

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PUBLIC SAFETY

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January 28, 2010
Start: 10:15 am
Recess: 10:45 am

HELD AT: Council Chambers
City Hall

B E F O R E: PETER F. VALLONE, JR.
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Helen D. Foster
Daniel R. Garodnick
Daniel J. Halloran III
Eric A. Ulrich

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

Peter F. Vallone, Jr.
Opening Statement
Chairperson
Committee on Public Safety

Sherry Hyman
Deputy Criminal Justice Coordinator

Chelsea Chaffy
Legislative Counsel

Maria del Carmen Arroyo
Bill Sponsor
New York City Council Member

Nancy Ginsberg
Director
Adolescent Intervention and Diversion Project
Criminal Practice
The Legal Aid Society

Written Statement from:
Mr. Frazier, Jr.
Executive Assistant
Manhattan District Attorney's Office

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[Gavel banging]

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SERGEANT AT ARMS: Quiet please.

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CHAIRPERSON VALLONE: Good morning

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everyone. Welcome to the first Public Safety

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Hearing for our new term. And I am ecstatic that

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we have some new members joining our Committee.

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New prompt members which is--rarely happens.

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We'll see how long that--and some old prompt

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members. So in terms of experience--membership on

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this Committee only. But we'll see how long

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promptness lasts because this Committee almost

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always starts right at the 10:00 o'clock every

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time we can.

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We've been holding up a little bit

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for the sponsor of this bill who's due here very

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soon. But I definitely want to welcome our two

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new members here, Dan Halloran and Eric Ulrich. I

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get wrong every time. Which one? Either one,

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okay [chuckling]. Maybe that's why I get it wrong

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every time.

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And today we're focusing our

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attention on a bill that would create the crime of

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criminal street gang initiation. We've already

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had a hearing on this bill so it may seem familiar

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2 to some of you. But because of the Council rules,
3 because it's a new term, we have to have a new
4 hearing on each bill that we want to vote out. We
5 won't be voting today but we will be voting on
6 this very soon.

7 Not everyone who came last time
8 could make it again today, and again, we didn't
9 want them to come if the testimony would be
10 exactly the same. So the content has not changed
11 too much to this bill since the last time. We are
12 making it an A misdemeanor to engage in criminal
13 street gang initiation activity that puts another
14 person at risk or fear of physical injury.

15 To recap briefly what was said last
16 hearing, we heard some favorable testimony in
17 support of the bill by the NYPD and
18 representatives from the various District
19 Attorneys' Offices and some community groups. For
20 example the bill was praised in part for providing
21 new tools to the police and the DA's offices to
22 use in their continuing and ever evolving fight
23 against gangs. Specifically Mary Ellen Herring of
24 the Queens' District Attorney's Office said that
25 the version of the bill discussed last session,

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2 she said I like it because it gives us the ability
3 to perhaps prosecute a case without the
4 cooperation of a victim, also because the bill
5 does not require proof of physical injury.

6 She said that for the most part in
7 her experience, victims of initiation might not
8 cooperate because they willingly entered the
9 initiation process but this bill; with their
10 cooperation--but with this bill their cooperation
11 would not be necessary.

12 On the other hand Diana Rodriguez
13 from the Brooklyn DA's office expressed concern
14 that the person being initiated could be charged
15 with this crime. She worried that the person who
16 was being beaten up or initiated into the gang
17 would become a defendant. Although it's true that
18 that's possible, that's only possible in the case
19 where that person himself, or him or herself, also
20 threatened physical harm to another. So you
21 couldn't just be initiated and be a defendant.
22 You'd actually have to participate in that same
23 initiation in threatening or hurting somebody
24 else. So we wanted to make that clear.

25 We also heard from many groups--

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2 well not many but several groups opposed to the
3 bill. Some of them are also here again today.
4 We'll hear from them again. At the last hearing
5 we heard supportive comments from the Police
6 Department. At this hearing we'll be hearing it
7 from a different branch of the City, the Office of
8 the Criminal Justice Coordinator.

9 Before I turn to them I want to
10 make it clear, again, that this bill does not
11 target those gang members who commit felonies but
12 is aimed at dismantling gangs by eating away at
13 gang activity and the gang culture that harms the
14 community by encouraging acts of violence and by
15 spreading fear and intimidation.

16 So we will turn it over now, since
17 the bill sponsor is not here, to the Criminal
18 Justice Coordinator's Office. We have Sherry
19 Hyman who is the Deputy Coordinator and Chelsea
20 Chaffy, the Legislative Counsel. Thank you both
21 for joining us.

