolutions get copied and sent to relevant parties, and the unending stream of questions from the community get answered.

So now we are confronted with a five percent (5%) cut in our FY 2009 budget. As you know, that comes to about ten thousand dollars. There is absolutely no easy way for my Board office to take this cut. When I submitted my budget to OMB earlier this year, I squeezed the dollars from my OTPS line. I feel like a bit of a cockeyed-optimist because I am not confident that, as the fiscal year progresses, I will be able to sustain those cuts. However, at the present time, the alternative is unthinkable. Of course, the alternative is to cut my staff. The reason I cited those numbers at the beginning of my testimony was to give you and your committee a sense of how much work we are required to do and, believe me, my list leaves out quite a bit. To cut my staff is to ensure that it would be very difficult, if not impossible, to do the work that the City Charter requires us to do.

I have heard that the Mayor will not exempt the community boards from this budget cut because he could not do so and then turn around and cut other City agencies. This is a foolish consistency and an unfair comparison. For the past twenty years, City agency budgets have grown year after year. The same cannot be said regarding community board budgets. If community board operating budgets had grown to the same extent, or had grown at all, we almost certainly would not be here today pleading for your support. In fact, community board operating budgets have not been increased since 1991. That is an outrage and, frankly, a slap in the face to all City residents who rely on our offices to provide services for them. Simple fairness would demand that we sit here today asking for an increase to our budgets. Instead, we are here asking to merely be protected from this cut.

I have been in this job for a year and a half and I already long for the good old days of one year ago. I am here to ask you to stand up as our ally and shield us from this cut. We need your help. A five percent (5%) cut to a community board budget is draconian. Thank you.

FOR THE RECORD

I could not stay to make an oral statement but I do want to address my remarks to the Speaker of the City Council Christine Quinn, to my elected officials City Councilmembers Albert Vann, Letitia James, and Darlene Mealy, to their colleagues in the Council, to Brooklyn Borough President Marty Markowitz, to Mayor Michael Bloomberg, my colleagues on Community Board 8 in Brooklyn, my neighbors, and friends.

I want to let you know how the existence of Community Boards in this city has affected me personally. When we moved into my mother's old apartment in Crown Heights, the building had no doors that separated the stoop from the hallway that led to the eight apartments inside. When it was cold outside, homeless people and various types of addicts walked in off the street and slept in our hallways. There was one boiler in the basement of our building that provided heat and hot water for three buildings, a total of 24 apartments. When the boiler worked, the knocking of the radiators and the soot in the air would let us know that we might have an hour or two to quickly wash our dishes, wash our clothes, and our bodies. The wiring was so bad that we could not use our washing machine and a toaster at the same time. It was not unusual for all 24 families to go for weeks at a time without heat and hot water. With four windows facing the street, we were often able to tell how cold it was outside by stepping into our living room. My bedroom was next to the living room, and I remember how I kept warm by sleeping with my fur coat on top of the blanket. During the winter, my strategy for staying warm was to get up and go to work.

HPD owned our building and the management office was at 516 Bergen Street. Before my husband and I arrived in 1995, we taken heat and hot water for granted. Most of our new neighbors had not paid rent in months so they did not complain. Since my husband and I were the only tenants who voiced dissatisfaction with the living conditions, the housing manager at 516 Bergen began to avoid taking our calls. Someone told us about the Community Board and we turned to them for assistance. After a while I was speaking to the Board office every day. (I often joke that there was nothing left for me to do but join the Board.) Our repeated requests to have our kitchen inspected had been ignored. Thanks to pressure from the Board and our elected officials, HPD sent out an inspector to look at a dropped ceiling that had been installed 12 years before. The ceiling was deemed to be highly flammable and was removed. We were able to get our apartment painted for the first time since we had moved in in 1981. The

improvements were not confined to our apartment alone. HPD's installation of new security doors downstairs in all three buildings kept the homeless and the drug addicts from sleeping on our doorsteps. We were able to actually get our mail without having to get it at the post office. Parents, grandparents, and night workers like my mother actually had peace of mind.

When my mother had first seen our apartment in 1981, she had been told about a program that would allow us to become owners but as a resident who was not involved in community affairs, she had had no idea of how to achieve this goal. Because of the District Manager and her staff, we were able to get to the right people in HPD who could tell us what we needed to do to move forward in the process. I credit the entry of the 3 buildings into the TILL (Tenants Interim Lease) Program to the direct involvement of Community Board 8. When the Tenants Association of 842 Park Place met with HPD officials from TILL and a representative from UHAB about the induction of our building into the program, the meeting was attended by both the Housing Chair and the Chairperson of Community Board 8. It was only matter of time before the decision was made that the other two buildings would be admitted to the program as well. After we entered TILL in 1998, all three buildings were placed on a schedule for gut renovation. All 24 tenants were relocated in February 2004; we moved back to our original apartments in May 2005. In June 2005, we became low-income shareholders in an HDFC. I believe that none of this would have been possible without the guidance and support of the Community Board, that the deplorable conditions of the 1980's would only have gotten worse. Either the building would have fallen apart, or a private owner would have purchased it and would have forced us out with rents two to three times greater than we had been charged in 1995. Given the appreciation of property values in Brooklyn during the last five years, I have no doubt that we would now be referred to as the former tenants of 838, 842, and 848 Park Place. Only God knows where we would be living today.

The invention of 311 was a good idea for logging in complaints about city services but it cannot compete with the human element. Residents can call 311 and make complaints about the lack of city services but without the Community Board to follow up and see to it that issues are resolved, the calls would just become numbers in a report. No reasonable person should expect 311 to take the place of the informed, committed, experienced staff in the local Community Board office or of the fifty neighborhood residents who serve as its members. It is important that the residents of this city have

May 20, 2008

accessible help in navigating the maze of agencies that constitute New York City government. Reducing the budget for the Community Boards would be like cutting off a person's legs at the knees and then asking them why they cannot run faster.

Sincerely,

A handwritten signature in black ink, appearing to read "Nizjoni Granville". The signature is written in a cursive, flowing style.

Nizjoni Granville

1st Vice Chair,

Brooklyn Community Board 8

*The
City of
New York*



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, N.Y. 11211-2429

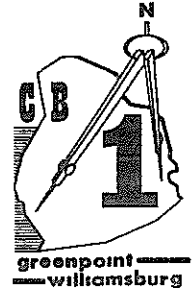
PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.cb1brooklyn.org

HON. MARTY MARKOWITZ
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COUNCILMEMBER, 33rd CD

HON. DIANA REYNA
COUNCILMEMBER, 34th CD

TESTIMONY

NEW YORK CITY COUNCIL PROPOSED EXECUTIVE EXPENSE, REVENUE, CAPITAL AND CONTRACT BUDGETS and CD-XXXIV & CD-XXXV PROGRAMS - COMMUNITY BOARDS - FOR FISCAL YEAR 2009 MAY 20, 2008 CITY HALL

Good morning Honorable Council Member Simcha Felder, fellow members of the Committee on Governmental Operations and greetings to all who are present today. We want to first thank you for providing us the opportunity to present comments on the proposed Fiscal Year 2009 budget

The Community Board No. 1's district comprises Brooklyn's two most northern communities: Greenpoint and Williamsburg. The 2000 census reported a diverse population of over 160,300 persons. This figure is an undercount, as our Board continues to see more and more people moving into the district. Even more radical increases are projected as newly constructed or planned waterfront and upland developments are tenanted.

COMMUNITY BOARD BUDGET

Community boards provide a vital function for the districts they are designated to serve and consequently stand as valuable assets to the City as well. There is need for increased funding – not budget cuts - as moneys were lost in previous budget crunches.

Community boards are a big cost saving to the City. Our 50 unsalaried board members receive no financial compensation for working diligently as volunteers. They are appointed to their positions to represent our community. Having this dedicated unpaid "workforce" certainly deserves to have a sufficiently funded office for support.

We serve as representatives, mediators, thinkers and movers for many aspects of the City. Community Boards are empowered to do so by specific mandates in the City's Charter and are the most used multi-faceted instrument in the City's own toolbox. We make the City more effective in each of our communities.

Our districts are autonomous, we are each uniquely diverse and vibrant. Every Community Board has its own specific needs, concerns, and solutions to problems. Time and time again we pave the way for vital review, provide community feedback, carry out the coordination of capital projects, make recommendations for improvements and propose better use of the City's own dollars that are often blind to bureaucrats.

Our existing internal budget is not sufficient enough to meet the ever escalating costs of necessary office operations and staffing. The rapid changes in communications, media and computers, plus the costly upgrading of various programs and equipment hinder a Board's meager budget, which for CB #1 covers a small staffing of only three persons and miniscule operating (OTPS) budget. Postage, supplies, equipment and other expenses are ever increasing and we have never received the corresponding cost of living adjustments (OTPS Inflation) to compensate since 1991. The only increases the community boards have received are salary increases that result from Collective Bargaining and Managerial increases.

There is absolutely no room to stretch our operating budget!

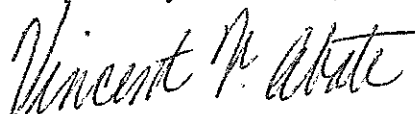
The Mayor's proposed budget for 2009 implements cuts in to the community board budgets of \$10,000. This cut will devastate our operation. For CB #1 this move would actually cleave out more than 75% of our Other Than Personnel Services (OTPS) and may require staffing cut backs.

We welcome your help in restoring and increasing our budget. Continued sensible funding will allow us at Community Board #1 to continue our work developing strategies and making recommendations in regards to matters that affects the health, welfare and life of all our residents.

Thank you again for providing the community boards with the valuable opportunity to relate their individual budget concerns for the next year.

We look forward to working with you and. Together we will make our community a better place to live, work and visit.

Respectfully submitted,



Vincent V. Abate
Chairman



Gerald A. Esposito
District Manager

February 22, 2008

Mark Page
Director
Office of Management and Budget
75 Park Place, 6th Floor
New York, NY 10007

Proposed Budget Cuts for 2009.

Dear Mr. Page,

Amidst the swirl of revenue declines and increased fixed costs, the temptation to reduce expenses is logical where possible. The Community Boards, however, are in a unique position given the seventeen-year freeze on OTPS (the last increase was in 1990).

As you know, each Community Board is made up of 50 volunteers and depends on their District Office staff to prepare and follow up on each of the roughly 15 meetings each month. Meetings that require detailed information regarding land use, new developments, sidewalk and liquor licenses and community needs assessments as mandated by the City Charter. Additionally, staff work includes responding to community complaints/needs regarding daily City service delivery, also mandated by City Charter. To effectively serve the community, it is essential for the staff to work closely in partnership with the many city agencies involved. This will be even more essential as city agencies experience cuts.

The Mayor's Preliminary Budget proposes a \$10,000 annual reduction to each of the Community District Office budgets. While this may seem a tiny amount in the context of some Agency budgets, it is not in the context of the small total office budget and the high level of fixed costs in each community district.

Attached is a sampling of the impact of the cuts on specific Manhattan Community Board offices.

In summary, these cuts will result in a decrease in direct services to the community. There will be less communication with the community and City Agencies. The result will be a higher workload for the Agencies we provide information to: BSA, CPC, LPC, DOB, and DCA.

While we understand that there may be some opportunity to rely on the City's Department of Information and Technology for occasional computer needs, DOITT is not equipped to maintain our computer needs on an ongoing basis.

We look forward to meeting with you at your earliest convenience to review all of these issues in greater detail.

Respectfully,

Manhattan Community Boards 1-12

Attachment: Specific Impact of Cuts to Manhattan Community Boards
February 19, 2008

CB 3: "A \$10,000 cut is over 50% of the OTPS allowance—this will prohibit staff training—(essential for computer skills), no maintenance, replacement, or upgrade of technology for efficiency, office equipment, furniture, etc...."

CB 5: "We are desperately in need of equipment upgrades- our phone system is not completely operative, our storage capacity is strained by cabinets in long-delayed need of replacement and our computer systems are inadequate, all of which reduces our impact and creates a less efficient work environment."

CB 10: "Central Harlem faces amazing opportunity, and with that enormous challenge. At a time when we are at the peak of economic, commercial, and residential Renaissance, communication is of utmost importance to our Community.....But how are we to continue to combat these private interests that come from all angles without the continued sustainable resources of our support staff?"

CB 12: "If the FY 09 [budget] forces us to cut staff, the vital communication with and among CB 12 Manhattan and the community will be reduced affecting our City charter mandates especially now that new projects and rezoning are in the staging form for our community."

CB 7: "\$10,000 represents a thirty percent reduction to our OTPS budget. On an annual basis, there will be no computer upgrades, computer maintenance, or furniture replacements among other general office supplies."

CB 6: "It is becoming increasingly difficult to stretch the dollars that are presently allocated to community boards, the cost for supplies have skyrocketed, postage increases have occurred and additional increases are inevitable; the workplace continues to become more technical in nature; most City and State agencies now send all types of documents electronically. This has translated into savings for them while creating additional expenditures for the boards, such as CD burners, CD's paper, expensive printer and copier ink cartridges. Most board members require ... hard copies to conduct committee and Full Board meetings."

CB 1: "In addition to carrying out the responsibilities assigned to all community boards, CB 1 in particular is extraordinarily overwhelmed with the impacts from the numerous redevelopment projects that are underway throughout our district, and which will continue for at least the next five to ten years. These are already causing severe adverse impacts such as air and noise pollution and traffic congestion. We receive constant calls and emails about these projects and our staff is already stretched very thin from our efforts to address them while also fulfilling our other responsibilities."

CB4: "Manhattan Community Board Four is dealing with the Hudson Yards Development, Jacob Javits Center Convention extension, expanded Moynihan/Penn Station Redevelopment Project (including the proposal to move Madison Square Garden on top of the Farley Post Office), West Chelsea historic district proposal, 11th Avenue Re-Zoning (from West 43rd to 54th Streets), Port Authority renovation and development, Passenger Ship Terminal project, soon to be re-development of Piers 92/94, Access of the Regions Core (ARC), Special Garment District historic designation proposal, et al. To review and comment on all these projects and still maintain a vibrant and efficient office that deals with city service issues, license issues, transportation issues, and issues of general development is extremely difficult.

This level of work requires a well staffed office and leaves the office with almost nothing to cut from my personal service line. As a result, CB4 will be forced to freeze salaries for the foreseeable future and take most of its cuts (+85%) from OTPS. Given the ever increasing costs of running an office in the end this could put the office in a situation of running out of money before it pays off all its fiscal year bills."

Attachment: Specific Impact of Cuts to Manhattan Community Boards

February 19, 2008

Page Two

CB8: "The budget cuts would have a devastating effect on our ability to comply with our Charter mandates. Manhattan Community Board 8 would no longer have the ability to:

- Pay bills that are necessary to run an office
 - \$ Loss of office machine contracts
 - \$ Unable to purchase office supplies
- Respond to community inquires and provide our board members with current vital information needed to make informal decisions
 - \$ Decrease in postage
 - \$ No Website maintenance
- File complaints and continue to cooperate & coordinate with other city agencies in an effort to provide maximum services for the residents
 - \$ Reduction in office staff
 - \$ Unable to rent space for hearings & forums"

CB9: "Manhattan Community Board 9 is dealing with the Columbia University and City College expansions, rezoning of 125th Street as well as the potential rezoning of the remaining elements of West Harlem. CB9 meets its City charter mandates and addresses community needs through its three person office staff and a combination of twelve committees and task forces consisting exclusively of volunteers, which necessarily require significant support of the staff. A \$10,000 budget cut would require consideration of personal cost reductions, and most likely elimination of 50% of existing equipment contracts, elimination of upgrades and maintenance for any remaining equipment. The devastating result would be severe reductions in community outreach and communications both within the community board, between the community board and city agencies as well as our constituents - essentially calling to questions the community board's ability to perform its functions."

CB2: "The \$10,000 budget cut reduces Community Board 2's OTPS line by 40%. CB 2 must review among the most street fair, sidewalk café, liquor license, zoning, and landmark applications in the City. To consider cutting staff would make this task impossible. To cut from the OTPS budget, resulting in no computer or technological upgrades, no staff training, and a shortage of office supplies would make it increasingly difficult, if not impossible, for us to perform our Charter-mandated responsibilities."



Adolfo Carrion
Borough President

BRONX COMMUNITY BOARD No. 10

3165 East Tremont Avenue • Bronx, New York 10461

Tel: (718) 892-1161 • Fax: (718) 863-6860

E-mail: bx10@cb.nyc.gov • www.bronxmall.com



Virginia Gallagher
Chairperson

Kenneth Kearns
District Manager

STATEMENT FROM BRONX COMMUNITY BOARD #10
RE: HEARING ON THE PROPOSED EXECUTIVE, EXPENSE,
REVENUE, CAPITAL AND CONTRACT BUDGETS AND
CD-XXXIV & CD-XXXV PROGRAMS FOR FISCAL YEAR 2009

May 20, 2008

Good Morning, My name is Martin Prince and I am the 1st Vice Chair of Bronx Community Board #10, serving the communities of Throgs Neck, Country Club, City Island, Pelham Bay, Co-op City, Westchester Square and Zerega. My purpose today, is to offer comment on the proposed \$10,000.00 cut to the Community Board's budgets.

The budgets of the Community Boards have not seen an increase since 1986. During prior administrations, funding for youth coordinator and planning positions were cut. Should this \$10,000.00 cut be enacted, Bronx Community Board #10 will be hard pressed to meet its charter mandates of providing quality ombudsman services, advisory opinions on land use and zoning matters, and suggestions concerning the provision of the City's capital and expense budgets.

All of the Board's work is performed by volunteers from the community who give of their time and energies, to contend with complicated zoning, land use and budgetary matters. These volunteer members are supported by a small administrative staff, which operates without the benefit of a city planner, budget analyst and youth coordinator. Often it is the Community Board that is the lonely voice countering the well financed and legally savvy development community. In our board's case alone, we have prevented or had projects amended, that would have seriously altered the quality of life of the communities that the Board serves.

There are some in government who will say that the 311 system has made Community Boards redundant. Using this argument to limit the budgets of the Community Boards is misleading. While 311 is a vital partner in resolving constituent related matters and facilitating communication between the public and the agencies, it is not, nor was it designed to provide the human touch that Community Boards bring to the resolution of problems. It is the Community Board that reassures the senior citizen, assists the single parent, provides guidance to youth and aids the taxpayer. It is the Community Board that knows the issues, the problems, the properties and the street locations of its service areas, far better than 311. It is the Community Board that meets with local residents and merchants to improve City services in a given area, and it is the Community Board, through its monthly interactions with agencies during the District Service Cabinet Meetings that both sensitize the agencies to the problems of the neighborhoods, and achieve true positive change.



Community Board 7

Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing,
Malba, Queensborough Hill and Whitestone

133-32 41ST ROAD • 3RD FLOOR • FLUSHING, NY 11355

(718) 359-2800

Fax: (718) 463-3891

Helen Marshall
Borough President

Eugene T. Kelty, Jr.
Chairperson

Karen Koslowitz
Deputy Borough President/Community Boards

Marilyn Bitterman
District Manager

COUNCIL HEARING ON PROPOSED EXECUTIVE, EXPENSE, REVENUE, CAPITAL AND CONTRACT BUDGETS FOR FISCAL YEAR 2009 – TUESDAY, MAY 20, 2008

I WOULD LIKE TO THANK YOU FOR THE OPPORTUNITY TO SPEAK BEFORE THE COUNCIL ON THE FY09 BUDGET. WHILE I REALIZE THE SEVERITY OF THE FINANCIAL SITUATION FOR THE STATE AND THE CITY, THIS YEAR I AM HERE FOR THE SURVIVAL OF THE COMMUNITY BOARDS. IN PREVIOUS YEARS MY TESTIMONY WAS ALWAYS DIRECTED TO PUSHING FOR THE OTHER AGENCIES EXPENSE BUDGETS IN ORDER TO HOPEFULLY MAKE THEIR JOB EASIER, AND FOR MANY OF OUR CAPITAL BUDGET ITEMS WHICH HAD BEEN REQUESTED BY THE RESIDENTS OF OUR DISTRICT. HOWEVER, THIS YEAR, I FIND IT NECESSARY TO COME BEFORE YOU TO FOR ASSISTANCE IN HELPING TO RESTORE THE BUDGET FOR THE COMMUNITY BOARDS.

IN THE 1990'S OUR BUDGET WAS CUT \$28,000, WE LOST ONE STAFF PERSON, AND ONLY \$18,000 WAS REPLACED OVER THE YEARS, STILL, THE \$10,000 WAS NOT RETURNED TO OUR BUDGET. NOW, WE ARE FACED WITH THE LOSS OF AN ADDITIONAL \$16,000, WHICH WILL RESULT IN THE LOSS OF ANOTHER STAFF PERSON, OR A REDUCTION OF 25% IN OUR P.S. BUDGET. WHAT OTHER CITY AGENCY HAS HAD TO LOSE 25% OF ITS WORKFORCE?

IF YOU ARE NOT AWARE COMMUNITY BOARD #7 IN QUEENS IS THE LARGEST COMMUNITY BOARD POPULATION WISE OF ALL THE BOARDS. ACCORDING TO THE 2006 CENSUS DATA, MY

BOARD HAS APPROXIMATELY 259,000 PEOPLE WHO WILL NOT BE GIVEN THEIR FAIR SHARE OF SERVICES DUE TO THESE CUTBACKS. COMMUNITY BOARDS HAVE BROUGHT LOCAL GOVERNMENT TO THE PEOPLE - IT HAS ALLOWED THEM TO BE AN INTEGRAL PART OF THEIR COMMUNITY AND TO HAVE A SAY IN WHAT IS HAPPENING AROUND THEM.

PREVIOUS MAYORS HAVE REPEATEDLY ASSERTED THAT ONE OF THE OBJECTIVES OF THE CITY IS TO IMPROVE QUALITY OF LIFE ISSUES FOR NEW YORK CITY RESIDENTS, AND THE COMMUNITY BOARD IS THE BEST WAY TO ACHIEVE THIS GOAL. WE ARE THE EYES AND EARS OF THE COMMUNITY. WE HAVE DEVELOPED A GOOD WORKING RELATIONSHIP WITH RESIDENTS, BUSINESSES, NOT FOR PROFIT GROUPS, CIVIC ASSOCIATIONS, CITY AGENCY PERSONNEL, THE CLERGY, AND OUR ELECTED OFFICIALS. ALL OF THESE ENTITIES WORKING TOGETHER HAVE MANAGED TO RESOLVE A WIDE VARIETY OF PROBLEMS.

