CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES,
PRIVILEGES AND ELECTIONS

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May 17, 2022
Start: 9:37 a.m.
Recess: 11:19 a.m.

HELD AT: HYBRID HEARING, COUNCIL CHAMBERS, CITY HALL

B E F O R E: Keith Powers, Chairperson

COUNCILMEMBERS:
Adrienne E. Adams, SPEAKER
Joann Ariola
Joseph C. Borelli
Justin L. Brannan
Gale Brewer
Selvena Brooks-Powers
Shahana Hanif
Crystal Hudson
Pierina Ana Sanchez
Nantasha Williams

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

Mr. David Do
Candidate for Commissioner of Taxi and Limousine Commission

Mr. A.U. Hogan
Candidate for Civilian Complaint Review Board

Ms. Jean Ryan
President of Disabled In Action of Metropolitan New York

Mr. Joe Rapoport
A Member of the Taxis For All Campaign

Pastor Hogan
Brother of Candidate for Civilian Complaint Review Board

SERGEANT AT ARMS 1: PC recording on.

SERGEANT AT ARMS 2: Recording to the cloud is rolling.

SERGEANT AT ARMS 1: Thank you. And good morning, everyone. Welcome to today's remote New York City council hearing of the Committee on Rules, Privileges and Elections. At the time that all panelists please turn on your videos for verification purposes. To minimize disruption, please place electronic devices to vibrate or silent. If you wish to submit testimony, you may send it to testimony@council.nyc.gov. Again, that's testimony@counsel.nyc.gov. Thank you for your cooperation. Chair, we are ready to begin.

CHAIRPERSON POWERS: Good morning and welcome to the Committee on Rules, Privileges and Elections. My name is Keith Powers and I'm the Chair of this committee, and thank you everyone for joining us here today. Before we begin the hearing, I want introduce the Councilmembers of this committee who have joined us here today. We're joined by Speaker Adrienne Adams, Minority Leader Joe Borelli, Councilmember Justin Brannan, Councilmember Gale Brewer, Councilmember Selvena Brooks-Powers, Councilmember

Crystal Hudson, Councilmember Pierina Sanchez, Councilmember Ariola, Councilmember Hanif, and Councilmember Williams. Some of them are on virtual, so you don't see them. I'd also like to acknowledge the Rules Committee Counsel Lance Polivy, and the staff members of the council's investigative unit Chuck Davis, Chief Compliance Officer, and investigators _____{Leesha Vassal} and Ramses Boutin.

Today the rules committee will consider the nominations of David Do for appointment to the position of Chair of the Taxi and Limousine Commission, and Robert Hogan for the Civilian Complaint Review Board.

We're going to first start with the TLC, where the council gives its advice and consent. Mr. Do will be appointed TLC Chair for the remainder of the term that expires on January 31, 2o24. At a salary of $240,171. He and Robert Hogan would be...

Sorry, we're also seeing Robert Hogan who will be appointed the CCRB for the remainder of a term that expires on July 4 2023. CCRB members are paid a per diem of $315 for each day that they work.

We are, as I mentioned, going to start with the TLC, and I'll give a quick background on the TLC before we hand it over to our nominee.

The New York City Taxi Limousine Commission, commonly known here as a TLC, was created pursuant to Local Law 12 of 1971. Chapter 665 of The New York City charter establishes the TLC with the goal of developing and improving Taxi and Limousine Service in New York City. The TLC is responsible for overall transportation policy and establishes certain rates, standards and criteria for licensing of vehicles, drivers, chauffeurs, owners, and operators. The Commission includes nine members appointed by the mayor with the advice and consent of the city council, and it must include at least one member from each borough. DLC members are appointed for a term of seven years and can serve until the appointment and qualification of a successor. The mayor designates one of those members to act as a Chair and chief executive officer. The Chair has the power to employ assign or oversee the officers and employees of the organization. Pursuant to the Charter, the Chair's position is full time and the mayor sets compensation. And as noted of Chair currently

receives $243,171 annually. No other type TLC member receives compensation. Mr. Do, would you please raise your right hand to be sworn in?

COUNSEL POLIVY: Mr. Do, do you swear to tell the truth, the whole truth and nothing but the truth?

MR. DO: Yes, I do.

CHAIRPERSON POWERS: Do you wish to make an opening statement?

MR. DO: Thank you so much, and good morning, members of the Rules, Privileges and Elections Committee. My name is David Do, and I'm honored to be before you today. I want to first thank Speaker Adams, Chair Powers and members of the committee for giving me the opportunity to be before you today. I would also like to thank Mayor Adams for the privilege of being nominated as Chair and Commissioner of the Taxi and Limousine Commission. I'd also like to thank Deputy Mayor Joshi for placing her trust in me to lead the commission. She has been a steadfast guide throughout the nomination process. She has been a transformative leader not only in New York City, but also on the federal level and I'm grateful to consider her a mentor.

I also want to thank acting Chair and Commissioner Ryan Wanttaja wants to jump. He has been an uplifting leader at the TLC at this critical time. Commissioner Wanttaja has worked tremendously hard throughout his 12-year career at the TLC with various teams to provide results for the industry and the customers we serve. In his time as Acting Commissioner, he has guided the TLC on key proposals and the fiscal year 23 budget process. I'm happy that I will continue to be able to count on him to be a partner and a leader at the agency. I also want to thank the commissioners on the Taxi and Limousine Commission. I look forward to working with you as we steer this industry towards economic recovery.

I also want to take this opportunity to speak to the team at the TLC. I want you to know that the last few years have been challenging for you all, and I thank you for continuing to provide a deeply needed public service during these difficult times. I'm excited for the possibility, if confirmed, to work with you hand in hand to deliver results for our industry. Each one of you are valued team members and are what drives our industry forward. Without your work and dedication. We would not be able to

build on our accomplishments. And I look forward to the opportunity to work each with each and every one of you.

It's been my great privilege to meet with industry members, advocates and other stakeholders during the last few weeks. I want to thank these individuals for sharing their perspectives, concerns and issues with me. It's been tremendously helpful to meet all of you, and if confirmed, I look forward to working with you.

Now on a personal note, I would like to thank my friends and colleagues in the committee room today. I also want to thank my partner Alex Curley for his unyielding support during this incredible transition for him and our family. I also want to thank my mother and father for the immense support that they've given me throughout my life. While they're not here today, because they're both small business owners operating a dry cleaner, and a hair salon. I know they're immensely proud of their son sitting in front of one of the most esteemed legislative bodies in the world. They will watch this hearing later tonight, and I'm excited to share with them in Vietnamese. [SPEAKS VIETNAMESE FOR 4 SECONDS]

I come from humble beginnings. My parents were refugees of the Vietnam War, and we came to America to find a better opportunity for our family. I have distinct memories of growing up living in shared quarters with my mom and dad and many other families struggling to survive each day. My mom worked in a Vietnamese deli, and my father delivered foods so that we can make... make ends meet in those initial years coming to the United States. They worked nonstop to ensure that my brother and I could achieve the American dream.

As a kid who was the first in his family to go to college, I sit before you to testify that the American dream is possible. My parents were big believers in education as a great equalizer. And I'm so glad that they've continued to push me to become who I am today. It could have never dreamed what would occur right now, the first son sitting in front of you as a nominee for the Taxi and Limousine Commission Chair and Commissioner.

In my current role as the Director of the Department of For-Hire Vehicles, I oversee and regulate the for-hire industry in the nation's capital. For the last four years, I've led the

agency through the rise of increased competition and during the global pandemic. I've leveraged technology to help the industry in our nation's capital move forward in a number of ways. First, my team and I created a centralized reservation and dispatch system for transport DC, a same-day taxi program for people with disabilities. And during my tenure at the FHP I put in the hard work to ensure a more accessible fleet. I shepherded the industry through the COVID-19 pandemic and laid out a vision for the future. To help the riding public get around for essential trips, we were able to provide free taxi trips for people needing to go to the doctor grocery store or work and we repurposed our micro transit program to provide hospital worker rides during late night shifts.

During the pandemic, it became clear that our agency and our industry needed a Northstar to help us guide the recovery. My team and I work closely with the industry to develop to develop the industry recovery blueprint, which lays out short and long term actions the DFHV will take to help industry build back better. My vision for the TLC is to create a work environment where the talented staff

can flourish. And together we will support an industry that innovates, diversifies, and thrives while making our fleet more accessible, greener, and meeting the needs of the riding public. My first priority will be to fully implement the Medallion Relief Program and the MRP Plus Programs to ensure that every single medallion owner can take advantage of the program. The TLC has done a great job of getting many medallion owners to participate, and we know that 3000 owners might qualify, and 300 owners have successfully received funding. I will work expeditiously to ensure more lenders participate in these programs so that we can build a stronger foundation for the taxi industry moving forward. Furthermore, I will continue to work on diversifying the industry to help increase ridership to pre-pandemic levels, while seeking out additional opportunities such as government contract work, and packaged food delivery. I also want to enable our drivers with all the tools necessary to maximize their revenue while customers get the services they need. Moreover, for-hire vehicles have a role to play in lowering congestion in New York. In addition, we need to think about automated vehicles

and how we can fit them in our industry in a way that is equitable, safe, and accessible. I am a data-driven leader. I want to dive into rich data that the TLC has to understand more of the current issues and trends. Working the problem by working the data will be how I and my team identify solutions and other innovative strategies to medallion issues, driver pay, congestion, assessable, and green fleets. We must leverage historical and real-time industry data to support our drivers and get more rides. I'm extremely... I'm extremely passionate about building a more sustainable future by facilitating the growth of our green fleet. As Commissioner I will review what has worked with the battery electric vehicle pilot and see how we can get more licensees to convert from their internal combustion engines to fully electric vehicles. The time to do this is now. The for-hire industry has a role to play in bringing emissions down and being part of the climate solution.