22 MS. SHERRY HYMAN: Thank you very
23 much. Good morning Chairman Vallone, Council
24 Members Halloran and Ulrich and Garodnick. My
25 name is Sherry Hyman and I am Deputy Criminal

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2 Justice Coordinator. I want to thank you for the
3 opportunity today to express the Administration's
4 support for the proposed legislation related to
5 criminal street gang initiation activity.

6 Since day one, the Bloomberg
7 Administration has been committed to combating
8 criminal street gangs and gang-related violence.
9 One of the most recent and promising initiatives
10 that the Mayor has committed to doing is a pilot
11 project to work with prosecutors and courts to use
12 GPS technology in appropriate cases as a bail or
13 sentence condition to keep gang members away from
14 other gang members and gang affiliated locations.
15 By preventing known gang members from affiliating
16 with other members and locales we hope to break
17 the bonds of gang membership and thereby decrease
18 the pernicious hold criminal street gangs have on
19 our communities.

20 The proposed legislation on today's
21 agenda is another promising step forward in the
22 fight against criminal street gangs and gang-
23 related violence. As Susan Petito, Assistant
24 Commissioner for Intergovernmental Affairs at the
25 New York City Police Department testified at the

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2 December 3rd hearing on this topic, the
3 Administration is pleased to have worked with the
4 Council on this bill. And we again commend the
5 Council for seeking to strengthen the laws to
6 curtail the violent and dangerous activities
7 conducted by criminal street gangs.

8 This legislation provides another
9 tool to law enforcement by enhancing punishment
10 for hazing and menacing that occurs in the context
11 of gang initiation activities. Under this new law
12 conduct that is currently only a violation or B
13 misdemeanor in the penal law will be elevated to
14 an A misdemeanor.

15 This means that individuals who
16 currently face only 15 days or 3 months in jail
17 will now face a sentence of up to 1 year.
18 Imposing these new penalties for this conduct
19 sends a strong message that criminal street gangs
20 and gang-related violence absolutely will not be
21 tolerated in our City. Thank you again for the
22 opportunity to express our support for this bill
23 and for your continued commitment to this issue.

24 CHAIRPERSON VALLONE: Thank you for
25 your support of this legislation. I ask most

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2 witnesses, would you have any suggestions for
3 improvements or changes to the bill?

4 MS. HYMAN: At this point we've
5 been working with the Council staff to get a
6 version that we could all support and that
7 addressed the concerns expressed by both the DAs
8 and advocates at the December 3rd hearing. And we
9 support the current vision as set before you
10 today.

11 CHAIRPERSON VALLONE: Again since
12 this is the second hearing on the bill I'm not
13 going to belabor and go through the same questions
14 that are on the record from last time. So I'm
15 going to turn to some of my new members who may
16 not have been here last time to see if anyone else
17 has any questions. Council Member Ulrich,
18 either/or.

19 COUNCIL MEMBER ULRICH: First I
20 want to thank you for your very brief testimony.
21 This is probably some of the best testimony that
22 I've ever heard only because it was under two and
23 a half minutes. Most of the time the panel goes
24 on and on and on and then of course you lose
25 focus. At any rate, I just had a question 'cause

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2 I obviously wasn't on the Committee when the prior
3 hearing was conducted, regarding the
4 Administration. I'm wondering how the Mayor's
5 been working with the District Attorneys in each
6 of the various Boroughs to combat some of the gang
7 violence that's been happening in some of the
8 schools, in the high schools and the junior high
9 schools. Would you be able to speak to that?

10 MS. HYMAN: I cannot speak to that
11 today. We'd obviously be happy to have any
12 ongoing discussions with you about that topic
13 since it's obviously one of great concern.

14 COUNCIL MEMBER ULRICH: And so is
15 there anything that you can speak to in terms of
16 how the Mayor has been, you know, prior to the
17 introduction of this bill been working to reduce
18 or address gang violence throughout this City?

19 MS. HYMAN: As I pointed out in my
20 brief testimony, one thing that we're working on
21 now is this GPS project where we intend to pilot
22 it with one District Attorney's Office and fund
23 that particular pilot. Staying away from gang
24 locations or where gang members are known to
25 congregate is something that often comes as a part

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2 of sentencing or bail conditions set by the judge.

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What the GPS monitoring system will allow everyone to do is to really do real time monitoring of where that defendant is going and whether the terms of the bail or sentence are being met via a GPS monitoring service who will be able to watch through an electronic bracelet.