THE STAFF OF COMMUNITY BOARD #7 POSSES AN ENORMOUS WORKING KNOWLEDGE OF THE EVENTS, ISSUES, AND NEEDS OF THE AFFECTED DISTRICT. THE COMMUNITY BOARD IS A DYNAMIC VEHICLE WHICH HELPS TO FACILITATE INTER-AGENCY COOPERATION AND COORDINATION BASED UPON TRUST THAT HAS BEEN DEVELOPED OVER THE YEARS. THESE BUDGET CUTS WILL CHIP AWAY AT OUR CHARTER MANDATED RESPONSIBILITIES AND ABILITY TO FULFILL THESE OBJECTIVES WHICH HAVE DEVELOPED SINCE THE INCEPTION OF THE COMMUNITY BOARDS. THE RESIDENTS OF NEW YORK VOTED TO CREATE THE BOARDS, AND BY THE CITY REDUCING OUR BUDGETS, THE JOB BECOMES MORE DIFFICULT. WHY SHOULD YOUR CONSTITUENTS BE AFFORDED ANY LESS THAN THEY DESERVE.

YOU HAVE HELPED US IN THE PAST, AND KNOW THAT ALL OF US ARE FACING AN ENORMOUSLY DIFFICULT TASK; HOWEVER, WHILE THE CUTS TO THE COMMUNITY BOARDS IN THE OVERALL CITY BUDGET IS MINISCULE, IT IS MONUMENTAL TO US. PLEASE DO NOT TIE OUR HANDS...IT WILL MAKE IT IMPOSSIBLE TO REACH OUT, TO DO A JOB THAT WE AS CITY EMPLOYEES WERE HIRED TO DO.

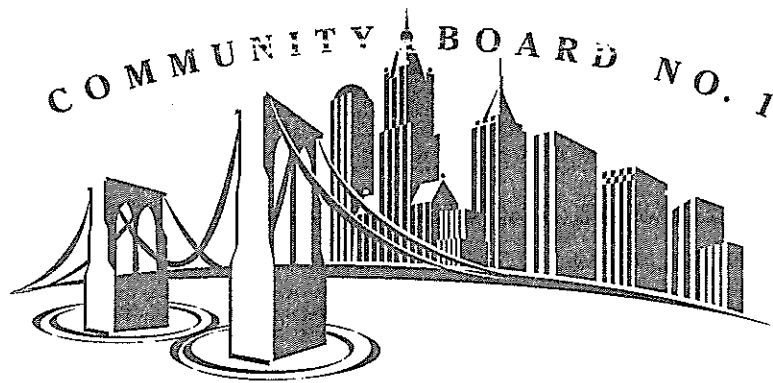
AGAIN, THANK YOU FOR THE OPPORTUNITY TO ADDRESS YOU, AND WE LOOK FORWARD TO A FAVORABLE RESPONSE IN THE UPCOMING SIGNED BUDGET.

SINCERELY,

MARILYN BITTERMAN

DISTRICT MANAGER

COMMUNITY BOARD #7 - QUEENS



The Council of the City of New York
Hearing on Proposed Executive Budget
Testimony by Noah Pfefferblit,
District Manager, Community Board One
Tuesday, May 20, 2008, 11:45 a.m.
Council Chambers, City Hall

Thank you, members of the City Council, for convening this important hearing on the Proposed Executive Budget for Fiscal Year 2009. Thank you also for this opportunity to testify on behalf of Manhattan Community Board One. I am Noah Pfefferblit, District Manager of Community Board One.

I am speaking in regard to the proposal in the Mayor's Executive Budget to reduce the budgets of all Community Boards by \$10,000 in Fiscal Year 2009.

It is important to first emphasize the extent to which community boards are already functioning with a budget that provides us with the minimum resources needed to adequately carry out our responsibilities as mandated by the New York City Charter. Reductions made to Community Board budgets in past years have not yet been restored. And yet, our responsibilities have not only not diminished but have in fact increased considerably as Lower Manhattan has grown as a residential community.



As you know, Community Boards have a myriad of responsibilities that are carried out by very small staffs. CB1, with a staff of one part-time and three full-time employees, provides operating support for eleven committees and eight task forces and addresses complaints and inquiries about the quality of life in Lower Manhattan that we receive constantly throughout every day. We research and draft correspondence and resolutions, schedule meetings, respond to applications of various kinds – for liquor licenses, sidewalk cafes, zoning changes, newsstands and other permits – among other responsibilities.

Community Boards are in many ways partners to other government agencies. We interact with City, State and Federal agencies to get the word out about their programs and initiatives and to bring to their attention feedback that we receive. We work together with these agencies as needed to improve or refine services that they provide or oversee.

Our assistance in this regard is especially helpful with significant new initiatives such as 311, in which we encourage people to report service inadequacies and help City agencies prioritize complaints. Another example of the partnership between community boards and both City and State agencies is our effort to work with them to develop an effective response to emergencies in our community, the need for which was highlighted by the fire last summer at 130 Liberty Street (also known as the “Deutsche Bank building”), which is in District 1.

Under the leadership of Speaker Christine Quinn, the City Council has placed a welcome and commendable emphasis on improving the quality of life in the City. We believe that strong, active Community Boards can be a critically important part of this effort because we are in a unique position to point out where spending should be directed to have the most impact. For a very modest investment in terms of the overall City budget, we can significantly increase efficiency and effectiveness throughout City government. We harness for the public benefit the energy and talents of 50 dedicated and concerned volunteer

board members, many of whom have special expertise in the areas that we assess.

In addition to carrying out the responsibilities assigned to all community boards, CB1, in particular, is extraordinarily overwhelmed by the impacts of the numerous redevelopment projects underway throughout our district, and which will continue for at least the next five to ten years. These projects are already having severe adverse impacts in the form of air and noise pollution and traffic congestion. We continuously receive calls and emails about them and our staff is already stretched very thin from our efforts to address them while also fulfilling our other serious responsibilities.

Moreover, Lower Manhattan has the fastest growing residential population in New York City, and this rapid increase is placing a strain on the infrastructure and services in the area. CB1 is playing an important role in this process by advocating for the needs of our growing community and working in tandem with government agencies to ensure that the quality of life in the area will be sufficient to retain new residents.

We hope that the City Council shares our strong belief that in light of the important functions we carry out with a budget already severely limited, Community Boards should be spared any additional cuts. We believe that a decision by the City Council to strongly resolve to prevent the Mayor from making this proposed reduction would be in keeping with the priority that the City Council has placed on effective service delivery and quality of life.

Thank you all very much for the opportunity to testify this afternoon. I very much hope that with your support and assistance, we will be able to continue to provide essential services to improve the quality of life in Lower Manhattan.



Community Board No. 10 - Manhattan

215 West 125th Street - 4th Floor

Harlem, New York 10027

(212) 749-3105

Fax: (212) 662-4215

SCOTT M. STRINGER

Borough President

W. FRANC PERRY

Chairman

GENEVA T. BAIN

District Manager

Community Board 10 Negative Impact of Budget Cuts

Here is a brief statement of how the budget cut will have a negative impact on our ability to serve our district in Central Harlem:

Central Harlem faces amazing opportunity, and with that enormous challenge. At a time when we are at the peak of economic, commercial, and residential Renaissance, communication is of utmost importance to our Community. For years, many in our Community have seen the changes, both good and bad, and while private interests gain control of our great community, we continue to fight back for the interests of the great citizens of Central Harlem. But how are we to continue to combat these private interests that come from all angles without the continued sustainable resources of our CB 10 support staff? Only one set of numbers is currently recognized, that of the supposed savings to the City's budget by reducing Community Boards' operating budgets. But budget cuts cripple our most precious resources; in this case, that of our support staff. Dedicated staff members are the lifeline that provides vital information from our community to our Community Board that ultimately translates those needs to the higher levels of Government. If we are charged with protecting the needs of our community, then how can we be successful if we do not have consistency in our own workplace? I have only been in office for five weeks, but have come to greatly respect the work of my staff, who I call my team, which is currently only two, with a BEGIN worker. Three people who have tirelessly provided information and administrative services to our community and its Community Board. It is impossible to ask them to continue working longer hours and making sacrifices only to be asked to make even more in the coming years. Although volunteers are a great resource and well utilized, they are unable to provide continued committed service, especially when cuts to other social services, like affordable housing, Medicaid and reductions in Social Security COLA increases have them running to soup kitchens. One of my volunteers is so talented, I cannot afford her. In knowing that, what does it say about our current resources? At our current level of Personal Services, we cannot hire the best and the brightest; I currently have the privilege of working with an amazing intern only to know that she will be spirited away to the interests that we continuing to combat for the sake of our community. And that is what you want to cut further? Recently, in an attempt to hire, our request was initially rejected due to the "...budget restraints for the coming Fiscal Year..." Know that each rejection is a lost opportunity to select and retain talented people who want to serve our community, those to whom you affectionately call constituents. We have important work to do, and a budget reduction will impede those efforts tremendously. We can no longer rob Peter to pay Paul, because the end result is that we all are short changed.

Thank you for your attention.

Geneva T. Bain, District Manager, Manhattan Community Board #10

Report, a detailed analysis of the progress made during the first year of the program, has been released.

In 2007, the Department introduced the Release to Parent Initiative, and we are pleased with its progress. As part of this initiative, youth arrested by the police on nights, weekends and holidays are released to their guardian with a Family Court Appearance Ticket (FCAT), consistent with the constraints specified within the Family Court Act and State OCFS regulations.

Since October 30, 2007, youth arrested by the police on nights, weekends and holidays are brought to the Bridges Juvenile Center for intake assessment including release. As part of the Release to Parent Initiative, the Department reviews a youth's charges and prior court involvement to discern whether they are eligible for release. If it is determined that a youth is eligible for release with an FCAT, staff contact the youth's guardian to arrange for them to pickup their son or daughter from Bridges.

To help support released youth and their families, as well as other youth with short stays in detention, the Department is developing several tools as part of the Reentry Supports Program, to help parents better understand and navigate the Family Court. These tools will include various guides, multimedia tools and a curriculum for working with youth and residents, using funds appropriated to the Department by the Juvenile Justice Committee.

The Department's LIFE Transitions program, which is part of the Mayor's Center for Economic Opportunity, is a new and exciting program aimed at helping

youth in detention overcome the cycles of poverty and delinquent behavior. It began on March 22nd at the Horizon and Crossroads Juvenile Centers and community sites are now open in Brooklyn and the Bronx.

The goal of the program is to create and/or increase attachment to school and the community, enabling youth to see the possibilities before them and create others through investing in themselves. DJJ is partnering with two organizations, the Center for Community Alternatives in Brooklyn and Good Shepherd Services in the Bronx. This program is critical as youth in secure detention are the ones likely to go on to state placement and so, their reentry is inevitable. This LIFE Transitions program also includes juvenile offenders, whose cases are decided before the adult courts; this cadre of youth make up a significant portion of the secure detention population and they also need to be invested in.

Programming

One of the goals of the Department's in-detention programming is to introduce youth to activities that they can continue to pursue once they are released to their communities. At the same time, the Department has worked diligently to ensure that these programs are gender-specific and support youth with other needs, such as Lesbian, Gay, Bisexual, Transgender and Questioning youth.

The support the Department receives from the Juvenile Justice Committee has been instrumental to its efforts to strengthen in-detention programming. To date, the Department has allocated \$1,278,960 to fund several programs using the Juvenile

Justice Committee's Fiscal Year 2008 allocation. These programs included a resource program for parents, education advocacy services, gang and violence prevention programs, a swimming workshop at John Jay College and creative arts expression workshops.

Conclusion

While we are pleased that the many programs that are having a significant impact on detention reform are earmarked for continuation in the Department's Fiscal Year 2009 budget, challenging fiscal times ahead may have an effect on the City's reforms.

The City is working to introduce legislation to receive equitable funding from the State on non-mandated detention services. This effort is important—a dedicated stream of funding for juvenile justice programming in New York City would ensure that services and programs aimed at reducing detention usage are effective and institutionalized. It is also important to continue to work with the Judiciary to increase use of the various tools and programs that are part of the City's reform efforts. The widespread and routine use of the RAI and ATDs to decide juvenile delinquency cases by the Judiciary in the Juvenile Justice System could have further effect on the City's detention population.

In 2009, the Department will continue its efforts to engage the community in the City's juvenile justice reform efforts. This summer, the Department plans to host a second community forum in the Bronx, to engage stakeholders to become more involved to meet the needs of youth returning to the community.

I hope it is clear from today's testimony that the Department of Juvenile Justice is committed to working both inside and outside detention with community-based partners and stakeholders to provide the best services available to youth in detention. We look forward to continuing our partnership with the Juvenile Justice Committee to bring much needed programs and services to youth in detention and appreciate the Mayor's support of our strategic initiatives.

I am happy to answer your questions at this time.



Community Board No. 8

1291 ST. MARKS AVENUE, BROOKLYN, NEW YORK 11213

MARTY MARKOWITZ
Borough President

ROBERT MATTHEWS
Chairman

DORIS A. ALEXANDER
District Manager

Testimony of Brooklyn Community Board No. 8 Before the City Council government Operations and Finance Committees

May 20, 2008

Good Afternoon Chairman Felder, Chairman David Weprin, and members of the committee.

New York City's residents are being done a great disservice. Our operating budget is already so miniscule that it had been spared cuts in the past, as fiscal officers in the City realized that any cuts would lead to negligible savings. With the elimination of 5% from FY 2009s budget and a proposed 3% Program to Eliminate the Gap (PEG) cut for each Community Board, the total savings from the city's operating budget would be a paltry \$944,000. With these cuts, however, the fall out in the City's communities will be vast. Our District office will no longer be able to provide services as mandated by the City Charter. Brooklyn Community Board No. 8 will be affected in a number of ways, many of which will be shared by all other 58 Boards, and some of which will be unique only to us. We cannot absorb a cut of this magnitude and continue to deliver services and stability direly needed in our community. Our residents look to the Community Board for support and guidance as we provide a crucial local governmental presence that gives them a sense of continuity and security.

If these crippling cuts are proceeded with, there is a distinct and very high probability that we will have to lose a staff member. In addition, we will not have the funds available to obtain postage to dispense information, will not have the necessary staff to attend meetings and transcribe minutes, and will not have the ability to assist constituents with their complaints and other issues. Moreover, we will not have the funds needed to maintain the office and the current machinery, purchase supplies that assist us in our daily functions, such as computers, a copy machine, etc.

It is unfortunate that the quality of life of NYC's residents are being ignored. The benefits of the Community Boards' presence far outweigh the operating costs. Subsequently, we strongly urge you to re-examine and reconsider the budget cuts to exclude the Community Boards while saving the governmental foundation of our communities.

Respectfully Submitted,

Doris A. Alexander

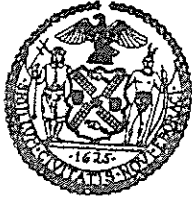
Robert Matthews

Doris A. Alexander
District Manager

Robert Matthews
Chairperson

MARTY MARKOWITZ
Brooklyn Borough President

Tel: (718).385-0323/24
Fax: (718) 342-6714



THE CITY OF NEW YORK
COMMUNITY BOARD NO. 16
444 Thomas S. Boyland Street - Room 103
Brooklyn, New York 11212

HAZEL A. YOUNGER
Chairperson

VIOLA D. GREENE-WALKER
District Manager

**STATEMENT PRESENTED BY VIOLA D. GREENE-WALKER AT THE CITY
COUNCIL HEARING ON THE EXECUTIVE BUDGET FOR FY 2009 ON
MAY 20, 2009 AT 250 BROADWAY, NY, NY**

GOOD AFTERNOON CHAIRMAN WEPRIN, CHAIRMAN FELDER, AND MEMBERS
OF THE FINANCE AND GOVERNMENTAL OPERATION COMMITTEES.

MY NAME IS VIOLA GREENE-WALKER AND I AM THE DISTRICT MANAGER OF
BROOKLYN COMMUNITY BOARD 16.

IN THE EXECUTIVE BUDGET, MAYOR BLOOMBERG IS PROPOSING TO CUT
\$10,000 FROM THE COMMUNITY BOARD'S BUDGET IN FISCAL YEAR 2009.

I APPEAR IN BEHALF OF COMMUNITY BOARD #16 TO URGE YOUR SUPPORT
FOR THE RESTORATION OF THESE MUCH NEEDED FUNDS TO OUR BUDGET.

AS YOU ARE AWARE, COMMUNITY BOARD MEMBERS ARE VOLUNTEERS AND RELY HEAVILY UPON THE COMMUNITY BOARD OFFICE STAFF TO ASSIST THEM IN FULFILLING THEIR CHARTER-MANDATED RESPONSIBILITIES.

IN FISCAL YEAR 2009, COMMUNITY BOARDS, WHICH HAVE ONE OF THE SMALLEST BUDGETS OF ALL CITY AGENCIES, ARE BEING FORCED TO CUT THEIR BUDGETS BY \$10,000. TEN THOUSANDS DOLLARS MIGHT APPEAR TO BE A SMALL AMOUNT TO CUT, HOWEVER, IT IS A LARGE PART OF COMMUNITY BOARD 16'S SMALL BUDGET WHICH PAYS FOR STAFF, SUPPLIES AND EQUIPMENT. WE RECOGNIZE THAT WE ARE LIVING IN AUSTERE TIMES AND WE MUST ALL DO OUR UTMOST TO CUT SPENDING, HOWEVER, THE COST OF LIVING, SUPPLIES AND MATERIALS CONTINUE TO ESCALATE.

WE HAVE A FULL-TIME STAFF OF THREE WHO WORK DILIGENTLY TO RESPOND EXPEDITIOUSLY TO CONSTITUENT COMPLAINTS. OFTENTIMES, THESE COMPLAINTS REQUIRE MORE THAN A CALL TO "311" WHERE THE CALLER IS OFTEN REFERRED BACK TO THE COMMUNITY BOARD OFFICE FOR ASSISTANCE.

AT COMMUNITY BOARD 16, A CUT OF \$10,000 FROM OUR BUDGET MEANS THAT WE WILL NOT BE ABLE TO REPLACE TWO AGING COMPUTERS AND PRINTERS, PURCHASE CONSUMABLE SUPPLIES SUCH AS TONER FOR OUR

PRINTERS, PAPER FOR OUR PHOTOCOPIER, PAPER AND PENS FOR OUR BOARD AND COMMITTEE MEETINGS, OR REFILL THE POSTAGE METER.

NEEDLESS TO SAY, A BUDGET CUT OF \$10,000 WILL CRIPPLE THE OPERATION OF THE COMMUNITY BOARD OFFICE AND OUR ABILITY TO PROVIDE CONSTITUENT SERVICES.

WE SOLICIT YOUR SUPPORT IN OUR EFFORTS TO RESTORE THE \$10,000 TO OUR BUDGET. WE NEED AN INCREASE OF \$10,000, NOT A DECREASE.

WE THANK YOU FOR THIS OPPORTUNITY OF EXPRESSION AND LOOK FORWARD TO YOUR FAVORABLE CONSIDERATION OF OUR REQUEST.



COMMUNITY BOARD # 4Q

Serving: Corona, Corona Heights, and Elmhurst

104-03 Corona Avenue, 2nd Floor

Corona, New York 11368-2923

Telephone: 718-760-3141 Fax: 718-760-5971

e-mail: communitybd4@nyc.rr.com

Helen Marshall
Borough President

Louis Walker
Chairperson

Karen Koslowitz
Deputy Borough President
Director of Community Boards

Richard Italiano
District Manager

May 20, 2008

Executive Budget Hearings FY2009
The New York City Council Finance Division
250 Broadway, 15th Floor
New York, NY 10007

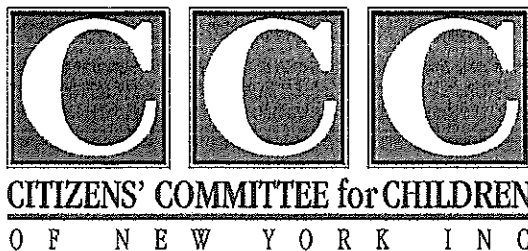
Testimony to the New York City Council Finance Committee on the FY 2009 Executive Budget

New York City's 59 community boards provide a formal structure for local citizen involvement in the budget process as well as other areas of City decision making. The City Charter mandates that each Community Board consider the needs of the Community District which it represents; on matters that relate to the welfare of the Community District and its residents. Community Boards also participate in Service Delivery, Land Use planning, Long-Range planning, and Community Advocacy.

Community Boards have a small budget and the proposed 5% budget reduction for FY2009 will severely impact the operations of the Boards. The Other Than Personal Service (OTPS) appropriation allows for the purchase of supplies, materials and services required to support the operations of the Community Board. The OTPS portion of the Community Boards budget has never been increased to keep pace with the rising costs of supplies and services. One small example is the recent increase in U. S. Postal rates. While Postal rates have realized increases over the past years our budgets have stagnated. Other costs such as paper, envelopes, ink cartridges and items necessary for the district office to operate are rising and the current budget allocation is able to purchase less each year. Community Board budgets are not keeping pace with inflation and in reality are enduring cuts every year due to the increased costs of supplies.

At the very least the current level of funding to Community Boards should be maintained, and increasing the operating budget to keep pace with inflation will afford the Boards adequate funding to carry out their mandated responsibility. While the FY 2009 Executive Budget includes a \$10,000.00 reduction to Community Boards operating budgets, we request that the New York City Council spare Community Boards from the proposed reductions.

