

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

<INSERT TITLE OF MEETING>

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

----- X

August 30, 2022  
Start: 10:19 a.m.  
Recess: 11:32 a.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Kamillah Hanks  
Chairperson

COUNCIL MEMBERS:

- Joann Ariola
- Erik D. Bottcher
- Justin L. Brannan
- Tiffany Cabán
- Carmen N. De La Rosa
- Robert F. Holden
- Rita C. Joseph
- Darlene Mealy
- Althea V. Stevens

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

NYPD Executive Director of Legal Operations

Juliane Farruggia  
NYPD Managing Attorney of Department of  
Legislative Affairs

Deanna Logan  
MOCJ Director

Tom Harris  
Times Square Alliance

Jordan Otis  
Center for Court Innovation

1  
2 SERGEANT AT ARMS: Good morning and  
3 welcome to today's New York City hybrid meeting on  
4 Public Safety. To minimize disruption, please place  
5 electronic devices or cell phones on vibrate mode. In  
6 person, if you want to testify, either come to the  
7 dais and fill out one of these forms, and online, if  
8 you want to submit testimony, you may do so at  
9 testimony@council.nyc.gov. Again, that is  
10 testimony@council.nyc.gov. Thank you for your  
11 cooperation. Chair, we may begin.

12 CHAIRPERSON HANKS: Good morning and  
13 welcome. I am Council Member Kamillah Hanks, Chair  
14 to the Committee on Public Safety, and I am joined by  
15 my committee members De La Rosa, Holden, Mealy, and  
16 Ariola. Today, the Committee is hearing Introduction  
17 Number 602 sponsored by Speaker Adrienne Adams which  
18 defines Times Square area as the purpose of  
19 identifying it as a sensitive location as it is  
20 required by New York State Law. On June 23<sup>rd</sup>, 2022,  
21 United States Supreme Court struck down a century-old  
22 New York State Law that restricted the concealed  
23 carry of firearms to only individuals who  
24 demonstrated proper cause to obtain such licenses,  
25 this process that required applicants to show special

1 need for self-protection. Consistent with the State  
2 Law, NYPD rules also required hand-gun license  
3 applicants to establish proper cause in order to  
4 receive a concealed carry permit. In its decision  
5 the court ruled that judicial review of government  
6 relations that an abridged second amendment rights  
7 require an examination of whether such restrictions  
8 are consistent with the nation's historical  
9 traditions of firearm regulations. In response to  
10 Supreme Court ruling on July 1, Governor Kathy Hochul  
11 signed legislation intended to strengthen New York  
12 State's firearm licensing laws while complying with  
13 the Supreme Court ruling. Part of these provisions  
14 will take in-- will be in effect on September 1<sup>st</sup> are  
15 the establishment of a so-called sensitive locations  
16 in geographic areas where concealed carry of firearms  
17 will be restricted. Notably, the state legislation  
18 identified the area commonly known as Times Square as  
19 such is determined and identified by the City of New  
20 York as a sensitive location. Today's hearing will  
21 focus on the city's proposed definition of Times  
22 Square for this purpose. Introduction 602 defines  
23 the geographical boundaries of Times Square as two  
24 tracts, the tract in Manhattan including and bounded  
25

1 on the west by west side of Eighth Avenue, on the  
2 south by south of south side of West 40<sup>th</sup> Street, on  
3 the east by east side of Sixth Avenue, on the north  
4 by north side of West 53<sup>rd</sup> Street, and on the tract  
5 in Manhattan included and bounded by the west by west  
6 side of Ninth Avenue, on the south of south side of  
7 West 40<sup>th</sup> Street, and on the east by east side of  
8 Eighth Avenue, and on the north by north side of West  
9 48<sup>th</sup> Street. Furthermore, the area being defined  
10 does not include the interior of any building or  
11 other enclosed structure provided. However, such  
12 building or structure may otherwise constitute a  
13 restricted or sensitive location pursuant to Section  
14 265.101-D or 265-01E of Penal Law. Additionally,  
15 Introduction 602 directs the New York City Police  
16 Department to enact rules as may be necessary to  
17 implement the bill in accordance with applicable law,  
18 including rules applicable as appropriate to persons  
19 with firearms who live or work in the Times Square  
20 area as described by the bill. With that, I look  
21 forward to the hearing and the Administration and the  
22 public testimony. And I will now turn the floor over  
23 to Madam Speaker Adrienne Adams.  
24  
25

1  
2           SPEAKER ADAMS: Thank you very much,  
3 Madam Chair. Good morning. I'm Adrienne Adams,  
4 Speaker of the New York City Council, and thank you  
5 to all of you who've joined us today. Thank you,  
6 Chair of the Public Safety Committee, Council Member  
7 Kamillah Hanks, for convening this important hearing  
8 on my bill Introduction Number 602 that will define  
9 the area known as Times Square for the purposes of  
10 the State Penal Law definition of a sensitive area in  
11 which carrying a gun is prohibited. The gun violence  
12 epidemic has worsened in recent years throughout the  
13 country, and New York City has not evaded this  
14 crisis. As of August 5<sup>th</sup>, 2022, there have been  
15 4,300 firearms seized and 2,752 gun arrests already  
16 this year. The City has seen nearly 900 shooting  
17 incidents in 2022 resulting in over 1,070 victims of  
18 gun violence. This past weekend, one person was  
19 killed and four others were wounded on the Coney  
20 Island Board Walk. The harm continues, and yet, we  
21 still have four months before the end of this year.  
22 As soon as the Supreme Court issued its opinion in  
23 Bruin versus New York State Rifle and Pistol  
24 Association, I called on our partners in the State  
25 Legislature to enact legislation that would limit the