COUNCIL MEMBER ULRICH: And you don't know which Borough that's going to be started at, right?

MS. HYMAN: Not yet.

COUNCIL MEMBER ULRICH: Well maybe since we have three members here from Queens, Vallone, Halloran and myself, no offense to Dan, maybe we can explore the possibility of starting that in Queens. Certainly every Borough has their own problems but in Queens with the influx of newly arriving immigrant families and of course with the state of the economy I think that there are a lot of youths, as we would say in Howard Beach or youths that are at risk for being inducted or initiated into gangs or getting involved in gang violence. So I would urge you to--strongly urge you to consider bringing it to Queens if you

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2 can. Thank you.

3 MS. HYMAN: Thank you.

4 COUNCIL MEMBER ULRICH: Thank you
5 Mr. Chair.

6 CHAIRPERSON VALLONE: Thank you.
7 Council Member Halloran?

8 COUNCIL MEMBER HALLORAN: Thank you
9 Mr. Chairman. First of all I appreciate you being
10 here and also the brevity of your commentary.
11 I've just two questions. If you're not familiar
12 with the fact, I was in the Prosecutor's office
13 and I've been a member of the defense bar for the
14 last nine years. So I have some concerns about
15 the bill.

16 The first and foremost being isn't
17 there a significant amount of duplicity here with
18 statutes that are already in effect, specifically
19 in the first section, the only change between it
20 and reckless endangerment that exists in the penal
21 law is predominantly a physical injury versus
22 serious physical injury, creating a substantial
23 risk. And do you see any concerns there?

24 The second question is I noticed in
25 the definitions section, you've defined criminal

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2 street gang, you've defined penalties and you've
3 defined criminal conduct however since this
4 statute is specifically aimed at criminal street
5 gang initiation activity, don't you think the bill
6 would be more constitutionally sound if you had
7 also defined street gang initiation. So that it
8 removed any question with regards to--do you think
9 that would help the bill if we were to add
10 language about defining initiation within the
11 statute to avoid any potential issue?

12 [Pause]

13 COUNCIL MEMBER HALLORAN: And that
14 question comes in the context of you were asked a
15 few moments ago if you felt there was anything
16 that would improve the bill.

17 [Pause]

18 MS. HYMAN: Just two things. First
19 is that with respect to your first concern about
20 the fact that the language deals closely with
21 serious physical injury versus physical injury.
22 The Law Department actually share some of the
23 concerns that you're now expressing and in getting
24 the language that's before you today together, the
25 Law Department was comfortable with the language

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2 that was drafted, that we worked on, to address
3 all the concerns expressed both at the December 3rd
4 hearing as well as the Law Department's concerns.

5 Secondly with respect to your
6 concerns about initiation--defining initiation
7 activity, again we've had these ongoing
8 discussions with the Council and the Law
9 Department and we are all comfortable that this
10 bill is tailored to meet everyone's concerns and
11 take--and encompass the kind of activity that
12 we're looking to curtail without being overbroad.

13 COUNCIL MEMBER HALLORAN: You
14 indicated that you've basically run this through
15 and the Law Department seems comfortable with the
16 language. Did, in the course of your making those
17 inquiries, did anyone express any opinions to the
18 contrary about the language as it's constructed
19 here? To your knowledge.

20 [Pause]

21 CHAIRPERSON VALLONE: I'm going to
22 ask that question be withdrawn just for the
23 privilege of your private conversations, being
24 that you don't wish to reveal. So I mean if you
25 have a comment on that fine but you're not force

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2 to reveal any conversations that you don't want
3 to.

4 [Pause]

5 MS. HYMAN: We've gone back and
6 forth and had ongoing discussions and at this
7 point, this is the version that everybody's the
8 most comfortable with including the Law
9 Department.

10 COUNCIL MEMBER HALLORAN: Okay.
11 Thank you.

12 CHAIRPERSON VALLONE: I want to
13 recognize that we've been joined by Council
14 Members Foster and Arroyo. And this is Council
15 Member Arroyo's bill. Would you like to make a
16 statement on it?

17 COUNCIL MEMBER ARROYO: Very brief.
18 Just to say thank you Mr. Chair and to the Speaker
19 for your support on helping us move legislation
20 that we believe makes sense and can deal with a
21 very, very serious issue and in some communities
22 more than others.