Thank you,
Richard Italiano
District Manager, CB #4Q



FOR THE RECORD

**TESTIMONY
OF
AILIN CHEN
SENIOR POLICY ASSOCIATE FOR EDUCATION, JUVENILE JUSTICE AND
YOUTH DEVELOPMENT
FOR
CITIZENS' COMMITTEE FOR CHILDREN OF NEW YORK, INC.**

**BEFORE THE
NEW YORK CITY FINANCE AND JUVENILE JUSTICE COMMITTEES**

**REGARDING THE
NEW YORK CITY EXECUTIVE BUDGET PROPOSALS
FISCAL YEAR 2009**

May 20, 2008

Good afternoon. My name is Ailin Chen and I am the Senior Policy Associate for Education, Juvenile Justice and Youth Services at Citizens' Committee for Children of New York, Inc. (CCC). I would like to thank Chairs Weprin, and Gonzalez and all members of the New York City Council Finance, and Juvenile Justice Committees for this opportunity to testify on New York City's Executive Budget for Fiscal Year 2009.

For 64 years, Citizens' Committee for Children of New York, Inc. (CCC) has convened, informed and mobilized New Yorkers to make New York City a better place for children. CCC's approach to child advocacy is fact-based and combines the best features of public policy advocacy with a tradition of citizen activism.

The CFY'09 Executive Budget takes steps to prepare New York City for a mounting economic downturn. And to be sure, the mortgage crisis, massive state debt, the recently enacted State Budget cuts, and rising unemployment taken together will spell hard times for many families. Economic crises, even short lived ones, impact poor and working class families especially hard. For that reason, even in challenging economic times, it is imperative for the well-being of our city that we hold harmless programs that serve low-income children and their families -- particularly those that keep children healthy, housed, educated and safe.

Upon careful review of the Mayor's Proposals for Fiscal Year 2009, it is clear that great efforts have been made to identify gap closing actions that result in much needed savings by making agencies operate more efficiently. To ensure a balanced budget in CFY'09, the \$59.1 billion budget includes \$1.3 billion in gap closing actions. Notably, the CFY09 Executive Budget also proposes using \$1.6 billion in unanticipated revenue, secured between January and May 2008, to offset out-year gaps in 2010 and 2011.

The Executive Budget includes new funding for several initiatives of importance to children and families including: nearly \$21 million in City Tax Levy for ACS, DOHMH, and HRA to help offset the across the board 2% state cuts to children's services; \$2.3 million to enhance child protective investigations through the use of law enforcement personnel and certified alcohol and substance abuse counselors (CASACs), and \$1.3 million for the Collaborative Family Initiative in the Department of Juvenile Justice. In addition, \$25 million is included in the CFY'09 Executive Budget to support a 3-year COLA for employees at not-for-profit agencies that contract with ACS, DFTA, DHS, DYCD and HRA – which will provide salary increases for approximately 36,000 employees at 1,000 social service agencies throughout the five boroughs. CCC applauds the Mayor for taking these steps.

Unfortunately, while significant effort has been made to avoid direct service reductions and to address several new needs of importance, the CFY'09 Executive Budget does in fact cut nearly **\$150 million** in funds supporting essential child and family serving programs including: eliminating 5,600 slots from the Summer Youth Employment Program, eliminating 1,000 slots from preventive service programs and failing to fund preventive services caseload reductions; eliminating funding for 6 child health clinics, the asthma initiative, children's mental health services, and adolescent substance abuse treatment; cutting eviction prevention services and funding for emergency food programs, among other programs. (Please see attached chart for details related to these cuts.) As funding for these many of these programs has been restored year after year by the City Council, the services that programs provide have become an essential part of the fabric of the city's 59 communities. At a time when New York City families are facing heightened economic uncertainty in the labor market, housing instability, and increased costs for many basic essentials such as food and fuel, the proposed cuts, should they stand, will have a deleterious effect on the well-being of New York City's 2 million children.

Turning to juvenile justice, we are pleased to see that the Mayor has included \$1.3 million in the FY09 Executive Budget for Collaborative Family Initiative (CFI) to complete on-going data collection and analysis as part of a program evaluation that is being conducted by John Jay College. We also want to

take this opportunity to thank Chair Gonzalez' for her leadership and support for CFI particularly as the program was first piloted using Council funds in 2007.

CFI is a discharge planning and reentry initiative that provides mental health treatment, psychiatry, and family-focused supports and resources to youth with mental health needs while they are in detention and for up to 3 months when they return home. Anywhere between 65-85% of youth enter DJJ facilities with mental health needs and historically, the juvenile justice system has not had the resources needed to address their service needs. As a result, these youth experience longer lengths of stay and are at greater risk for placement and recidivism.

Early outcome data for CFI is promising. According to an April 2008 Interim Report, CFI conducted outreach to 100 youth and their families and enrolled 62 between February 6, 2007 and June 1, 2007. At the end of the trial period, 21 youth were actively participating and of these, 17 youth (81 %) were not arrested on new charges during the 90-day post release period. Additionally, CFI participants experienced a reduction in their length of stay from an average of 68 to 56 days.¹

With regard to the Mayor's proposal to reduce Non-Secure Detention capacity for savings of \$899,000² in city funds, few details have been available as to how the reduction would be implemented and what the impact would be on the system as a whole. As we learn more about the proposal in the coming days, we ask the Council to consider questions regarding whether current and future population trends in NSD would support a reduction in capacity, the availability of community-based alternatives for youth who would otherwise be eligible for NSD, and the impact of the reduction in resources to youth who are currently in NSD. Most importantly, we urge the Council to work with the Mayor to ensure that 1) the NSD system continues to have adequate capacity to meet population needs and 2) youth currently in non-

¹ http://nyc.gov/html/djj/pdf/testimony_final_cfi.pdf

² These funds are matched equally by the state for a total savings of \$1.79 million in FY09.

secure detention continue to receive the full range of services that is mandated while they are in DJJ custody.

Finally, we ask that the Council work with the Mayor to restore \$1.3 million in Council Discretionary Funds for Discharge Planning Services and In-Detention Services for youth. Over the years, DJJ has been able to use these funds to introduce youth in detention to a range of community-based organizations that provide youth development and life skills programming in addition to piloting ground-breaking new initiatives such as CFI. Recent program services funded include education advocacy, tolerance and citizenry education, therapeutic art programs for youth in Family Court detention rooms, and violence reduction and planning.

In closing, CCC urges the City Council to negotiate a budget with the Mayor that protects, restores and enhances the services children and families in New York City rely on. During difficult budget times, it is more important than ever to take steps to ensure every New York City child is healthy, housed, educated and safe.

Thank you for this opportunity to testify.

The chart below only highlights CFY' 09 proposals that impact vital services for children.

ADMINISTRATION FOR CHILDREN'S SERVICES

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Child Welfare Preventive Services Caseload Reduction Initiative			\$4.2 million
CONNECT Domestic Violence program			\$1.2 million
Child Care Supplies-Provider's Choice			\$1.7 million
Working Parents for a Working New York			\$875,000
Low Income Investment Fund (LIFF)			\$200,000
Increase Preventive Service Slots (1000 families)		\$2.4 million	
Preventive Services Enhancement		\$3.15 million	
Child Protective Services Productivity		\$2.8 million	
Reduction in Foster Care and Adoptive Recruitment		\$875,000	
Eliminate Direct Congregate Care and Foster Care Support		\$2.31 million	
Agency-wide Headcount Reduction		\$1.23 million	
Improve Child Protective Investigations	\$2.3 million		
Adoption Subsidies	\$1.4 million		
City funds to address state budget reduction to foster care, JD-PINS, institutional schools, preventive services and adoption subsidies	\$7.9 million		
Sub-Total	\$11.6 million	\$12.77 million	\$8.18 million

DEPARTMENT OF EDUCATION

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Universal Pre-kindergarten (full day in ACS programs)			\$5.0 million
Teacher's Choice			\$20.9 million
Dropout Prevention and Intervention			\$4.2 million
Urban Advantage			\$2.5 million
New Visions for Public Schools/New Century High Schools			\$1 million

School Safety	\$10 million		
Special Ed Pre K	\$10 million		
Charter Schools	\$36 million		
Sub-Total	\$56 million		\$33.6 million

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Obesity Prevention			\$3.1 million
Podiatric Screening			\$1 million
Mental Health Treatment for Children Under Five			\$1.65 million
Autism Awareness Initiative			\$1.5 million
Dental Vans			\$268,000
Infant Mortality Initiative			\$4.8 million
Asthma Control Initiative			\$545,000
Summer School Nurses			\$1.9 million
SPARKS and Health Corps			\$660,000
HIV/AIDS Contract Reductions		\$839,000	
Reductions in Emergency Contraception Services		192,000	
Immunization Efficiencies and Service Reductions		\$268,000	
Riverside Health Center	\$192,000		
Harlem Asthma Initiative	\$197,000		
Additional Food Safety Resources	\$553,000		
City funds to address state budget reduction to public health services	\$5.6 million		
Sub-Total	\$6.54 million	\$1.3 million	\$15 million

HEALTH AND HOSPITALS CORPORATION

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Child Health Clinics			\$6 million
HHC Outpatient Pharmacies and Clinics			\$2.4 million
Translation Services			\$1 million
Adolescent Substance Abuse Outpatient Treatment Clinics			\$1.6 million
Sub-Total			\$11 million

DEPARTMENT OF HOMELESS SERVICES

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Citywide Homeless Prevention Fund			\$500,000
Family Shelter Capacity Increase	\$21.4 million		
Sub-Total	\$21.4 million		\$500,000

HOUSING PRESERVATION AND DEVELOPMENT

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
City-Task Force on Housing Court			\$550,000
Anti-Eviction Legal Services			\$3 million
Community Based Consultants			\$1.03 million
Sub-Total			\$4.58 million

DEPARTMENT OF JUVENILE JUSTICE

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Discharge Planning / Program Services for Youth in Facilities			\$1.3 million
Collaborative Family Initiative	\$1.3 million		
Workforce/Life Skills Program	\$139,000		
Sub-Total	\$1.4 million		\$1.3 million

DEPARTMENT OF SOCIAL SERVICES: HUMAN RESOURCES ADMINISTRATION

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease	Failure to Fund City Council Initiative
UI/SSI Legal Assistance			\$2.5 million
Emergency Food Programs			\$1.5 million
City funds to address state budget reduction to child support enforcement	\$235,000		
Sub-Total	\$235,000		\$4 million

DEPARTMENT FOR YOUTH AND COMMUNITY DEVELOPMENT

Program	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
Helping Involve Parents in Schools Project (HIP)			\$4.3 million
Cultural After School Adventure (CASA)			\$8.4 million
Runaway and Homeless Youth Institute for Student Achievement			\$4.7 million
Beacons		\$2.3 million	\$4 million
Eliminate Bus Program		\$200,000	
Street Outreach/Neighborhood Youth Alliance			\$2.1 million
The After-Three Program			\$3.8 million
Miscellaneous Youth Programs			\$4.1 million
Virtual Ys			\$900,000
Sports and Arts Foundation			\$2.1 million
Summer Youth Employment Program Reduction		\$8 million	
Out-of-School Time		\$2.6 million	
Sub-Total		\$13.1 million	\$35.75 million

MISCELLANEOUS

PROGRAM	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
EITC Legal Assistance			\$765,000
Legal Services for Working Poor			\$1.8 million
Civil Legal Services			\$3.7 million
MFY Legal Services			\$200,000
Expand food stamp use at Farmers' Markets			\$295,500
Legal Services for NYC (LSNY)			\$500,000
Legal Information for Families Today (LIFT)			\$500,000
Sub-Total			\$7.77 million

TOTALS

PROGRAM	Proposed Expenditure Increase*	Proposed Expenditure Decrease**	Failure to Fund City Council Initiative***
ALL CHILDREN'S SERVICES	\$97.18 million	\$27.21 million	\$122.1 million

* - Increases included by the Mayor in proposed budget for CFY09.

** - Decreases included by the Mayor in proposed budget for CFY09.
*** - Allocations made at adoption for CFY08 that have not been
carried forward by the
Mayor in the proposed budget for CFY09.

Fiscal 2009 Executive Budget PEG for DFTA
Description of 8 Information and Referral Contracts Being Eliminated

Program	Other DFTA Contracts (besides the Info and Referral Contract)	Services Provided by These Other Contracts	Approximate Amount of Cut
Bronx Jewish Community Council (BJCC)	1 social service contract, 2 NORC contracts	social service program provides I&R, case assistance and transportation	\$343,000
Council of Belmont Organizations (COBO)	1 senior center contract	common senior center services including I&R	\$248,000
American Italian Coalition of Organizations (AMICO)	1 senior center contract	common senior center services including I&R	\$194,000
United Jewish Council of East Side (UJC)	1 senior center contract	common senior center services including I&R	\$190,000
Hellenic American Neighborhood Action Committee (HANAC)	4 senior center contracts, 1 transportation program contract, 1 WRAP contract, 1 NORC contract	common senior center and NORC services including I&R	\$289,000
Emerald Isle Extended Services Program	NONE	N/A	\$115,000
Metropolitan Council on Jewish Poverty (Met Council)	NONE (However, they have 5 Council Discretionary Contracts)	1 Council contract provides case assistance, other 4 Council contracts do NOT provide I&R	\$528,000
Polish and Slavic Extended Services Program	2 senior center contracts	common senior center services including I&R	\$199,000

Source: OMB & DFTA

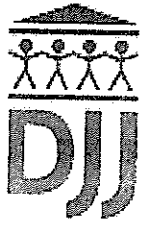
Page 2

Cutting the budgets of the Community Boards by a total of \$590,000.00 will do little to resolve the City's budget concerns. It will deprive neighborhood residents of a vital resource, in which to turn to in times of need. Therefore, Bronx Community Board #10 requests that the City Council restore the \$10,000.00 funding cut scheduled for the Community Boards to the 2009 budget.

Thank you for your attention and consideration.

Respectfully submitted,

Martin Prince
1st Vice Chair
Bronx Community Board #10



New York City
Department of
Juvenile Justice

Testimony of Neil Hernandez
Commissioner
New York City Department of Juvenile Justice

before the

New York City Council's
Juvenile Justice and Finance Committees

Tuesday, May 20, 2008
12:30 PM
Council Chambers
City Hall
New York, NY

Fiscal Year 2009 Executive Budget

Good afternoon Chairs Gonzalez and Weprin and members of the Juvenile Justice and Finance Committees. Thank you for the opportunity to be heard on the Department's Fiscal Year 2009 Executive Budget. I am Neil Hernandez; Commissioner of the agency. Joining me is Judith Pincus, First Deputy Commissioner, Jacqueline James, Deputy Commissioner for Administration and Policy and Herman Dawson, Deputy Commissioner for Legal Affairs.

Trends

Total admissions to detention decreased to 3,993 from 4365 between July 1, 2007 and March 31, 2008. Police admits continued to drive admissions, and constitutes 56 percent of total admissions during this period. Average length of stay in secure and non-secure detention was 28 days, as it was during the same period last year, with an average daily population of 419, which is a decrease from 442 during the same period last year.

The number of youth in detention with mental health issues remains a challenge. Youth receiving mental health and psychiatric services in detention grew to 82 percent between July 1, 2007 and March 31, 2008 and analysis of Department data shows that these youth typically have longer stays in detention. However, the Department's Collaborative Family Initiative (CFI), has helped to significantly reduce the length of stay among these youth by enrolling them and their families in services at organizations that will provide them and their families with services needed to support them in their communities.

Much progress has been made since Mayor Bloomberg announced the City's various juvenile reform efforts last year. In fact, the combination of the City's juvenile reform efforts—the restructured Alternatives to Detention (ATD) programs, the use of the Risk Assessment Instrument (RAI) by the Family Courts, and at DJJ, programs such as CFI and the Release to Parent Initiative, have led to a slight decrease in overall detention usage. At the same time, we've noted less usage in non-secure detention as these reforms have translated into more options for Family Court Judges.

Another promising development in juvenile detention usage in the City is the recent announcement of weekend arraignment for juvenile delinquents arrested in the City. This new practice will ensure that youth who are ineligible for release with a Family Court Appearance Ticket will have an opportunity to be presented before a judge 365 days a year.

Fiscal Year 2009 Budget

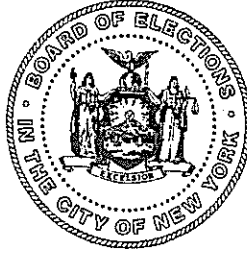
The Department's Fiscal Year 2009 overall budget is \$132.3 million, which supports a \$60.4 million payment to the State for city youth sentenced to State custody. The Department's operating budget is \$71.89 million, a slight increase. It reflects continued funding of \$1.3 million for CFI, and an increase of \$232,000 to continue the Department's LIFE Transitions initiative for the entire year. This program was formerly called the Workforce Life Skills Initiative, and is a part of the Mayor's Center for Economic Opportunity.

The current success of the City's Juvenile Justice reform initiatives prevented the need to expand non-secure detention (NSD) capacity and afforded the Bloomberg Administration an opportunity to reduce NSD capacity by proposing the closure of two group homes in Fiscal Year 2009. As a result, the City's plans for the expansion of NSD with the Hegeman facility are no longer needed. The Department has also identified one group home for closure, with a second to be identified during Fiscal Year 2009. These closures will help the Department to meet the City's PEG and sustain the two percent cut imposed by the New York State Office of Children and Family Services (OCFS).

As you know, the State's preliminary budget called for the elimination of the State match to localities for detention services. The Department was among several other organizations that raised awareness about the impact of these cuts. While the measure was ultimately defeated in the State Assembly and the State Senate, OCFS implemented a two percent cut across the board for all social service agencies.

DJJ Reform Efforts

The Department remains deeply committed to enhancing services for youth with mental health needs, and has continued to advance this goal through the CFI. To date, 22% of youth referred to the program have been released by the Judiciary to CFI. We are pleased that CFI is being continued in Fiscal 2009 at \$1.3 million and look forward to sustaining this successful program. In addition, the CFI Interim



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IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

Testimony of Marcus Cederqvist, Executive Director, Board of Elections in the City of New York before the New York City Council Committees on Finance and Governmental Operations on the Fiscal Year 2009 Proposed Executive Budget May 20, 2008

Chairman Felder and Chairman Weprin and members of the Council's Committees on Governmental Operations and Finance, I want to thank you for giving me the opportunity to appear before you this morning.

Ten weeks ago, my colleagues and I appeared before the Council's Governmental Operations Committee to address the budgetary needs of the Board of Elections in the City of New York for the Fiscal Year ending June 30, 2009, as well as update you on the implementation of HAVA in both the City and State of New York. Although I will limit my verbal remarks to a few major areas of concern relating to the Mayor's Executive Budget for the Board of Elections for Fiscal Year 2009 that merit significant attention, I have taken the liberty of distributing a comprehensive statement for the information and review of the Council Members and their staffs.

Once again, I would like to express our appreciation to both of you, Mr. Chairmen, and the members of these committees, for your ongoing support for the Board of Elections in the City of New York. I appreciate the strong line of communications between our staffs and as we continue to take this

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journey through the world of the Help America Vote Act, more commonly known as HAVA, I am sanguine that this working relationship will continue to grow.

The Help America Vote Act (HAVA)

As we reported to you in March, the State of New York's efforts to comply with the requirements of HAVA has continued to be beset by problems and delays. In prior testimony, my predecessor and my colleagues at the Board have given you chapter and verse the problems that have occurred in the enactment of the required State enabling legislation, which was passed by the Legislature in the closing days of June 2005, and later with the rulemaking and certification process of the State Board of Elections.

In 2006, the United States Department of Justice sued the State of New York for its failure to meet HAVA's statutory deadline of implementing a new voting system and a statewide voter registration list in time for that year's federal elections. Judge Gary Sharpe of the United States District Court for the Northern District of New York issued a Remedial Order which required local Boards of Elections to take interim steps for the 2006 Election Cycle which would facilitate voting by persons with disabilities. Here in New York City, we established five "super-poll sites," one in each borough, equipped with ballot marking devices to accommodate voters with disabilities. That continued through the 2007 Election Cycle and the recent Presidential Primary Election.

Throughout 2007, New York State's process for certifying new voting systems to permanently replace the lever voting machines continued to be beset by problem after problem. At the insistence of the New York State Election Commissioners Association, New York State enacted Chapter 506 of the Laws of 2007 which amended the New York State Election Reform and Modernization Act, enabling local Boards of Elections to use the lever voting machines until new systems were certified and also required the use of at least one ballot marking device in each county until such time.

As a result of the State's failure to comply with Judge Sharpe's 2006 Remedial Order, the Department of Justice renewed its efforts to force New

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York State to comply with HAVA. The City Board, along with many of our colleagues from Boards of Elections around the State, submitted an Amicus Curie – Friend of the Court – brief to bring to Judge Sharpe’s attention the serious concerns we had collectively over any attempt to force changes by the State in a manner that would adversely effect the ability of the voters to cast their ballots in upcoming elections.

The Department of Justice and Judge Sharpe disregarded those concerns and imposed a Supplemental Remedial Order requiring that every poll site in New York State be equipped with a HAVA complaint, handicapped accessible, ballot marking device beginning with the September 2008 Primary Election. In addition, the order mandates that every lever voting machine be replaced for the September 2009 Primary Election. That means that the machines New Yorkers have been accustomed to voting on for decades will be replaced by an entirely new system beginning with next year’s Primary Elections for City Council, Borough President, and citywide offices.

Included in the Court’s Order is a specific timetable with milestones that must be met. Judge Sharpe has reserved the right to appoint a Special Master to supervise or conduct that process, as well as impose fines for contempt or jail any State and or local government official who impedes the implementation of the Supplemental Remedial Order.

Ballot Marking Devices

In accordance with the Federal Court Order, the Commissioners of the Board of Elections in New York City on February 8th selected the Automark Ballot Marking Device for use in New York City in 2008. This was no easy task as the selection process took place concurrently with this year’s Presidential Primary, which saw over 1 million New Yorkers cast their votes. The City Board has submitted its initial order for the BMDs and the related services and supplies for this year’s elections. This order exceeds \$23 million, which will come out of New York City’s share of the federal HAVA funds, subject to the required 5% match with City funds.

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Since our March 13th appearance, the Board has been actively engaged in the implementation process for this new method of voting. The BOE has been working tirelessly on a project plan which incorporates these new devices into our election operations and ensures a seamless implementation. The project management team has been working closely with the vendor, Election Systems and Software (ES&S), and we anticipate receiving the first of the nearly 1,800 BMDs in a few short weeks. During this exhaustive process, they have identified several new needs that the BOE requires to ensure a successful implementation. We have outlined these needs in our prior testimony as well.