1 locations where a person can carry a weapon,  
2 including the Times Square area. The State acted  
3 swiftly and responsibly, convening a special session  
4 a week later to directly address this issue. I've  
5 since introduced legislation that is the subject of  
6 today's hearing that would define the Times Square  
7 area for the purposes of enforcing the new State Law.  
8 I look forward to hearing from the NYPD today on what  
9 their plans are for enforcement of the law to protect  
10 New Yorkers and visitors who frequent Times Square.  
11 I'm also hopeful that the State Legislation that  
12 passed together with my bill being heard by this  
13 committee today will help to stem any increased gun  
14 violence in our city. It's important to acknowledge  
15 that legal and illegal guns alike cause violence. I  
16 look forward to continuing to work with all of our  
17 partners in government to pursue new initiatives that  
18 address the root causes of gun violence and invest in  
19 solutions that keep our communities safe. Thank you  
20 Chair Hanks, once again, and members of this  
21 committee for your time and attention on this very  
22 important legislation.  
23

24 CHAIRPERSON HANKS: Thank you, Madam  
25 Speaker. I would like to acknowledge committee

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

members and Council Members that have joined, Council Member Joseph and Council Member Bottcher, and I will pass it along to Josh. Thank you.

COMMITTEE COUNSEL: thanks everyone.

First panel to give testimony will be members of the Administration. We'll be hearing from NYPD and MOCJ, Mayor's Office of Criminal Justice. For NYPD we have Robert Barrows who's the Executive Director of Legal Operations. We also have Juliane Farruggia who's the Managing Attorney of the Department of Legislative Affairs at NYPD. From MOCJ we have Deanna Logan who is the Director. I'm going to swear you all at once. So if you could just raise your right hand and just confirm the following statement. Do you affirm to tell the truth, the whole truth and nothing but the truth in your testimony and honest answerly [sic]-- answer honestly to Council Member questions?

UNIDENTIFIED: I do.

UNIDENTIFIED: I do.

COMMITTEE COUNSEL: Awesome. Thank you all so much. Go ahead.

EXECUTIVE DIRECTOR BARROWS: Good morning, Chair Hanks, Speaker Adams, and members of the New York City Council. I am Robert Barrows, the



1 Executive Director of Legal Operations and Projects  
2 for the New York City Police Department. I'm joined  
3 here today by my colleagues Juliane Farruggia who is  
4 the Managing Attorney of the Department's Legislative  
5 Affairs Unit, and Deanna Logan, Director of the  
6 Mayor's Office of Criminal Justice. On behalf of  
7 Police Commissioner Keechant L. Sewell I'm pleased to  
8 testify before your committee regarding Intro. 602  
9 under consideration today. At the outset of my  
10 testimony I'd like to recognize the importance of  
11 Times Square. Times Square is the crossroads of the  
12 world and an iconic piece of New York City and one of  
13 its most representative symbols. It is a location  
14 where people from every part of the globe can come  
15 together in a communal gathering. Located in the  
16 heart of Manhattan, it is home to some of the City's  
17 most famous attractions and is one of the world's  
18 most visited areas with over 50 million tourists  
19 visiting annually. In a typical year, over 360,000  
20 people pass through Times Square each day. New York  
21 State recently enacted Section 265.01-E of the Penal  
22 Law, which enumerates several sensitive locations and  
23 prohibits possession of a firearm in those sensitive  
24 locations. Violation of this law is a Class E  
25

1 felony. The law identifies the Times Square area as  
2 one of these locations and directs the city to define  
3 the area's boundaries. Intro 602 amends the  
4 Administrative Code to define the geographic area of  
5 Times Square for purposes of declaring it a sensitive  
6 location pursuant to Section 265.01-E of the Penal  
7 Law. the State Law and this introduction recognize  
8 that Times Square is a dense, complex, and highly  
9 trafficked area, and the State and the City are right  
10 to act to protect this iconic piece of New York City  
11 while at the same time recognizing the particular  
12 interest of firearm licensees who live or work in the  
13 area by authorizing the Department to promulgate  
14 rules with respect to those licensees. The  
15 Department fully supports this bill and looks forward  
16 to working with the Council and our other agency  
17 partners in the implementation of this bill. Thank  
18 you, and we look forward to answering any questions  
19 that you may have.

21 COMMITTEE COUNSEL: Thank you. We'll  
22 turn to Speaker Adams for the first questions.

23 SPEAKER ADAMS: Thank you very much and  
24 welcome. I just have a couple of questions for you.  
25 And just to bring us up to speed, can you just

1  
2 enlighten us today a little bit about the state law  
3 that has passed with regard to the sensitive area  
4 around Times Square?

5 EXECUTIVE DIRECTOR BARROWS: Sure,  
6 absolutely, and thank you. So, as you know, the  
7 recently enacted State Law designated certain  
8 locations as sensitive locations which prohibit the  
9 possession of firearm in those locations. There are  
10 some exceptions for certain groups of people like  
11 active law enforcement, retired law enforcement,  
12 active military, but aside from those groups,  
13 possession in one of these sensitive locations is a  
14 violation of law and is a Class E felony. In that  
15 law, there were a number of enumerated locations that  
16 were included and one of them was the Times Square  
17 area of which the law essentially designated New York  
18 City to define and come up with the boundaries for  
19 that area.

20 SPEAKER ADAMS: Thank you very much.  
21 With regard to the law that is passed, the law that  
22 we're hearing, my legislation today, does the NYPD  
23 plan on any additional training for officers of the  
24 purposes of enforcing the law?