23 As I stated in the December hearing
24 when a community has to stop its everyday life,
25 the way they know how to live it, because they

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2 fear for their safety and the safety of their
3 families, it's a very serious issue for us and one
4 that I think this legislation tries to get at the
5 heart of. We want to be able to live our lives
6 peacefully, safely and comfortably in our
7 communities. And there are certain elements in
8 our communities that sometimes throw up some
9 action and circumstance that puts us at risk.

10 And that is why we're trying to
11 accomplish with some bills that some of us feel
12 very strongly about and others feel strongly on
13 the opposite about. But something that I think
14 makes sense and something that we ought to take
15 very seriously. So I want to thank you Mr. Chair
16 for your support, the Speaker for her commitment
17 to this work. And I look forward to the ongoing
18 conversation.

19 CHAIRPERSON VALLONE: Thank you for
20 introducing this bill. As I said before, we
21 originally had three bills on gang, the gang
22 situation. Yours is the one that we were able to
23 move forward on most quickly. The other two have
24 issues that we're continuing to work on with the
25 Mayor's Office and with the advocates.

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2 And one of them is mine regarding
3 gang recruitment as opposed to initiation. And
4 because of the complicated legal issues and civil
5 rights issues involved in all these bills we're
6 moving--we're continuing to move on those but
7 still working on those issues.

8 Yours we've been able to get
9 moving. We didn't want to wait. So thank you for
10 putting this in. And I believe we're done with
11 questions for you guys. So thank you both and
12 we're going to continue to work with you and get
13 this bill passed as soon as we can.

14 MS. HYMAN: Thank you.

15 CHAIRPERSON VALLONE: Thanks. The
16 next person to testify will be Nancy Ginsberg from
17 the Legal Aid Society. If anyone else is waiting
18 to testify we don't have any cards filled out so
19 you will need to fill one out.

20 [Pause]

21 CHAIRPERSON VALLONE: Okay thank
22 you for coming in again Ms. Ginsberg. I know that
23 you were here last time. And so we do have all
24 those concerns, they're still on the record. And
25 we are more than happy that you're here again to

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2 discuss the bill. I know you've handed us some
3 information on programs that would help in this
4 situation. Again, you have leeway to discuss
5 those but this isn't a funding hearing. This is
6 about this bill. So. The floor is yours.

7 MS. NANCY GINSBERG: Thank you.

8 Good morning. My name is Nancy Ginsberg. I'm the
9 Director of The Legal Aid Society's Adolescent
10 Intervention and Diversion Project in the Criminal
11 Practice. It's a specialized unit dedicated to
12 the representation of adolescents aged 13 to 18
13 who are prosecuted in the adult criminal courts.

14 I submit this testimony on behalf
15 of The Legal Aid Society and thank Chairman
16 Vallone and the Committee on Public Safety for
17 inviting our thoughts. I would also like to note
18 that although the Bronx Defenders could not be
19 here today they join in our comments.

20 Since we were here six weeks ago to
21 discuss gang issues and street violence in New
22 York City we have learned many things about a
23 number of very successful programs used around the
24 country to approach this very issue. These
25 programs which have been studied and assessed by

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2 reputable academic institutions such as Harvard
3 and Northwestern Universities have been shown to
4 bring about significant decreases in street
5 violence caused by gangs.

6 The programs in other jurisdictions
7 approach what I'm going to refer to as the problem
8 of street violence, which includes established
9 gangs and looser group affiliations engaging in
10 criminal conduct. Almost all of the programs
11 implemented elsewhere and most interestingly on
12 the verge of being implemented in New York City do
13 not rely on criminal suppression as the primary
14 tool.

15 There seems to have been a
16 recognition of what the research has demonstrated
17 again and again. Traditional criminal justice
18 deterrence methods do not effectively reach street
19 gangs. In light of this recognition a number of
20 programs have been developed and implements in
21 large and small jurisdictions: Boston; Chicago;
22 High Point, North Carolina; Cincinnati; Baltimore
23 and Los Angeles among others. Some program use
24 the name Ceasefire and some do not. Some have a
25 large law enforcement component, others rely

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primarily on street and community outreach.

All of these programs recognize that street violence cannot be addressed with traditional law enforcement methods alone. The jurisdictions which have implemented these methods have seen significant decreases in street violence attributed to gangs or group violence.

In 1997 the International Association of Chiefs of Police issued a report recognizing that research shows significant overlap between youth at risk of being perpetrators and those who become victims of gun violence. Broad based partnerships with the public health, medical, faith, education, community groups, social service community and philanthropic sectors should work to establish gun violence prevention programs in a wide range of settings where young people gather.