The primary and most urgent need is to hire additional poll workers to help voters use the new BMDs. As these devices are an entirely new addition that complements the existing lever machines at every poll site, the BOE needs to have additional poll workers who assist voters using the BMDs to mark their ballots. After extensive review, the BOE has identified the need to hire an additional 8,616 new poll workers who will work on tasks and operations specific to the BMDs. The cost to pay these additional new poll workers will be \$1,723,200 per election event, or \$3,446,400 for the 2008 election cycle.

Poll site coordinators, who supervise their respective poll sites and receive special training to prepare for their responsibilities, will play a crucial role in ensuring the integration of the new BMDs into the existing poll site operations. However, of the more than 1,350 poll sites citywide, 390 of them do not currently have a coordinator on Election Day. Given the addition of at least one new BMD at each of these sites, it is critical for each poll site to have a coordinator to manage the two systems' operations and address any problems that arise. Adding a coordinator at each of these 390 poll sites would cost \$117,000 per election event, or \$234,000 for the 2008 election cycle.

Obviously, these new poll workers and coordinators need to be properly trained to gain knowledge of and familiarity with the new BMDs as well as existing BOE procedures. Unfortunately, the BOE's current training resources are insufficient to train the large number of new poll workers who

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are necessary to deploy the BMDs. The BOE has re-examined its training operations from top-to-bottom and assessed changes needed to ensure that these new BMD poll workers are adequately trained while continuing to sufficiently train the approximately 31,000 existing poll workers as well.

The training classes for all types of poll workers are conducted by adjunct trainers who themselves undergo a rigorous training program. The BOE has identified the need for 40 new adjunct trainers to handle the additional classes necessary due to both the increase in the number of poll workers and the expanded curriculum. Training these additional adjunct trainers creates a new need of \$200 per day of training per adjunct trainer, \$56,000 in total.

In the past, adjunct trainers taught three classes per day and earned \$100 per class, for a total compensation of \$300 for a full day of work. With the addition of the BMDs, the classes must be expanded significantly to include new material. As a result of the longer classes, each trainer will be able to teach only two classes per day. The BOE seeks to increase the trainer's compensation to \$150 per class to reflect the additional work, although the total potential earnings for each trainer will remain at \$300 per day. The necessary increase in poll workers and coordinators due to the addition of BMDs, coupled with the vital need for additional and expanded training, will result in 760 additional training classes for a total of 1,800 classes during the 2008 election cycle. The cost of the additional expanded classes at the adjusted rate is \$166,000.

In performing the comprehensive review of the BOE's poll worker operations and having had the opportunity to compare it to other jurisdictions nationwide, the BOE has also identified numerous recommendations to enhance the agency's ability to recruit and train the large number of qualified poll workers that are needed. One of the key recommendations is to raise the pay for attending training classes from \$25 to a more realistic \$100. The current low compensation for attending the training sessions is reflected by poor attendance. With a longer, expanded training class and a need for much greater trainee participation, this increase is merited and greatly needed. Increasing the stipend for training

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will cost \$900,600 for the new BMD poll workers and coordinators and \$2,325,000 for the existing 31,000 poll workers, for a total of \$3,225,600 during the 2008 election cycle.

Another area that the BOE identified concerns the “bonus” paid to certain poll workers. Currently, the bonus is paid as an incentive for poll workers to attend training and pass the test and to ensure that they work the two regular election events. The BOE believes that this bonus is a helpful tool to ensure a good return for the BOE’s training investment but the current \$35 bonus is very low. We believe that raising the bonus to \$100 would be a better incentive for poll workers to complete all the criteria associated with the payment. The cost for increasing the bonus for all poll workers, including the new workers associated with the BMDs as well as the existing poll workers would be \$2,876,600 in the 2008 election cycle if all of them met the performance criteria.

A similar area ripe for an increase in compensation to ensure better participation is the post-election debriefing of poll site coordinators. Coordinators are not eligible for the bonus described above but receive \$25 for attending a debriefing session with the borough staff to discuss the recent election and any problems. These sessions are vitally important for the BOE staff to address problems and plan for subsequent elections. We believe that elevating the pay to \$100 (\$50 for the Primary Election and \$50 for the General Election) will result in a greater rate of participation among the coordinators. The cost for increasing the pay for all coordinators, including the new coordinators described above, is \$134,550 for the 2008 election cycle.

The final area concerns remuneration paid to private poll sites on each Election Day. The BOE’s borough staff reports that the BOE has been losing many long-time private poll sites over the last few years and finds it increasingly difficult to secure new ones. Although the majority of the more than 1,350 poll sites used on Election Day are public facilities and therefore do not create a direct cost, there are 554 private sites serving approximately 1,600 Election Districts (EDs) that the BOE must rent in areas where no public facilities are available. The current remuneration of

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\$70 per ED has remained unchanged for decades and has become severely compromised as an incentive due to the adverse effects of inflation over that time.

Several property owners who have leased space to the BOE on Election Days past have stated that the current amount is insufficient to cover the costs of heating or cooling the space for the election. The BOE believes that increasing the compensation paid to private sites to \$165 per ED would help the BOE retain private poll sites at this critical time when our space needs are increasing due to the addition of at least one BMD at every poll site. The additional cost is \$152,000 per election event citywide, or \$304,000 per year.

The total for all the essential new needs required for Fiscal Year 2009 is \$10,443,150. While clearly a significant amount, these additional resources are vital if the BOE is to successfully meet its obligation under the federal court order, ensure compliance, and effectively serve the 4.3 million voters of New York City during this critical election cycle.

Permanent Replacement Voting System

While engaged in the process of implementing the mandate to place at least one BMD in each poll site throughout the city for the 2008 Elections, the City Board's commitment to informing and including the voters in its selection process for a new voting system continues unabated. The Commissioners have directed that this selection process be conducted in a fully open and transparent fashion. As we move through this Presidential Election Year, all New Yorkers will have the opportunity to learn about the new systems and to express their views and concerns to the Board before the Commissioners make their final selection. Unfortunately, under the Order's timetable, the selection will once again occur against the backdrop of a major election event – in this case the November General Election. Nonetheless, the staff will continue to work the extra hours needed to ensure that both of these events are executed.

With regards to HAVA funding, I want to take this opportunity to remind you of the State Legislation that established the formula for allocating HAVA

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monies for voting systems, poll worker training and voter education. The allocation formula is based on the percentage of registered voters who resided within the local Boards of Elections' jurisdiction as of December 31, 2004. The legislation appropriated a total of \$190 million statewide for HAVA implementation.

However, since the State of New York did not meet the explicit statutory deadline for HAVA compliance, the U.S. Election Assistance Commission is required under current law to seek the return of almost \$50 million in these federal funds. Although the process has not yet formally begun, we will continue to work with our two U.S. Senators and the entire Congressional delegation to seek a change in the law that would allow New York State's HAVA allocation to remain whole and intact.

Unlike some of the changes that have occurred at the Board over the years such as computerizing its operations, which have been evolutionary in nature, the introduction of a new voting system for the whole city will, in fact, be revolutionary – not only for the Board's more than 350 permanent staff and more than 30,000 Election Day poll workers, but also for the 4.3 million registered voters in New York City. Although there is still some uncertainty concerning which new voting systems will be certified as HAVA compliant, the Board has been working tirelessly to ensure that we are prepared to face these challenges.

It is appropriate to thank the Mayor and the Council for including in the Adopted FY'07 and FY'08 Budgets many of the items the Board had requested to implement HAVA in the City of New York. Your collective recognition of the work that the Board of Elections must do in an extremely short amount of time to execute HAVA was backed up by your actions with respect to the last two years' adopted Budgets. Please note that we have not run wild with those funds. Where appropriate we have spent that money wisely, hiring new staff and consultants as well as acquiring the necessary technical equipment to address critical needs. In other instances, largely as a result of the State's inactions, we have not spent the funds that were allocated. For example, it was only after Judge Sharpe issued his Supplemental Remedial Order that the Board promptly filled the newly created staff positions in the Voter Education and Outreach Unit as well as the Voting Systems Technicians Training Unit. Filling these

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positions, however, created ancillary problems that I will describe in a few moments and need to be addressed quickly.

The Board once again asks that all unexpended funds appropriated for the use by the Board of Elections last year in both the Expense and Capital Budgets be re-appropriated for Fiscal Year 2009.

To make the dramatic transition ahead, the Board requires additional resources in terms of funding, cooperation, and assistance from all units of City Government. As I take a few minutes to review our needs, I would like to remind you that although some of these were funded in last year's adopted budget, many were not. Further, the Mayor's Proposed Executive Budget for FY'09 seeks significant reductions, now totaling \$5.9 million from the Board's operating budget at this critical time. We cannot envision any way to achieve that reduction in spite of the forthcoming changes without adversely affecting the voting rights of the citizens of this city.

The Board staff has had several discussions with staff from the Office of Management and Budget to review the ongoing need for:

- (1) re-appropriation of all the unexpended funds provided in the FY'08 Adopted Budget relating to the implementation of HAVA; and
- (2) additional resources to enable the Board to successfully make the transition to a new voting system and, in fact, an entirely new way of voting here in the City of New York.

Preliminary review indicates that for many of the systems that may be certified for use in the State to replace our current voting machines, additional components may be necessary to accommodate the regular flow of voters during an election, requiring more than a one-for-one replacement of the existing lever voting machines. Therefore, the actual number of operating components for a new voting system remains unknown. Furthermore, the current HAVA funding formula for lever machine replacements is based on the number of Election Districts that existed as of December 31, 2000 and fails to account for districts that use double machines or the hundreds of new Election Districts created following

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reapportionment and redistricting for state legislative districts in 2002 and city legislative districts in 2003.

If the new voting system is an optical scanning system, we will be required to provide separate booths where voters can complete their paper ballots in private. To minimize the occurrence of long lines and wait times, the Board will have to conceive and develop entirely new poll site strategies that include sufficient equipment as well as procedures to direct waiting voters to the next available voting device. Simply stated, the number of voting units needed by this City may in all likelihood exceed by hundreds, if not thousands, the number paid for with available Federal funds and that considerable difference will have to be addressed with City funds.

Agency Headcount Discrepancies

There is a significant concern that directly impacts our ability to manage, direct, and coordinate the citywide deployment both this year of a ballot marking device and next year for the citywide replacement of all of our current lever voting machines. As you know, the Board has asserted in the past that it has funding for a current headcount of 351. The Preliminary Budget for FY'09, however, reflected only 326 positions and the Proposed Executive Budget reduces the number further still to 319.

The Executive Budget for FY'09 reduces our personal service appropriation by over \$1.7 million. Our Finance Unit projects that as of June 30, 2008, the actual total personal service expenditures for the Board will be approximately \$24.5 million, or \$4.7 million more than projected in the FY'09 Executive Budget. Despite several attempts to work with OMB over the last few years to reconcile this discrepancy, I regret to report that no satisfactory resolution has emerged. Nonetheless, whether there are 319, 326, or 351 baseline positions, the Board knows that it needs more help to meet the challenges ahead.

In addition, to help meet the extraordinary obligations imposed by the Federal Court, the HAVA statute and changes to State Election Law, the Board has requested an additional seven (7) full time positions effective

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July 1, 2009. These additional positions are described in additional detail later in this testimony, but briefly summarized, this modest request is for:

- Two (2) Associate Staff Analysts for the Voting Equipment Operations Unit
- Four (4) positions in the Candidate Records Unit comprised of two (2) Administrative Associates to handle printed, multilingual, and audio ballots and processing of financial disclosure filings, one (1) secretary, and one (1) Senior Computer Programmer to manage the new Candidate Election Processing System (known internally as CPESS)
- One (1) additional position in the General Counsel's Office to help comply with the increasingly complex legal requirements imposed on the Board

The total annual cost for these new positions is \$371,649.

I will now outline the specific and essential needs we have identified that, if provided, would better enable us to serve all of this City's voters and effectively implement these dramatic impending changes in our electoral process. For your information, I have attached to this testimony a chart which summarizes our needs for FY'09 and beyond.

PROJECTED HAVA RELATED EXPENDITURES

ASSISTANCE IN IMPLEMENTING HAVA

The most pressing concern for the Board is our ability to successfully manage our responsibility to conduct fair and honest elections in 2008 and 2009 while making the most dramatic transition in the history of elections administration in the City of New York. Our dedicated staff of election professionals needs support to conquer this daunting task.

If the Board was to conduct elections in the manner that it has refined over the years, there would be no need for outside support or assistance. Clearly, that is not the case and Judge Sharpe's Order clearly dictates the actions and timelines that Board of Elections must take to comply with his

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order. What he does not provide, however, is the support to ensure that these dramatic implementations are done seamlessly.

In December 2005, the Board retained Gartner Consulting to provide Project Monitoring, Quality Assurance, Project Management, and Mentoring Services. The Gartner team has been of great assistance to us over the past two plus years as we embarked on this extraordinary transition. As you know, the firm was selected following a careful evaluation of those vendors now under City contract who have the necessary background and experience in helping agencies deal with the challenges like those currently facing the Board.

To date, Gartner has been a major contributor to our ability to rapidly respond to the State Board's proposed Voting Systems Standards and the series of Federal Court orders, as well as to the recent selection of the ballot marking device that will be implemented at every poll site this year. The Board wants and needs Gartner to continue to work with us on the full range of HAVA implementation tasks.

To ensure the smooth implementation and integration of both the BMD and an entire new voting system, the Board sought funding for this contract through the 2010 Election Cycle. Unfortunately, OMB authorized funding for a portion of the Board's request for the 2008 election cycle only. Nonetheless, we will continue to work with OMB on an additional Task Order to secure Gartner's services through the 2009 and 2010 election cycles to ensure that the required support is in place to successfully implement the mandated HAVA changes.

Similarly, the Board is grateful that OMB recently authorized us to utilize \$6.7 million for the reduced Burson-Marstellar contract from the lump sum "Other Than Personal Service" (OTPS) allocation related to HAVA contained in the FY'08 Adopted Budget. As you know, Burson-Marstellar is the professional communications firm that will assist us in the design, development, and implementation of a comprehensive voter education and outreach program related to the new voting systems in 2008 and 2009. They were selected by the Commissioners after a comprehensive review of responses to an RFP, vendor interviews, and presentations.

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Although scaled back significantly from an original comprehensive proposal that did not received the requisite funding, the Board is now working closely with Burson-Marsteller to develop a voter education program so that the voters are aware of and understand the change in voting systems well before they are presented with a new method of voting at the poll site on Election Day. The revised plan will continue to utilize mass media, including public service announcements and paid advertising in print, television, and radio serving our City's many diverse communities.

The Board also recognizes the need to conduct an aggressive "person to person" outreach effort that saturates every corner of our City. Working with Burson-Marsteller and its partners, we will conduct multiple town hall meetings in every borough where we will provide a hands-on demonstration of the new system complimented with audio-visual and printed aids to clearly explain and demonstrate to the voters how the new system works. We will take this program literally to the streets of our city, by creating mobile demonstration units that will allow us to visit street fairs, block parties, community events, shopping centers, sporting events, libraries, banks, post offices, senior centers and schools. Again, although the breadth of the program has been reduced from the original proposal as a consequence of the reduced funding, we remain committed to a comprehensive education and outreach effort.

To compliment the media campaign, we will need to utilize a direct mail – long recognized as the most effective strategy to directly target voters. The Board will design, develop, print, and distribute materials that clearly describe the new voting system as well as HAVA's other requirements. We anticipate mailing these pieces to each voter in New York City as well as making them widely available through our regular distribution outlets, including the many civic and community groups that traditionally conduct their own voter outreach and registration efforts as well as with all elected officials.

Our preliminary estimate of costs for this portion of our effort is \$1.9 million, of which \$1.4 million is for postage and \$500,000 is for the design and printing of the mailer. Based on our calculations, the FY'09 Executive Budget lump sum Other Than Personal Service (OTPS) allocation related to HAVA is sufficient to cover the costs of this element of our program.

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In anticipation of the mandated selection of a replacement voting system later this fall, the Board must completely reexamine and revise the well-received poll worker training video to incorporate all the changes necessitated by HAVA. The costs of producing a quality video, including preparing scripts, producing, directing and editing the video and preparing a final version, is estimated to be at least \$100,000. Producing and distributing one copy for each poll worker will cost at least another \$100,000. Once again, the lump sum OTPS allocation in the Fiscal Year '09 Executive Budget is sufficient to fund this essential component of our comprehensive program.

FACILITIES

Prior to the delivery of the BMDs this year and the new voting system in 2009, all of the Board's existing voting machine facilities need to be modernized in order to service and maintain these new systems. The needs of each voting machine facility is distinct and will require different types of improvements and enhancements, ranging from increased electrical capacity to ensuring an environment capable of accommodating the new voting systems and equipment. We have been working aggressively with both DCAS and OMB to secure these facilities and bring them online so that they will be ready to receive the new BMDs that are arriving in the weeks ahead.

One area that continues to be a source of concern is the Board's Executive Offices located at 32/42 Broadway in Lower Manhattan. With the appointment of the additional HAVA staff provided for in last year's adopted Budget, together with the continued use of professional consultants where appropriate, the space is simply insufficient. Today, at least a dozen staff members do not have space to work. Some have tried to make due by sitting in conference, hearing, and training rooms between meetings, public hearings or training sessions. Compounding the space constraints further, supplies, materials and files line the hallways and corridors. Although both DCAS and OMB have expressed support for the Board's obtaining additional space in the building's third floor, there is still no firm commitment that would allow us to occupy this available and badly needed space.

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DEVELOPMENT OF COMPUTER SYSTEMS

Preliminary work has begun on analyzing the interface that must be built between the Board's existing election computer systems and the new ballot marking device system. These efforts must be completed and successfully tested before the filing of candidate petitions for this year's elections. In addition, the selection of the long-term replacement voting system, which must be made before the year is out, will require a similar effort. Such work is estimated to cost up to \$1.3 million.

This need was not specifically provided for in the Adopted Budget for FY'08 and the Executive Budget for FY'09 nor included in the January 2008 Capital Plan. However, the Office of Management and Budget has indicated that this may be a capital budget eligible project. We urge that the Council provide the Board with sufficient Capital Budget funding so that we will be able to access Capital dollars as needed to implement this aspect of HAVA.

ADDITIONAL CONCERNS

I would be remiss if I did not remind you that HAVA provides limited federal funds to replace existing voting machines and assist state and local governments in complying with the statute's other mandates. To date, Congress and the President have appropriated funds for two years. It is highly unlikely that any additional federal HAVA funding will be forthcoming.

What is clear to the Board is that with the additional expenditures required to meet Judge Sharpe's order to deploy one ballot marking device in each poll site this year, the HAVA funding the City receives will be inadequate to meet all of our needs – during both the initial implementation phase and, more importantly, in the "out-years" as we fully implement these significant changes in how New Yorkers vote. I believe that it is my obligation to continue to advise you and your colleagues of this fact and the resulting fiscal consequences for our city.

While I cannot give you a specific dollar amount today, the cost to properly effectuate these dramatic changes will be considerable – and it will fall to the State and City of New York to make up the difference. We at the City

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Board have been and continue to be forceful advocates that this City, as the largest municipality in the State, receive at least its proportionate fair share of HAVA funds.

ON-GOING OPERATIONS

The other significant component of our budget request relates to support for the Board's on-going operations and activities.

SAFETY & SECURITY

The Board, like every agency in government, is aware of the need to address certain safety and security issues. Specifically, security at the entrances of our Executive Offices need to be enhanced. Our staff and the myriad important documents filed at these locations, such as petitions and financial disclosure forms, should be secured in a safe environment. We estimate that the costs of the required renovations and enhancements to our offices are \$450,000.

In the Fall of 2003, the Board retained the services of a licensed security firm to provide a uniformed and armed presence at our Executive Office. The Board believes the presence of uniformed, armed officers helps ensure the safety of our employees and the orderly conduct of the public. Last year, the Board requested an appropriation of \$420,000 to contract for this service at both our Executive Office and at our five Borough Offices. The Adopted Budget for FY'08 did not provide any funds, however, nor is it included in the FY'09 Executive Budget. We ask the Mayor and the Council to provide this modest amount to insure that all of our employees and the public can participate in our democratic process in a safe and secure environment.

LEGAL SERVICES

The implementation of HAVA and increasingly frequent litigation on a whole range of legal issues that fall within the Board's jurisdiction led us to request funding for two additional in-house legal staff positions in the Office of the General Counsel last year. Currently, the Board's General Counsel is the only full-time attorney on staff and is responsible for the entire range of Board activities aside from Campaign Financial Disclosure and Reporting. During the crunch of the notorious petition process, we have

BOARD OF ELECTIONS

retained temporary legal staff who, while helpful, lack the necessary background and skills necessary to deal with some of the complex legal issues the Board has dealt with, and will deal with in the future. From HAVA compliance to poll site accessibility to procurement issues, an agency such as the Board needs at least two additional full time attorneys to help manage its legal operations.

The Board sought to create two Assistant General Counsel positions each at a salary of \$75,000 per year for an annual cost of \$150,000. In last year's adopted budget, only one of these positions was funded. The need for the additional position remains undiminished and my testimony today reflects the ever-expanding need for additional legal services at the Board. The Board therefore renews its request for a second Assistant General Counsel's position at \$75,000 per year.

CANDIDATE RECORDS UNIT

The Candidate Records Unit (CRU) is responsible for processing most of the documents received by the Board, including those relating to the petition process and all campaign financial disclosure reports. In order to accomplish its multiple missions, CRU has undertaken a comprehensive effort to move from a paper based records system to an electronic one.

Recently the task of ballot preparation was assigned to the unit. CRU, now composed of a supervisor and six staff members, needs to be augmented by the authorization of and the funding for four additional positions:

Two (2) Administrative Associates (each at an annual salary of \$44,646), one who will be responsible for coordinating the printing of ballots and related materials, as well as the production of audio ballots, and the other who will have principal responsibility for the processing of financial disclosure filings.

One (1) Stenographer-Secretarial-Associate (annual salary of \$32,594)

CRU does not have any secretarial support at the present time. This position will support the entire Unit's administrative and secretarial needs, including preparing and answering departmental correspondence, transcribing dictation, answering telephone inquires,

BOARD OF ELECTIONS

organizing and maintaining files, attending hearings (taking and maintaining records of actions taken) as well as operating various office equipment (word processing/fax/photocopy).