1  
2 EXECUTIVE DIRECTOR BARROWS: Speaker,  
3 thank you very much for the question and thank you  
4 for framing it that way, because I think when we talk  
5 about enforcement, there's really two critical  
6 components. One is just enforcement in general, and  
7 then I think the other piece of this is education,  
8 which I think is critical to this. So, when it comes  
9 to enforcement, you know, as I've mentioned and as  
10 you've mentioned in your remarks as well, someone in  
11 violation of the law that possesses a firearm in one  
12 of these sensitive locations, it is a Class E felony  
13 to do so. If we receive reports of violations of  
14 law, but there's a suspected violation of the law,  
15 our offices will do what essentially they do in every  
16 circumstance. They will investigate the incident and  
17 address the condition. In terms of educating our  
18 offices, we have been-- we have been working on this  
19 since the Bruin decision was announced in early June.  
20 And I think it's important to just note that this  
21 isn't necessarily a C [sic] change from what our  
22 officers are doing now. There have always been  
23 essentially gun-free areas in New York City, whether  
24 those are government buildings, court buildings or  
25 New York City parks. What this law did and what

1 these rules will do is essentially expand the number  
2 of gun-free areas in New York City. But to be more  
3 specific, since the Bruin decision has come-- was  
4 released, we have been educating our officers about  
5 the decision, about the State Law, about this  
6 proposal, about the emergency rules that will be  
7 forthcoming on this as well. We have pushing those--  
8 we have been pushing those out throughout the summer,  
9 and we're going to continue to do so. In addition,  
10 for Times Square specifically, the law requires that  
11 there be signage in the designated that's clear and  
12 conspicuous. I do have a copy of the signage, what  
13 that will look like. So, the signage will placed at  
14 every entry point in the zone. There'll be two signs  
15 on each side. This is temp-- this will be temporary.  
16 More permanent signage will be installed if as  
17 expected this law-- this bill becomes law. That is  
18 another opportunity, I think, to educate our officers  
19 as well, because precinct personnel and Manhattan  
20 South personnel will start installing these signs by  
21 September 1<sup>st</sup>, but our legal bureau attorneys will  
22 also be joining that personnel, and I think that's  
23 another opportunity to educate about the Times Square  
24 zone specifically. One other piece, just because I  
25

1 mentioned the Legal Bureau, I've been with th  
2 Department of r10 years, I've been assigned to the  
3 Legal Bureau. I think one thing that's unique about  
4 the Police Department is that we literally have a  
5 24/7 operation in Legal Bureau. We maintain normal  
6 business hours, but members of the service can call  
7 our Legal Bureau for direction and guidance, and  
8 outside of business hours we always have an attorney  
9 on-duty. I myself have been one of those attorneys  
10 that gets late night calls or early morning calls  
11 about legal issues, and this is certainly something  
12 that we expect to be giving further guidance on as  
13 well.  
14

15 SPEAKER ADAMS: Thank you. The sign  
16 definitely bears witness to the fact that there are  
17 attorneys on the job. With regard to training, and  
18 we're speaking about training of the police officers,  
19 what about the businesses, the merchants in the area?  
20 How are we bringing them up to speed on this, you  
21 know, all of this new information? And I will go  
22 ahead and reference the sign since you just showed it  
23 to us. Will they be shown the signage, and will you  
24 get their feedback? What does that look like?  
25

1  
2 EXECUTIVE DIRECTOR BARROWS: Sure. So  
3 one of the items that we're going to be leveraging  
4 here at the Police Department are our NCOs and our  
5 Community Affairs Officers to go into businesses and  
6 educate them about the laws.

7 SPEAKER ADAMS: Okay, fantastic. Can you  
8 tell us how many gun-related arrested have been made  
9 by the NYPD within the confines of the sensitive  
10 areas since the Supreme Court Justice decision went  
11 into effect? Do we know that?

12 EXECUTIVE DIRECTOR BARROWS: I don't have  
13 the data broken down by specifically sensitive  
14 locations. I can certainly gather data about Midtown  
15 North and Midtown South. You know, in recognizing the  
16 uniqueness of Times Square and its complexity, that's  
17 also something that's recognized by the Department.  
18 We literally have three police precincts that overlap  
19 that area, as I mentioned our Midtown North and  
20 Midtown South precincts as well as the Times Square.  
21 We have a dedicated Times Square Unit as well. I  
22 mean, aggregate-- in the aggregate there's been  
23 nearly 3,000 firearms arrests this year. We can get  
24 you more specific data about, you know, those  
25 specific precincts and anything else that you need.

1  
2           SPEAKER ADAMS: Okay, great. I just have  
3 one more question for you. Has the NYPD been in  
4 contact with the Bureau of Alcohol, Tobacco,  
5 Firearms, and Explosives on potential strategies to  
6 help reduce gun violence in sensitive areas like  
7 Times Square?

8           EXECUTIVE DIRECTOR BARROWS: I don't know  
9 specifically if we've talked about sensitive  
10 locations, but we absolutely partner with our federal  
11 agencies in addressing gun violence, and absolutely  
12 ATF and other federal agencies are part of that, part  
13 of that strategy.

14          SPEAKER ADAMS: Okay, thank you. I'm just  
15 going to reference the sign one more time. Maybe a  
16 little facetious or not, but I'd like to see those  
17 signs in a lot more areas around the City of New  
18 York, not just our sensitive areas. Thank you so  
19 much for your testimony. Thank you, Madam Chair.

20          CHAIRPERSON HANKS: Thank you, Madam  
21 Speaker. Thank you very much. So I'm just going-- I  
22 have a few questions, and the Speaker's line of  
23 questioning was very great. Thank you. So  
24 enforcement of sensitive locations, what will the  
25 Department's enforcement of sensitive locations



1  
2 involve? Will there be additional checkpoints, bag  
3 screenings, sidewalks leading into Times Square-  
4 sensitive locations? What will the individuals found  
5 with a licensed firearm in Times Square area-- will  
6 they receive a warning to leave the area? Like, how  
7 will we handle all of that?