I'm excited to lead the industry into a new frontier where we come out of a global pandemic stronger and more resilient than ever. I want to thank the New York City Council for having me here

today to speak about my upbringing, experience and vision to lead the TLC. I'm excited for our partnership and look forward to working together.

I'm happy to take any questions you may have. Thank you.

CHAIRPERSON POWERS: Thank you and congratulations to you, _____, and your parents on your nomination. I know they'll be watching later. So I'd be very proud of your nomination. We'll move into questions now, and I recognize The Speaker who may wish to make an opening statement and make opening statement and may some questions as well.

SPEAKER ADAMS: Good morning Mr. Do and welcome. I echo the sentiments of my colleague the Chair in congratulating you on this nomination. It is very critical to the city of New York, that we get this right. So I congratulate you for being a nominee for this position. I have a great deal of taxi TLC drivers in my district. It is a district that is an extremely diverse district, and a tremendous number of drivers have been affected by what's gone on with the TLC in New York City over the past few years. They've been traumatized, and they feel that they've

been left out of the process in a lot of different ways.

My first question is going to be: What do you see as -- and I know that you say you're data driven, so I'm going to go ahead and make a giant leap and assume that you have read and know the history of the TLC of the city of New York over the past few years, and some of the some of the missteps that have gone on -- What do you see as some of the critical missteps taken by former commissioners to get us to the place that we are right now, pandemic aside, just speaking about the recovery and the trauma of these drivers? What do you see as the as the missteps?

MR. DO: Well, thank you so much, Speaker Adams. And let me just say this, that there have been a lot of missteps on the government side, and on the private side, and what we need to do is ensure that we don't make those mistakes again. That means to ensure that the medallion crisis, in selling these medallions, so that we can plug a budget hole, never happens, again, that we're no longer in the business, of escalating the prices of medallions, but ensuring a stable market for them, and ensuring that we continue to support our drivers. And, you know, let

me just say this: Is that drivers have a partner in me, and that every single step of the way, I will work with them to ensure that they get relief, and that they get to be a part of the MRP, the medallion Relief Program and the Medallion Relief Plus Programs. It's... it's a tragic incident, what happened in the last few years, and I'm here to use my skills and my abilities from the outside and review what has worked and what has not worked and to support our drivers, because this is a time that we know that coming out of a global pandemic, drivers are hurt more than ever before. And we need to uplift our drivers, uplift our industry, and move on a path forward for more rides and more diversification so that there's more revenue in the pockets of our drivers. But my main goal will be to get drivers under this mountain... out from under this mountain of debt. And I have over the last few weeks I spoke with our advocates, spoke with our drivers, and learned what... what are their main issues. And they want to ensure that MRP is fully implemented so that we can support them. And that's what I've been hearing over and over. And they have

my commitment and my partnership to ensure that we get through that together.

SPEAKER ADAMS: Thank you very much for that answer. You mentioned in one of your responses, the expression that you've used is work diversity. Can you explain to us exactly and break that down what work diversity means?

MR. DO: Yeah, definitely. So I'm looking forward to working with the folks at the TLC to have a team that is reflective of the immigrant story, and of the cultural sensitivity, so that we can work for the many immigrants. 95% of our TLC drivers are immigrants. And so you know, I totally understand where they come from, because my parents, you know, who are small business owners are immigrants. And you know, one of the things that we work on is that you know, every single minute that they invest in advocating with us, they're one less minute working on the roads, making that extra dollar. So they have my commitment to have a workforce and environment where the TLC is reflective of them to ensure that we can provide services that are culturally sensitive in the language that they speak and to support them. In my, you know, eight years... over 10 years, actually,

in DC government, I prided myself in language access. I prided myself in a workforce that is representative of the industry that we serve, and I will continue that commitment here at the TLC.

SPEAKER ADAMS: We know that your... your background and expertise is certainly within... within Washington DC within the DC area. Can you give us some of the... I guess some of the similarities that you see in bringing some of the responsibilities in what you're... what you're currently responsible for in Washington... Washington, DC, compared to New York City, which is very different, really than any city, anywhere? So what are some of the similarities that you see? And what are some of the key differences that you see in in transferring those skills to New York?

SPEAKER ADAMS: Yeah, let me say this speaker is that in DC, in New York City, in almost every city in this country, drivers of for-hire vehicles have been hit disproportionately during this global pandemic. Rides almost went to zero during the height of the pandemic, and we're only continuing to recover now. We have amazing data that supports that, you know, we're increasing rides from year over year, and we

will continue to do that. But we need to support innovation. And so where I see the similarities is that, you know, everyone is facing the same issues. And what I did in DC, and to bring it to New York City, is to ensure that we have more technology here to leverage e-hailing, to have a culture of that. And I will continue to look at different aspects of, you know, how did we recover our industries there? Which is still, I think, recovering, right?, in implementing an industry recovery blueprint that shows that, you know, we need to look at ways of relieving drivers so that they can come back, and that means trying to figure out what has been working and what hasn't, and why it have many drivers not taking their vehicles out of storage in New York City yet? And is it some barriers to insurance? Is it the fees that the TLC charges? What is the biggest... (crosstalk)

SPEAKER ADAMS: All of the above.

MR. DO: Excuse me?

SPEAKER ADAMS: All of the above.

MR. DO: Yes. And understanding them and supporting them, so that they can get their vehicles

out of storage and onto the roads to support them and their families?

SPEAKER ADAMS: Thank you. And I will just conclude with this question, and then I will pass it on to my colleagues.

Your top -- and I believe you mentioned this in your opening remarks, but if you could just reiterate if you have already mentioned -- I would say your top two... not even three... your top two priorities if your nomination is successful, your top two priorities on day one?

MR. DO: Yeah. So the first priority is to understand where we are with MRP and MRP Plus programs and get that to many more drivers, right? Only 300 Out of the 3000 have successfully gone through the process, and I want to understand why, and get all 3000 towards that. I also want to ensure that, you know, we work on a more accessible Green Fleet. I have done amazing work in DC to get our vehicles on the road serving those who need waves or Wheelchair accessible vehicles, so that they can get to points of destinations for their daily activities of need, for grocery stores, to go to the doctor's appointment. And I'll look at ways to expand

accessibility. And then also looking at how we can uplift the team at the TLC. It's been a difficult time. And you know, I went into the FHV at a time where morale was an all-time low in DC. And you know, I think that you know, coming in supporting our team members being a value-based leader, and then trusting our team members, looking at them, and ensuring that they have steady leadership is what I will bring to the TLC. And I'm very happy that you know, I have this potential if nominated to bring my skills there.

SPEAKER ADAMS: Thank you. You just jogged something else in my mind sitting here listening to you: We haven't talked at all about... and I'll just ask this, and then I'll stop, I promise. We haven't spoken at all about the competitive nature of the industry over the past few years with Uber, with Lyft. How do you see that coming in? If your nomination is successful, how do you see that coming in, in dealing with the morale because it's taken a toll on the drivers as well, that that competition and some aspects of that competition? How do you see that playing out?

MR. DO: Yeah, definitely. You know, one of the first things is I want to look at the Owner and Driver Resource Center, building that up, ensuring that, you know, not only are we giving them financial and legal advice, but looking at how we can provide mental health. Right, and you know, breaking down the stigma of mental health, because I know in minority and immigrant families, there's a strong stigma of getting the assistance. And so I want to build up different ways of supporting our industry, from physical health to financial to legal help.

SPEAKER ADAMS: Thank you very much. Thank you, Mr. Chair.

CHAIRPERSON POWERS: Thank you, Madam Speaker. I'm gonna ask a few follow up questions. And then of course, I'll go to my colleagues for questions as well. You've talked briefly about the Medallion Relief Program, outreach to make sure that people are getting the resources they need and deserve. And that is something that we have spent here in city government a lot of time on the last few years is that medallion crisis. Just taking a step back your thoughts on the medallion relief program? And do you believe the medallion relief program is sufficient to

address this underlying crisis for drivers and medallion owners that we've been talking about for the last two years?

MR. DO: Yeah. So, thank you so much Chair Powers. And I've reviewed the taxi medallion release taskforce report. And one of the main recommendations is coming up with a program to provide driver relief. I believe the MRP and MRP-Plus programs are... are good frameworks for a program, but I need to understand almost a year into this program, where we are how we get more drivers into the fold, and support... and medallion owners right? Right now we know that you know, drivers who... and owners who have five medallions or less can get supported by this program. And I need to see inside, right?, and I don't have that insight yet right? That we need to understand how we can further implement this program. In DC I have been able to implement various programs very quickly from student transportation programs to neighborhood connect, micro transit, and then also taking on a full transport DC disability program. And so you know, I need to have the benefit of stepping in and

understanding what is going well, and what we can fix on the program.

