

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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Tuesday, June 13, 2023

Start: 11:08 a.m.

Recess: 11:38 a.m.

HELD AT: Council Chambers, City Hall

B E F O R E: Kamillah Hanks, Chairperson

COUNCIL MEMBERS:

Joann Ariola
Justin L. Brannan
Tiffany Cabán
Robert F. Holden
Rita C. Joseph
Darlene Mealy
Lynn Schulman
Althea V. Stevens

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

Maureen Kokeas
Commanding Officer
Bureau of Criminal Investigation
New York City Sheriff's Office

Ameratu Kamara
Organizer at Office of Community Liaison

Tom Harris
President
Time Square Alliance BID

2 SERGEANT AT ARMS: Good morning and welcome to
3 the Committee on Public Safety at this time we ask
4 that you please place phones on vibrate or silent
5 mode. Thank you. Chair we are ready to begin.

6 [GAVEL]

7 CHAIRPERSON HANKS: Good morning. I am Council
8 Member Kamillah Hanks, chair and the Committee of
9 Public Safety. Welcome to today's hearings to
10 consider proposed Introduction 1001-A, sponsored by
11 Councilmember Schulman. I am joined by committee
12 members Schulman, and virtually Councilmember Ariola.

13 I want to thank Councilmember Schulman for
14 introducing this legislation to help address the
15 ongoing illegal smoke shop problem. I'll let
16 Councilmember Schulman detail the bill, should she
17 like, but in short the bill will enhance enforcement
18 efforts to address the smoke shop problem by
19 preventing property owners from knowingly leasing
20 commercial premises to unlicensed sellers of
21 controlled substances or tobacco products. It also
22 requires the sheriff to produce a monthly report
23 detailing the enforcement efforts so the Council can
24 track whether the problem is being addressed in their
25 communities.

2 Finding effective solutions to curb the
3 proliferation of unlicensed smoke shops is critical.
4 Doing so helps to maintain public safety, ensures
5 merchants are required to have a license to sell
6 legal products, and aids in restriction of sale of
7 illegal products.

8 I want to again thank Councilmember Schulman for
9 her leadership and sponsoring this legislation. And
10 I'm going to turn it over for her if she has any
11 opening comments. And we will hear from
12 representatives from the Administration, whom I'd
13 also like to thank for being here today. Thank you,
14 Councilmember?

15 COUNCILMEMBER SCHULMAN: Thank you Chair Hanks.
16 Honorable Chair the Public Safety Committee, members
17 of the Public Safety Committee, and members of the
18 public. Today the council will hear Intro 1001-A.
19 This bill aims to hold landlords accountable for
20 knowingly leasing commercial premises to unlicensed
21 sellers of controlled substances or tobacco products.

22 I am grateful for the opportunity to present this
23 vital legislation and engage in a thoughtful dialogue
24 with all. Intro 1001-A represents a crucial step
25 towards maintaining the integrity and safety of our

2 communities. This bill seeks to address a pressing
3 issue that has plagued our neighborhoods for far too
4 long: the presence of illegal businesses operating
5 under the guise of legitimate enterprises. By
6 holding landlords accountable for knowingly enabling
7 these illegal activities, we can restore the trust
8 and security that our residents deserve. We have
9 seen firsthand the adverse effects that these illegal
10 businesses can have on our communities. Many of
11 these businesses are selling adulterated products,
12 they're selling to children, and they are operating
13 in cash-only transactions that subvert sales tax and
14 put our community at risk of robberies and crime.

15 It is our duty as public servants to ensure that
16 our commercial spaces are utilized in a responsible
17 and lawful manner. Intro 1001-A will send a clear
18 message: Those who knowingly leased their properties
19 to illegal businesses will face consequences. This
20 bill will create a mechanism to allow the sheriff or
21 any other city agency to identify and penalize
22 landlords who are complicit in perpetuating illicit
23 activities.

24 By implementing strict regulations, increasing
25 enforcement efforts and empowering our agencies with

2 the necessary tools, we can dismantle the networks
3 and enable these illegal enterprises to flourish.

4 I also want to mention that there are-- there are
5 members of the public who are trying to get
6 legitimate licenses for these businesses. And this
7 is preventing them from doing so.