One (1) Senior Computer Programmer (annual salary of \$ 51,997)

As CRU becomes more and more computer dependent, it is vital that it have on staff a qualified professional who can audit and oversee the technical systems and their functions, serve as a liaison between CRU and other Board technical staff (both in the Management Information Systems and Electronic Voting Systems units), provide technical expertise, training and guidance to other CRU staff members and users of its systems, create ad-hoc reports and promote the integrity of the CRU systems to insure fair and honest elections.

With these additions, CRU can continue to aggressively move ahead in its efforts to enhance the electoral management process as the Board utilizes new voting systems and their technologies in the 21st Century.

VOTING EQUIPMENT OPERATIONS UNIT

The Voting Equipment Operations Unit requires two additional Associate Staff Analysts. With the introduction of 1,798 Ballot Marking Devices this year, while also servicing our current fleet of 7,700 mechanical lever voting machines, and the with need to establish additional voting machine facilities to accommodate the new BMDs, additional support and supervision is required. Two (2) new staff members are required to supervise activities at the voting machine facilities, monitor contracted vendor performance, and insure that the necessary record keeping activities are conducted. These staff members would also review all procedures related to the voting machine facilities and insure legal compliance, including mandates by amendments to the New York State Election Law.

Finally, as we anticipate selection of a new permanent voting system, they will both assist in the selection process as well as be trained to monitor and review all voting system and related support activities. The Board projects that each of these new staff members will be paid \$61,383, for a total annual cost of \$122,766.

BOARD OF ELECTIONS

LOCAL REGISTRATION

In each Presidential Election Year, the Board is mandated to conduct at least two days of local voter registration activities (See: Section 5-202, New York State Election Law). In non-Presidential Election years, the Board has exercised its authority not to conduct local registration. In 2004, the Board met its legal obligations by conducting local registration at a very limited number of poll sites in each Assembly District. We anticipate doing the same this year. The limited 2004 local registration activity cost approximately \$500,000. Funding for 2008 local registration activities is not included in the FY'09 Executive Budget. The Board believes that the 2004 cost is a reasonable projection of the expense to be incurred to meet this requirement in this Presidential Election year and requests that the Council include such funds in the adopted Fiscal Year 2009 Budget.

PAY EQUITY

At my first appearance before the Council, I raised a serious issue that as an agency head I must struggle with on a daily basis. Given all the work that this Board does and the constant and strenuous deadlines that it must meet, it is important to remind you and all your colleagues that the Board of Elections has been historically under-funded and understaffed. A study by the Board documented that there is almost a 40% discrepancy between the average salaries for this Board's employees and those at the City's Campaign Finance Board and Boards of Elections in the surrounding counties.

For example, today a Clerk at the Board, who performs multiple important functions ranging from processing voter registration applications to managing our phone bank, receives compensation starting at \$25,820 per year. Additionally, the starting salary for a voting machine technician, who is responsible for the maintenance, set-up and repair of our mechanical voting machines, is only \$26,493 per year.

As we move into the era of HAVA compliance and new voting systems, how can anyone reasonably expect this Board to attract and retain qualified professionals to service our voters at these salaries? In fact, I challenge anyone to identify another agency in the City of New York that in the year 2008 pays these amounts to their employees. These dedicated public

BOARD OF ELECTIONS

servants are about to embark on the most challenging times in their careers and it is appropriate for their compensation to reflect the enormity of that task.

The Commissioners of Elections have recognized the need for pay parity and it is essential that the City of New York recognize these employees and pay them a fair and equitable salary. The Board estimates that an appropriation of an additional \$9.3 million would enable us to raise the salaries of all our employees by approximately 38% and thus bring them closer to what their counterparts at the Campaign Finance Board and other City agencies receive.

CLOSING COMMENTS

When HAVA was first enacted, the Board of Elections hoped that it could phase in a new voting system over the course of a three election cycle. That option was taken away by the State Legislature. We are now faced with having to introduce and implement a new voting system to the voters of New York in a very short period of time. Although we did not choose the way the State of New York has handled this process, we at the Board of Elections nonetheless understand the enormity of challenges that lay ahead.

I have no doubt that we are up to the task. In the four months that I have been at the Board, I have seen a staff that is proactive in developing the tasks and strategies that will help us undertake this monumental effort. With this Council's help and the support we hope to receive from the Mayor, we should have the necessary resources to accomplish this goal.

Protecting the rights of the voters of this city is paramount and my staff and I are committed to this purpose. It is an understatement, at best, when I state that we need your support and assistance if we are to succeed.

I thank you again for your time and for allowing me to come before you on behalf of the Board of Elections in the City of New York today. As always, my team and I are available to answer any questions that you may have.

Board of Elections Expense Budget New Needs FY09

CITY FUNDING

On Going Operations

**BOE NEEDS
FY09 EXECUTIVE BUDGET
FY09**

Safety and Security

Securing Front Counters	\$450,000	\$0
Uniformed Officers	\$420,000	\$0

Legal Services

Assistant General Counsel (1)	\$75,000	\$0
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Candidate Records Unit

Administrative Associate (2)	\$89,292	\$0
Stenographer/Secretarial Associate (1)	\$32,594	\$0
Senior Computer Programmer (1)	\$51,997	\$0

Voting Equipment Operations

Associate Staff Analyst (2)	\$122,766	\$0
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Local Registration Presidential Year

2 Days at Selected Poll Sites	\$500,000	\$0
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Pay Equity

(38% of \$24,525,270 FY08 PS actual)	\$9,319,603	\$0
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For all Board of Elections Personnel

Executive Budget Reduction

	\$0	(\$5,894,000)
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Total City Funding

	\$11,061,252	(\$5,894,000)
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Board of Elections Expense Budget New Needs FY09

HAVA RELATED

**BOE NEEDS EXECUTIVE BUDGET
FY09 FY09**

Gartner Consulting

Assist in implementing HAVA

CAPITAL	CAPITAL
2008 \$7,653,356	2008 Approved
2009 \$7,800,000	2009 TBD

Holding Codes

\$15,470,000

Educating the Voters

Public information/outreach contract
with Burson Marsteller

\$6,127,897

\$6,127,897

*

BMD mailing postage
BMD mailing design and printing

\$1,400,000
\$500,000

\$1,400,000
\$500,000

*
*

Training Staff & PWs

Poll Worker Video
Production
Distribution

\$100,000
\$100,000

\$100,000
\$100,000

*
*

**Modernization and Expansion
of BOE Facilities**

Five Borough Modernization

CAPITAL

CAPITAL

Development of Computer Systems

Interface BOE & New Machine

CAPITAL

CAPITAL

2008 Add. Pollworker/Poll site Exp

Total Funding Needed
Additional Pollworkers (8,616)
Additional Pollsite Coordinators (390)
Additional Pollworker Trainer Training
Additional Pollworker Trainers
Pollworker Training Comp. Increase
Pollworker Bonus Comp. Increase
Coordinator Debrief Comp. Increase
Private Pollsite Comp. Increase

\$10,443,150
\$3,446,400
\$234,000
\$56,000
\$166,000
\$3,225,600
\$2,876,600
\$134,550
\$304,000

\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0

* BOE Anticipates using funds in Holding Codes for these Items



DEPARTMENT FOR THE AGING

2 LAFAYETTE STREET
New York, New York 10007-1392
(212) 442-1100

Edwin Méndez-Santiago, LCSW
Commissioner

TESTIMONY

presented by

Edwin Méndez-Santiago, LCSW
Commissioner

at a Hearing On

Department for the Aging's 2009 Executive Budget

before the

New York City Council
Committee on Aging

on

Tuesday, May 20, 2008

1:15 P.M.

at

City Hall

Council Chambers, 2nd Floor
New York, New York, 10007

Good afternoon, Chair Arroyo, Chair Weprin and Sub-Committee Chair Vacca and members of the Committees on Aging and Finance. I am Edwin Méndez-Santiago, the Commissioner of the New York City Department for the Aging (DFTA). Next to me is Budget Director Sasha Fishman. Thank you for the opportunity to testify before you today on the Department for the Aging Fiscal Year 2009 Executive Budget.

The FY 2009 Executive budget is projected at \$257 million in baseline funding, of which approximately, 44 percent, or \$114 million, are City tax levy funds. The majority of the Executive budget includes allocations of \$94 million to support senior centers; \$29 million for home delivered meals; \$22 million for case management services; \$27 million for home care for non-Medicaid eligible homebound seniors; \$8.5 million for transportation; and \$1 million for senior employment services. In addition, the FY 2009 Executive budget allocates \$5 million for caregiver support services. As you are aware, the Executive Budget includes only baseline funding and is subject to change based on negotiations between the Administration and the City Council.

While the city faces difficult fiscal times, I am pleased that the Executive Budget presents us with some very good news as well. The Mayor recently announced a Cost of Living adjustment (COLA) for human service contracted providers, as part of the Executive Budget. This COLA will allow agencies that have contracted with the city before July 1, 2007 to give raises to their staff. It is a 3 percent increase in direct employee salaries in city funded contracts effective July 1, 2008. There will also be a 2 percent and then a 4 percent compounded general wage increase effective July 1, 2009 (FY 10) and July 1, 2010 (FY11), respectively. These two COLAs will be funded by productivity improvements and other operational savings.

The city is committed to working with providers to identify the additional savings. A public-private task force is being convened with representatives from both Providers and City agencies to identify mechanisms for achieving savings. The task force will explore productivity measures, help to quantify savings, and implement these measures for Fiscal Years 2010 and 2011. The out year increases will be limited to the amount of savings achieved.

As I mentioned in my last testimony on March 20, 2008, DFTA—like all City agencies— will face reductions in 2009. A \$5 million, or 3% across-the-board reduction, was implemented in the January Plan, where every City agency was asked to do their part in closing the City's budget deficit. To share and mitigate the impact of this reduction on providers of services to older New Yorkers, DFTA absorbed the reduction in FY08 from within the Agency's own budget. For FY09, DFTA gave providers flexibility on how to implement the 3% reduction, with the goal of minimizing the impact on services. Providers are expected to maintain the same service levels. However, because case management and the home-delivered meal services are currently undergoing a modernization effort, these services will be exempt from the 3% reduction. As always, our primary goal is to ensure that older New Yorkers continue to receive high-quality services regardless of the city's economic forecast.

During the FY 09 Executive Plan, agencies were asked to identify additional savings in order to help balance the City's budget. As a result, DFTA had to make a difficult decision and proposed the elimination of Information and Referral contracts totaling a tax levy savings of \$2.1 million

in FY 09 and the out years. DFTA felt that reducing these services, compared to meals or homecare for example, would have less of an impact on seniors. Information and referral services will continue to be offered through many of DFTA's senior centers, case management agencies, as well as through the City's multi-lingual 311 network.

I would also like to take this opportunity to provide you with a brief overview of our modernization efforts. As you may know, the Department released its Request for Proposal (RFP) for Home Delivered Meals on May 1st. The RFP will expand and enhance the well-known and essential home delivered meals program. The RFP ensures that the existing program will continue, with more food choices and improved delivery, and ensures that the City will be prepared for increased future demand. All seniors will continue receiving the hot daily meals they are accustomed to, unless they choose bi-weekly frozen meal delivery. All homebound seniors will be assessed by a case manager to ensure that they can safely heat a frozen meal if that is what they choose. Choice and flexibility will be the paramount focus of a modernized home delivered meals system.

The Department is seeking home delivered meals proposals that respond to the diverse needs of the City's homebound population, including ethnic and dietetic needs and preferences. Successful bidders must demonstrate their ability to provide both flash-frozen and daily hot meals in one or more of 20 specified geographic regions. These regions closely align with the recently awarded 23 case management contracts. Responding to input from community partners, the Department has extended the deadline to submit proposals to August 1, 2008.

The Department will continue to work with our community partners on the development of the RFP for senior center services, which will be released on October 2, 2008. This date was selected after discussions between DFTA, the City Council, the New York City Comptroller and leading non-profit organizations representing aging service providers. DFTA had originally planned to release the senior center RFP in June, 2008. The additional four months will allow more time for community input and for thoughtful planning. As always we look forward to valuable input on the RFP from this Committee.

DFTA also agreed to implement a two-tiered approach to the senior center RFP whereby the Department will seek proposals for two types of centers. Comprehensive multi-service health and wellness centers will offer an array of programming such as disease prevention programs, exercise classes, opportunities for meaningful volunteerism and civic engagement, as well as performing and visual arts activities. More traditional neighborhood senior centers will focus on core services, such as meals and social services, as well as incorporate health and wellness programming. These two types of centers will create a good balance of services that will respond to the diversity of needs and preferences of New York City's senior population. Two separate program models will also ensure a place for a great diversity of organizations, both big and small, in the RFP process.

Thank you again Chair Arroyo and Sub-Committee Chair Vacca and the Committee on Aging for the opportunity to testify before you today. I look forward to continuing our dialogue on improving services for older adults in New York City. I will now take your questions.

Testimony of Dr. Jane Katz

John Jay College of Criminal Justice

The City University of New York

New York City Council Finance and Juvenile Justice Committees

2008-2009 Executive Budget

May 20, 2008

Good afternoon, Chairperson Gonzales, Chairperson Weprin and members of the Juvenile Justice and Finance Committees. My name is Dr. Jane Katz. I am a professor, Olympiad, coach, instructor and mentor of aquatics for over 40 years. Thank you for the opportunity to speak to you today this afternoon. I am here representing John Jay College of Criminal Justice, City University of New York as a professor, coach and of most relevance this afternoon the Program Director of the K.A.R.E. Program (Kids Aquatic Re-Entry Program).

As you know, there is a growing need to help prevent juveniles from becoming part of the ever increasing jail population. Through my life's work I have used swimming and aquatic activities as a modality to help at risk youth learn life's lessons in the water. The K.A.R.E. Program exemplifies this approach.

The Kids Aquatic Re-Entry Program is a successful partnership between John Jay College of Criminal Justice and the New York City Department of Juvenile Justice. Thanks to you and the leadership of Commissioner Neil Hernandez at DJJ, this program is now a reality. To date over 200 young adults have participated in the program. The goal of the program is to provide the opportunity for juveniles currently in detention centers in our city to earn how to swim, enjoy the benefits of swimming for health as well as learn lifelong social skills such as time management,

the value of education, teamwork, respect for others, etc. While this program is innovative, I am happy to report that has the program been successful thus far. The Program officially began this past fall (November 2007) and has continued this spring semester.

Cohorts of participants both male and female attend each Saturday from 11 a.m. to 5 p.m. over the course of five to ten consecutive sessions. Each group either male or female attends a session approximately for one and a half hours at time. The Department of Juvenile Justice staff transports juvenile participants to and from their resident facilities and provides supervision throughout the day. The Program itself consists of formal swim instruction, aquatic exercise and fitness techniques, water safety requirements and a series of competitive games. They were given proper equipment, including cap and goggles, a healthy snack and after completion of the program were given American Red Cross Level I certificates.

Based upon written and verbal feedback from the youth as well as program staff both DJJ and John Jay College, attendees saw this Saturday program as means to learn not to fear water, to swim and perhaps most importantly to see them capable of doing something they never saw possible. I myself have witnessed firsthand transformations within short time periods of youth, both male and female as they gain self confidence and exemplify teamwork and determination.

I am a firm believer and can testify that this program has the ability to change young adult's lives while learning life's lesson poolside.

Thank you again for your support. I am happy to answer any questions you may have.

**New York City Council
Executive Budget Hearings
Finance Committee
Juvenile Justice Committee**

the ati coalition

[www.ati-ny.org]

May 20, 2008

Center for Alternative Sentencing and Employment Services (CASES)
Center for Community Alternatives (CCA)
Center for Employment Opportunities (CEO)
Fortune Society
Family Justice (Family Bodega & La Bodega de la Familia)
Legal Action Center (LAC)
Osborne Association
Women's Prison Association (WPA)

Testimony Presented By
Joel Copperman
CEO / President
CASES

My name is Joel Copperman. I am the CEO and President of CASES, one of the eight organizations that make up the ATI Coalition. The Coalition includes the Center for Alternative Sentencing and Employment Services (CASES), Center for Community Alternatives (CCA), Center for Employment Opportunities (CEO), Fortune Society, Family Justice (Family Bodega & La Bodega de la Familia), Legal Action Center (LAC), the Osborne Association and the Women's Prison Association (WPA). I am here on behalf of that coalition.

These eight programs provide alternative to incarceration and reentry services. Our ATI work takes us into the courts where, in cooperation with judges, prosecutors and the defense bar, a person's appropriateness for one of our programs is assessed and a determination is made whether to admit him or her to the program instead of incarceration. Our reentry work is at the back end of the system when individuals are released from incarceration and returning to their communities.

On behalf of the ATI Coalition, I want to thank the City Council for the assistance you have provided to our programs and to our clients. Your support allowed us to leverage your support many times over, all of which will allow the eight agencies that comprise the ATI coalition to serve over 17,000 clients this fiscal year.

We all know that crime affects each of New York City's communities – victims, the person committing the offense, families, community members, and taxpayers. Incarceration has long been the primary response to crime. Too often though, that response fails to improve public safety or prevent future crimes by people released to the community. Incarceration isolates young people and adults from needed supports; disrupts families and contributes to the cycle of poverty and recidivism. Incarceration is also expensive, costing the City hundreds of millions of dollars every year.

Our programs provide effective services as an alternative to incarceration and for individuals just released from jail or prison. We work in the Criminal, Supreme and Family Courts in all five boroughs. Our offices and services are spread across the five boroughs as well. The maps in the Atlas attached to this testimony give a good picture of the breadth and the depth of our services across the City.

The work of the ATI Coalition is an integral part of the strategy that has enabled the City to reduce crime. We have also made important contributions to the lower populations in the jails, prisons and juvenile detention facilities. The Coalition brings services to some of the City's most disadvantaged neighborhoods. As opposed to incarceration, ATIs and reentry programs invest in people and their families and ultimately strengthen whole communities. Supporting the Coalition is a cost-effective way to reduce crime, help people change their lives for the better, strengthen communities, and save taxpayer dollars.

While all of our clients are involved in the criminal justice system, the range of the ATI Coalition's work stretches across the social services, housing and employment fields. Our work strengthens families, helps youth achieve their potential, provides relevant and

appropriate services for women, connects people to stable employment, provides a home in the community, addresses the problems of substance abuse, and provides effective solutions for the mentally ill. Our work is part of a process to develop the skills and resources to avoid future criminal involvement.

We are hoping to launch a new initiative this year. We are requesting an additional \$1.2 million for our programs. With this additional funding, we will be able to target disconnected youth (16–24 year olds) involved in the criminal justice system. By targeting this population, the ATI Youth Initiative will promote outcomes that increase employment, education, housing and positive community activities while reducing involvement with the criminal justice system.

The annual costs to incarcerate a person in a city jail is \$66,085 per year, juvenile detention averages \$150,000 per year, while the annual cost for most ATI programs averages \$10,000 per person. A recent Independent Budget Office report analyzed the stages a youth takes in the juvenile justice process, from arrest to disposition, the different paths their case may take through those stages, and the typical costs per youth at each stage. IBO found that the total city cost of providing juvenile justice has increased from \$202 million in 2003 to more than \$251 million estimated for the current fiscal year – an increase of 24 percent – due to substantial increases in detention costs.¹ The report concludes that the cost of detaining arrested youth and placing them in state facilities, consumes more than 75% of city spending on the juvenile justice system, and alternatives to detention and placement programs bring both immediate and long-term cost savings.

The number of youth entering the criminal justice system has also caught the attention of the City Council. Council Member Letitia James introduced Res 1182, which calls for an end to practices that foster the “School to Prison Pipeline,” where students are pushed out of the public school system and into the juvenile and criminal justice systems through the strict interpretation of “zero tolerance policies.” This problem is exacerbated when you factor in recent neuroscience research that confirms that the brain of a youth is not fully developed until they reach their early twenties. Consequently, they lack the capacity for adult level reasoning or a full realization of the consequences of their actions.²

Many young people (some 14-15 year olds and all 16-24 year olds) who are involved in the juvenile justice system subsequently wind up in the adult criminal justice system. This age group is a growing and significant portion of the incarcerated population, and face distinct challenges. The combined experience of juvenile justice and young adult criminal justice system involvement obstructs young people from maturation experiences such as first jobs, independent living, higher, vocational, or professional education, and stable romantic relationships and family building. Thus, 16-24 year old people in the criminal justice system face not only the challenges associated with the transition out of that system, but those associated with the transition to adulthood.

¹ IBO Fiscal Brief, *The Rising Cost of the City's Juvenile Justice System*, December 2007

² *Roper v. Simmons*, United States Supreme Court (2005)

The ATI Coalition will use its collective experience working with disconnected youth and their families to create a network of support systems and services proven to reduce barriers towards a successful life. Services and programs supported by the ATI Youth Initiative will include:

- Expansion of linkages to substance abuse treatment services;
- Expansion of education related services including literacy, truancy prevention, pre-GED and GED classes; one-on-one tutoring; liaison services in schools; college planning and assistance with college applications;
- Expansion of comprehensive work programs that offers immediate paid transitional work and extra support and coaching for youth with little work experience or maturity for the workplace;
- Provision of case managers to work with clients and family members to teach problem-solving, communication and parenting skills that improves family and peer-relationships;
- Expansion of mental health services to identify those young people with serious mental health needs and programs that provide necessary services or linkages to community based mental health programs;
- Expansion of gang intervention and education programs on gang related issues; and
- Enhancement of parent-child programs targeted to reduce risk factors - such as parental incarceration, low literacy and education levels, and abuse and neglect in the family setting - which lead to incarceration.

Our most important message to you is that **THE PROGRAMS OF THE ATI COALITION WORK**. Our programs are far **less expensive than incarceration**. ATI services average \$10,000 per client served. Compare this to the \$22,000 (prison), \$66,000 (jail) or \$150,000 (juvenile detention).

ATI Coalition programs **reduce recidivism**. A few examples demonstrate the effects of our services.