CHAIRPERSON POWERS: I appreciate that. And of course we would... once you're in position we'd love to hear steps that the TLC can take to promote the program and get greater participation from lenders. You touched on an issue about accessibility who with the WAV vehicles. Obviously there's been this discussion debate for years about exactly how to do that in this industry. Advocates of permanent disabilities are... have long argued that taxis and FHVs should be made fully wheelchair accessible.

Can you give us your recommendations, what you would do to ensure that more taxis and for-hire vehicles are available to people in wheelchairs? And similarly, should those accessibility requirements that apply to taxi cabs apply to FHVs?

MR. DO: Let me first say that the TLC has been a model for the entire country. They have an accessible dispatch program, and then also a regulatory structure and incentive structure that really supports our accessibility. And then I will also tell our advocates today that they have my commitment to continue the push towards 50% in the

coming years, because I know accessibility is at the core and great equalizer. What we have done in DC is seek out additional monies for incentives working with the federal government. Our agency receives $630,000 to ensure that we compensate our drivers for deadheading, that we compensate our drivers for canceled trips, that we provide repairs for our WAV vehicles, and also to ensure that we continue to support a green future by supporting EV hybrid WAV vehicles.

CHAIRPERSON POWERS: Thanks. And just one... one or two more questions here. A question that we asked in your pre-hearing, and a question we wanted to kind of resurface and discuss. We are in a moment in the industry, obviously, where there is great concern about the status... particularly after the pandemic, ridership is down. The changes in the way that patterns that people are living, changes in the workforce, you know, habits with work from home. We're obviously looking at industry that is on edge right now, when it comes to the state of the industry, particularly the yellow taxi industry that sees a serious decline. And I would note seemingly age gaps in terms of who is using yellow taxis. Can

you give us your thoughts on what you think the trends will be in the years to come? And especially when it comes to the yellow taxi industry? And if so, what does that mean for the future of the medallion? And how does this agency encourage or maintain the health of that industry in light of those trends?

MR. DO: Yeah, well, definitely. Thank you, Chair Powers. What I will be working on is to ensure that our medallion owners have a supporter in there. And so what that means is that, you know, I am highly optimistic that we will get to pre-pandemic levels. In terms of the number of trips. There won't always be just the street-hail culture that we are used to. We need to provide supports on the e-hail side and promoting a culture of e-hails and getting trips from all parts of the city and not just parts of Manhattan that their used to on the street hails. We need to ensure that many of our drivers are technologically savvy so that they can engage in that process. I will be working to fully implement the Medallion Task Force recommendations, including providing more technological assistance by providing more working towards a full soft meter system... additional meter

system, similar to DC. DC was the first and it's... in the country to go to all soft meters, where now we can do automatic updates over the air so that we can update our drivers on where trips might be in real time: Did JFK just let out a lot of passengers, or did a big event let out at Madison Square Garden, or wherever that is. Supporting our drivers by getting more rides is a critical part of my mission.

CHAIRPERSON POWERS: You answered part of my next question, which is how do you how do you accomplish pushing yellow taxi cabs out into the outer boroughs, which has been a problem obviously for decades. I will just... One more question. You noted in your pre-hearing responses that you would seek to allow drivers and companies to diversify... diversify the kind of transportation they can provide so they can have more reliable income streams. Can you tell us what that looks like in practice?

MR. DO: Yeah. Well, I'm very proud of the work that I did with Mayor Bowser in DC, in which she invested on a regular basis about $13 million direct to drivers on various routes, right? And so one of the... one of the programs that I see synergies with here in New York City is Access-A-Ride Program, and

Access-A-Ride Program on-demand program, where right now it's piloting for 1200 residents, but we need to expand it more. We need to allow more New Yorkers into it. We need to allow, like DC, every single person who wants an on-demand ride to be able to get one. And with Transport DC we have done that. We've also... and so I'm willing to partner with the MTA on that. We've also took in almost $5 million annually to provide a good hourly wage for our drivers of $30... $25 to $30 to support a micro transit service where we get people who are in transit deserts to and from Metro stations, grocery stores, medical appointments, hospitals, so that we can support our residents on transit equity.

And then, you know, there are other opportunities, including non-emergency medical transportation, including foster kids transportation, including taking kids to and from school. And we are one of the big cities that for the first time has taken general ed students to and from school with a program. So I'm very proud of my achievements there. And I hope to take that and diversify our industry in New York City.

SPEAKER POWERS: Thank you. I have one more question. I lied to you. One of the biggest issues that we have discussed here in the city council in the last term and the term before that was, of course, the cap on vehicles and trips, and the efficiency standards for those vehicles. I believe they had been waived during the pandemic, to correct the efficiency things. Do you have opinions on those? And would you believe they are working? And also -- if I'm correct that efficiency standards have been relaxed or relieved during the pandemic -- should they come back, or should they be changed? Or what changes would you seek there?

MR. DO: Yeah, well, thank you so much, Chair powers for that. And during my last few weeks, I've met with our for-hire advocates, I met with our livery advocates, our street-hail livery advocates, and our black-car advocates. And what I've heard over and over is that we need to look at that cap. And so our... our communities have my commitment that I'm going to look at the cap, if confirmed as a TLC Chair to see if we need to take a look at that and lift the cap. There are a variety of different factors in that, as you mentioned: Utilization rate,

congestion, outer borough service, making sure that people are fully connected within our system, and you know, the big thing here is to ensure that any raising the cap is fair and equitable. But what the council did in 2018 was put a cap in, and that was a great first step to stabilize the industry as a whole. And I want to congratulate you for that. And so we look at it... or the TLC, excuse me, looks at it every six months, and they will look at it again later this year, and we will see what we can implement at that time.

CHAIRPERSON POWERS: Thank you. And of course, the question that faced your predecessor, which is about electric vehicles, and how to integrate them into the cap, and whether they fit in there as well, which I know you will take a look at.

We're going move to Councilmembers who may have questions. We're going to start the course with Councilmember Crystal Hudson, who's here in person.

COUNCILMEMBER HUDSON: Thank you. Just a couple questions. I appreciate some of the things that you've shared already, including Access-A-Ride. I'm Chair of the Aging Committee. And so the overwhelming... the folks who use Access-A-Ride are

overwhelmingly older adults, and also folks with disabilities. And so you mentioned expanding that program, which I think is great, and you have my full support in doing that. But you also mentioned the MTA... working with the MTA. So can you just talk a little bit about how you see your relationship? Working with the MTA? I think, you know, historically, it's not always been the easiest for city officials to get things done when working with the MTA. So just curious to know how you're approaching that relationship?

MR. DO: Yeah, definitely. You know, there's always opportunity to work with both state level and regional agencies, right? I'm coming in as... from someone who's on the outside who wants to set a new course and a new relationship. And I don't... I don't expect it to be easy, right?, especially working with a huge agency such as the MTA. But we have been successful in DC at my agency in working with the WMATA, which is a regional transportation program. To get that program... it took a few years, right?, to get that program into the department of for-hire vehicles. And now we run it exclusively for DC residents. And you know, there is potential to do

that. It might take an investment from the... from the TLC, and then also from the city's budget to make that happen. And I'm very proud of the commitment that we... we got to that point in DC, and I'm going to look at ways to continue and look for opportunities here.

You know, that pilot program here in New York City, and then also the transport DC program that is a full-fledged program is a bridge. It is a model. And you know, it ensures that our residents gets to and from the grocery store medical appointments in a timely manner, that a dialysis appointment is no longer a six-hour journey, right? And we want to ensure that you know, all people who have disabilities are supported and get a ride that they need.

COUNCILMEMBER HUDSON: Thank you. And then, you know, I think Councilmember Powers just mentioned the cap on for-hire vehicles. And that to me was a reactive response. It wasn't proactive, and I think so often, government is reactive and not proactive. So can you just talk a little bit about your vision for how you will be a proactive leader in an industry that's already experienced market disruption, and you

know, who knows what... what could happen in the future, but I think it's really important that we, you know, anticipate those things.

MR. DO: Yeah. Thank you so much, Councilmember. And you... you are right. We need to continue being proactive in all matters at the TLC. And I have been that proactive leader in DC, and I will bring that proactive leadership here in New York City. And where I see that we really need to look at is proactive regulations on autonomous vehicles. We need to make sure that if we allow them on our streets, that it is fair, it is equitable, it is accessible for all users. And that, you know, we ensure that, you know, no job is lost, that we ensure that, you know, drivers are fairly compensated... compensated, that they're retrained. And I see that as a new frontier. And we've taken that step already forming a taskforce and a regulatory scheme in the District of Columbia. And I will take a look at that coming here to New York City if confirmed.

COUNCILMEMBER HUDSON: Great, thank you. Just going back to the Medallion Relief Programs, just how do you plan to build trust among the drivers who've been let down, quite frankly?