8 I want to extend my sincere appreciation to the
9 chair of the Public Safety Committee Kamillah Hanks
10 for recognizing the urgency of this issue and for
11 facilitating this hearing. Your commitment to the
12 safety and well being of our constituents is
13 commendable, and I am grateful for your leadership in
14 addressing this critical matter.

15 I also want to thank the committee staff who have
16 been amazing, working with my staff on this
17 legislation. Thank you very much.

18 CHAIRPERSON HANKS: Thank you so much,
19 Councilmember Schulman. Now I'll pass it over to
20 Committee Counsel.

21 COUNSEL: Thank you. Thank you Chair Hanks.
22 I'll now swear in our witness from the sheriff's
23 office. With us today we have Maureen Kokeas, the
24 Commanding Officer of the Bureau of Criminal
25

2 Investigation. If you can please raise your right
3 hand.

4 Do you affirm to tell the truth the whole truth
5 and nothing but the truth before this committee and
6 respond honestly to Councilmember questions?

7 DEPUTY KOKEAS: I do.

8 COUNSEL: You may begin your testimony

9 DEPUTY KOKEAS: Is that on then? Okay. I'll
10 start again. Good morning, Chair Hanks and members
11 of the council. I am Maureen Kokeas, Commanding
12 Officer of the Bureau of Criminal Investigation for
13 the New York City Sheriff's Office. I'm here to
14 testify before your committee on the bill being heard
15 today, Intro 1001-A.

16 Since the state legalized personal cannabis use,
17 New York City has experienced an epidemic of illegal
18 and unlicensed cannabis sellers. Smoke shops have
19 always existed in the city, but what we have seen
20 over the past year is unprecedented. In some
21 neighborhoods, you will see multiple smoke shops on
22 the same block, all of which are engaged in
23 potentially dangerous unlicensed sale of cannabis and
24 cannabis products. Furthermore, the vast majority of
25 these unlicensed illegal smoke shops also engage in

2 illegal unlicensed sale of cigarettes, other tobacco
3 products, and E cigarettes. Many engage in all of
4 these illegal activities. If the status quo is
5 allowed to continue, there may be disastrous
6 consequences for the legal regulated cannabis
7 industry, which ensures that the cannabis being sold
8 in the city is as safe as possible for the consumers.

9 Additionally, these unlicensed smoke shops
10 deprive the state and city of vital tax revenue,
11 which is intended to be used to support education,
12 housing, community reinvestment, drug treatment, and
13 other vital programs. Instead, the money is going
14 into the pockets of these unscrupulous scofflaws who
15 have no interest in anything but their own bottom
16 line. The scofflaws have no regard for who is being
17 harmed by their unlicensed activity; whether the
18 products they are selling or uninspected; unregulated
19 and potentially unsafe cannabis; the exposures of
20 minors to dangerous products such as cannabis
21 cigarettes, other tobacco products and E cigs; or the
22 harm resulting from the loss of tax revenue needed to
23 fund the city and state programs.

24 Now that the state legislature has empowered the
25 office of cannabis management to conduct inspections

2 at these illegal locations, they have hit the ground
3 running in their enforcement efforts. However, this
4 is a problem that should be attacked from every angle
5 available and we are committed to leveraging the
6 tools that we have available.

7 I will now turn to the proposed legislation.
8 Intro 1001-A would prohibit knowingly leasing
9 commercial premises to unlicensed dealers of
10 controlled substances, including the unlicensed sale
11 of cannabis and tobacco products. The bill would
12 also require monthly reporting on enforcement
13 activities taken against unlicensed controlled
14 substance and tobacco product sellers, pursuant to
15 the bill.

16 The administration supports the intent of this
17 bill and is eager to work with the Council on these
18 issues, but we believe that the legal questions
19 concerning the drafting of the proposal need to be
20 addressed. The Administration is also concerned that
21 the monthly reporting requirements would present
22 operational and staffing challenges without providing
23 any substantive additional benefits that a quarterly
24 or biannual report would provide.
25

2 Further, the administration notes that the bill
3 leaves out unlicensed E-cigarette activity, which
4 also needs legislative attention.

5 The Administration looks forward to working with
6 the council and the sponsor on the most effective way
7 to achieve the bill's goals. Thank you for the
8 opportunity to testify about this important issue and
9 we look forward to answering any questions you may
10 have.