- A program that serves young people charged with a felony: 80% of graduates not convicted of any new crime within 2 years
- A program that serves adults with serious and persistent mental illness charged with a felony: 97% reduction in conviction rate following intake into the ATI program
- A residential program for women who have committed felonies: 97% of graduates not convicted of a new crime within one year
- An employment program for individuals recently released: less than 1% were incarcerated for a new crime within one year

The results go beyond recidivism. Not only do we keep our clients out of jail and prison, we help them make **dramatic changes in their lives and helping our clients helps communities**.

- At intake, 64% of the clients entering a program that serves people with mental illness were homeless. Currently, 37% are in their own apartment, a congregate treatment program or supported housing; 33% are living with family and 15% are in transitional housing.

- One year after graduation from a drug treatment program serving women charged with felonies, 63% remained drug free one year after program graduation.
- Family members participating in a family case management program report an increase in their overall well being due to an increased use of needed medical and social services.

We have spoken about the extraordinary quantitative outcomes of our programs. There is another set of outcomes that demonstrate our success, perhaps the most important outcomes – **the stories of the people we serve**. Here are few of the thousands of stories about the lives of young New Yorkers who have been made better by our work.

Jovan was 15 when he was arrested on a felony robbery charge and referred to one of the programs in the ATI Coalition. He had a history of truancy, problems at home and smoked marijuana regularly. While in the program, he received drug abuse education and was regularly tested for substance abuse. Jovan was monitored by the program to make sure that he was going to school and adhering to the curfew imposed by the court. After a psychiatric evaluation, he was linked to mental health services in the community. Jovan stopped using marijuana. His school attendance improved and his grade point average increased by over 20 points from 67% to 88%.

AJ was convicted of a drug possession charge carrying a maximum sentence of seven years in prison. During an assessment with a substance abuse counselor, AJ described an eight-year history of marijuana use and explained that his substance use had made him an outcast in his family and had led to his expulsion from school. AJ expressed his determination to turn his life around by conquering his marijuana dependence and earning his GED, stating that he was “up for the challenge.” AJ attended outpatient drug treatment at a drug treatment program five days per week, while attending education classes and one-on-one tutoring sessions. A hard worker, AJ soon demonstrated the sincerity of his commitment, making excellent progress in his academic work while consistently testing negative for drugs. Shortly before his graduation, AJ took the GED exam and passed. He has since returned to the program to receive additional education counseling and college placement assistance.

the ati coalition

Serving New York City

CASES

(Center for Alternative Sentencing
& Employment Services)

Joel Copperman, President/CEO

346 Broadway, 3rd Floor

New York, NY 10013

(212) 553-6301

Fax: (212) 619-2821

E-mail: jcopperman@cases.org

Website: www.cases.org

Center for Community Alternatives (CCA)

Marsha Weissman, Executive Director

39 West 19th Street, 10th Floor

New York, NY 10011

(212) 691-1911

Fax: (212) 675-0825

E-mail: mweissman@communityalternatives.org

Website: www.communityalternatives.org

Center for Employment Opportunities (CEO)

Mindy Tarlow, Executive Director/CEO

32 Broadway, 15th Floor

New York, NY 10004

(212) 422-4850

Fax: (212) 422-4855

E-mail: mtarlow@ceoworks.org

Website: www.ceoworks.org

Fortune Society

Jo Anne Page, President/CEO

29-76 Northern Boulevard

Long Island City, NY 11101

(212) 691-7554

Fax: (212) 255-4948

E-mail: jpage@fortunesociety.org

Website: www.fortunesociety.org

Family Justice (Family Bodega & La Bodega de la Familia)

Carol Shapiro, Executive Director

625 Broadway, 8th Floor

New York, NY 10012

(212) 475-1500

Fax: (212) 475-2322

E-mail: cshapiro@familyjustice.org

Website: www.familyjustice.org

Legal Action Center (LAC)

Paul Samuels, Director/President

225 Varick Street

New York, NY 10014

(212) 243-1313

Fax: (212) 675-0286

E-mail: psamuels@lac.org

Website: www.lac.org

Osborne Association

Elizabeth Gaynes, Executive Director

809 Westchester Avenue

Bronx, NY 10455

(718) 707-2600

Fax: (718) 707-3103

E-mail: egaynes@osborneny.org

Website: www.osborneny.org

Women's Prison Association (WPA)

Georgia Lerner, Executive Director

110 Second Avenue

New York, NY 10003

(646) 292-7740

Fax: (646) 292-7763

E-mail: glemer@wpaonline.org

Website: www.wpaonline.org

Center for Court Innovation Testimony
New York City Council Juvenile Justice Committee
May 20, 2008

Good afternoon. My name is Alfred Siegel and I am the Deputy Director of the Center for Court Innovation. Thank you for this opportunity to speak about our work.

We are here to urge the Juvenile Justice Committee, as it is considering the mayor's proposed budget, to support funding to help courts and their community and government partners in New York City address the needs of vulnerable children and families.

Young people arrested for delinquency are typically grappling with numerous challenges: family conflicts, mental illness, drug use, truancy and trauma, to name a few. Unfortunately, in these cases, the approach of conventional courts generally tackles the legal issues but often fails to adequately address the underlying problems that bring young people into the court system in the first place—and keep them coming back, often for more serious, sometimes violent, offenses.

The Center for Court Innovation believes that courts, governments and communities, working together, can do a better job in addressing the problems of young people and families. The Center works to reduce crime, aid victims, and strengthen neighborhoods by making courts more problem-solving and responsive to their constituents. Starting with the award-winning Midtown Community Court, the Center has created more than a dozen demonstration projects – drug courts, community courts, youth courts, alternative to detention programs and others – that are making an impact on the safety and health of New York City's neighborhoods. Researchers have documented that our projects have changed the behavior of offenders, improved perceptions of fairness, and enhanced public trust in justice.

The Center for Court Innovation has helped the city achieve measurable public safety gains while saving money. The Center helps promote cost-effective juvenile and criminal justice reform by reducing the use of ineffective short-term jail sentences for adults and creating alternatives to detention and state placement for juveniles, by changing the behavior of offenders, by contributing hundreds of thousands of dollars in community service, and by leveraging the City Council's investment in our work to bring additional private and federal dollars to New York City.

A key focus for the Center is working with vulnerable children and families involved in the justice system.

Last June, the Center launched the first of the city's new alternative to detention programs: Queens Engagement Strategies for Teens (QUEST). Since its opening, 162 young people that were at risk of being placed in detention facilities have instead remained at home while receiving supervision and/or after-school programming through QUEST. QUEST stresses individual accountability, law-abiding behavior, adherence to court mandates, and school attendance. QUEST staff, including a social worker, an after-school program coordinator and compliance monitors engage youth in on-site programming and make referrals, as appropriate, to community-based services. I am happy to report that the program has been an unqualified success. 87% of QUEST participants have complied with court and program mandates and avoided detention. By allowing participants to remain in the community, QUEST is well on its way to saving the city over \$5 million each year in juvenile detention costs.

This summer, QUEST will launch a new component – a pioneering juvenile mental health project that will, for the first time, put in place systematic procedures for identifying, assessing and creating treatment plans for the large number of young people arrested for delinquency who have mental health disorders. The QUEST juvenile mental health project will link young people and their families to community-based treatment rather than confining them in costly residential detention and placement facilities.

In the last year the Center has also:

- Launched attendance courts in Harlem and Red Hook that take an innovative, pro-active approach to the challenges facing young people with chronic truancy problems;
- Opened the Harlem Custody and Visitation Court to prioritize the needs of children and defuse the negative impact of parental conflict in these highly adversarial cases;
- Launched the Far Rockaway Youth Court to address the growing concern over teenage crime in the area;
- Tackled teenage dating violence in the Brooklyn and Bronx Youthful Offender Domestic Violence Courts; and
- Began implementing the proposals of the Youth Justice Board to strengthen the participation of foster youth in their court cases.

Much of this work was made possible because of Council support.

All told, the Center serves well over 2,000 children each year who are at different stages of involvement with the justice system. Our existing programs include youth courts in Red Hook, Harlem, Crown Heights and Far Rockaway, where local teenagers hear real-life low-level cases involving their peers, using positive peer pressure to ensure that teens who have committed minor offenses both pay back the community and receive the help they need to avoid further involvement in the justice system. The Red Hook and Harlem Community Justice Centers handle the cases of young people arrested on delinquency charges, teaching accountability while linking both youth and family to services such as drug treatment, tutoring and job training. The Red Hook Community Justice Center has recently launched a program to engage the families of young people who have delinquency cases pending in Family Court, while providing mentors, internships, educational advocacy and mental health services to the young people themselves. The Bronx Juvenile Accountability Court serves as an intensive alternative to placement for juvenile probationers, offering dedicated social services and meaningful, educational community service programming. Participants avoid incarceration but also receive the support and structure they need to go to school, stay away from drugs and alcohol and successfully stay in the community. The Harlem Juvenile Reentry Network uses judicial monitoring, intensive case management, and a wide network of service providers to assist young people returning from state placement facilities in making the transition from incarceration to stable community life. The Child and Adolescent Witness Support Program in the Bronx provides mental health support and referrals to children and adolescents, ages 3 – 15 years, who have been a witness or victim of

physical abuse, sexual abuse, domestic violence, or homicide. And the Youth Justice Board brings together New York City teenagers to propose solutions to public safety issues such as juvenile recidivism and school safety.

I am here today to ask the members of the Juvenile Justice Committee to continue to support this critical work. We are deeply grateful for the Council's support—it has been invaluable to the success of the Center for Court Innovation, helping us maintain core operations and launch new initiatives at our problem-solving courts throughout the city—courts that serve over 60,000 New Yorkers every year.

This year we are asking the Council for \$1 million to continue this work and to introduce several new programs designed to improve the city's quality of life while saving money. We ask for a continuation of last year's level of support (\$758,000), supplemented by a budget enhancement of \$242,000 that will enable the Center to launch several new projects. Council funding will support the implementation of the QUEST juvenile mental health project mentioned above; expanded programming at the attendance courts in Harlem and Red Hook; and intensive mental health services for youthful offender misdemeanants in the Bronx

The Center for Court Innovation looks forward to continuing to work with the New York City Council to improve the juvenile justice system's response to the challenges confronting young people caught up in the court system. We urge you to support our work and the work of other organizations and government agencies who are improving how courts and their partners tackle the social problems driving the huge caseloads in today's family and criminal courts. Thank you again. I would be happy to answer any questions you may have.

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INNOVATION

A Public/Private Partnership with the
New York State Unified Court System

ANNUAL REPORT



2007

ANNUAL REPORT

2007

INTRODUCTION

The Center for Court Innovation is a public-private partnership that seeks to help the justice system reduce crime, aid victims, and improve public trust in justice. In New York, the Center serves as the court system's independent research and development arm, studying difficult problems and testing new solutions. The Center also works beyond New York, providing reformers across the country and around the world with the tools they need to launch their own innovations.

The Center for Court Innovation began 2007 by celebrating an important milestone: its 10-year anniversary. The New York City Bar Association hosted the celebration, which featured speeches by New York City Mayor Michael Bloomberg and New York State Chief Judge Judith S. Kaye, among others. In her remarks, Judge Kaye called the Center's first 10 years "a magical decade," and credited the Center with "finding new ways for our courts, while delivering justice, to save lives and improve public safety."

In 2007, the Center for Court Innovation continued to strive to live up to this lofty praise. This report documents the organization's accomplishments during the past year—and outlines plans for the year ahead. In keeping with the Center's principal areas of business, the report is organized into three sections:

- Demonstration projects, which the Center uses to test new ideas;
- Technical assistance, which the Center provides to practitioners to help them innovate and adapt model projects to local needs; and
- Research and publications, which the Center uses to spread knowledge and participate in the national—and international—conversation about justice.

The report also includes information on the Center's revenues and expenditures for fiscal year 2007.

DEMONSTRATION PROJECTS

The Center for Court Innovation tests new approaches to justice by helping to create demonstration projects in New York City. The Center currently operates more than a dozen projects that touch the lives of thousands of New Yorkers each year. These range from small-scale experiments that work intensively with a few dozen troubled young people at a time to projects that handle thousands of cases each year in an effort to address quality-of-life crime.

Queens Engagement Strategies for Teens

Located in the basement of a church in Jamaica, Queens Engagement Strategies for Teens (QUEST) offers an alternative to detention for young people charged with delinquency. The project, which began operations in 2007, provides after-school programming and supervision to participating young people—and provides judges in Queens Family Court with timely, accurate, and comprehensive information about whether youth are meeting their court obligations. The ultimate goal is to reduce the likelihood that participants are placed in Upstate facilities and increase the chances that they will pursue constructive, law-abiding lives. While the project has been open for only a few months, early returns are positive: compliance stands at 83 percent. The project was initiated by the City of New York with additional funding from the New York State Division of Criminal Justice Services, the Butler Foundation, and the New York Community Trust.

Far Rockaway Youth Court

The Far Rockaway Youth Court opened its doors in 2007. Like its companion youth courts in Harlem, Red Hook, and Crown Heights, the Far Rockaway project trains local teenagers to serve as jurors, judges, and attorneys, hearing real-life cases involving their peers. The goal is to use positive peer pressure to intervene in the lives of troubled young people who have committed minor offenses, helping them pay back the community and avoid further involvement in the justice system.

Red Hook Community Justice Center

The award-winning Red Hook Community Justice Center seeks to improve neighborhood safety and revitalize court-community relations in South Brooklyn. In addition to handling criminal, housing, and family court cases, the Justice Center has made a deep investment in crime prevention. Recent projects include a number of programs focused on young people. A photography project helps encourage positive self-expression among troubled youth. A theater project brings together local teens and police officers to break down mutual stereotypes. And a new viral marketing program, launched with the help of the Independence Community Foundation, recruits teen leaders to help spread an anti-crime message among public housing residents. Thanks in part to the Justice Center, Red Hook's local precinct—the 76th—was recently named the safest in Brooklyn.

Midtown Community Court

The Midtown Community Court addresses low-level, quality-of-life crime in and around Times Square, sentencing offenders to restore the local community and receive on-site social services. In 2007, the Midtown Court created a new program that works with non-custodial fathers to encourage them to get more involved in the lives of their children—including paying court-ordered child support. The Midtown Court has also forged a dynamic partnership with Common Ground Community, a supportive housing provider, to test new approaches to working with chronically homeless individuals. In honor of both its history and its continued commitment to innovation, the Midtown Community Court received the 2007 Golden Scroll Award from the Broadway Association, a prominent local business group.

Harlem Community Justice Center

Located on 121st Street in the heart of East Harlem, the Harlem Community Justice Center is a multi-faceted community court that seeks to improve the local housing stock, reduce youth crime, and help ex-offenders make a smooth transition back to the community following incarceration. In 2007, the Justice Center expanded its reach to include custody and visitation cases. The goal is to prioritize the needs of children and help defuse tension in these highly adversarial cases.

Bronx Community Solutions

Bronx Community Solutions seeks to apply the community court model of combining punishment and help to all non-violent misdemeanor cases in the Bronx. While still young, the project has already reduced the use of jail and increased the use of alternative sanctions in the Bronx. In 2007, 11,000 offenders were assigned to the program. Participants completed 70,000 hours of community service, worth \$450,000 to local neighborhoods. Compliance with community and social service mandates averages 70 percent, a significant improvement over compliance rates in the Bronx before the project's inception. In an effort to promote transparency, the project maintains a blog (<http://changingthecourt.blogspot.com/>) that receives an average of 36,000 page views a year. Bronx Community Solutions was also featured in *The New York Times* in 2007.

Center for Courts and the Community

The Center for the Courts and the Community was created with the New York State Unified Court System to help promote new and innovative community engagement and education efforts across the state. Among its initiatives, the Center for Courts and the Community has been working to strengthen and expand the network of 100 active youth courts throughout New York State, including hosting a statewide summit in Brooklyn in the fall of 2007. Based on a model piloted in Buffalo, the Center for Courts and the Community created two attendance courts in New York City to combat middle school truancy. The Center for Courts and the Community also published a new book, *Personal Stories: Narratives From Across New York State*, a collection of first-person stories from participants in New York drug courts.

Other Demonstration Projects

The teenagers who sit on the Youth Justice Board presented recommendations for improving the lives of children in foster care to the chief administrative judge of New York City's Family Court. The Crown Heights Community Mediation Center explored new ways to educate young people about peaceful conflict resolution. Researchers documented that the Brooklyn Mental Health Court has helped improve case outcomes for mentally-ill offenders. The Bronx Juvenile Accountability Court worked with dozens of troubled young people, providing judges in Bronx Family Court with a reliable, community-based alternative to placement. The Queens Community Cleanup put thousands of low-level offenders to work repairing conditions of disorder in Long Island City and Jamaica. The Child and Adolescent Witness Support Program provided therapy and other services to young people in the Bronx who have been a witness to or victim of sexual abuse, physical assault, domestic violence, and homicide. In addition, a number of projects that the Center helped to initiate, including the Brooklyn Treatment Court, the Manhattan Family Treatment Court, and the Brooklyn Domestic Violence Court, continue to operate and have been fully institutionalized within the New York court system.

TECHNICAL ASSISTANCE

In addition to operating its own projects, the Center for Court Innovation actively seeks to encourage justice agencies across the state and around the world to launch their own innovations. To advance this goal, the Center provides hands-on training and technical assistance to judges, attorneys, court administrators, probation officials, community leaders, and others. In the process, Center staff—based both in New York City and the Center's Upstate office in Syracuse—have helped support the implementation of hundreds of reform initiatives aimed at reducing crime, aiding victims, and improving public trust in justice.

Drug Court

In June 2007, the National Association of Drug Court Professionals honored the Center for Court Innovation, Chief Judge Judith S. Kaye, and the New York State Association of Drug Treatment Court Professionals with its National Leadership Award. The award recognized New York's efforts to "go to scale" with drug courts. Over the past decade, the Center for Court Innovation has played a key role in transforming New York's approach to addicted offenders. This includes piloting the Brooklyn Treatment Court, the first drug court in New York City. The Center also helped develop a management information system that is used throughout New York to track progress in treatment. Center researchers authored a multi-year evaluation of New York's drug courts that documented significant reductions in recidivism. Finally, on an ongoing basis, the Center works in concert with the New York State court system to train drug court judges, attorneys, and administrators.

Domestic Violence Court

In collaboration with New York's deputy administrative judge for operations and planning, the Center has worked to spread domestic violence courts, youth offender domestic violence courts, and integrated domestic vio-

lence courts throughout New York State. This effort has included research, technology, training, and hands-on consulting during both the planning and implementation stages. In 2007, the Center launched an innovative web-based training program for judges that uses streaming video to educate users about the complicated dynamics of domestic violence. The Center also helped the court system develop new courts, including an integrated domestic violence court in Manhattan and the state's first domestic violence family court in Queens. With the help of a grant from the U.S. Department of Justice, the Center also began to work nationally, helping courts in Louisiana, Washington, Illinois, and other states develop new approaches to domestic violence cases.

Community Court

There are three dozen community courts around the U.S. modeled after the Center's pilot projects in Midtown, Red Hook, and Harlem. In 2007, with the help of the Center, several additional cities began high-profile efforts to adapt the community court model, including San Francisco, New Orleans, and Newark. Replication efforts are not confined to the United States. Over the course of the past year, the Center's technical assistance team worked with innovators in jurisdictions as diverse as Scotland, South Africa, Australia, Ireland, China, Canada, and the Republic of Georgia.

Mental Health Court

Working with the New York court system, the Center provided technical assistance to mental health court planners in Nassau County, Montgomery County, Chautauqua County, Niagara County, and Queens County. By early 2008, New York is expected to have 17 mental health courts in operation, most of them based on the model created by the Center for Court Innovation in Brooklyn.

Sex Offender Management Court

In 2007, the Center worked with the New York State Unified Court System to open the Brooklyn Sex Offense Court. The new court joined six others around the state that closely monitor sex offenders' compliance with court orders and enhance services for victims. Along with the Nassau County Sex Offender Treatment Court, the Center also helped spearhead a year-long process to develop recommendations for improving the justice system's response to sex offending.

Problem-Solving Justice

With the help of the U.S. Department of Justice, the Center for Court Innovation convened court managers and clerks from New York's 5th and 7th Judicial Districts to solicit their views about how best to integrate problem-solving principles into the daily administration of the courts. The program educated participants about problem-solving justice and those practices and principles that might be used outside of specialized courts. The event also solicited feedback from the court managers, asking them to identify challenges and concerns and brainstorm

new ideas about to how make this new approach to justice fit more easily into the existing infrastructure of the courts.

Technology

The Center is working closely with technologists from the New York State Office of Court Administration to build a Universal Case Management System, which will track criminal cases and monitor court-ordered mandates. The system will help court managers flag cases for referral to problem-solving courts, saving staff time and ensuring that cases don't fall between the cracks. In addition, technology staff from the Center are working on several citywide projects with the New York City Mayor's Office, including efforts to expedite the arrest-to-arraignment process, to improve the notification of litigants about upcoming court appearances, and to enhance communication among juvenile justice agencies.

RESEARCH AND PUBLICATIONS

By performing original research, making presentations at conferences, convening roundtable conversations, and writing books and white papers, the Center for Court Innovation seeks to make an impact in criminal justice policy circles.

Research

The Center rigorously examines the results of all of its demonstration projects, asking what works, what doesn't, and why. The Center is committed to an "action research" model, in which researchers develop performance benchmarks in close coordination with project staff and then provide regular, data-driven feedback to identify successes and challenges, and spark changes in practice.

The Center also conducts independent research on problem-solving innovations across the country. In the past, researchers at the Center have conducted a number of influential and much-cited studies, including a randomized trial that examined the efficacy of batterer intervention programs, an evaluation of court-monitored drug treatment programs in New York State, and an analysis of which practices piloted in problem-solving courts could most easily be employed outside of the specialized court context.

Research highlights from 2007 include the completion of a national survey that examined how criminal courts respond when domestic violence offenders don't comply with a batterer program mandate. The results indicated that the vast majority of courts do not consistently impose sanctions for non-compliance. Another study, completed in collaboration with Safe Horizon, compared two domestic violence prosecution policies—one that involved declining to file cases when the victim is non-cooperative and the other promoting mandatory case filing. The results suggested that there were no significant differences in re-arrest rates.