MR. DO: Yeah. You know, it's, it's going to be difficult. I won't say it will be easy. But make... making sure that we work with our advocates, our stakeholders, making sure that we connect with them -- and I've already done that over the last few weeks -- making sure that I go into the room and listen to them be a partner, instead of like, you know, putting more regulations, ensuring that their voice is heard, sitting down with them, talking to them, and making sure that I understand from the 300 that have gone through the program, what has worked for them, and for the 2700, or the... sorry, the 1700 others who have applied and who have not gone through the program, understanding how we can push more drivers to that finish line so that they're not burdened with that debt, so that they can get over, you know, through and on the other side of that mountain of debt that they're under. And so they have my commitment and partnership, to examine, and to ensure a program that is reflective, and supports them.

COUNCILMEMBER HUDSON: Thank you. Just a couple more. Does and will TLC support raising meter rates for all drivers in payments and distance and time for app drivers?

MR. DO: Well, thank you so much for that Councilmember. And the TLC has noticed two hearings later this month on May 23 and on May 24, to look at the meter fare, and then also to look at driver pay increases. And it's been 10 years, since the last meter... meter fare increase with rising inflation, rising costs at the grocery store, rising costs at the pump, we need to take a strong look at that. But there is a process, getting stakeholders voices involved, and I'm... and if confirmed, I'm going to go with that to that hearing, open-minded and see what can be done. But look, it's been 10 years.

COUNCILMEMBER HUDSON: Thank you. And then lastly, are there any plans to cap TLC fines? And if so which ones?

MR. DO: Yep. So in DC, I've always taken a strong enforcement approach, while providing a three-step escalation, a verbal warning, a written warning, and then a notice of infraction. I know that the good men and women of the TLC are trying to do a good job on the enforcement side. But we also need to ensure that we are fair and that we are supportive of... of our drivers, especially during this critical time.

COUNCILMEMBER HUDSON: Thank you so much.

MR. DO: Thank you so much, Councilmember.

COUNSEL POLIVY: Thank you. We're now going to go to Councilmember Brewer followed by Councilmember Brooks-Powers, who are going to be over...

COUNCILMEMBER BREWER: Thank you very much, Mr. Chair, and congratulations, Mr. Do. Um, there's a couple of questions. First of all, you have about maybe 6000 yellow cabs in the garages. And obviously, you'll need drivers. So I guess obviously, it's a driver issue. How are you going to recruit. Now, certainly, the fact that you understand their plight, that you have experience, and that they can trust you and hopefully will make enough money. So I'm just wondering between the garage operators and getting drivers and getting the cars on the streets, I guess you might answer some of these innovative ideas, but I just would like you to talk about a little bit. That's a lot of cars and a lot of drivers.

MR. DO: Thank you so much, Councilmember Brewer. And you know, one of the biggest things that we need to look at is lowering the barriers to reentry from the vehicles that are in storage, right? And so in

DC, I looked at the regulations, and I will do the same here at the TLC to see what can be streamlined and how we can support our drivers to ensure that we waive fees that you know the TLC charges, and that's what we've done in DC. We have waived all fees associated with licensing and putting a vehicle on the road, with the Mayor of DCs commitment of $2 million on waiving those. But what we also know is that you know, I'm not there yet, and so I want to review what can be done and so that we ensure that that we can be fair and equitable and try to get our drivers back on the road.

COUNCILMEMBER BREWER: Okay. We have in New York City something called congestion pricing coming up. Obviously as representing Manhattan, I'm already getting lots of complaints. I'm supportive of it. We need the funding for the MTA. But one of the questions you may not have an opinion on it yet, would be to have yellow and greens not have not have to pay the congestion fee. Do you have an opinion on that? Or are you still waiting to see?

MR. DO: Yeah, well, thank you so much, Councilmember Brewer. And so one of the things that we definitely need to take a look at is for-hire

vehicles. And yellows have been faced paying a congestion fee. And they pay for an equivalent of almost $414 million in fiscal year 23 budget. And so my concern is that we need to ensure that our for-hire vehicles do not double pay. And so I am going to make sure that we work with the MTA and work with state legislatures to ensure that it is fair and equitable in terms of congestion pricing.

COUNCILMEMBER BREWER: I like that answer. In terms of... one of the challenges we have here is cab drivers not picking up people of color, not picking up when people want to go uptown, out of borough, etc. Again, this is a trust factor. This is your, you know, your way of warning and so on. Is that... was that an issue in DC? And if so, how did you handle it?

MR. DO: Yeah, so we are, you know, very proud that in DC that the drivers are very professional, and that they turn on their meters, accept credit cards and take folks across our city, wherever the passenger may ask. But I know that that's always not the case. And so we take refusals to haul of any sorts incredibly seriously. And we have a complaints process in place. I will bolster the complaints

process here, at the TLC to ensure any complainant gets fair due process and to ensure that the complaint is clearly heard. But we will also need to ensure that we equip our enforcement team with the capabilities to ensure that refusals to haul of any sort is not tolerated, and there's a zero tolerance policy for that.

COUNCILMEMBER BREWER: And in DC, you have airports, as we do here, are there any changes to the airport policy? I don't travel that much, but I do get complaints that the cabs aren't there, sometimes it's hard on the drivers because they wait for a long time, etc. I didn't know if you had some suggestions because we're very much, as you know, need to have good services coming and going from the airports. I don't know if you had any suggestions that maybe improved service in DC, at National, et cetera.

MR. DO: Yes. Yes. So we've worked with the authorities at the airports, and I will continue working with the New York City Port Authority to ensure that there is not illegal street hails and illegal activity at the airports.

COUNCILMEMBER BREWER: All right. Thank you very much, Mr. Chair.

CHAIRPERSON POWERS: Thank you. Now we have Councilmember Brooks-Powers followed by councilor Sanchez.

COUNCILMEMBER BROOKS-POWERS: Thank you so much and welcome, Mr. Do. It's good to see you virtually I look forward to being able to meet you in person. As it's been stated in different ways already before the pandemic, Uber and Lyft drivers as well as our yellow cabs and commuter vans have been facing a really difficult time. In New York, we were hit pretty hard by the COVID 19 pandemic, but even going into the pandemic, we saw how the changing of the industry has impacted the livelihoods of the yellow cab drivers, the commuter van drivers, and what have you.

I'm interested in understanding -- on record because I know you and I have spoken already -- what tools in your toolbox that you have, in your experience, that you'll be able to apply in your new role if confirmed, to help bolster these various... these various categories of this industry?

Also, some medallion taxi apps like Curb and ARRO have entered into a deal with Uber to allow taxis to receive e-hails from Uber. What is your perspective

on this partnership? Are there any regulatory issues you believe TL... regulatory you believe TLC should take to protect drivers and riders alike? Do you think there may be an unintended consequence as a result of this arrangement?

And then the last thing is safety: I'd like to know what measures you'll take to help strengthen the safety of the drivers and the passengers. Earlier this year, there was an allegation about a driver and the safety of one of the passengers and just wanting to make sure that there are policies in place to be able to protect folks from... from any type of danger when they're getting rides and what have you but at the same time also making sure that drivers are safe. So I'm interested in terms of what policies you will be bringing with you in that regard as well.

MR. DO: Yep. Well, I'll take your questions one at a time, Councilmember. I believe the first question was regarding commuter vans. And I'm very proud of the fact that I've outreached to the leaders of the commuter van community to ensure that I understand the issues and their plight. And what we know is that commuter vans have always been there for the city through natural disasters, through transit

strikes, and will continue to be there for residents of the outer boroughs. And they provide a strong inner connection with our city's transportation network. And so I will continue to work with our commuter vans to ensure that you know, they are sustainable, to ensure that they're innovative, and to put mechanisms where they can get more rides. In DC, we as a city started a commuter van service called Micro Transit DC Neighborhood Connect, and it connects residents in transit deserts to and from hospitals, subway stations, to grocery stores, and it provides that through an app, and those who are unbanked and underbanked could... and those without a mobile phone or a smartphone could call dispatch to get a trip, and then they can also use cash to pay for those trips. And so I'm very passionate about transportation equity. And... and I think that the commuter van industry plays a critical part in that.

I think your second question was bringing in regular trips to, or for-hire trips to the yellow industry. This is something that the industry has begun doing. Incredibly, I think that they are looking at it on a slow and measured approach to see how it will work, and to see how it can be fully

implemented. The TLC, as I understand it, is looking at the rules and regulations around that. But let me just say this: More trips, diversity of trips is incredibly important, and I will take a look at how we can promote innovations like this, while ensuring a thriving and sustainable for-hire industry for all participants.

And then your final question, Councilmember was regarding safety, I take safety incredibly, seriously, be it on a passenger or be it on our roadways, and you have my commitment to take a zero tolerance approach when drivers or passengers are acting in an unsafe behavior to any one participating in that ride.

COUNCILMEMBER BROOKS-POWERS: I appreciate that. And one last question I just want to also ask is in regard to, what do you believe TLC can do to ensure that as the economy begins to recover and people start using rideshare apps more and more, that unintended consequence of paying... a minimum pay and utilization rates... rules that the city council and the TLC enacted in 2018 doesn't create like an unintended burden such as a lockout from App companies? What... Like, what are your thoughts

around that? What do you think TLC can do to ensure that that doesn't happen again?