11 CHAIRPERSON HANKS: Thank you so much for your
12 testimony. I would like-- Before I get into my line
13 of questioning, I just want to let everyone know that
14 we've been joined by Councilmember Brannon,
15 Councilmember Cabán, and virtually Councilmember
16 Holden. So I just have-- Let's get right to it with
17 some of the questions that we have, I have.

18 So to start off with Do you have a current
19 estimate of how many unlicensed cannabis sellers
20 operate smoke shops in New York City?

21 DEPUTY KOKEAS: We don't have a specific number
22 of unlicensed smoke shops. What we do have is a
23 database of allegations that we've received. And
24 those allegations range from allegations of selling
25 illegal cannabis without a license, selling

2 cigarettes to minors, selling other tobacco products,
3 flavored vapes, all types of different contraband.

4 So we put all of the allegations into one data-- into
5 one database. So-- And that database has is sourced
6 from a variety-- from members of the community, from
7 other city agencies, and from elected officials.

8 CHAIRPERSON HANKS: So there's no general number
9 that you can speak to?

10 DEPUTY KOKEAS: There's-- You know, there--
11 originally there was 1300. And then we got a lot
12 more, and we subtracted some when we-- when we
13 inspected them, or we did these other intelligence
14 inspections where we took them off the list because
15 the allegation was unfounded.

16 CHAIRPERSON HANKS: Thank you so much. What is
17 the current procedure of enforcement against
18 unlicensed cannabis and tobacco sellers?

19 DEPUTY KOKEAS: So, the sheriff's joint
20 compliance task force works with the Office of
21 Cannabis Management, the NYPD, DCWP, and other city
22 agencies as needed to conduct inspections on
23 locations that are selling any type of contraband,
24 whether it's cigarettes, other tobacco products,
25 flavored vapes, or cannabis.

2 CHAIRPERSON HANKS: Thank you. Are you finding
3 that smoke shops are selling other illicit products
4 like spice and K2, or lacing products with illicit
5 drugs or controlled substances?

6 DEPUTY KOKEAS: We do find and seize prescription
7 pills. And lately we've been seizing a lot of
8 mushrooms.

9 CHAIRPERSON HANKS: Which leads me to my next
10 question, which is: Do you find that the psychedelic
11 mushrooms to be a problem?

12 DEPUTY KOKEAS: Yes. That's a dangerous narcotic
13 and they are in candy bars that are advertised and
14 attractive to children.

15 CHAIRPERSON HANKS: So is there going to be a
16 priority of enforcement against trademarks aimed at
17 appealing to minors, and they have like cartoon
18 characters, superheroes, the-- the packaging is
19 appealing to young people?

20 DEPUTY KOKEAS: Well, we always seize those
21 products. And we can't always target locations by
22 knowing that they're selling. But if we get a
23 specific allegation that somebody has gotten sick in
24 a location, or it's next to a school, and it has
25 these products. Yes, then we prioritize those.

2 CHAIRPERSON HANKS: How many complaints are you
3 getting of folks who have gotten ill from...?

4 DEPUTY KOKEAS: I don't know that number off the
5 top of my head, but...

6 CHAIRPERSON HANKS: Okay. Is there going to be
7 some sort of report that we can kind of, like,
8 quantify, you know, how many people are getting
9 products that are laced or they're becoming ill from
10 it at all?

11 DEPUTY KOKEAS: I believe the Department of
12 Health would have to issue a report like that.
13 That's not something that we-- You know, we put it
14 into a spreadsheet that there's a note if somebody
15 complained of somebody getting sick. We could-- You
16 know, we could work on seeing if we could extract
17 that information.

18 CHAIRPERSON HANKS: Have you found that teachers
19 or educational places are having complaints about,
20 you know, kids coming in under the influence, you
21 know, regarding any sales to minors or purchase of
22 cannabis.

23 DEPUTY KOKEAS: I do know that we have received
24 complaints from teachers and school administrators of
25 kids getting sick.

2 CHAIRPERSON HANKS: How many smoke shops have
3 been raided because of unlicensed cannabis or any
4 illicit unlicensed tobacco product sales?

5 DEPUTY KOKEAS: So since the start of the
6 Sheriff's Joint Compliance Task Force, we have
7 inspected 288 locations. I believe there's been
8 other locations inspected as well outside of the
9 Joint Compliance Task Force.