In 2007, *Judicature* published the results of a study by the Center that examined the experience of defendants at the Red Hook Community Justice Center. The study found that the vast majority of defendants thought that

their cases were handled fairly at the Justice Center. The results were the same regardless of race, criminal charge, and court disposition.

Also in 2007, the Center published a new book, *Documenting Results: Research on Problem-Solving Justice*, a collection of highlights from the work of the Center's research department over the past decade.

Failure

In partnership with the U.S. Department of Justice, the Center convened a roundtable of judges, court administrators, probation officials, prosecutors, police chiefs, defense attorneys, and others from around the country to examine failed criminal justice reforms. The inquiry was an effort to shift the way criminal justice officials perceive failure, from a debilitating stigma to a necessary companion and contributor to success. The Center's study of failure has attracted national attention, including coverage in the *National Law Journal*, *Community Corrections Report*, *Government Executive*, *Executive Exchange* (the magazine of the National Association of Probation Executives), and numerous criminal justice blogs.

Internet

The Center has dramatically expanded and re-fashioned its internet presence. The Center's web site, www.courtinnovation.org, contains hundreds of articles, fact sheets, interviews, how-to guides, and other resources for criminal justice officials interested in problem-solving reform. In 2007, traffic to the Center's web site reached an all-time high with more than half a million visitors downloading over 200,000 publications.

LOOKING AHEAD

In the year ahead, the Center for Court Innovation will continue to test new ideas and spread the results to the field. New projects currently in the works include:

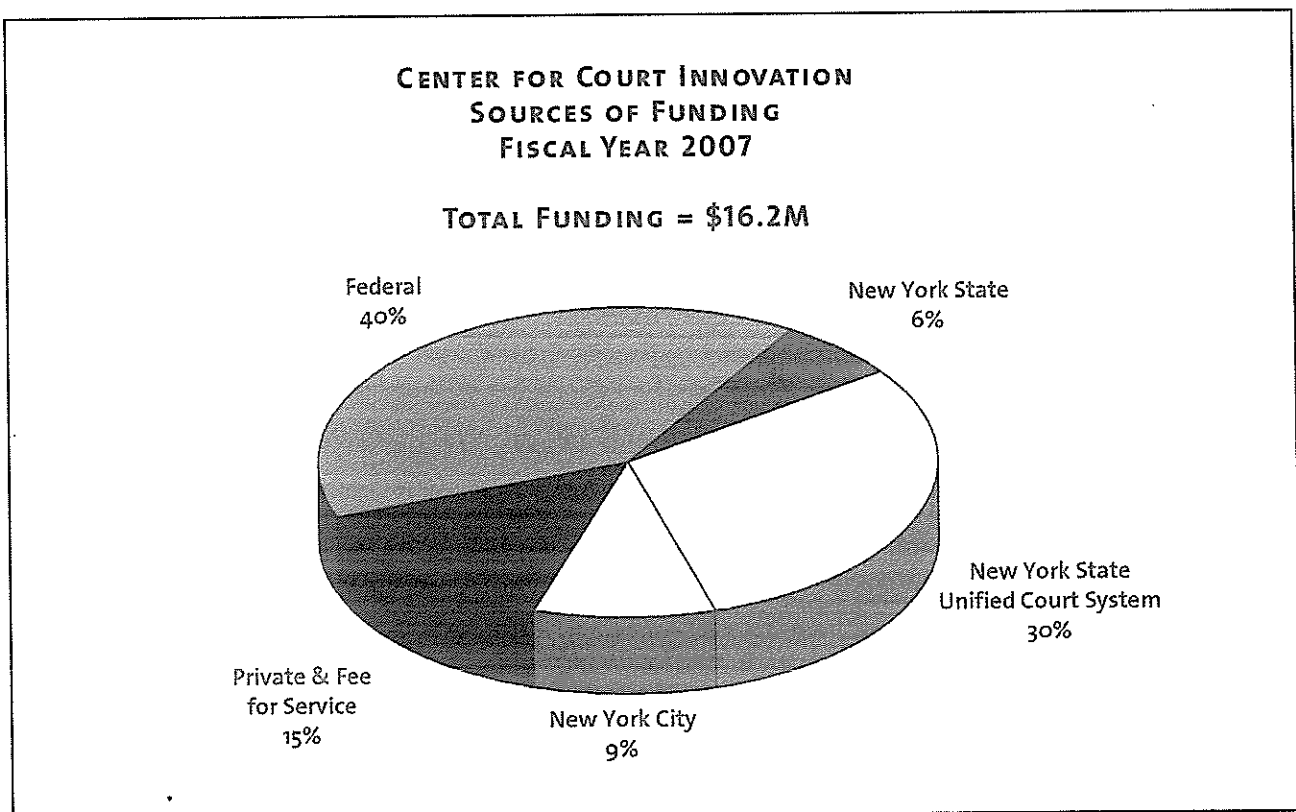
- A scholarly journal, the *Journal of Court Innovation*, published in collaboration with the New York State Judicial Institute and Pace Law School.
- A national effort to disseminate the *Passport to Adulthood*—a checklist developed to help Family Court judges coordinate services for teenagers aging out of foster care.
- A collaboration with the New York State court system, the U.S. Department of Justice, and the Robert Wood Johnson Foundation to aid troubled teens in Nassau County.
- The development of an online learning system for New York's drug treatment courts.
- Planning for the replication of the Bronx Community Solutions model in two locations: Manhattan and Syracuse.
- A survey of community courts across the world.
- A program in Queens Family Court for young people who have pending delinquency matters and exhibit mental health disorders.

- The creation of a task force that will develop recommendations to improve the supervision and reintegration of offenders returning from confinement to Upper Manhattan neighborhoods.
- A national survey that will document the attitudes of criminal court judges toward problem-solving justice.
- A roundtable that brings together court administrators to discuss how to promote statewide coordination of problem-solving courts.

In all of these ways and more, the Center for Court Innovation will continue to advance a simple idea: that the justice system has an important role to play in aiding victims, changing the behavior of offenders, and improving public safety in crime-plagued neighborhoods.

FINANCIALS

The Center for Court Innovation has steadily grown in size and stature since its creation in 1996. What was once a small group of a dozen or so planners working on a single operating project has grown into an organization with more than 150 employees and more than a dozen demonstration projects. Fiscal year 2007 was the Center's largest to date—see below and the facing page for a breakdown of revenues and expenditures.



CENTER FOR COURT INNOVATION
FISCAL YEAR 2007
EXPENDITURES

OPERATIONS

Bronx Community Solutions	1,436,800
Bronx Child Witness Support Program	72,200
Brooklyn Mental Health Court	431,600
Center for Courts & Community	498,800
Crown Heights Community Mediation Center	354,600
Harlem Community Justice Center	1,096,100
Midtown Community Court	1,682,800
Queens Plaza Community Cleanup	279,300
QUEST	360,100
Attendance Court	18,500
Far Rockaway Youth Court	119,800
Red Hook Community Justice Center	1,593,600
Red Hook Public Safety Corps	691,500
Upstate Office (Syracuse)	235,800
Youth Justice Board	158,500

SUBTOTAL OPERATIONS **9,030,000**

TECHNICAL ASSISTANCE/TRAINING

Domestic Violence	1,319,100
Drug Courts	353,400
Community Courts	914,300

SUBTOTAL TECHNICAL ASSISTANCE/TRAINING **2,586,800**

ADMINISTRATION

Project Safe Neighborhoods (pass-thru)	896,700
Planning, Research, Technology & Administration	2,310,500
FCNY Fee @ 9% (fiscal, legal & administrative support)	1,334,200

SUBTOTAL ADMINISTRATION **4,541,400**

TOTAL **16,158,200**

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A Public/Private Partnership with the
New York State Unified Court System

Center for Court Innovation

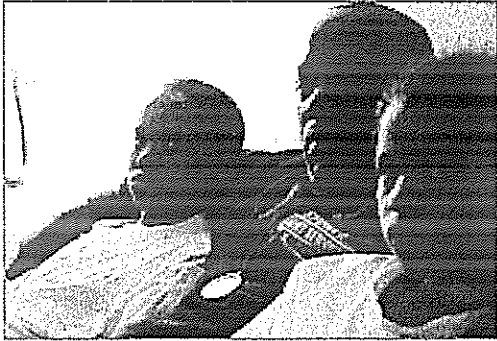
520 Eighth Avenue, 18th Floor

New York, New York 10018

212 397 3050 Fax 212 397 0985

www.courtinnovation.org

December 20, 2007



Damon Fuseyamore, age 45, is seen at home with his son Shucre, and stepson Shamar Arnold-Carter. Fuseyamore chose a drug treatment program over two to seven years in prison for selling crack, and celebrated 10 years of sobriety in June.



By Jennifer S. Altman for USA TODAY

Fuseyamore kisses the medallion he was given when he graduated from the Brooklyn treatment court program.

"What this approach seems to reach is what's left of the humanity of the drug addict."

—Stearns County attorney Janelle Kendall

Drug courts offer offenders alternatives

By David Unze, USA TODAY

Damon Fuseyamore vividly recalls smoking "my last nickel of crack" on June 16, 1997, while sitting on the steps outside his New York City residence. He said he owed loan sharks money and had been arrested two weeks before "with six nickels of crack and a bunch of money."

He was charged with selling crack and was looking at 2-to-7 years in prison. But he had another option.

"I had a choice of doing jail time or changing my life and going through treatment," he said. "If you have a choice between doing 2-to-7 or going through the program and going into treatment, any smart person would take the program."

Fuseyamore, 45, and the father of a 10-year-old son, celebrated 10 years of sobriety in June and has been a mechanic for the New York City Fire Department for six years, according to Dennis Reilly, former director of the Brooklyn Treatment Court. Fuseyamore's story is one of thousands touted by supporters of alternative drug courts.

The courts, which are multiplying across the USA, began 18 years ago as an experiment to attack a

growing crack cocaine epidemic in Miami. They rely on treatment, rigorous supervision and accountability as a way to help, for the most part, non-violent drug users rather than sending them to prison.

There are now 2,016 drug courts in about 1,100 counties, according to the National Drug Court Institute. That number, the institute says, is up from 1,048 five years ago and is nearly 1,800 more than existed 10 years ago.

According to West Huddleston, CEO of the institute, a 2005 study — the most recent available — showed 70% of drug court participants graduate from the program and reoffend at a rate of 17% on average, compared to the 66% recidivism rate of drug offenders who do time in prison.

That study also showed the annual average cost of a drug court participant is \$3,500, compared to annual prison costs that range from \$13,000 to \$44,000 per inmate, Huddleston said.

Alternative drug courts are funded by a combination of federal, state and charitable dollars. There is \$15.2 million for the Department of Justice Drug Court Discretionary Grant Program in the 2008 budget that awaits President Bush's signature. In addition, the federal Substance Abuse and Mental Health Services Administration has \$10.2 million in the 2008 budget to add treatment beds within operational drug courts.

Supporters say more is needed.

"We're scratching the surface. I think it's critical that a drug court is in every county in America," said Huddleston, who estimates that 120,000 people are served annually by drug court alternatives, but potentially four million more people could benefit by such programs. The program is mocked by some as adult day care or handholding for addicts, Huddleston said.

Eric Miller, an assistant professor of law at Saint Louis University is among the unconvinced. He said the drug court program takes away the adversarial design and uses the judge to engage the defendant in a 12-step style program.

"That's not what judges do," he said.

Miller questions whether there is enough thought to weeding out the people the drug court doesn't suit.

"A lot of thought has to be given to the types of people it best works for," he said. "I'm not saying it doesn't work at all. But I think there needs to be more thought about who it works for."

Stearns County (Minn.) attorney Janelle Kendall admits she was skeptical about drug courts.

"Our drug court was certainly not the prosecutors' idea," she said. "It still isn't for violent offenders. ... What this approach seems to reach is what's left of the humanity of the drug addict."

Among the areas of growth:

- **Missouri**, which had eight drug courts in 1998, has added 100 courts since then, according to Ann Wilson, coordinator of Missouri's drug courts. Missouri has more drug courts per capita than any state and as of Sept. 1 boasted 108 operational drug court programs, Wilson said. Of those, 75 are adult programs, 19 are for juveniles and 14 are family programs.

- **New York**, which has a drug court in each of its 62 counties and has integrated its funding into its overall judicial budget, according to Drug Court Institute research

•**Oklahoma**, where a Department of Mental Health and Substance Abuse Services report shows that from July 2005 to July 2006, the most recent period for which data was available, prison population expansion was slowed by 2,300 inmates because those offenders were admitted into drug court. The report shows that there are 52 drug courts in 59 counties. It lists the annual cost for a drug court participant as \$5,000, compared to at least \$16,000 annually for a prison inmate.

•**Florida**, where the first drug court was created in 1989, now has more than 109 active drug courts and six more in the works, according to Jennifer Grandal, court operations consultant in the office of state courts administrator.

Unze reports for the St. Cloud (Minn.) Times.

Seeing justice being done

Jack Straw. Secretary of State for Justice, United Kingdom

February 16, 2008 12:00 PM

http://commentisfree.guardian.co.uk/jack_straw/2008/02/seeing_justice_being_done.html

When it comes to punishing criminals, those of us with a duty to do our best to protect the law-abiding majority must always consider the punishment that is most effective. For many offenders - especially those at the most serious end of the criminal spectrum - there is no alternative to custody. Prison is the proper place for these people.

But there are many others - especially those at the less serious end of the spectrum - for whom alternatives to custody are potentially more challenging, more likely to lead to rehabilitation and, most importantly, most effective. This isn't a question of "tough" versus "soft", the level to which the debate over how to deal with offenders is so often reduced. Even in America, home of the supermax jail and the "three strikes" rule decried by European prison reformers, there has been a realisation that prison is not only the wrong option for some, but it is the soft option for some, both jailers and jailed.

This week, I have been in New York to visit the Red Hook Community Justice Center. This was the United States' first community court seeking to solve neighbourhood problems like drugs, crime and domestic violence not as separate problems, but as one. The centre has done much to increase people's confidence in criminal justice, from just 12% of residents feeling confident about their court before the centre opened in 2000, to 71% in 2001.

These are impressive statistics, hard to ignore. We're lucky in the United Kingdom that we have so much in our justice system of which we should be proud. Our magistrates and judges operate to the highest standards of independence and probity. They inspire confidence at home, and envy abroad.

But we should not be so proud that we are unable to learn lessons from others. In New York, they have recognised that the courts cannot do it alone. Without the cooperation of the community, many offenders simply repeat the cycle of offending and detention.

In 2005, we opened our own version of Red Hook, the community justice centre in north Liverpool. We also set up a community court in Salford. There are now 11 new

community justice courts across England and Wales, building on the Liverpool and Salford models.

By no stretch of the imagination could New York - or Liverpool or Salford - be described as soft cities. Nor could community courts or community penalties be described as the soft option. Community justice works by making courts more responsive to the priorities of local people. By strengthening the links between the courts and the community, I believe people's confidence in the work of the court will rise and the community will feel more confident about tackling offending behaviour.

In community courts, judges come out from behind the bench to hold community surgeries and attend local events. Offenders are ordered to carry out unpaid work as part of a sentence on projects nominated by residents. In this way, justice really is seen to be done.

The courts aim to break the cycle of reoffending - and doing so is always the top priority of such courts - by tackling some of the underlying causes of crime such as drug and alcohol addiction, housing, education or debt problems. Sentences aim to include programmes to help solve these problems. Offenders are often young men leading chaotic lives, ill-equipped to deal with the complexities of providing for themselves.

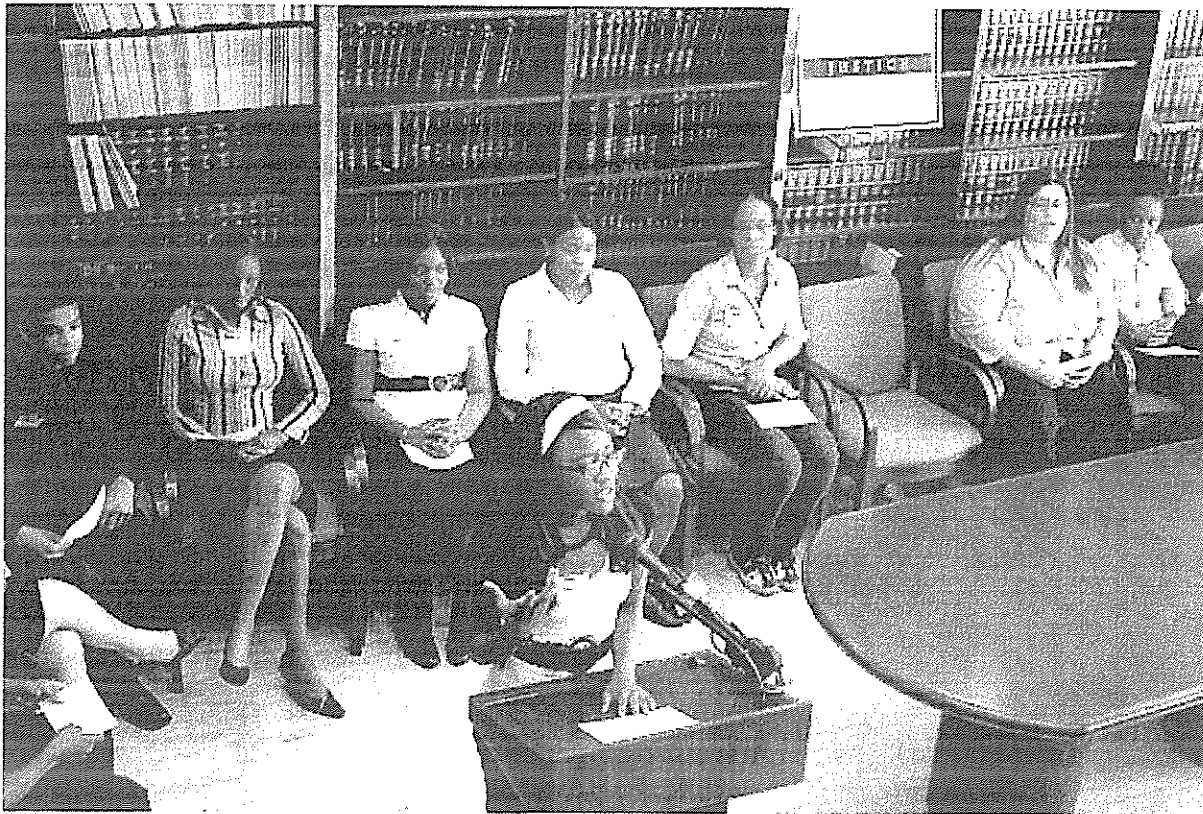
The work of community courts doesn't stop at sentencing. They are able to order people back to court at any time during a community order, to check on their progress but also to support and encourage them when they are doing well. Research with offenders suggests the problem-solving approach improves compliance with their sentence and helps them avoid reoffending in the future.

In addition to the community justice courts, we have also established two drug courts in magistrates' courts, at Leeds and west London. These target people committing lower level crime to fund drug addiction. The same judge or panel of magistrates deals with an offender each time they come to court, from conviction through sentence and beyond, as part of a review of progress on a drug rehabilitation order. I now want to take this work forward to other courts across England and Wales.

I want the public to see their courts as an accessible and vital part of their community. Courts that make a visible difference to the day-to-day lives of everyone who lives there, including offenders.

Youths Offer Views on Family Court

06-22-2007



Rick Kopstein/New York Law Journal

Nadica of Manhattan, 18, yesterday offers suggestions on how the New York City's Family Court can encourage participation by young people in its permanency planning process. She was among members of the Center for Court Innovation's Youth Justice Board who presented to Judge Joseph, M. Lauria ([See Profile](#)), the court's administrative judge, the results of a yearlong study they conducted on improving the Family Court. Many of the board's members are or have been foster children.

Print this page

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FOSTER TEENS GRAB REINS OF PLANS FOR THEIR LIVES

A group of young people says more of their own participation would improve the process of finding them permanent homes. > *By Eileen Markey*

Before a standing room only crowd gathered in the stately law library of New York Family Court in Manhattan last Thursday afternoon, a group of teenagers reported that youth in foster care would be better served if they were more involved in the process aimed at finding them a permanent home.

The speakers, part of the 15-member Youth Justice Board (YJB), presented a new report on improving the family court system's permanency planning process to children's advocates, court personnel and foster care professionals. The board, a project of the Center for Court Innovation, is made up of New York City teens who study juvenile justice issues and propose policy solutions to make the courts, foster care and detention system more responsive to the needs of the children they serve. After the presentation last week, adults said they were impressed with the quality of the youth people's work and eager to see many of their ideas implemented.

Called "Step Up, Step Out," the report finds many youth in foster care don't understand how the family court system works, have little contact with the legal guardians who argue on their behalf in court, and are unaware that they can attend court proceedings or petition the judge who oversees their case.

"The youth are at the core of the whole situation. They are the center. If the youth is not being heard, how are they going to be served?" asked Theresa, 17, a YJB member from Brooklyn who is in foster care. (The Center for Court Innovation keeps YJB members' last names and school affiliations private.)

Under the current system, young people's voices are rarely heard in the courtroom or judge's chambers where adults determine who they live with, whether they're reunited with parents, if they can visit siblings, and when they will leave the foster care system. But not all the young people under the court's supervision are too young to advocate for themselves. More than 50 percent of the youth in foster care are 13 or older, according to the report. But they are often caught in the tide of other people's decisions at an age when they need to be developing control and defining themselves.

"Step Up, Step Out" argues that those older children should have a say in their cases, particularly as they come closer to aging out of the foster care system at 21.

The report's recommendations cover three areas: helping to prepare youth to take an active role in their cases, fostering stronger partnerships between law guardians, caseworkers and youth, and creating a court environment that welcomes and supports youth involvement.

According to YJB, the Administration for Children's Services (ACS), which is the city agency handling foster care, should provide youth with information on the permanency planning process and their rights in foster care, and conduct peer-led workshops to prepare youth in care to participate in their hearings.

Among the other recommendations:

- Communication between youth and law guardians should be strengthened to ensure the youth understand what's going on in their cases.
- Caseworkers should help youth surmount obstacles that prevent them from attending hearings.
- ACS should help caseworkers get permanency planning reports done and help them communicate better with their clients.
- New York City Family Court should create an advisory board of youth.
- Teens should be able to avoid unwanted encounters with family in the courthouse.
- The courthouse should have more private places for law guardians and youth to discuss their case.
- Hearings should be scheduled at times youth can attend.