MR. DO: Well, thank you so much, Councilmember for that question. And it is my goal that a lockout does not happen, and that we're fair and measured in looking at the utilization rates, and looking at how that works for our outer borough residents, looking at it for how we have on congestion and also how we use our vehicles, right? There are many factors that go into that, and if confirmed, we look at... the TLC looks at it on an every-six-month basis to ensure that... that we are fair. But look, on May 24, we will be looking at the utilization rate, and I will see, and make a decision if confirmed, if that needs to be reimplemented. At this time when rides are still not at pre-pandemic levels, I'm not sure we are going to look at that yet. But that is part of the process, right?, of getting stakeholders involved, listening to our stakeholders looking at the data and ensuring that we are that we are fair and equitable when we look at those... the utilization rate.

COUNCILMEMBER BROOKS-POWERS: Thank you so much, and I look forward to working with you should you be

confirmed in moving this part of the transportation industry forward? No further questions Chair.

CHAIRPERSON POWERS: Thank you. We are now going to hear from Councilmember Sanchez, followed by Counsel Hanif.

COUNCILMEMBER SANCHEZ: Good morning, everyone. Thank you, Chair. And good morning, Mr. Do. It's good to see you again. Thank you again for taking the time to meet with me and just talk a little bit before... before the hearing, I appreciated that. So I just I want to start by just appreciating, your sort of focus on a data-driven approach, you know, your background that connects you to a lot of the driver population and community here. And, you know, we're both urban planners. So... so I really appreciate that the perspectives you bring.

So that... the first question that I want to ask is about congestion. You know, and Councilmember Brewer started to talk about congestion pricing. But, you know, the way that I understand it is that MTA ridership or, you know, the public transit system, is around 60% of pre pandemic levels for variety of reasons. Congestion... congestion on our streets is actually at the same rate, or in some

places a bit higher than pre pandemic times. And so as we think about the recovery of the sector... of the for-hire vehicle sector, you know, I'm wondering how you think about, you know, the... the tensions, of course, that there are between congestion, use of streets, and then, you know, protecting this, this group of workers in our city that are such important contributors?

MR. DO: Yeah, so definitely, Councilmember. So, you know, congestion is being debated at the state level currently. And, like I said, previously, for-hire vehicles, both taxis and high volumes, have been paying $2.50 and $2.75 per trip, respectively. And so what my position is, is that we need to come up with a framework that does not double-charge our... our vehicles for-hire our taxis, because they have been paying into the fee to the tune of $414 million for the fiscal year 23. And so we need to ensure any... any scheme... any regulatory scheme is fair. But also we recognize that congestion is a real issue, and so ensuring that supply and demand meet will be an incredibly important indicator that I take a look at. Look, we don't want an oversupply of

vehicles on our roads, and so we need to ensure that we are conscious of that fact.

COUNCILMEMBER SANCHES: Thank you. Thank you so much, Mr. Do. And then you know that the second question might... might seem like a little bit counter to what I just asked, but, you know, in thinking about the... the cap for drivers, thinking about the power that Uber and Lyft, the app companies have over drivers, you know, I have received a lot of complaints from businesses that operate in my neighborhood and neighborhoods like ours, across the city, about, one, the the way that the cap has... you know, because there's no set number of drivers or licenses that are adhered to in the cap, it's simply a cap, and there's attrition, I've heard a lot of complaints about drivers not being able to get back on to... get back to driving after... after stopping during COVID times, and that affecting their ability to feed their families, on the one hand. And then on the other hand, the smaller bases that you know, have been operating in New York for many years before the app companies struggling to be able to provide and work with... with drivers, right? So I guess my question is, you know, how do you think about... How

do you think about, one, the drivers that used to be drivers that are not... have not been able to come back to their roles, and then, two, these... these smaller companies that are being affected? Do you think that there's a role for the city of New York to play in protecting those companies?

MR. DO: So I'm very proud of the fact that I visited with our livery, our street hail livery industry, and our black car industries over the last few weeks to understand what is going on, and to understand what the issues are. I've also reviewed the black car and livery taskforce report in there. The one the number one recommendation that it suggests to the TLC is to look at our small bases, our liveries, and how do we ensure that our livery bases can still support our outer boroughs, right? And so, you know, you have my commitment that I will take a hard look at the cap, especially for our small businesses, and maybe look at running a pilot. And on the other side, I want to lower the barriers for drivers to reenter and to make a living. And so I will take a look at that and see how within the TLC structure we can do that. And you have my commitment on that.

COUNCILMEMBER SANCHEZ: Thank you. And then the last question is one that I will always come back to and that is, you know about the power difference... the power differentials between the drivers and the big app companies, and specifically around the fees that they are charged for a trip. I've heard from some that they make as little as 30% or 40% of what a rider is paying is what ultimately ends up in the... in the pockets of a driver. And so, you know, understanding like, of course, I worked on this legislation as a as a staffer in City Hall, and we... we've taken strides to protect driver pay in New York City. But what more do you think that that we can do? Are there particular fees that you would be committed to, you know, looking at from the app companies to protect driver pay, and just make sure that the drivers who are doing all of the work are the ones that are of course, benefiting the most from... from their work?

MR. DO: Yeah. I'm extremely proud that New York City is on the forefront of protecting driver pay. In New York, you know, we adjust pay based on a number of factors, and we look at increasing that pay every, every few months. And so, most recently,

we... we had a pay increase just last month for our drivers, and after expenses, many of our drivers make $18 an hour. And so you know, that is a pathway to the middle class, it's a pathway to ensure a living wage, and I am committed to always working with our driving community, and to support a wage that... that is good for that. I have met with IDG. I've met with our individual stakeholders. I've met with NYTWA to ensure that I understand the issues that drivers face, and I'm very passionate that you know, I will be a good listener, and a compassionate listener and ensure that drivers get a fair shake at every moment of this process, especially as a regulator.

CHAIR POWERS: Councilmember, I think you're on mute. I think the Councilmember has one more question, but she has been muted.

COUNCILMEMBER SANCHEZ: Thank you. Thank you. Sorry about that. No, thank you. I appreciate that. And then so the last question is one that I alluded to is, you know, so in New York City, the cap that we set doesn't... doesn't require or set a target number of licenses to have on the road. I know, you answered this question and in some ways in your, in

your pre-hearing response about whether there's a right number of licenses to have on our streets, and that's... that's a tough question to answer. But what... what do you think are the factors... the most important factors to consider in determining the number of licenses that we do have active on our streets?

MR. DO: Yes. So for-hire vehicles play an important place in our transportation ecosystem, especially in our outer boroughs. So I want to take a look at you know, outer borough wait times. I want to look at congestion. I want to look at driver pay, and I want to look at utilization. So those are the things that I would... that that would allow me to take a look at it and make an informed decision on what the right number and right cap might be.

COUNCILMEMBER SANCHEZ: Thank you so much, and all the best of luck.

MR. DO: Thank you so much, Councilmember.

CHAIRPERSON POWERS: Thank you. We are now going to hear from Councilmember Hanif.

COUNCILMEMBER HANIF: Thank you so much. Hi, David. It's great to meet you and learn more about you, and especially your pro-driver work in DC. As

you know, South Asian electeds and our colleagues worked very closely with the New York Taxi Workers Alliance for a city-backed guarantee to restructure the medallion debt, even going on a hunger strike with them to win this fight, and then more recently getting one of the opposing lenders on board. Given the majority of these drivers are Bangladeshi immigrants, I look forward to working in close collaboration with the TLC and driver leaders to ensure full dignity of all drivers. I've got several questions.

In the TLC hearings, over the past few years, we've heard from drivers and their loved ones about how the job has taken a toll on their mental health. In 2018, alone, eight drivers took their lives. It's clear that this is a crisis. And so I'd like to know, as TLC Commissioner, how will you ensure that drivers can receive affordable language-accessible, and culturally-competent mental health services? Will you support establishing a health and pension fund for drivers?

MR. DO: Well, thank you so much, Councilmember for that question. And it is... It is my belief that we will work with the Owner and Driver Resource

Center to look at how do we provide socially competent and destigmatized mental health as a TLC? I'll take a look at that. And I know that as I traversed our city in the last few weeks, we are doing very progressive things across our city, and everyone is... is conscious about driver health, especially mental health, and especially bringing drivers, especially immigrants who had been hesitant to use mental health over the last few... in our lives, and me as well, right? And so, you know, breaking down that stigma, and ensuring that drivers that, hey, you know, we can do these group sessions, we can work together, and we can understand what our issues are and support each other. And that's my commitment to provide mental health services that drivers can come into and get supported at the TLC. We already provide financial and legal services. And it's... There... There may be a way forward on mental health services as well.

COUNCILMEMBER HANIF: I look forward to that. And I'd really encourage you to look more closely into establishing a health and pension fund. And, you know, I mentioned that because more broadly, ride hail drivers have been undermined by their

illegitimate classification as independent contractors rather than employees and this industry-wide... this classification has deprived these workers of the right to employer-funded health care, overtime pay, and the right to join a union. Do you support the reclassification of these workers as employees?

MR. DO: Yup. So definitely a Councilmember. So one of the big things that the TLC is incredibly progressive on is driver wages and ensuring that drivers make a living wage. And so we want to continue making sure that that happens. Also, that, you know, the classification is being debated on the state level. And so I want to ensure that that process goes through, and that we support whatever the decision is made. But you know, we also have to listen to our stakeholders to ensure that this is what they want, right? I want to make sure that I provide outreach and understanding with our driving network to understand that, hey, you know, these are the benefits, and these are also some of the other things that might happen if we're classified one way or the other. So I want to make sure drivers fully understand, support them, and support their decision

making process, because at the end of the day, I want to make sure that drivers make what they deserve, and get the benefits that they deserve.