8 EXECUTIVE DIRECTOR BARROWS: So, thank  
9 you for your question, Chair. So, as you know, it's  
10 a Class E felony to possess a firearm in a sensitive  
11 location, and I think our approach for the Police  
12 Department is going to be similar to any other  
13 violation of the law. If there is a suspected  
14 violation of law, our officers are going to  
15 investigate and they are going to address the  
16 condition. We're not going to be, at this time,  
17 deploying additional checkpoints or any kind of  
18 searches at this point. You know, we're narrowly  
19 dealing with the Bruin decision. It doesn't change  
20 the Fourth Amendment. It's a decision obviously that  
21 impacts the Second Amendment, but I think our  
22 approach-- our approach is generally going to be the  
23 same. Wherever there's a suspected violation of the  
24 law is to investigate and then take appropriate  
25 action.

1  
2 CHAIRPERSON HANKS: Okay. Thank you very  
3 much. How does the Department plan on addressing  
4 issues related to individuals licensed to carry a  
5 firearm who live or work in Times Square?

6 EXECUTIVE DIRECTOR BARROWS: So, the  
7 State Law does give some flexibility in how we-- how  
8 the City defines the Times Square area as a sensitive  
9 location, and I think this issue of individuals who  
10 live in Times Square or work in Times Square, this is  
11 something that is being comprehensively addressed in  
12 our emergency rules. I think what we're talking  
13 about in those cases are individuals that have a  
14 carry permit that reside in Times Square. Under our  
15 emergency rules, individuals that reside in Times  
16 Square and have a carry permit, they may-- they will  
17 be permitted to go in and out of the Times Square  
18 zone if they are traveling in a continuous and  
19 uninterrupted manner, and the location where they are  
20 going possession is also legal as well. But the  
21 possession of a licensed firearm in a residence is  
22 really a core value of the second amendment, right?  
23 It was clearly annunciated in the Bruin decision, and  
24 if you look at the McDonald and Heller, other SCOTUS  
25 decisions, it's clearly a core value of the second

1 amendment. That's who we're handling-- how we are  
2 going to be handling residences in Times Square, and  
3 the same applies to vehicular movement. If you're  
4 traveling-- if you're traveling through, as long as  
5 it's a continuous and uninterrupted fashion, that the  
6 firearm is locked in a container unloaded with the  
7 ammunition separated, this will be permissible. When  
8 we talk about businesses in Times Square, I think  
9 what we're really talking about are business premises  
10 licenses. Those are licenses where a licensee has the  
11 ability to possess a firearm at their specific  
12 business. We actually do have in our current  
13 licensing rules, we do have a process where those  
14 licensees can transport to and from another business  
15 premise or to another location that's authorized in  
16 our rules. So as long as that is done consistent with  
17 the rules that are in place now, that will be  
18 permitted under this.

19  
20 CHAIRPERSON HANKS: Thank you very much.

21 Does the Department believe that there will be an  
22 additional procedure to mitigate risks when  
23 individuals are engaging with law enforcement and may  
24 have a licensed firearm in their possession?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

EXECUTIVE DIRECTOR BARROWS: So, right now, under our licensing rules, licensees have an obligation to present their license upon request to a police officer when they engage with the police. So, if someone is telling us that they have a license, they have an obligation to present that to the officer.

CHAIRPERSON HANKS: Thank you. I have one more question and then I'll pass it along to my colleagues who may have questions. Are there any technologies that can help identify firearms in sensitive locations?

EXECUTIVE DIRECTOR BARROWS: At the moment-- at the moment, I don't really have anything that comes to mind, but that's certainly something exploring looking into.

CHAIRPERSON HANKS: Okay, thank you.

COMMITTEE COUNSEL: Thanks. We'll now hear questions from Council Member Holden, Ariola, Bottcher, and Mealy.

COUNCIL MEMBER HOLDEN: Thank you. Thank you, Chair and thank you Speaker. Just on-- let's say a security, a business has a security guard there are-- you said they're allowed to use it or at least

1 to have the firearm in the place of business, right?

2 But carrying it in, they'd have to do what? You said  
3 if they're traveling by car they have to have it in a  
4 compartment.  
5

6 EXECUTIVE DIRECTOR BARROWS: Correct.

7 COUNCIL MEMBER HOLDEN: But I missed what  
8 you said if they're walking in.

9 EXECUTIVE DIRECTOR BARROWS: So, if they  
10 are a-- if they have a business premises license,  
11 currently under our rules we authorize business  
12 premises licensees, they can travel to another  
13 business where they have a premises license where  
14 it's legal to-- or if it's legal possess a firearm--

15 COUNCIL MEMBER HOLDEN: [interposing] But  
16 they could have like a holster and just carry it in?

17 EXECUTIVE DIRECTOR BARROWS: When they are  
18 traveling, they have to travel in a locked container  
19 with the-- unloaded and the ammunition--

20 COUNCIL MEMBER HOLDEN: [interposing] How  
21 would they do that if they're walking, a locked  
22 container? They have to carry a container?

23 EXECUTIVE DIRECTOR BARROWS: Yes, yes.

24 COUNCIL MEMBER HOLDEN: it can't be in a  
25 holster?

1 EXECUTIVE DIRECTOR BARROWS: Right.

2 COUNCIL MEMBER HOLDEN: Okay, so it's  
3 got-- it-- the reason for that is so that they don't  
4 just take out a gun right away.

5 EXECUTIVE DIRECTOR BARROWS: That's  
6 right.

7 COUNCIL MEMBER HOLDEN: It would have to  
8 be, you know, a little-- you know, 30 seconds they'd  
9 have to try to open the box. So it's really to  
10 prevent sort of just somebody doing it quickly.