10 CHAIRPERSON HANKS: Do you have a breakdown by
11 borough or is there any borough that's higher, or
12 areas that are higher than others?

13 DEPUTY KOKEAS: We can get that information to
14 you. We do track it by precinct and by county.

15 CHAIRPERSON HANKS: Thank you. That's important.
16 Thank you so much. So what agencies participate in
17 unlicensed cannabis shop enforcement?

18 DEPUTY KOKEAS: Well, the Sheriff's Joint
19 Compliance Task Force is it's not exclusively for
20 cannabis. But the agencies that are on our task
21 force are the Office of the Sheriff, Department of
22 Finance, Tax Enforcement, the NYPD, DCWP, Office of
23 Cannabis Management, and when appropriate, the Office
24 of Special Enforcement sends buildings and fire
25 inspectors.

2 CHAIRPERSON HANKS: How will enforcement agencies
3 coordinate their efforts to enforce Intro 1001-A.

4 DEPUTY KOKEAS: So-- So we are de-conflicting and
5 coordinating with-- with all of those agencies on a
6 regular basis, and we have been for-- since the
7 beginning of the task force?

8 CHAIRPERSON HANKS: Yeah. Because I'm interested
9 in in understanding, you know, what the numbers will
10 be. How we will put mechanisms in place, so the
11 reporting, the questions that I'm asking, we will
12 have answers to them, and timely reporting. Do you
13 have any idea of what that's going to look like?

14 DEPUTY KOKEAS: Not at this time.

15 CHAIRPERSON HANKS: Okay. We have a lot to
16 consider and think about? Will there be any
17 educational or awareness campaigns to inform owners
18 and tenants about the prohibition on leasing to
19 unlicensed cannabis sale-- sellers?

20 DEPUTY KOKEAS: I'm sure there will be, but I
21 don't have the details of how that will-- will unfold
22 at this point.

23 CHAIRPERSON HANKS: Thank you. My last question
24 is: Has NYPS seen any increase in crime at locations
25

2 where retailers are selling marijuana or tobacco
3 products without a license in New York City?

4 DEPUTY KOKEAS: I can't comment on the NYPD
5 statistics other than I know that there's been smoke
6 shop robberies related to large amounts of cash being
7 kept in these locations.

8 CHAIRPERSON HANKS: Thank you. I'll pass it to
9 my colleague, Councilmember Schulman, should she have
10 any questions?

11 COUNCILMEMBER SCHULMAN: Not at this time Chair.

12 CHAIRPERSON HANKS: Councilmember Brannan has
13 questions.

14 COUNCILMEMBER BRANNAN: Thank you. Thank you for
15 being here. Could you tell us-- The legislation
16 that-- we acknowledge that Albany dropped the ball
17 here when they legalized these retail licenses
18 without any sort of clear enforcement component?
19 Unfortunately, in the city, we're the ones that have
20 to deal with their mess. And I support the
21 legalization of marijuana, but this rollout has been
22 a disaster, and unfortunately we're getting a lot of
23 the blame for it, which I don't think is fair. But
24 it is what it is.

2 The bill that they just passed in Albany: Has it
3 made anything clearer or easier for enforcement?
4 Because we're hearing all sorts of different things.
5 I think Albany sees it as, you know, the silver
6 bullet we were hoping for, and but no one else seems
7 to agree with that. And I-- Since you guys are the
8 ones actually doing the work, I trust you more than
9 the victory lap I'm hearing from them. So I'd like
10 to know if it does give you the tools you need. If
11 not, where does it fall short? And what do we
12 really-- what should we really be doing?

13 DEPUTY KOKEAS: So I'm not an attorney, and I
14 can't really comment on the legislation. I can tell
15 you that the Office of Cannabis Management has been
16 out with New York State Taxation and Finance. And
17 even though they were a little slow to get to this
18 point, that they seem to be out and about, and really
19 taking enforcement action on locations in the city.

20 COUNCILMEMBER BRANNAN: But what needs to be
21 done-- You know, if I have a restaurant or a bar and
22 I'm and I'm serving or selling alcohol or liquor
23 without a liquor license, it's pretty cut and dry
24 what-- what happens and that the police are allowed
25 to take action. What needs to be done to have that

2 same enforcement here, or to trigger that same
3 enforcement here?