COUNCILMEMBER HANIF: Thank you. Given the diversity of stakeholders, how would you facilitate outreach?

MR. DO: Yeah. So you know, I've worked for, four... three different mayors over time, and one of the... one of my biggest pride moments... proud moments is working as the director on Asian Pacific Islander affairs for Mayor Bowser. And what we did there was we put events up that were culturally competent, but also providing services in the language that they need, providing translations for the entire government, and ensuring that they have services, that they have... that they have documents in the language that they need, and then also assistance carrying out those... those business things that they need to do with the government. From our dry cleaners, to our drivers, to anyone who's doing business with our city, we wanted to make it easier for them, and that is my commitment at the TLC for our drivers who speak different languages,

come from different cultures be supported, and have a voice in our government.

COUNCILMEMBER HANIF: Thank you. I look forward to that work. And my final question is: Currently app-based ride hail companies are able to institute log-offs and permanent deactivations that prevent individual drivers from working on their platforms without providing any justification. As TLC Commissioner, would you support rulemaking that implements just cause protections for drivers that would require companies to provide legitimate reasoning for dismissing a worker?

MR. DO: Yeah. So I do support due process for our drivers and ensuring that they have due process when they are... when they are locked out, or when they are eliminated from the app. It should not just be a decision from one complaint without due process. There should be considerations, and I am committed to working with you and working with the TLC to ensure that there is due process for our drivers.

COUNCILMEMBER HANIF: Thank you so much.

CHAIRPERSON POWERS: Thank you, I don't believe we have any more Councilmember questions. So thank

you for your testimony and answering questions, and of course, congratulations on your nomination.

MR. DO: Well, thank you so much, Councilmember. I appreciate your time today.

CHAIR POWERS: Thank you. Thanks for being here.

We are going to now move over to the Civilian Complaint Review Board. And I will just give a quick overview of the CCRB and then we'll head over to Mr. Hogan. The Civilian Complaint Review Board, commonly known as the CCRB, consists of 15 members of the public. Members shall be residents of the city of New York and to reflect the diversity of the city's population. The members of the Board shall be appointed as follows: Five members, one from each of the five boroughs shall be appointed by the City Council, one member should be appointed by the Public Advocate, three members with experience as law enforcement professionals shall be designated by the Police Commissioner appointed by the mayor, five members shall be appointed by the mayor, and one member shall be appointed jointly by the mayor and the Speaker of the City Council to serve as the Chair of the board. If appointed, Mr. Hogan will be

eligible to serve for the remainder of a three year term that expires on July 4, 2023.

I want to welcome Mr. Hogen here. Thanks for being here today. If you wouldn't mind, can you please raise your right hand so we can swear you in?

COUNSEL POLIVY: Do you swear to tell the truth, the whole truth and nothing but the truth?

MR. HOGAN: I do.

CHAIRPERSON POWERS: Thank you. Thank you for being here. If you desire, you can make an opening statement.

MR. HOGAN: Good morning. First, I'd like to thank the New York City Council, Chairman Powers, Speaker Adrienne Adams, for letting me be a part of your unpredictable and busy schedule.

My life has been a life of both advocacy and struggle, struggling as a young boy for my identity, and second finding my place in this world that was wider and greater than the tenements and the two room public housing apartment I shared with my siblings. My mother's struggling, and not to sound like a here-we-go-again story. Struggling is just a part of growing up in the 60s. We were poor but didn't know it. We were financially compromised, but you

couldn't see it. We were given the bare necessities of food, clothing, shelter, a ton of prayer, a lot of love, and it carried us over. We knew we couldn't afford certain things, and we were taught the vibe what is earned. That what should be appreciated is what God had given us to sustain ourself as a unit, a team, and a family. Most of my energy was geared towards protecting my sisters, Robin and Roxanne, my little brother Richard, now a pastor of his own church whose only competition is our sister Vangelis. Robin Crystal was also a minister. Our family was close knit, and we thank we were able to dodge the waves of heroin, crack cocaine, and prison that covered over five decades of my life. These are those times were the evolution as a people will be purposely interrupted by individuals, government and systems. Whatever was out there to catch us into a life of nothingness was thrown at us, but what performed against (inaudible) who not a national anthem. We knew back then, as we know now that family and community was everything. If we were going to do the work at making this a better world, we had to present... be present in the fight and the fight would first begin at home.

I am beyond blessed this morning, seeking your faith in me that in this role, I will bring my expertise, my selfless mind and spirit and adjustment and change which has for so long been our accepted abuses. I, like all of us here this morning, envision a better city, a better democracy, and a better life for all the country, this country citizens are protected and treated as equals, and the biases of addressing anything under the law, good or bad, appropriately comes to an end.

We stand on the shoulders of great ones that have come before me, some even make an ultimate sacrifice for change. And I'm committed to be a support, a student, and a teacher as this chapter of my life unfolds if I'm elected.

Again, thank you for having me here in front of you this morning, that you all continue to do the great work that you are doing for the city. I will never forget what was told to me during my early stages of advocacy and servitude. Quote, "You're going to have to take some beatings to do this work." Unquote. Yes, but although the beatings will still come, and the opposition to do right will always be

present, I will remain focused and do the work that I have been sent here to do. Thank you.

CHAIRPERSON POWERS: Thank you, Mr. Hogan. I will now recognize the Speaker, who may have a few questions for you.

SPEAKER ADAMS: Thank you, Mr. Chair. Just a few. Not many. Good morning Chief of the Streets.

MR. HOGAN: Good morning.

SPEAKER ADAMS: Welcome to the People's House.

MR. HOGAN: Glad to be here.

SPEAKER ADAMS: And I welcome your brother also. Pastor Hogan, welcome to the People's House.

I don't have too many questions for you, Mr. Hogan, as you are a constituent of mine and I've known you for well over a decade. I know your work, which is stellar. I know your reputation in our district, which is stellar. I know your commitment to not just the people in our district, but to the youth in particular, in our district. We... You and I have seen a lot of work together, particularly with your work with Life Camp, which is an amazing organization under the Crisis Management System for the city of New York. Your knowledge and your

relationship between the community and law enforcement is also very extensive.

So I just have a couple of questions for you because I do want my colleagues to get to know you as I do.

You have an insight when it comes to a particular disconnect that I recognize as well, and that is a disconnect that would certainly play a role in your position with the CCRB and with NYPD, and that is the relationship or disconnect between leadership in NYPD and the rank and file. So if you would just expound on that what you've seen over the years, and how you see that that disconnect can be knitted better.

MR. HOGAN: Thank you, Speaker. The disconnect is very obvious. I don't think it's intentional. I think what happens when a particular thing is sent down by leadership, it's internalized in a way... uh, first it's theory, and when you get on the streets, it's practical. And it gets very difficult when police officers are thrown into an environment that they know very little about. And nuances... often they come with something... an issue has already taken place. So you see them in the state of emergency, you know, as opposed to state of relaxing

learning the community, knowing what to do, and stuff like that. So they're forced by laws and government to do a particular thing and act in particular particular way, with no chance or time to relax and see what's actually going on.

So what I've done with both leadership and the rank and file, you know, we've been... I've been, along with Life Camp, as the Chief of Streets, I've been doing roll calls. The roll calls gets from just meeting each officer, and then we get into personal situations and situations that... issues that might have occurred already inside a precint. We do this with three precincts: 105, 113, and 113, and also PSA 9 out of the department, which is like New York City Housing Authority. And so I just think the difficulty is... is not that officers don't want to understand the law. That's one thing. But then also, officers don't understand the community, which sometimes can be even a greater problem of the way the lackluster of executing the law.

SPEAKER ADAMS: Yeah. I definitely agree with you, in your assessment.

And I'm just going to ask you one more question. Before I hand it over to my colleagues: Mr. Hogan,

what do you see lacking in the CCRB that you can potentially bring to that body?

MR. HOGAN: I'm going tell you... I'm going to answer the question twofold, right? This morning, when I when I woke up and prepared to come here, I said, why... Because I'm always on the (inaudible), right?, on these things, right? I think the engagement where yesterday morning we were rosier because October 10 2021, a gentleman climbed up a tree. Yesterday morning, I had a call, he went back up the roof.

SPEAKER ADAMS: Did he really?

MR. HOGAN: So we went back out there and we see different agencies. We see NYPD. We see the ambulance. We see social services. We also saw the hostage negotiation team. And we were allowed to get... Life Camp and myself as Chief of Streets, we were allowed to get in touch with the borough command and let the precinct go, "This is second time we did this." So we were able to get this guy, and got his mother some services. I think when the CCRB comes, they should have a hat that says CCRB, and they come out and people already identifed know that they're being watched, you know, in essence of... that

there's no chance, there's no taking, because videotaping is one thing, but to see that someone's that's professional... that's a part.. and going to be impartial, but... part of the structure of the city that wants to do right, and know that somebody's there, I think, you know, it would get along a lot quicker. And that was just one thing.