11 EXECUTIVE DIRECTOR BARROWS: Right.

12 COUNCIL MEMBER HOLDEN: Alright, so slow  
13 them down.

14 EXECUTIVE DIRECTOR BARROWS: Yes, and I  
15 would just point out, you did mention security  
16 guards, security guards under the State Law are  
17 permitted to carry into sensitive locations--

18 COUNCIL MEMBER HOLDEN: [interposing]  
19 Right.

20 EXECUTIVE DIRECTOR BARROWS: and  
21 restricted locations. Provided, when it comes to  
22 restricted locations, the owner is permitting the  
23 firearm. I'm sorry, they're allowed to carry into  
24 restricted sensitive--  
25

1  
2 COUNCIL MEMBER HOLDEN: [interposing] So,  
3 they'll go into-- there'll be a line or there'll be a  
4 sign when they cross a certain line, they're in the  
5 gun-free zone. What do they do if they don't have  
6 the box and they have a holster and-- do they turn it  
7 over to somebody? Is there a checkpoint? Are the  
8 police officers there? Tell us how that's going to  
9 work.

10 EXECUTIVE DIRECTOR BARROWS: There isn't  
11 a checkpoint, but if we do get a report that someone  
12 is improperly safeguarding their firearm, that's an  
13 incident that can be investigated by our license  
14 division and the license could be suspended and  
15 possibly revoked.

16 COUNCIL MEMBER HOLDEN: But they can't  
17 surrender it to anybody there?

18 EXECUTIVE DIRECTOR BARROWS: At the  
19 moment-- if there is a-- under your scenario, if the  
20 police are called to that situation and the person  
21 does have a license, if they're not properly  
22 safeguarding the firearm could be seized and  
23 forwarded to the license division for appropriate  
24 action.

1  
2 COUNCIL MEMBER HOLDEN: Now, the Class E  
3 felony that you mentioned, what is the penalty for a  
4 Class E penalty?

5 EXECUTIVE DIRECTOR BARROWS: I'm not sure  
6 off the top of my head. Right. It depends on-- it  
7 depends on the individual, and I imagine if--

8 COUNCIL MEMBER HOLDEN: [interposing] But  
9 it's not like a mandatory imprisonment or if you're  
10 found guilty. It's a-- you could lose your license,  
11 is that the penalty? Do we know--

12 EXECUTIVE DIRECTOR BARROWS: [interposing]  
13 Certainly-- you can certainly lose your license.  
14 There is a prison term attached to. It's a felony-  
15 level offense, so that's certainly possible.

16 JULIANE FARRUGGIA: Good morning, Council  
17 Member. NYPD would be the body that does the arrest,  
18 but the District Attorneys in which ever county would  
19 be the ones that would be dealing with the actual  
20 criminal prosecution, and therefore, they would make  
21 recommendations, but a judge looking at the person's  
22 prior criminal history and all of the information  
23 regarding that individual would be the one that would  
24 then decide what the penalty would be.



1  
2 COUNCIL MEMBER HOLDEN: Okay. Is there  
3 sort of a grace period here? I don't know if that  
4 was asked, but is there like-- I think it take effect  
5 September 1, is that what we're talking about?

6 EXECUTIVE DIRECTOR BARROWS: That's  
7 correct.

8 COUNCIL MEMBER HOLDEN: And is there any-  
9 - because people are not used to certain regulations  
10 if they're carrying something--

11 EXECUTIVE DIRECTOR BARROWS: [interposing]  
12 Right.

13 COUNCIL MEMBER HOLDEN: and let's say the  
14 word doesn't get-- it's happening in a couple of  
15 days, so--

16 EXECUTIVE DIRECTOR BARROWS: [interposing]  
17 I think it's really important. I think you're  
18 heading that direction, too, that when we talk about  
19 enforcement, it's not just enforcement, it's  
20 education. So I think what we really focus here on is  
21 licensees, right? So, the law does take effect  
22 September 1<sup>st</sup>, as I mentioned. If we do-- if we do  
23 have suspected violations of law, our officers will  
24 investigate and take appropriate action. When it  
25 comes to educating our licensees, they do have an

1 obligation under our licensing rules to stay current  
2 with all gun laws and gun rules. They actually  
3 attest to this when they get their license, and going  
4 forward under our emergency rules that we put in  
5 place, not only do they have to attest that they have  
6 knowledge of these gun laws, but also the Department  
7 will providing a list of sensitive locations and  
8 restricted locations so that they know the rules, so  
9 that they-- so that they are aware. We've also been  
10 updating our License Division webpage just because of  
11 all the changes that have occurred between the Bruin  
12 decision and the State Law, these emergency rules,  
13 this impending bill, as well. All of our materials  
14 for the License Division have to be updated as well.  
15 So we are trying to push out as much information as  
16 we can to our licensees so that everybody knows the  
17 rules so that we're striking the balance of safety  
18 but also responsible gun ownership--

19  
20 COUNCIL MEMBER HOLDEN: [interposing] But  
21 it sounds like we're going to need a lot more police  
22 officers in Times Square, it looks like, right? Just  
23 like to-- we have to really get something from the  
24 Police Department, how we do that, and where they're

1  
2 going to be stationed and so forth. Thank you,  
3 Chair.

4 COUNCIL MEMBER ARIOLA: Thank you. Hi,  
5 I'm Council Member Ariola. So you talk about  
6 outreach, education, and signage. So I'd like to  
7 just-- for you to expound upon that. How-- I know  
8 you've said on your website when a person gets their  
9 license, but what about the ones who already have--  
10 they already have carry permits. How will you do  
11 outreach to them? Will there be television  
12 commercials? Will there be media ads put into  
13 newspapers, online newspapers? What type of outreach  
14 will there be so that there won't be the, you know,  
15 the person that you can't reach that has? Will you--  
16 how about this. Will you-- you have a list of  
17 everyone who has a licensed carry permit. Will you  
18 be sending direct mail to them to make sure they're  
19 aware of this new sensitive area?