Family court chief clerk James Kenny listened intently as board members made their presentation. "I support

their work and their efforts. They should be participating in the process that affects their lives," Kenny said afterwards.

The report garnered praise from the Citizens' Committee for Children as well. "I think people in this system are very enthusiastic to hear from the youth," said Stephanie Jill Gendell, a CCC senior policy associate who attended Thursday's presentation. "Some of these ideas have been said before, but coming from the youth really gives them credibility."

YJB youth coordinator Dory Hack acknowledged change will come slowly in a system as complex and overburdened as New York's family court. "We've been really impressed to learn how eager our audience is to hear these recommendations. There is a real sincere interest in hearing from youth themselves," Hack said. ACS was unable to comment on the report's recommendations by press time. However, the YJB got positive feedback from staff in ACS's Office of Youth Development who saw a preview of "Step Up, Step Out," Hack said.

Students on the board conducted six months of research for the report, including more than 40 interviews with judges, legal guardians, caseworkers, ACS personnel and discussions with young people in the foster care system. They came up with 75 ideas on how to improve the family court system, then whittled them down to the 14 recommendations in the report, said Michael, a 19-year-old board member from the Bronx who is in foster care.

"I hope our recommendations will be put into consideration and looked over for the youth after us," Michael said. Several board members echoed his motivation to improve the family court and foster care system for the children who will come after them.

"I was in the system, and I felt that it wasn't doing good, and I wanted to change it for other kids," said Kevin, a soft-spoken 18-year-old from Queens.

Phyllis, 16, from Brooklyn, did not have first-hand experience being in care, but its effects are all around her, she said. "I wanted to be more informed about the foster care system and how it works because a lot of my friends and family are part of the system," she said. "I wanted to be able to educate them."

The Youth Justice Board was created in 2004 to provide a voice for young people in the debates and discussions on criminal justice in New York City. Its parent Center for Court Innovation is a nonprofit think tank founded as a public-private partnership between the New York State Unified Court System and the Fund for the City of New York.

The YJB consists of young people between age 15 and 19 who hear about the board from caseworkers, social service providers, school guidance counselors or teachers and write a letter explaining why they are interested in its work. Hack, the project coordinator, stressed that students are not selected based on their academic success, but rather on their passion for juvenile justice matters. The board meets two afternoons a week and provides a small stipend and subway fare from school.

Members of YJB plan to present their findings to ACS Commissioner John Mattingly next month.

For more on Family Court, see Child Welfare Watch: A Matter of Judgement: Deciding the Future of Family Court in NYC.

- Eileen Markey

VOICE OF THE CONSUMER

Tell It to the Judge! Youth Recommend Family Court Improvements

"Many youth in care believe that they don't have any say in what goes on in their Family Court cases...Youth are completely affected by the court system and most don't even know it. Their lives are often planned out in the courtroom and though they will be the ones living out the decisions made in court, they are not always part of the planning."

That was the finding of a year-long study of the Family Court system by 15 New York City teens working as part of the Center for Court Innovation's Youth Justice Board (YJB). The teens presented their study, along with 14 specific recommendations for improving the court process, to Judge Joseph M. Lauria, Administrative Judge of the New York City Family Court system, on June 21st.

"The Youth Justice Board is comprised of a terrific group of young people with whom we've been pleased to work during these past few months," stated Judge Lauria. "They have made insightful recommendations about Family Court. These young people want to be a part of the Family Court process—both to advocate for themselves and to help Family Court create an environment that is more accessible to youth."

The Youth Justice Board is an after-school youth development project overseen by the Center for Court Innovation, a public/private partnership that seeks to promote public confidence in justice. The Board released the report after 12 months of interviewing judges, case workers, legal guardians, experts and youth involved in the New York City Family Court, as well as several days of court observation in the New York, Bronx and Kings County courthouses.

"Youth want to get involved, but they're often left in the dark," said Youth Justice Board member Michael. "They might have a better shot at finding a permanent home if they were better looped in," he continued.

The report found that youth are often assigned to marginal roles and are given little preparation and encouragement to participate. There is often poor communication between youth, caseworkers and law guardians. As a result, youth in foster care often:

- Do not know they are part of a formal court process and that they are allowed to attend hearings;
- Do not know how to behave, dress, or arrange transportation for hearings, nor how to accommodate attendance at hearings into their schedules; and
- Find that caseworkers and law guardians provide insufficient or contradictory information about their cases, hearings and available services.

The Youth Justice Board report, *Stand Up, Stand Out: Recommendations for Improving Youth Participation in New York City's Permanency Planning Process*, offers an action plan for how Family Court and child welfare practitioners can prepare youth for their child protection cases; strengthen partnerships between law guardians, caseworkers and youth; assistance and education for young people to encourage active participation in their court cases; and create a court environment that promotes active youth involvement in permanency hearings.

The report calls for mandatory peer-led workshops to prepare youth for their hearings, with the coordinating help of legal service organizations and youth development staff. Workshops should cover what happens at a permanency planning hearing, how to cope with traumatic experiences in court, how to speak in court and to judges, youth rights and the proper channels for youth to advocate on their own behalf.

The report also recommends launching an ad campaign through the web, print publications and an active foster care hotline to provide information and encourage youth attendance at permanency hearings.

"In general, more information about the process and our rights would really help," said Youth Justice Board member Nadica. "Instead of showing up to court and being made to feel we've done something wrong, these programs will give us the support to play an active role," she stated.

The Youth Justice Board report urges stricter guidelines and timetables for law guardians and caseworkers for keeping youth informed of their cases.

"There needs to be a regular practice of checking in with youth before, during and after hearings so that youth understand what's going on with their court case and permanency planning goals," said YJB member Renée.

The report suggests courthouse modifications – including youth friendly waiting areas and private spaces for youth and law guardians to meet – that would also make the court experience more positive.

"Courts can be chaotic and alienating for teens, and they're often left out of the decision-making process. This report asks why – and finds ways to increase youth responsibility for their own foster care cases," said Dory Hack, the Project Coordinator of the Youth Justice Board.

Hack facilitated the group, which met twice-weekly -- two hours every Tuesday and Thursday -- for a full year. Teens were recruited through child welfare agencies, youth programs and local schools. During their first two months, the teens went through a training phase. "They learned teamwork skills, the history of NYC's child welfare system and research skills – how to design interview questions and conduct an interview," says Hack. The group then conducted over 40 interviews with various participants in the Family Court process, facilitated focus groups and observed Family Court hearings. An initial 120 findings ultimately were boiled down to the 14 recommendations presented in the final report.

There has been a strong and positive response to the YJB report. "We are fielding interest from a range of child welfare practitioners to have the youth present to their staff," says Hack. "We were also asked to send over a hundred copies of the report to the New York State Judicial Institute-- they will be distributed to New York State judges at the 2007 Summer Judicial Seminars."

The YJB project received funding from The Surdna Foundation, W. Clement & Jessie V. Stone Foundation, W.T. Grant Foundation,



Teens from the Center for Court Innovation's Youth Justice Board presented their findings and 14 specific recommendations for improvements after a year-long study of New York City's family court process.

Helena Rubinstein Foundation, U.S. Department of Justice, Bureau of Justice Assistance, and New York City Council.

Hack believes that it has been valuable to both the participants and the system.

"While young people can be very jaded about the systems that are meant to serve them, they also have a strong sense of justice," she says. "If you can tap into that, you have ac-

cess to a pretty passionate group of people who can talk about issues from their own personal experience. All of them gained a lot of confidence in their own abilities. It is a very empowering to young people when an adult is sincere in saying they want to hear what they have to say."

For a copy of the YJB report, visit www.courtinnovation.org.

Help them hold Crown Heights together

The Crown Heights Community Mediation Center on Kingston Ave. sits quietly perched in the middle of an urban war zone, dispensing peace, nurturing, learning and common sense in a neighborhood that desperately needs more of it.

The center, created in the wake of the 1991 riots between black and Jewish residents, specializes in teaching people to resolve problems with words rather than fists, blades or bullets.

In a city that had its priorities straight, the place would be flush with cash and looking to expand. But the center, a division of the Center for Court Innovation, a public-private partnership affiliated with the state court system, has to scrimp for every bit of its \$400,000 annual budget or risk seeing the doors close.

Thousands have been through the center's mediation sessions led by the center's directors, Amy Ellenbogen and Ife-Sharon Charles. Blacks and Jews, landlords and tenants, students and teachers, residents and storeowners and angry neighbors all learn to work through their differences rather than go to war.

Above all, the center works because it's there. "We're open, we're accessible. People don't need appointments," says Ellenbogen. "We get the pulse of what the community needs are."

This beacon of calm sanity is only blocks from where Yankel Rosenbaum was stabbed to death

by an enraged mob in 1991 after a Homicide driver struck and killed a 7-year-old black boy, Gavin Cato.

The storefront is around the corner from the spot on Lincoln Place where Benny Lyde, a 21-year-old student at Long Island University, was killed with a bullet to the head in front of his home in 2005, a still-unsolved murder.

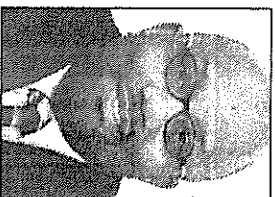
And it's only a few doors from the spot where the strangled body of 16-year-old Chanel Petro-Nixon was found last June in another unsolved murder.

This section of the city has remained mired in violence even as the brass at One Police Plaza trumpet ever-falling citywide crime statistics.

The two precincts that cover Crown Heights, the 71st and 77th, recorded a combined 24 murders in 1998. That number rose to 33 in 2001 and 41 in 2006 — a 71% increase over the last eight years.

But the women running the community mediation center don't need statistics to tell them what's going on.

"A couple of months ago, I heard five shots go off," says Charles. "I dropped to the floor and had to feel myself, to make sure I wasn't shot. I hear people who have a window chipped by bullets, or clients talking about someone getting shot."



Errol Louis

The group is designing an anti-gun-violence initiative aimed at young people, and participates in a growing movement among Crown Heights neighborhood organizations to help cops combat drug dealing and street crime.

Right now, the group is seeking donations from local residents to match a \$25,000 challenge grant from the Independence Community Foundation. Those wishing to contribute should call (718) 773-6886 to find out how.

Charles and Ellenbogen are fighting the good fight against inner-city violence and the anger that fuels it. We all need for them to succeed.

Today, at last, the price of accepting collect calls from inmates in state prisons drops by 57%, thanks to a recent executive order issued by Gov. Spitzer.

That takes New York out of the immoral business of charging the highest prison call rates in America and splitting the profits with MCI — a controversial practice that put \$175 million into the state coffers since 1996, nearly all of it paid by low-income New York families with the misfortune to have a family member behind bars.

erlouis@nydailynews.com

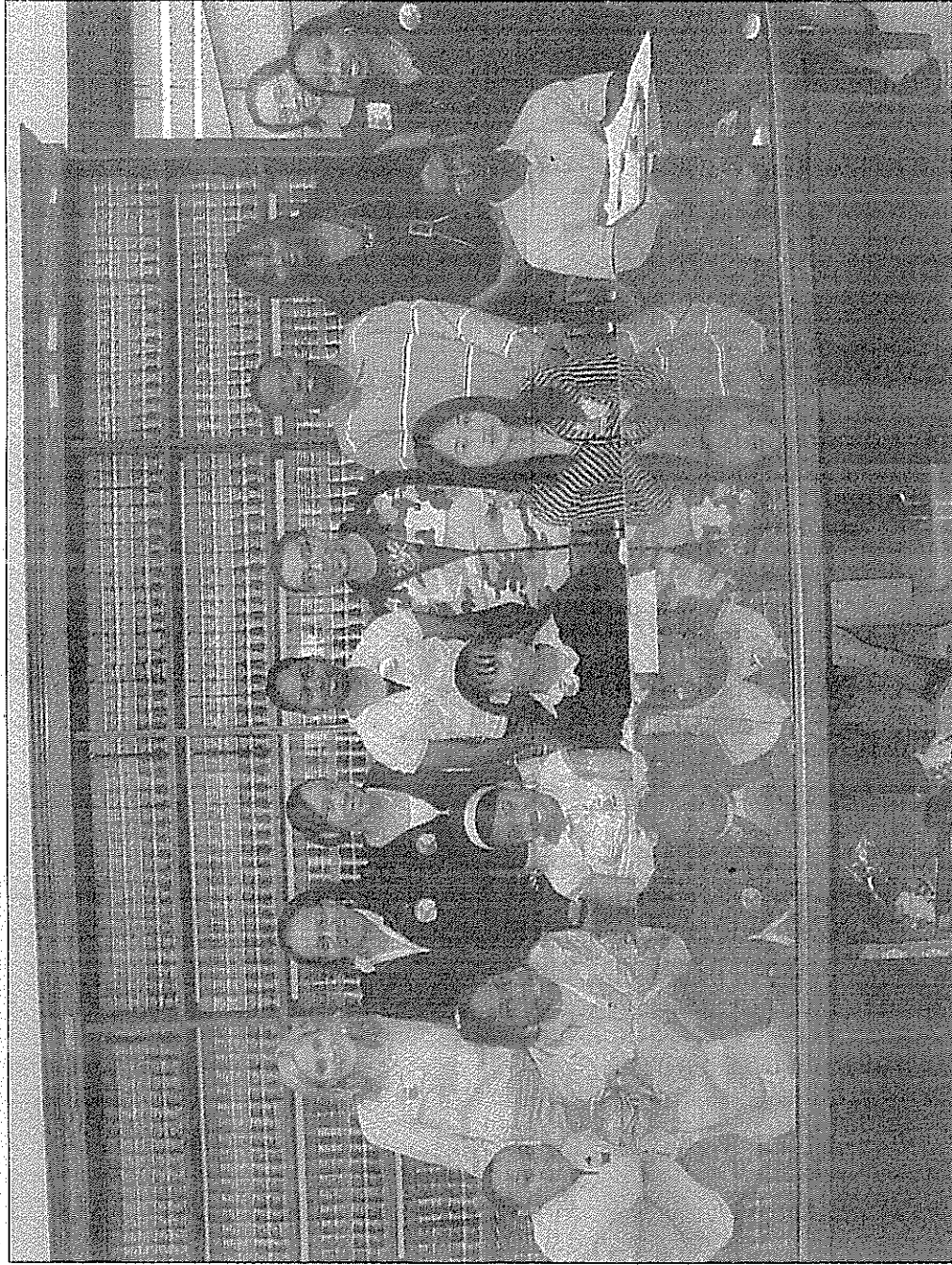
Brooklyn Criminal Court 'Empowering Youth'

Law Day Celebration Honors Red Hook Youth Court

SCHERMERHORN STREET — Junior jurists from the Red Hook Community Youth Court made a special presentation and toured the Brooklyn Criminal Court at 120 Schermerhorn St. on Tuesday. The program was part of a national Law Day celebration with the theme, "Liberty Under the Law: Empowering Youth, Assuring Democracy."

Eleven teenage members of the Youth Court made three- to five-minute presentations about how their court functions and the sanctions it imposes, what they have learned about restorative justice, and how participating on the court has affected them. They received a standing ovation from the judges and court personnel who attended the event, and Supervising Judge William Miller presented them with certificates.

The Red Hook Youth Court, a project of the Center for Court Innovation, was established in the late 1990s as an alternative to traditional procedures for handling disputes and quality-of-life crimes by youth in the community. The crimes range from truancy to assault and possession of illegal substances. Twenty students participate in the court, where each plays a rotating role as judge, lawyer, juror and bailiff. To be accepted to the program, a student must pass a 10-week training course that culminates in a "bar exam."



Members of the Red Hook Youth Court. Standing, from left to right: Elizabeth Bender, program coordinator; students Stacey-Ann Chambers, Amber Curry, Kalanne Logan, Michael Nelson, Germaine Lambson and Roanda Vatel; Amy Roza, program director and Chante Martin, youth coordinator. Seated, from left to right: students Patrice Denman, Charisma Dupree, Dymond Nixon, Shaneequa McPherson, Cathy Huang and C. Jean-Louis.

Photos by Fred Stetson

Youth Court sanctions may include assigned essays, community service, a written letter of apology and sometimes counseling. Although its sentences lack the teeth of stiffer penalties, Youth Court sanctions have an 81 percent compliance rate — higher than the criminal court.

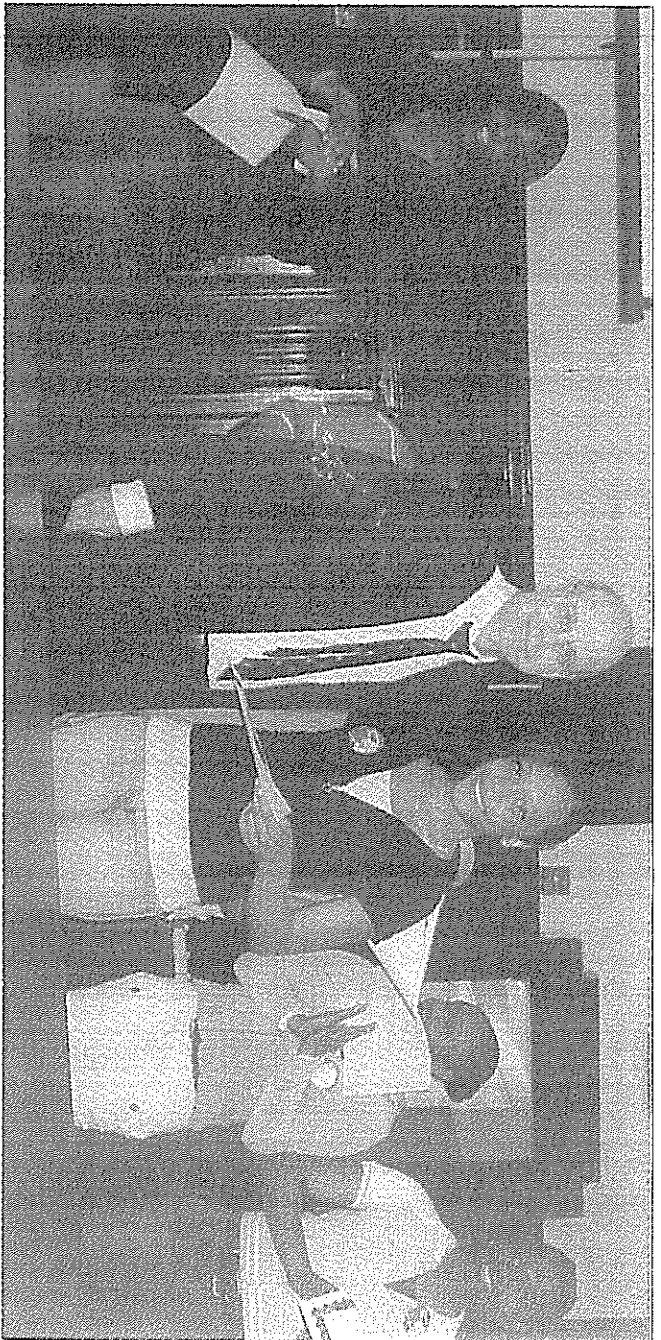
Cathy Huang, a senior at Edward R. Murrow High School who has served on the Youth Court for almost two years, said the program teaches objectivity and active listening.

"The Youth Court members must then be able to set aside personal feelings in order to provide the offenders with a fair trial," Huang told judges and court personnel in her Law Day presentation. "Active listening is just as crucial; members must listen carefully and absorb all the information provided in a hearing to give the proper sanctions."

Huang said she's learned many skills and lessons from participating in the Youth Court and its training sessions. "I learned about the importance of second chances, and how all actions have consequences. RHYC has opened my eyes to a different type of justice system and has inspired me to work in the law field in the near future," she said.

Many youth involved in the Red Hook program are interested in legal careers and listened closely while Supervising Judge Miller identified the different types of jobs available in the court system. Judges Eileen Nadelson and Betty Williams, both former educators, also talked with the students.

Supervising Court Attorney Hiram Bell led a tour of the courthouse that included Judge Joseph Gubbay's spe-

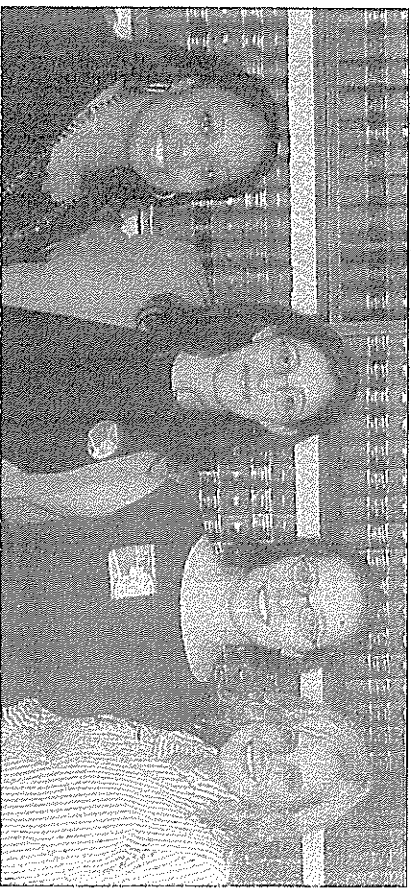


Supervising Judge William Miller, Brooklyn Criminal Court, presents a certificate to Amber Curry, a member of the Red Hook Youth Court who participated in Tuesday's Law Day program.

cial drug court, the state's first Screening & Treatment Enhancement Part (STEP). Judge Gubbay explained his role in screening criminal defendants to identify those eligible for substance abuse treatment as an alternative to prison. Youth Coordinator Elizabeth Bender said the students were particularly impressed by this alternative justice program operating in the Criminal Court.

After Tuesday's Law Day activities, some predicted that members of the Red Hook Community Youth Court could soon graduate to membership in the state bar and the court system.

—Elizabeth Stull
Brooklyn Daily Eagle



Shante Martin, youth coordinator; Melissa Gelber, coordinator of Operations at the Red Hook Community Justice Center; Amy Roza, director of Youth and Family Services and Elizabeth Bender, coordinator of Youth and Community Programs.