4 DEPUTY KOKEAS: We need the opportunity to go in
5 and close them down. There just needs to be a way to
6 shut down businesses that-- that refuse to comply.

7 COUNCILMEMBER BRANNAN: And is it-- is it correct
8 that right now you actually haven't (you meaning the
9 sheriff's office), but you-- the Department of
10 Finance has an easier time shutting down
11 establishments that are selling untaxed cigarettes or
12 illegal vape juice than you do shutting down stores
13 that have-- that are selling marijuana without a
14 license?

15 DEPUTY KOKEAS: Yes.

16 COUNCILMEMBER BRANNAN: Okay. So is it a change
17 in the state law? Or what would need to be done in
18 order to make your life easier?

19 DEPUTY KOKEAS: We would need the legislative
20 authority to close down these places selling illegal-

21 -

22 COUNCILMEMBER BRANNAN: Okay. And as far as you
23 know, and what the lawyers are saying, or at least
24 advising for now, or they're still looking into it,

2 we don't think that the-- the legislation they just
3 passed, does that.

4 DEPUTY KOKEAS: I don't believe it has all the--
5 the things in that legislation that we need to get
6 done. I think there's more that can be done.

7 COUNCILMEMBER BRANNAN: Right. Okay. Thank you
8 very much.

9 CHAIRPERSON HANKS: Thank you, Councilmember
10 Brennan. Councilmember Rita Joseph. We have been
11 joined by Councilmember Rita Joseph, and she will ask
12 questions. Thank you.

13 COUNCILMEMBER JOSEPH: Thank you. I have-- I
14 have a couple of questions. I wanted to find out:
15 Do you have a actual list and locations of where
16 these illegal smoke shops are?

17 DEPUTY KOKEAS: So we have a list of locations
18 where we've received allegations of either cannabis
19 sales or flavored vape sales to minors. It's one
20 master list. And then we also have a list of places
21 that we have inspected and seized products from.

22 COUNCILMEMBER JOSEPH: Okay. For example, in my
23 district, I have a smoke shop that's literally right
24 next door to a daycare. And when we try to call for
25

2 enforcement, they said daycares were not included in
3 the 500 feet rule. Is that...?

4 DEPUTY KOKEAS: I don't believe that is correct,
5 because I know that we have inspected locations next
6 to child care facilities. So...

7 COUNCILMEMBER JOSEPH: And you're able to-- with
8 this-- with this Intro you're able to go in and...?

9 DEPUTY KOKEAS: So it's possible that the law
10 that says you can't sell within 500 feet of a school
11 doesn't include daycare.

12 COUNCILMEMBER JOSEPH: So we need to amend that.
13 Because I have a daycare in my-- in my district where
14 the shop is literally right next door to this
15 daycare. So now I have preschoolers smelling this
16 stuff.

17 DEPUTY KOKEAS: But that doesn't mean that we
18 can't go inspect it.

19 COUNCILMEMBER JOSEPH: Okay.

20 DEPUTY KOKEAS: Just because it's-- we can't cite
21 for that specific law.

22 COUNCILMEMBER JOSEPH: Mm-hmm.

23 DEPUTY KOKEAS: And again, I'm not an attorney.
24 But if we can't cite for the law, it doesn't mean we
25 can't go and inspect it.

2 COUNCILMEMBER JOSEPH: Yeah. That would be very
3 helpful because these are these are people's babies
4 that--

5 DEPUTY KOKEAS: Absolutely.

6 COUNCILMEMBER JOSEPH: --at this daycare, and I'm
7 getting emails every single day about this, and it
8 bothers me the fact that they said they could not
9 because it wasn't part of the school. But the fact
10 that now you're saying it's part of a daycare and it
11 has children in it, underaged children, so we should
12 be able to address it. And what kind of education
13 are you going to put out, educational campaign around
14 this?

15 DEPUTY KOKEAS: Well, the sheriff's office has
16 been, you know, out there since-- since this
17 situation just started getting worse and worse. And
18 I know the Department of Health has done a lot of
19 education, the Department of Consumer Affairs has
20 done a lot of education. The Sheriff's Office has
21 primarily been out doing enforcement. But we are all
22 in on fighting this. So--

23 COUNCILMEMBER JOSEPH: Because we also want to
24 see education in the hands of young people, making
25 sure that they know that they should not frequent

2 these shops as well. So I want to know, what's the
3 outreach for young people? Are you working with New
4 York City Public Schools as well?