The outreach programs reach out to gangs or groups and focus on some or all of the following components: articulating powerful community norms against violence; offering a specific social service structure for those who want help getting out of the gangs; creating a

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2 strong public education campaign to instill in
3 people the message that shootings and violence are
4 not acceptable; strengthening communities to build
5 capacity to exercise informal social control and
6 respond to issues that affect them; putting gangs
7 on prior notice that serious violence by any gang
8 member will result in law enforcement attention to
9 all members of his gang; reliance on trained
10 outreach workers, faith leaders and other
11 community leaders to intervene in conflicts or
12 potential conflicts and promoting alternatives to
13 violence.

14 We recently learned that New York
15 City is exploring some of these initiatives. Last
16 spring the New York State Senate allocated \$1.5
17 million to Manhattan, Brooklyn and Queens to
18 implement a program called SNUG, modeled on
19 Chicago's Ceasefire program, which takes a public
20 health approach to reducing shootings and
21 killings. SNUG is also funded in Yonkers and Mt.
22 Vernon although not the Bronx.

23 In September of 2009 the Center for
24 Court Innovation in Manhattan received nearly \$1
25 million in stimulus funds from the Department of

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2 Justice to implement the Chicago model of
3 Ceasefire as a demonstration project at the Crown
4 Heights Mediation Center. John Jay College houses
5 the National Network for Safe Communities which
6 focuses on this very issue of gang and street
7 violence.

8 These innovative programs are being
9 funded at the same time that Mayor Bloomberg
10 announced the merge of the City's Department of
11 Juvenile Justice into its child welfare agency,
12 signaling a more therapeutic approach toward
13 juvenile delinquency. The Mayor himself
14 recognized in his recent State of the City Address
15 that we need to make greater efforts to
16 incarcerate fewer youth and provide therapeutic
17 services to children in need who come through the
18 court system.

19 At a time when funding is being
20 allocated to innovative crime fighting and
21 violence prevention programs throughout the City
22 and State, and the City has stated its commitment
23 to maintaining more court involved youth in the
24 community with services, it seems inconsistent to
25 propose legislation with the goal of increasing

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2 the number of youth prosecuted and enhancing the
3 sentencing penalties they will face.

4 You heard from the prosecutors of
5 four of the City's five Boroughs testify in
6 December about the difficulties they would face in
7 proving the cases brought pursuant to the proposed
8 bill. They described the difficulties they
9 currently have in security the cooperation of
10 witnesses in the prosecution of serious felonies
11 related to gang violence. Such problems will only
12 increase with lower level offenses similar to the
13 proposed bill.

14 The Brooklyn District Attorney's
15 Office describes its commitment to alternative to
16 incarceration programs which help young people get
17 out of the gangs and back in to school or a job on
18 the theory that if you turn a gang member into "a
19 positive person in this society then we just have
20 taken care of a whole bunch of crimes that are
21 never going to happen. What we've learned is that
22 there has to be a very strong relationship between
23 our program and communities. If we can get them
24 to leave the gang, we can get them to go back to
25 school, but there comes a point where they

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2 graduate our program, I want to make sure that
3 they have a community to go back to that's going
4 to support them and give them that support system
5 that they need."

6 Each prosecutor asserted his or her
7 belief that the current penal law contains enough
8 provisions to prosecute individuals involved in
9 gang or street violence. We, both prosecutors and
10 defense attorneys, have watched more and more
11 young people pushed into the court system in New
12 York City. Almost all of these youth are
13 minorities. Almost all are functioning
14 academically far below grade level. Almost all
15 live in neighborhoods where positive life choices
16 and role models are few. Many join gangs because
17 it is easier than fighting them day in and day
18 out.

19 Clearly there are New Yorkers who
20 believe that a new approach must be implemented.
21 New programs to address street violence will begin
22 this year in New York City. We have previously
23 set forth our concerns to this bill. It is our
24 strong belief that enforcement of this law will
25 fall primarily on minority youth. We ask that you

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2 seriously consider those concerns in addition to
3 the prior testimony of law enforcement advocates
4 and community members much of which supported the
5 issues we raised along with their own concerns
6 about the bill.