20 COUNCIL MEMBER BARRON: I'm not aware if  
21 that's been done already, but certainly we are trying  
22 to push out as much information to our licensees. As  
23 I mentioned, our website is being updated. Our  
24 licensees have an obligation to stay current with new  
25 laws and new rules. We do have a number of phone

1  
2 numbers and email addresses that licensees can reach  
3 out to us if they have questions and then we can  
4 address those as they come up. But in terms of a  
5 larger strategy, I know-- I think you're going to see  
6 lot of information that is going to be pushed out by  
7 the City this week about--

8 COUNCIL MEMBER ARIOLA: [interposing]  
9 September 1<sup>st</sup> is just a few days away.

10 EXECUTIVE DIRECTOR BARROWS: Thursday.

11 COUNCIL MEMBER ARIOLA: Yeah. And the  
12 fact that there isn't a grace period, I think that  
13 really is-- that puts the licensed gun holder at a  
14 disadvantage, because they may not have been able to  
15 hear from today to September 1<sup>st</sup> what the change of  
16 law is. We all know because we're here. So you held  
17 up a sign before. That is just a sample of the sign.  
18 I'm assuming the sign will be much larger upon  
19 entries at all those locations that are mentioned in  
20 the bill?

21 EXECUTIVE DIRECTOR BARROWS: Yeah, so  
22 this is the signage. This is temporary signage that's  
23 going to be going up at Times Square.

24 COUNCIL MEMBER ARIOLA: But that's the  
25 size of it?

1  
2 EXECUTIVE DIRECTOR BARROWS: There's  
3 going to be two at each entry point so that they're  
4 visible and can be seen. We're also going to be  
5 using-- I forgot to mention in my larger answer about  
6 this earlier, is we are going to be working with DOT.  
7 DOT is going to be at select locations using the  
8 video messaging boards to also make people aware of  
9 the gun-free zones. And as expected, if this law was  
10 to be enacted, we'll be installing more permanent  
11 signage, and we're going to be working with DOT on  
12 that as well in specking-- and we're in the process  
13 of specking that out at the moment.

14 COUNCIL MEMBER ARIOLA: Right, because if  
15 the law is enacted it would have to be much larger  
16 for people to really notice it, because there are  
17 dozens of each pole coming into and out of Manhattan,  
18 so it would be easy to miss. The other question I  
19 have is how many gun arrests have been made in Times  
20 Square and how many of those arrests were license  
21 carriers?

22 EXECUTIVE DIRECTOR BARROWS: I don't have  
23 that data in front of me. I can certainly get that.  
24 Like I said, over the course of this year, the NYPD  
25 has affected 3,000 arrests. I would say that

1  
2 overwhelmingly those arrests have to do with  
3 unlicensed firearm possession--

4 COUNCIL MEMBER ARIOLA: [interposing]  
5 Correct.

6 EXECUTIVE DIRECTOR BARROWS: but we can  
7 certainly pull any data that you need.

8 COUNCIL MEMBER ARIOLA: Alright. I  
9 appreciate that. And I just want to make a statement  
10 that I think it's unfair not to have a grace period  
11 because it is-- we're having this hearing today, and  
12 this law goes into effect on September 1<sup>st</sup>. So it is  
13 unfair not to have a grace period, because the  
14 education portion of it can certainly not get out  
15 quickly enough for September 1<sup>st</sup>. Thank you.

16 COMMITTEE COUNSEL: Next we'll hear from  
17 Council Member Bottcher, Mealy, and Joseph.

18 COUNCIL MEMBER BOTTCHEER: Good morning.  
19 Thank you, Chair Hanks, and thank you, Speaker Adams,  
20 for co-sponsoring this important legislation. This  
21 is-- this feels very surreal to me that we're talking  
22 about a New York where people are going to be allowed  
23 to carry hand guns in their pocket. I just-- I can't  
24 really believe that we're having this conversation,  
25 and it's because of this Supreme Court because of

1 what they did. And it's-- I'm really, really, really  
2 worried about what's going to happen. And you know,  
3 we're doing the most that we can under the law  
4 because of what the Supreme Court said, after they  
5 struck down our 100--year-old concealed firearm law,  
6 common sense law that says in a dense urban  
7 environment, you shouldn't be allowed to carry a gun  
8 in your pocket, unless you have a reason to do it.  
9 And so here we are, and the legislation we're passing  
10 today would establish Times Square as a sensitive  
11 area, sensitive location. Times Square is in my  
12 Council District, but I also represent Hell's Kitchen  
13 across the street from Times Square, across the  
14 street from, you know, across Eighth Avenue. And  
15 what I'd like to invite you to do is talk to my  
16 constituents and our constituents who aren't in-- who  
17 don't live in a sensitive area, the people who live  
18 on the west side of Eighth Avenue. How will they  
19 know that they'll be safe in this new environment?  
20 We already have problem with guns, big, big problems  
21 with guns. What's going to happen when people can  
22 carry guns in their pockets legally? Can you speak  
23 to what the Department's going to do to help keep  
24 people safe who aren't in this sensitive area?  
25

1  
2 EXECUTIVE DIRECTOR BARROWS: So, thank  
3 you very much for your question. And I think, I  
4 mean, it really comes down to the NYPD is responsible  
5 for ensuring public safety for everyone, you know?  
6 Even if you're in a sensitive location or you're not  
7 within the Times Square zone and our approach to--  
8 particularly, I think it's important that people  
9 understand with this decision that unlicensed firearm  
10 possession remains a crime, and the strategy that the  
11 NYPD has with addressing, interdicting, making  
12 arrests for illegal fire possession-- firearm  
13 possession remains the same, and we're going to  
14 continue to pursue it. This Administration, this  
15 Department and this Council as well have been laser-  
16 focused on that issue which is why you've seen 4,700  
17 guns seized at this point, this year 3,000 firearms  
18 arrests. So I just want to say that first. In terms  
19 of addressing legal firearm possession, what we-- we  
20 have two responsibilities, right, as the licensor for  
21 firearms in New York City, right? The first is, of  
22 course, we have to intake applications. We have to  
23 review those applications, investigate those  
24 applicants, and issue licenses where appropriate when  
25 those applicants meet the eligibility requirements,



1  
2 and that is going to be a thorough process that we  
3 do. But the other part of this, the other side of  
4 that responsibility is that we ensure that the rules  
5 that are in place are complied with, right? In these  
6 sensitive locations, these restricted locations that  
7 were created in the State Law and the rules that are  
8 on the books for our Licensing Division, you know,  
9 those are the rules that we have to ensure that all  
10 of our licensees are following, and if they do not,  
11 there are-- there is an ability to suspend those  
12 licenses, seize those licenses, and revoke in some  
13 cases.