Another thing that what I think CCRB should do is really understand that listening totally, to facts, and they have to be on the same page. There should be no wrangling. There should be positions that's taken, individuals when investigation evidence is brought forward. But we have to find a way to do simple things. You know, a lot of us try to approach this a superhero away. And that's when this stuff gets real bad. If you teach it doing simplistic terms, decisions will become more simpler. And I think we just need to address these issues, as soon as possible, you know, as a collective, and then come to a decision that's respectful and benefits everyone.

SPEAKER ADAMS: Thank you. Needless to say, I think that you would be a tremendous asset to the CCRB. I congratulate you on your nomination.

MR. HOGAN: Thank you. Thanks so much Speaker.

SPEAKER ADAMS: We wish you the best. And I can't wait to work with you.

MR. HOGAN: Yes, thank you.

SPEAKER ADAMS: Mr. Chair.

CHAIRPERSON POWERS: Thank you, Madam Speaker. I have a couple of questions. You've sort of answered a few of them in your last round, but I wanted to just keep going. And thanks for answering questions.

One of the issues that we've talked about is making the public more comfortable with filing complaints without fear of retaliation, and of course also knowing the process of how to do that. Any thoughts on what steps the CCRB can take to make members of the public more comfortable without... and more aware of how to file complaints, particularly without any fear of retaliation?

MR. HOGAN: Well, thank you, Chairman Powers. I think it be interesting that we trained offices that (inaudible). So when someone makes a complaint, you would have an officer that identified that and would support that, and support that family. You know, what happens, the persons that are filing a complaint are only afraid of police and the government. You

know, they're afraid of... What is the process? What if I go this way? But if you have... if you really -- not train -- but you really build relationships, and make the community and the police a collective, there won't be an office that's afraid. I'll back you up with that. I think this should happen. This really did happen. I've seen that. You know, I think... it's not really outrageous to envision a better way that police and community gets... gets together, but filing a complaint should be also supported by some of the members of the department that seen other members bring that force or that abuse.

CHAIRPERSON POWERS: Great. Thank you. We have a few members who are asking questions, I'm going to get over to them. We are going to... I think head over first to Councilmember Borelli, followed by Councilmember Brooks-Powers, and they're going to be up on the screen over there.

COUNCILMEMBER BORELLI: Hi, and thank you. Just a quick question. Your personal thoughts on whether the CCRB or the police commissioner should have final say in the disciplinary action for officers who are adjudicated as having violated department policy?

MR. HOGAN: Well, first we have to examine what worked and how was it in the past? And if that didn't... if some things didn't work, we need not to be afraid to move from it. And if it was that The Commissioner had to make that final decision, as a team, the community and the city should be a team, and let's look at... let's go back, get into a huddle and discuss one another what didn't work. And I'm for whatever works. And if what we were doing wasn't working, I'm not afraid to try something different.

COUNCILMEMBER BORELLI: Well, it's a team scenario now. But to be clear, if the CCRB's recommendation and the Commissioner's recommendation are in disagreement, which authority should have the final say?

MR. HOGAN: Well, it's almost like... it's like the jury. I mean, there should be no final say, once you give a final say, you know, I think it should be you know, you look at... you look at the evidence... and let's be real clear about evidence that is brought in front of us. If we can remove all biases, you know, and be objective, I think... suppose, objectively, there should be a dismissal or firing. But then the person who has the ability to... to make

that final decision look at it subjectively. And so that means we haven't moved anywhere to make it a better process. We just continue what has happened. So we give it to... um... and we have to really look into it. Really, not just examine it, but weigh and say, "Hey, you know..." I think if we convince ourselves to do the right thing even greater and go into chambers and have that greater fight, you know, with one another to come out and do the right thing, not for the people, not for... but the right... for the persons that are victims, and for the rights of the officer that might have been abusive and helping him out. If you continue allowing officers on the force that are abusive, it doesn't do anything good for their self worth. I mean you're talking about (inaudible).

COUNCILMEMBER BORELLI: Right. No, no... I mean, I'm not asking a trick question. I think this is one of the more controversial topics that that involves the CCRB in general, that doesn't involve a specific case. Someone has to make the final decision. Should it be the CCRB's role, or should it be the police commissioner's role?

MR. HOGAN: Well, it wasn't the past the police commission, is that correct?

MR. BORELLI: Correct.

MR. HOGAN: Okay, so I don't want to throw the question on you. But from my opinion, that hasn't always worked, and what happens is... we've seen what happened to the last police commissioner had to make that decision. It eventually... It eventually ended up to -- it might not be the reason -- but a couple of months after that, he was no longer here. So why would you want to put that pressure on a whole individual, and you can have a body or a board that makes a decision? And that decision would look like, to other people: "Well, there were five people in there. There were 10 people in there." And they can't just blame it on one individual. And once you blame it on that one individual, then you blame it on the system. Usually can't blame it on the system when the CCRB made the decision. But you want to keep putting it to the commissioner, then they blame the system. Then you separate once again, the community from the police, the community from the mayor, the community from the elected officials, and

we don't want... We try to we try to get rid of all that. I would far as my position there.

COUNCILMEMBER BORELLI: Okay. Thank you very much, sir.

MR. HOGAN: Thank you very much, Councilmember.

CHAIRPERSON POWERS: Thank you. We are now going to Councilmember Brooks-Powers, and that will be followed by Councilmember Williams.

COUNCILMEMBER BROOKS-POWERS: Hello, can you hear me?

CHAIRPERSON POWERS: We can hear you.

COUNCILMEMBER BROOKS-POWERS: Sorry about that. Hello, Mr. Hogan is great to see you. It is such an honor to see someone from the Southeast Queens community being considered for an appointment here. And I just have a brief question for you: I'd like to hear about your experience at Life Camp, and your perspective on the Cure Violence and Crisis Management System Programs. You have significant experience liaising between community members and officers. How will that experience inform your work on the review board?

MR. HOGAN: Well, right now, I'm in the process of writing... Thank you... first of all, thank you

very much, Councilmember, for your question. Right now I'm in the process of writing with two inspectors, one in 113, and 103 precinct the idea of how we're going to have a safe summer, and what does public safety look like? You know, as... as you've looked at, the relationships that we were able to do, the relationship didn't start off easy. You know, there were concerns with the police department, with us rolling up, seeing a lot of orange, seeing a lot of people, and there's a lot of danger. You know, and law enforcement is concerned about their safety. You know, we've already see someone hurt. So we... we go on the scene, you know, and we jump out and what happens to the 10... 11 years... the 12 years since the Crisis Management System has been in effect, we were able to develop a relationship to know that we are equal partners. And that's really important: That you... you created a relationship where we're equal partners. I don't think before, I know, we were in your district yesterday morning, 7:30.. I just spoke about that. 7:30 in the morning, we get a call at 7:00, the guy goes up again, you know.

COUNCILMEMBER BROOKS-POWERS: Yes, thank you the second time getting him down. Thank you.

MR. HOGAN: Yes. No, I thought I was dreaming. But, you know... And was very... A lot more intense last time. The city spent a lot more money last time, and they... we got a call from the city this time, you know? We got a call from the inspector. Last time we got a call from the community which... the relationship because what we did prior, we got a call. And so instead of three days, it took an hour and a half, you know, and the longest was just waiting for the guy to come on the roof and want to talk to us about what he was getting ready to do.

So I think, working with the police department in ensuring that we are equal partners, that I'm no greater than them, that they are no greater than us. They have a job to do, and so do we. And if we come together as equals, I think we respect each other a whole lot more.

COUNCILMEMBER BROOKS-POWERS: No, and I thank you so much for that. And thank you for your continued partnership in the community and being not only an advocate, but a guardian. And I know that when

confirmed, you will do a great job on the CCRB so thank you so much.

MR. HOGAN: Thank you so much, Councilmember for your respect and the work that you do out there. It's busy over there.

CHAIRPERSON POWERS: Thank you, Councilmember. We are now going to Councilmember Williams.

COUNCILMEMBER WILLIAMS: Hello. I just raised my hand. I have no questions. I just wanted to simply express my full-hearted support of Mr. Hogan. I've known him since I don't know, maybe I was like 10 years old when And he was my camp director. He has always been a person that is practical, always seeks to find different alternatives for young folks to just have a straight and narrow paths. He is a committed, reliable person and I'm excited for this appointment. And I it's just a pleasure and full circle moment to be a Councilmember, and to be able to even express these... these... these comments of support. Also, as a former board member of Life Camp, I do know his work in the community, working with the police department and also the community on some of our most pressing public safety issues.

So thanks so much Chair for allowing me to just express a few words of support for Mr. Hogan. Thank you.

MR. HOGAN: Thank you, Councilmember. And you were actually 8 years old, okay?

CHAIRPERSON POWERS: That's very important distinction to make here. I appreciate that. Thank you, Councilman Williams. We will now go to Councilmember Sanchez.