5 DEPUTY KOKEAS: I'd have to get back to you on
6 that. Because I personally am not. And I don't know
7 that there-- is there is a program working with the
8 schools.

9 COUNCILMEMBER JOSEPH: They should. Thank you.

10 DEPUTY KOKEAS: Thank you.

11 CHAIRPERSON HANKS: Thank you, Councilmember.

12 Thank you Councilmember Joseph. Councilmember
13 Schulman?

14 COUNCILMEMBER SCHULMAN: Yes. Hi. So my
15 question is: When you close down, when you raid an
16 illegal weed store and they open up again the next
17 day or two days later, do you go back? Or do you
18 wait? Or is it a cycle? How does that work?

19 DEPUTY KOKEAS: So we-- we do go back to places.
20 There's a lot of places that we close down, and we
21 take everything out of the store, and the next day,
22 they're loaded up again. So yeah, ideally, we would
23 go back every day if we if we could. But we do go
24 back to locations on occasion. It's just a matter of
25

2 getting through prioritizing to make sure we're going
3 you know, throughout the entire city.

4 COUNCILMEMBER SCHULMAN: So in essence, this law
5 that would hold the landlords liable would actually
6 save you guys some wear and tear, because ultimately,
7 they'd have to get rid of these tenants.

8 DEPUTY KOKEAS: Yes.

9 COUNCILMEMBER SCHULMAN: Okay. Thank you.

10 CHAIRPERSON HANKS: Thank you, Councilmember. I
11 just have a few more questions. So I know that some
12 people claim they-- that some of these illegal
13 vendors are doing so because the products and the
14 process of obtaining this-- a valid registration from
15 the New York State Department of Taxation and
16 Finance, and a tobacco retailer license from the
17 Department of Consumer and Worker Protection is
18 tedious.

19 Can you tell us how long the process takes to get
20 these valid registrations, and what that process
21 looks like?

22 DEPUTY KOKEAS: The OCM licensing is done
23 exclusively by the State of New York. And I know
24 that just-- that it's been slow being rolled out.
25 And the DCWP licenses-- Again, that is not my agency

2 that manages that. But there is an issue with people
3 once they lose their license in that district,
4 they're not going to get another license in that
5 district.

6 CHAIRPERSON HANKS: Thank you so much. Is there
7 any further questions from my colleagues? That being
8 no, we're going to close out, and adjourn this
9 meeting. Thank you so-- Sorry? Oh, we have one
10 witness. Sorry. We're going to go to public
11 testimony. Thank you.

12 Thank you for your testimony.

13 DEPUTY KOKEAS: You're welcome. Have a good day.

14 CHAIRPERSON HANKS: You too.

15 COUNSEL: For public testimony, I'd like to call
16 up Amaratu Kamara.

17 Good morning. You can proceed whenever you're
18 ready.

19 AMERATU KAMARA: Sounds good. I'm
20 Ameratu. This is my first time here at the Committee
21 for Public Safety. I'm an organizer at the Office of
22 the Community Liaison. We're working with NYPD
23 monitor on their stop-and-frisk reform efforts. So I
24 don't have much of a comment. But I do have like a
25 question that I want the committee to keep in mind

2 as-- regarding the sheriff's office's partnership
3 with the with the NYPD and enforcement: How the--
4 How that will affect stop-and-frisk police reform
5 given the latest, I guess, monitor report that we
6 can't be very confident that a lot of the stop-and-
7 frisk interactions going on right now are actually
8 compliant with the recent-- the recent legislation, I
9 mean the recent court cases.

10 CHAIRPERSON HANKS: So, can you just repeat your
11 question?

12 AMERATU KAMARA: If the committee has any insight
13 or any comment as to how this will affect stop-and-
14 frisk policing enforcement, or the sheriff's
15 partnership with NYPD on this, if they have any
16 comment.

