



**TESTIMONY OF
SAMI NAIM, ASSISTANT COUNSELOR TO THE MAYOR,
ON INTRO. NO. 361
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON GOVERNMENTAL OPERATIONS
CONCERNING
EXECUTIVE ORDERS AND MEMORANDA OF UNDERSTANDING
OCTOBER 25, 2010**

Good morning Chair Brewer and members of the Committee. I am Sami Naim, Assistant Counselor to Mayor Michael R. Bloomberg, and am here to testify on behalf of the Administration on Introductory Number 361, a bill which would require the publication of all Mayoral Executive Orders and all memoranda of understanding.

Transparency and accountability have been the cornerstones of the Bloomberg Administration since day one. Indeed, over the last seven years, we have worked hard to provide New Yorkers with the information they need to hold their government accountable. From Citywide Performance Reporting—an innovative online tool that gives New Yorkers access to critical performance measures from more than 40 City agencies in an easy-to-understand snapshot format—to NYC Big Apps—an open-date competition that encourages the use of publicly-available, operational City data to develop web-based applications that will benefit New Yorkers, improve business efficiency, and save taxpayer dollars—the Administration is constantly seeking new ways to provide New Yorkers with greater access to their government. The bill before you today is intended to build upon the progress the City has made, and we commend the Council for its desire to work with us to make government more transparent and accountable.

With respect to the portion of the bill that addresses the publication of Mayoral Executive Orders, I note that Administration is in the process of developing a page on NYC.gov that will allow the public to access all Executive Orders issued by the Bloomberg Administration and other administrations. We are therefore supportive of that particular aspect of Intro. 361, which would codify an initiative we are already poised to launch.

With respect to the portion of the bill that addresses the publication of memoranda of understanding, however, we believe there needs to be further discussion with Council staff to clarify the scope of this requirement. We also suggest that there must be reasonable safeguards put in place to ensure that the legislation does not unintentionally jeopardize law enforcement or other critical agency operations. Moreover, as currently drafted, the bill does not reflect the types of protections contained in the Freedom of Information Law ("FOIL"), which provides guidance on how to manage the disclosure of documents that would, by reason of their disclosure, undermine law enforcement investigations, raise issues concerning commercial trade secrets that could potentially expose the City to lawsuits from its vendors, or violate an individual's personal privacy.

Once we clarify these issues, we can work with the Council on incorporating language into the bill that addresses these concerns. We would also like to reach out to our IT personnel and ask them to develop a reasonable timeframe for constructing the infrastructure necessary to accommodate the publication of these documents. We suggest that such a timeframe also be built into the final version of this bill to ensure that City agencies are capable of fully complying with Intro 361.

We clearly support developments to make government more transparent, accessible, and accountable, and applaud the Council for introducing this important piece of legislation. We hope to build upon and further refine Intro. 361 in order to provide New Yorkers with this information in the most effective and efficient manner.

Thank you for allowing me to testify, and I would be happy to answer any questions you may have.



moving victims of violence from crisis to confidence

Testimony of

Safe Horizon

on

**Legislation requiring the Mayor's Office of Operations
to report certain domestic violence statistics
on the city's website.**

New York City Council

Committee on Government Operations

Hon. Gale Brewer, Chair

Monday, October 18, 2010

Thank you, Chairperson Brewer and members of the Committee, for the opportunity to testify before you today on proposed legislation requiring certain domestic violence statistics to be made available on the city's website. My name is Michael Polenberg, and I am the Vice President of Government Affairs for Safe Horizon, the nation's leading victim assistance organization and New York City's largest provider of services to victims of crime and abuse, their families and communities. Safe Horizon creates hope and opportunities for hundreds of thousands of New Yorkers each year whose lives are touched by violence.

Specifically in the area of domestic violence, Safe Horizon offers a wide array of crisis services, emergency and transitional shelter, expert legal services and court-based advocacy in all five boroughs. We also provide child care for parents who do not want their children to accompany them in court and to hear detailed accounts of abuse, and we offer supervised visitation in Bronx and Brooklyn Family Courts where non-custodial parents can safely visit their children.

Safe Horizon supports the City Council's efforts to make certain domestic violence statistics available on the city's website. It is important for providers who offer services to victims of domestic violence to understand emerging trends across each borough and throughout the city, and offer services and care where it's need the most. It is important for policy makers to understand the impact of resources allocated to fight this scourge, and to alter the designation of resources to match shifting needs. And it is important for law enforcement to track the progress of their efforts to intervene in domestic disputes and to prosecute the offenders.

Particularly for a City Council initiative like DoVE (Domestic Violence Empowerment), which directs funding to neighborhoods throughout the five boroughs with the highest incidences of domestic violence and where immigrant communities might be fearful or reluctant to seek help, it is important to track which neighborhoods continue to see unmet need to ensure that the Council's funding is appropriated in the most effective way possible. This important initiative allows community-based organizations across the city to offer culturally and linguistically appropriate services and education to New Yorkers who are often fearful of reporting crime.

We applaud Council Member Melissa Mark-Viverito for introducing this important piece of legislation, and we look forward to continuing to partner with the Council to help raise awareness of domestic violence and to provide immediate and long-term care to its victims.

Please note that we also support the Council's effort to make hate-crime statistics more widely available, particularly given some of the horrific events that have recently taken place throughout the City.