14 COUNCIL MEMBER BOTTCHEER: Do you think  
15 that there's-- with all the signage that's going to  
16 go up saying gun-free zone, that that creates some  
17 kind of implication that, you know, outside of that  
18 is not a gun-free zone? It's a gun zone. I'm just--  
19 I'm thinking about when you see these signs up  
20 everywhere, what kind of message does that send to  
21 people about other parts of the City?

22 EXECUTIVE DIRECTOR BARROWS: Well, I  
23 think it's a balancing act, right? I think it's  
24 about messaging, but it's also just dealing with the  
25 reality as well. The State Law specifically

1 enumerated the Times Square area, right, as a  
2 sensitive location, and then there was an additional  
3 responsibility for the City not only to define that  
4 area, but also put up clear and conspicuous signage.  
5 So we do have to-- we have to follow what the law is  
6 requiring us to do. like I said, the signage that  
7 we're putting up at the moment is a temporary measure  
8 in terms of educating everyone about the signs, and  
9 once this bill, as expected, is enacted, we'll be  
10 putting up more permanent signage, and we can--  
11 certainly interested in having a dialogue and  
12 discussions with you as well as how we can achieve  
13 that.

14  
15 COUNCIL MEMBER BOTTCHEER: that'd be  
16 great. I for one hope that one day the Supreme Court  
17 rules differently on this so we can go back to common  
18 sense gun laws. Thank you.

19 EXECUTIVE DIRECTOR BARROWS: Thank you.

20 COMMITTEE COUNSEL: Thank you, Council  
21 Member. Next, we'll hear from Council Members Mealy  
22 and Joseph.

23 COUNCIL MEMBER MEALY: Thank you, Madam  
24 Chair. Thank you our Speaker and the panel. I just  
25 have a few questions to ask you. You said that--

1 correct me if I'm wrong. You said you would not have  
2 any extra police in regards to this stopping and make  
3 sure people do not have guns in their cars? You  
4 would not get any extra law enforcement?  
5

6 EXECUTIVE DIRECTOR BARROWS: I wouldn't  
7 say that we're not going to have extra law  
8 enforcement. I don't believe the plan right now is to  
9 do checkpoints. I think that was the question at the  
10 moment, whether that's bag checkpoints or vehicular  
11 checkpoints for purposes of enforcing this.

12 COUNCIL MEMBER MEALY: So, you don't feel  
13 these mitigating risks with individuals-- we could  
14 say-- like the undercover police officers in Times  
15 Square. If they pull out a gun, sometimes they can  
16 get shot. So you telling me there's not going to be  
17 any other officers with extra training in regards to  
18 people with these licenses?

19 EXECUTIVE DIRECTOR BARROWS: I'm not  
20 saying that they would not receive additional  
21 training. There's been a lot of information that's  
22 been given to our officers to make them are of these  
23 laws and what is going to be taken effect on  
24 September 1<sup>st</sup>. So, our officers will be equipped to  
25 handle any violations of the law.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

COUNCIL MEMBER MEALY: You don't think  
September 1<sup>st</sup> is too soon with no-- what  
advertisement are you-- what outlets? Is it New York  
Times, is it Amsterdam News? Are you doing any  
newspapers in Brooklyn to let people know? Do you  
know people in Brooklyn do have licenses for guns  
also? So where's the advertisement, the information  
campaign? Where's that?

EXECUTIVE DIRECTOR BARROWS: Well, I  
think-- you know--

COUNCIL MEMBER MEALY: [interposing] Is it  
going on now?

EXECUTIVE DIRECTOR BARROWS: Yes. Well, I  
think there will be--

COUNCIL MEMBER MEALY: [interposing]  
Where?

EXECUTIVE DIRECTOR BARROWS: information  
that's going to be put forward by the Administration  
this week before September 1<sup>st</sup> to educate everyone. I  
would just say, though, the question of whether  
September 1<sup>st</sup> is too soon, in terms of educating our  
officers, we've been dealing with this since the  
bruin decision came down. We have repeatedly been  
making our officers aware of the impact of this

1 decision, the impact of the new laws, what will be  
2 taking effect, and you know, giving them-- educating  
3 them about sensitive locations and restricted  
4 locations and what those rules are. I think from the  
5 Police Department's efforts in terms of getting the  
6 word out, as I've mentioned, we're going to be  
7 leveraging our NCOs and community affairs officers to  
8 educate businesses about the rules as well. I  
9 probably--

11 COUNCIL MEMBER MEALY: [interposing] I  
12 still really need to know where's this advertising  
13 campaign to broadly inform everyone. This is very  
14 sensitive. Maybe some people from Queens don't know  
15 about it, speaking no disrespect. I know Queens know  
16 about it, but maybe Brooklyn does not, and I feel  
17 it's not advertised enough right now that in  
18 September some people may have concealed weapons and  
19 get caught up in something that they could have-- if  
20 they would have known in advance, it would have  
21 worked better. And I only have one other question.