17 CHAIRPERSON HANKS: So we just-- So in context of
18 this hearing, we're talking about cannabis and the
19 illegal sale of cannabis, meaning that the
20 enforcement would be to the landlord, and not to
21 folks on the ground, right? So-- But I understand
22 your question, and you know, this committee takes
23 protecting civil liberties very seriously. And so we
24 can definitely chat offline. We'll give you our
25 card, and I can better answer your question. Thank

2 you so much for coming in and testifying. Thank you
3 so much.

4 AMERATU KAMARA: Thank you. It was nice to meet
5 you all.

6 CHAIRPERSON HANKS: Nice to meet you as well. Do
7 we have someone online?

8 COUNSEL: Yes. Next we'll turn to Tom Harris,
9 who's with us via Zoom.

10 MR. HARRIS: Good morning, Chairperson Hanks, and
11 members of the Committee on Public Safety. My name
12 is Tom Harris, and I'm the President of the Time
13 Square Alliance, the Business Improvement District
14 that exists to make Time Square clean, safe, and
15 desirable for all. Before I begin, we accept the
16 legalization of cannabis, and have had conversations
17 with an entrepreneur looking to bring in a legal
18 dispensary to Time Square. But this is about the
19 illegal operators in our city that jeopardize our
20 safety and prevent those legal distributors from
21 thriving.

22 First, thank you to the Council for this
23 legislation. I agree with the chair that finding
24 effective solutions is critical to maintaining public
25 safety. Anything that will help address the

2 proliferation of illegal weed stores in our city is
3 appreciated. In five months Time Square has gone
4 from two illegal weed stores to twelve. These stores
5 make Time Square less safe. One has been robbed.
6 There have been two homicides within 100 feet of
7 another. And a person was shot in front of a third.
8 I'm sure citywide crime data would show that these
9 illegal stores make our city less safe.

10 In addition to the violence, crime, and disorder
11 surrounding these stores, many regularly market and
12 sell their unregulated products to underage children.
13 We learned that lab tests on some of the products
14 purchased contain fentanyl, and that others contained
15 rat poison.

16 While this bill is helpful, more is needed. The
17 violence, potential health hazard, and inaction from
18 Albany to effectively address the issue should make
19 this a top priority for the Council and the
20 administration. Multiple simultaneous actions from
21 the council are needed.

22 I'm proposing a four-step process: This bill is
23 a first step it holds landlords accountable.

24 The second step is to hold the illegal operators
25 accountable. The nuisance abatement laws were used

2 successfully in the 1990s to eliminate activity in
3 establishments. In 2017, the City Council changed
4 the nuisance abatement laws such that it is harder to
5 issue close closure what is when illegal activity is
6 observed taking place within the premises.

7 SERGEANT AT ARMS: Time expired.

8 CHAIRPERSON HANKS: Continue.

9 MR. HARRIS: I am urging the Council to revisit
10 their action in 2017 for illegal weed stores that
11 sell to minors and allow judges to immediately issue
12 a closure order when two incidents of illegal sales
13 to minors occur at the same-- at the same location.
14 This is similar to the presumption for brothels and
15 massage parlors. This narrowly-tailored approach
16 will help make our children and community safer.

17 Third is has more resources. The sheriff's been
18 doing an excellent job, and he needs more support
19 from the New York City Police Department. The
20 sheriff is reporting 288 inspections, year to date.
21 Based on those numbers, it'll take over three years
22 to inspect the 1600 weed locations reported on our
23 city. We don't have three years. Allow the NYPD to
24 be more involved.

2 And the fourth step is for us all to join forces.
3 We believe the City Council, the City Administration,
4 and the community should lobby Albany to give the
5 Office of Cannabis Management the same authority
6 granted to the State Liquor Authority to shut down
7 unlicensed liquor stores immediately, the same way
8 they close unlicensed bars. To effectively deal with
9 this crisis, we need to take the handcuffs off law
10 enforcement and enforce the illegal-- illegal
11 activity to help make our neighborhoods safe. Thank
12 you for your consideration.

13 CHAIRPERSON HANKS: Thank you so much for your
14 testimony. With that, is there any other further
15 questions for my colleagues? With that I want to
16 thank Councilmember Schulman once again for her
17 leadership in sponsoring this legislation. There's a
18 lot more that we need to unpack with this legislation
19 and how it's going to be enforced. And with that
20 this hearing is adjourned. Thank you

21 [GAVEL]

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C E R T I F I C A T E

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



Date June 22, 2023