7 We ask the City Council to join the
8 academics who have studied this issue for over a
9 decade, the US Department of Justice which
10 endorses their findings, and the jurisdictions
11 which have implemented the methods stemming from
12 the research which have led to significant
13 decreases in street violence. Deterrence through
14 legislation has its limits. Everyone here spoke
15 about constituents asking for help to keep their
16 kids out of gangs. Passage of this bill will be
17 no more effective or comforting to those parents
18 than any of the current laws. The courts can only
19 do so much. You cannot look to the court system
20 to solve endemic social problems on the street.
21 You must go to the streets to solve those
22 problems.

23 The New York State legislature has
24 recognized that. The Center for Court Innovation
25 has recognized it. Now we should all recognize it

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2 and begin an inclusive process to examine the
3 issue of street violence and address it in a way
4 that will truly reduce the brutality in our
5 neighborhoods.

6 New York City needs to address the
7 negative effects of gang membership through
8 intensive outreach and education, the provision of
9 community based services and after school
10 activities to provide viable alternatives to our
11 young people, not through the enactment of
12 additional criminal statutes.

13 The conditions that make gangs
14 attractive should be attacked with the kind of
15 investment in our young people that in the long
16 run will bring a safer, more secure City for all
17 of us. Thank you for the opportunity to speak
18 about this important issue.

19 CHAIRPERSON VALLONE: Thank you
20 again. And as I said last time, the Council
21 agrees completely that alternatives need to be
22 offered to our youth and that's why we funded
23 alternatives to incarceration in 2010 in the
24 amount of \$4.5 million. So no one should question
25 our commitment to any of the programs or most of

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the programs that you mentioned.

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In addition we funded Council for Unity for \$205,000 but we happened to believe or here at least I do and most of the members on the Public Safety Committee that both sides of the equation are important, both prevention and the prosecution.

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And laws to make the prosecution of gang members and gang activity more effective are the purview of this Committee. And that's what we do. That's what we're charged to do. And I'm not sure if you would agree but not all gang members will be turned away from gang activity because of government programs. And the ones that aren't need to be prosecuted and that's what this law is about. Are there any questions from Committee members? Council Member Arroyo.

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COUNCIL MEMBER ARROYO: Thank you. Just to thank Nancy for her passion and her commitment to the work that she's so [blank tape]. The conversations are very important [blank tape] and to improve anything that we do here.

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And as the Chairman stated, our commitment to ensuring that we can provide the

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2 support services and community necessary for
3 residents of this City to be able to have what
4 they need in order to have a better quality of
5 life is something that we're very, very seriously
6 committed to. And I certainly am committed to
7 looking at opportunities for creating more
8 alternatives for our youth. And we had in the
9 last couple of years tried to move funding for
10 gang prevention activities and programs in
11 community and we will continue to do that, to try
12 to do exactly what you are asking us to do. To
13 fund the alternatives and not provide for more
14 opportunity for our youth to enter into the
15 system, but some will.

16 And the laws need to be there to
17 empower the process and those who are charged with
18 bringing them to justice. And the balance is
19 difficult to strike but we certainly are committed
20 to working toward that. I could not stress that
21 enough. But thank you and--for your work and the
22 work of your colleagues who are ensuring that we
23 don't miss any opportunity to make what we do
24 better.

25 MS. GINSBERG: Thank you for your

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time.

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CHAIRPERSON VALLONE: And I just want to also make the record clearer because you discussed the prior prosecutors testimony, while they did all say they had difficulties, absolutely, they also did say they welcome more tools to work with. And in fact I'd like to place on the record the fact that the Manhattan District Attorney's Office [blank tape] Frazier, Jr. the Executive Assistant has provided testimony which we're placing on the record because they could not be here which ends as follows: The District Attorney's Office supports laws that provide law enforcement with the tools needed to target gang crimes and empower communities to become and remain free of insidious gang influence.

So with that being said, again I'd like to thank you for taking the time to be here. Apparently you're the only one who has because we don't have any other people signed up. Again many people did testify last time. Their statement is on the record. And we do have that. And we look forward to continuing to work with you on this bill and the others--

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MS. GINSBERG: [Interposing] Thank
you.

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CHAIRPERSON VALLONE: --and thank
you for coming down.

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[Pause]

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CHAIRPERSON VALLONE: All right.

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Thank you again Council Member Arroyo for

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introducing this bill. We're going to move

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quickly on it. I know the Speaker supports it

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wholeheartedly. And I look forward to working

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with you on some additional gang bills that come

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up. Rob Newman wants to testify. We are... No one

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else is testifying, correct? Okay. Thank you all

15

for coming. This meeting is adjourned.

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[Gavel banging]

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C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____ Laura L. Springate _____

Date _____ February 3, 2010 _____