COUNCILMEMBER SANCHEZ: Hello, and nice... Very nice to meet you, Mr. Hogan. I appreciate that she was eight. I was probably eight too. So my... my question is... it's not... it's kind of a... I was just wondering your... your position on it. It's very general, you know. As someone who has worked in the crisis management system has, you know, worked through violence, you know, and has such a deep experience in the street and also with all of our institutions in the city of New York, you know, where... where do you think we go from here, right? I think Councilmember Borelli asked you a very interesting and important question that is being debated in all sorts of circles, about, you know, who gets the final say: CCRB or is it the Police

Commissioner. But just... just in your view, you know, in terms of how we're doing in terms of police and community relations in the City of New York, what do you think are the most important sort of changes that we need to see in the department? And, you know, what will you be... you know... What's going to be your orientation on the CCRB as these cases come before you?

MR. HOGAN: Well, you know, even before the orientation, I often say... they say how do you better police community relationships? You have two separate, you know, populations that are basically ill. And if you don't solve the illness of one population, it's going to spread back to the next. And you fix and it's going to go back to the next. The thing is we've got to solve the illnesses individually from each... We have to fix the police department, and I think we have to do a whole lot of fixing up in our community. I'm a community advocate because I hold my community accountable. They're responsible for some of the things that we do. That's before the police come in. And, you know, I'm not a cop, I've never been on. You know, what we do also -- and I want to say this and then I'm going to

go back to your question, Councilmember, thank you -- is that we... we hire formerly incarcerated individuals. That's what the crisis management accepted. What I instituted in 2012, is that somebody suitable eventually has to be credible. Okay, because you just can't come home, you know, because you have a reputation as this person, and then when you come home, the young people are influencing you more than you influence them.

And so after we make these individual sustainable... credible... suitable, credible, then we have to make them sustainable. Then I have proof that these young people's lives are changing, okay?, that they did... that they are just not being sensationalized by your stories, but that you effect them enough to bring social change, and change in particular behavior. They call it, a societal norms. What is happening where I live at is not a societal norm, okay? And so I think I would raise a whole lot more individuals like my brother, myself, Pastor Hogan, who have been dealing with children, brothers against killing each other since 1989. Chemistry since 1984, you know, and these organizations that

were directed to young people to make them do different things.

We didn't escape crack. We were just doing something different at that time.

You know, and so, when you look at the police department, they are evolving. But what happens, is that the evolution changes whenever there's a new administration. This administration is doing marvelous. I wake up smiling, because I know the Speaker, I've never... you know... and she's done work. And we've been out. We cried. We've seen people die in front of us. We... we cried together. You know, when you have a relationship like that, it is going to be more trusting, more caring. But when you have a community that... that is over here, and a community that is over there, and they have no kind of experiences, and only time they get together is when there's an incident, that's a problem. We have to bring more engagement between both of those populations, after we make them well... as we make the well... not waiting for them to get well.

COUNCILMEMBER SANCHEZ: All right. Thank you. Thank you so much, Mr. Hogan. I appreciate your perspective.

MR. HOGAN: Thank you. Thank you Councilmember so much.

CHAIRPERSON POWERS: Thank you, Councilmember. I believe that's our last Councilmember for questions. So thank you for your testimony and answering questions. We... I don't know if we have anyone here, but we will now open the floor to the public for comments... comments for two minutes per person. We have actually two individuals here. So we're going to call on first Jean Ryan.

MS. RYAN:

Hi, I'm Jean Ryan, President of Disabled In Action of Metropolitan New York, also called DIA for short. We are members of the Taxi's For All Campaign, a coalition of disability rights groups that have been fighting for accessible taxis since 1996. Mr. Do did not meet with us. He said he met with advocates. I don't know if he met with anybody who has disabilities. But he did not extend any hand to anybody from Taxis For All Campaign. We found out about this hearing last night, so we're doing the best we can. There are so many concerns that we have, and it's very frustrating. Access-A-Ride is for transportation to anything. He was talking about

getting to grocery stores and medical appointments. We can go to nightclubs on Access-A-Ride. We can go anywhere. That's what Access-A-Ride and paratransit are for: To get us wherever the subway and the buses take people. So I think he has to get out of that mindset that we have to be taken care of, and we have to get to our doctor's appointments. That's one aspect of taking public transportation but it's not the only one.

And... and we can go to school, we can go to work. He didn't mention any of those either. It's like where are these poor disabled people, that you got to feel sorry for us and we need help. We need accessible transportation. And we need... He said he's going to work towards 50% accessibility of the taxis. We need accessibility of for-hire vehicles also. And we... We don't want just 50%. We want 100%...

SERGEANT AT ARMS: Time expired.

MS. RYAN: ...and the reason we want 100% is because drivers are prejudiced and discriminatory towards us don't want to take us in the on demand program. I live in Bay Ridge, Brooklyn. I can't get a vehicle to come out here or take me out here, and

so, you know, even with Access-A-Ride, you know, on demand, it's impossible. If you see a yellow cab in Bay Ridge, or most of the outer boroughs. It's like an Elvis sighting. You can't count on it. And we all know that. So there's a lot of work that the TLC has to do...

CHAIRPERSON POWERS: Thank you Ms. Ryan. We have to... Apologies, but we will make sure that the mayor's office and the commissioner have your request to also meet with them in light of what I believe you just finding out about the appointment so...

MS. RYAN: We... We meet regularly with... with the TLC. We have been meeting regularly. We met a month ago with them.

CHAIRPERSON POWERS: Okay, thank you. Thank you for your testimony and comments. We are now going to move to testimony from Joseph Rapoport.

SERGEANT AT ARMS: Starting time.

MR. RAPOPORT: Thanks. My name is Joe Rapoport. Along with Jean I'm a member of the Taxis For All Campaign. I'm also the Executive Director of the Brooklyn Center for Independence of the Disabled. And we appreciate the chance to testify today. We were a plaintiff, as Jean's group was, in the lawsuit

that forced the TLC commission to convert yellow medallion taxis to 50% accessible here in New York City. And we also advocated and want some accessibility in the for-hire business, including on Uber and Lyft. Accessibility doesn't happen by chance or by good wishes. Accessibility typically happens when outside forces, Disability Advocates, usually make it happen. We do this by showing up, by getting officials to realize that accessibility both is fair and makes sense, and of course, we often have to go to the courts.

This is not some... As... we did with... with this case. This is not some abstract issue for BCID or for the taxis campaign, and Jean described some of the ways that people use the taxi system just like anybody else. We appreciate the council's emphasis on accessibility in it's written questions, and we see that Mr. Do has some limited experience in getting accessible vehicles on the road in Washington.

Here are some of the questions that we want to ask Mr. Do, when we meet with him: We want to hear about his commitment to get wheelchair accessible taxis back on the road. And we've raised this

several times with the TLC over the years, it has not happened yet. How will... will he achieve this? How will he make the taxi and for-hire system fully accessible? 50% was a compromise. And Jean is right that there are... if there's no question that every cab and for-hire vehicle is accessible, people won't pass us by, there won't be a struggle to get them back on the road. How will he work with New York City?

SERGEANT AT ARMS: Time expired.

MR. RAPOPORT: Okay, let me just finish two sentences, and I'll be done. How will he work with New York City transit to integrate the yellow and green taxis and accessible for-hire vehicles into the Access-A-Ride system? And how will he make sure that electric vehicles, if they're introduced are fully accessible, rather than having a two-tiered system. I appreciate the chance to testify, and I look forward to meeting the new Chair assuming he's confirmed. Thank you.

CHAIRPERSON POWERS: Thank you. Thank you for being here to give your testimony as well.

And we have one more individual we have Pastor Richard Hogan, who is here to testify. We'll give you two minutes.

PASTOR HOGAN: Morning distinguished body Chairman Powers, Speaker Adrienne Adams. I want to thank you first of all for this day, you being God's servants. This is my brother. I just want to say real quick, I was always amazed at him. First of all, he was always trying to save the community. At a very young age, drugs were running rampant in our community. And I used to say, "You're not God. Stop trying to act like him." We were threatened on several occasions. If you didn't know he... In 50 Cent's book, he's taught 50 Cent how to fight. He was always going against people even in 50... not behaving respectfully, he holds people accountable. He did not allow me to drink, allow me smoke. All these things he did not allow me to do. He was my father. My father left us at the age of 2. Mom and them departed, but this brother just stayed in my life. And I'm honored here today because of this. And I thank you so much for that.

And one more story I'm going to tell you is that: He calls the community. He challenges everyone.

That's why believe for this body, if they were to confirm him it would be such a blessing for the body. And I just wanted to say that I started as a Sergeant at Arms here years ago, and the Lord called me off this job to go into a massive work in our community. I remember it was 35 members. I was there one week and it went to 51. I almost lost my mind.

Thank you. I thank you for being the Lord's servants, you all. God bless you. And I finish before my minute was up. My name is Pastor Hogan, and I approve this message.

CHAIRPERSON POWERS: Now I know you work... Now I know you work for the City Council, you give us more time. Very... a very enduring message.

MR. HOGAN: Can I get a rebuttal to that?

CHAIRPERSON POWERS: It says a lot about you that your brother will get up and say that about you. Not every brother would do that for them. So congratulations and thank you for that. We... we are going to thank Mr. Do, Mr. Hogan, everybody who participated in today's hearing. We're going to recess today's hearing and reconvene on Thursday, May 19, for a vote and both of these nominations. The

May 17, 2022, meeting of the Committee on Rules, Privileges, and Elections now stands in recess.

[GAVEL]

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 07/15/2022