Thank you again for allowing us to testify here today, and I'd be happy to answer any questions you may have.



LA UNIÓN HACE LA FUERZA
THE COMING TOGETHER OF
LATIN AMERICAN INTEGRATION CENTER
AND MAKE THE ROAD BY WALKING

Hello my name is Karina Claudio-Betancourt and I am an organizer with the LGBTQ Justice project of Make the Road NY. I would like to thank the chair and members of this committee, and councilmember Melissa Mark-Viverito and Speaker Christine Quinn for the opportunity to testify today.

One of my first experiences organizing at Make the Road NY was after the unfortunate death of Jose Sucuzhanay. As many of you know, Jose Sucuzhanay was an Ecuadorean resident from Bushwick who was murdered in December of 2008 because of his perceived sexual orientation. After his death, many Bushwick residents from diverse backgrounds came together to denounce and stand together against hate in our community. It was impressive to diverse communities come together for a common cause and to facilitate conversations between the LGBTQ, Latino/a and African American communities to find commonalities of struggle between us.

After Sucuzhanay's death, MRNY organized a series of forums where we brought these communities together and started strategizing a plan to respond to the recent wave of anti-LGBTQ and anti-Latino violence. From these forums we got sufficient feedback from community members, leaders, young people and politicians to start our "Not Another Hate Crime" campaign. Through the "Not Another Hate Crime Campaign" supported many victims of Hate Crimes such as Jack Price, a gay man attacked in Queens; Carmella Ettienne, a transgender woman attacked in Queens; Mario Vera, a Latino immigrant attacked in Bushwick; as well as many other victims. We also developed a citywide platform to address issues of underreporting of hate crimes in our communities, as well as suggestions as to how to prevent Hate Crimes from happening in our communities. We also surveyed our members and found that underreporting was common, specifically in the Latina/a immigrant and LGBTQ communities because of fear of deportation or fear of homophobia and transphobia.

We would like to congratulate councilmember Melissa Mark-Viverito and Speaker Christine Quinn on introducing this important bill that will help us identify where we need resources in the city to prevent and address hate Crimes. However, we also feel like its important to amend some things in the bill in order to make it stronger and more representative of our communities. We would like the bill to amend the categories that the Hate Crimes Task Force uses in their classification of Hate Crimes, and to separate gender identity and expression from the sexual orientation category. We feel like this is particularly important because it recognizes the trans and gender non conforming communities and acknowledges the violence that these folks go through on a day to day basis.

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We would also like to suggest that this bill be amended to stipulate that the NYPD report specific information about hate crimes by precinct and type of hate crime, in other words, anti-gay, anti-Muslim or anti-Latino. This will help us better identify where resources need to be allocated in order to prevent and reduce Hate Crimes in our city.

I thank you for your time today and am really looking forward for a version of this bill that help us combat hate crimes to the fullest extent.

A handwritten signature in black ink, appearing to read 'K C S'.

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Hello, my name is India Rodriguez and I am an active member of Make the Road NY.

Thank you to the chair and members of the committee for allowing me to testify today. I am really happy and would like to congratulate the office of Melissa Mark-Viverito and Speaker Christine Quinn for introducing this important bill and taking the leadership in helping us designate resources to areas that have seen increases in hate crimes. By having the NYPD report publicly on the number and type of Hate Crimes and where they happen, we are going to be able to monitor where we should put more resources into the prevention and reduction of Hate Crimes.

As a transgender female I have suffered many incidents of hate violence and harassment against my person, and have witnessed a lot of hate violence in and against my community. A lot of those cases go unreported because of fear of homophobia and transphobia and because people lack the right tools and education to know how to follow through and file a complaint about a hate incident or crime.

I came to Make the Road New York because of a case of hate violence that was perpetuated against me. An unidentified subject left a note stuck on the door of my apartment with a knife that referenced my gender identity as a transgender woman, and threatened to physically harm me if I didn't leave the block. I reported this incident with 88th precinct and encountered hostility and officers that were uncooperative towards the incident at hand. I felt frustrated, isolated, alone and with a lot of fear. When I came to Make the Road NY seeking council, the Hate Crimes Task Force got involved, and they responded effectively to the incident, even though it was days after the threat had happened. I was able to move out of the apartment and relocate, but the threat against me *because of my perceived gender identity* was real and traumatizing.

I am here today to ask Councilmember Melissa Mark Viverito and Speaker Christine Quinn to add the category of Gender Identity and Expression in the mandated reporting categories of the NYPD Hate Crimes Report. It is important for me and the transgender community to be recognized and to acknowledge that our experiences are many times made invisible because we are lumped into the category of Sexual Orientation.

In my experience and in the experience of the members of Make the Road NY, transgender people are often the targets of very particular and different forms of violence than gay or lesbian people. That reality is hidden by the failure of the NYPD to collect and report proper data.

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In a city where the Human Rights Commission has already recognized gender identity and expression as a protected category under our Employment Anti-Discrimination law, we need to have and recognize gender identity and expression as a distinct category in order to discern where we need to put resources and challenge transphobia in this city.

I and Make the Road NY's Trans and Gender Non Conforming members ask you to please include this in your bill and recognize the violence and harrastment that we encounter on a daily basis!

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THE CITY OF NEW YORK**

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