22 DIRECTOR LOGAN: I just wanted to add  
23 that thank you for the focus on education.  
24 Obviously, we as an Administration, NYPD, all take  
25 that very seriously. We have been working with

1 multiple stakeholders. So yes, we can do more on  
2 education, but with the various entities within the  
3 government system, the DA's offices have had  
4 convenings with some of their stakeholders to make  
5 sure that they've been talking about the laws with  
6 pockets of their constituents. We've been working  
7 with the state. The state has already put up on its  
8 website for DCJS FAQ's so that people can go up and  
9 learn about what they can and cannot be doing and  
10 what the law does really mean for them. in addition,  
11 Letitia James, the Attorney General, on her website  
12 has also put up very, very concise, clear information  
13 about what this new law is going to say, and we are  
14 going to continue to work with the Council and with  
15 all of our partners to make sure that we are getting  
16 to, as I understand you to say, the average New  
17 Yorker who is just going to work--

18 UNIDENTIFIED: [interposing][inaudible]

19 DIRECTOR LOGAN: every single day who got  
20 their license carry permit, and now you want to make  
21 sure that they don't do something because they were  
22 not aware. So, we hear you, Council Member, and we  
23 are going to continue that education.  
24  
25

1  
2 COUNCIL MEMBER MEALY: We have a lot of  
3 retired officers also that moved down south, come  
4 back to New York. What is in place for those  
5 officers if they come back to Stat-- well, to  
6 Manhattan?

7 EXECUTIVE DIRECTOR BARROWS: So, under  
8 the--

9 COUNCIL MEMBER MEALY: [interposing] And  
10 they do not know about this law or didn't look on the  
11 DA's webpage. So how-- it's no warning. It's just  
12 right away. And I have one question, Madam, one  
13 other question.

14 EXECUTIVE DIRECTOR BARROWS: And if they  
15 do have a license from NYPD, they have their retired  
16 law enforcement card, they do have the responsibility  
17 to stay up to date with current gun laws and gun  
18 rules. I would note that under the state law there  
19 are exceptions for carrying for retired law  
20 enforcement into sensitive locations, in restricted  
21 locations.

22 COUNCIL MEMBER MEALY: Okay, my last  
23 question. The Administration additional means to  
24 broadly educate in public on newly created sensitive  
25 locations. Who is making up these locations? Is it

1  
2 a committee or are you just saying this is a hot  
3 spot, Brownsville, Brooklyn, we going to have some  
4 campaigns there?

5 EXECUTIVE DIRECTOR BARROWS: So, state  
6 law actually enumerated sensitive location.

7 COUNCIL MEMBER MEALY: State law?

8 EXECUTIVE DIRECTOR BARROWS: The state  
9 law, and I can go through a few of these if you'd  
10 like just so that you're aware.

11 COUNCIL MEMBER MEALY: They just look all  
12 over the City and say, they--

13 EXECUTIVE DIRECTOR BARROWS: [interposing]  
14 Well, not all over the City. So the only real  
15 anomaly here is the Times Square area. They refer to  
16 Times Square area and require--

17 COUNCIL MEMBER MEALY: [interposing] Why  
18 Times Square?

19 EXECUTIVE DIRECTOR BARROWS: The Police  
20 Department is charged with enforcing the laws. I  
21 think there's just a recognition. If you look at  
22 Times Square, and as I mentioned in my testimony how  
23 it's really an iconic and unique area of the City.  
24 It's one as I mentioned earlier, you see 50 million  
25 tourists a year in a typical year, hundreds of



1 thousands of people walking its corridors. It's not  
2 just--  
3

4 COUNCIL MEMBER MEALY: [interposing] The  
5 west [inaudible] highway [sic] is big?

6 EXECUTIVE DIRECTOR BARROWS: Right. But  
7 Times Square, it's not just a few streets with bright  
8 lights and video screens. There's-- it's a very  
9 complex, dense location. So I think in evaluating  
10 all that, you know, whether it's the state, the city  
11 looking at this, it's a complex area, and I think the  
12 boundaries that are being proposed in this bill are  
13 ones that certainly the Police Department is  
14 supportive of. But there are other sensitive  
15 locations that are delineated in the law such as  
16 government buildings, court buildings, you're talking  
17 about schools, college campuses, libraries, houses of  
18 worship. The state had a very thorough list in terms  
19 of what those sensitive locations are.

20 COUNCIL MEMBER MEALY: There will be  
21 others, right?

22 EXECUTIVE DIRECTOR BARROWS: If the state  
23 law is amended, there conceivably could be others.

24 COUNCIL MEMBER MEALY: Thank you so much  
25 indulging, Madam Chair.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

COMMITTEE COUNSEL: Next, we'll hear from Council Member Joseph, and then we'll go back for a second round through Council Members Hanks, Ariola, and Holden.

COUNCIL MEMBER JOSEPH: Thank you, Chair. Thank you, Madam Chair, Madam Speaker. Again, I'm going to just piggyback off of my colleague, the education part for me. I'm not hearing PSAs. I'm not hearing commercials. What if I'm the average gun-carrying person and I don't have access to internet? How would I get that information? I'm curious as to how is that information going to travel to me, and how does-- what is the plan to share it out? We're saying we're meeting with stakeholders to share out the messaging. I haven't heard not one thing, not one sign, not anything. I think-- and September 1<sup>st</sup>, again, is literally around the corner. So, this should have happened last week so the information can get out. And my second part question will be about data. How do you plan on tracking the data and people you stopping in Times Square? And how does that plan-- how do you plan to report that to the general public?

1  
2 EXECUTIVE DIRECTOR BARROWS: Right now,  
3 we report shooting incidents and shooting arrests,  
4 and like I said, there are literally three different  
5 precincts that overlap this specific area, Midtown  
6 North and Midtown South and Times Square Unit. So,  
7 that data will be encompassed in the overall  
8 reporting related to those precincts.

9 COUNCIL MEMBER JOSEPH: And my education  
10 part? As the Chair of Education, I want to know how  
11 is the public getting this information, it's  
12 important. September 1<sup>st</sup>, again, I can't stress it  
13 is tomorrow. So how is the general, the average Joe  
14 is getting that information sent to them? I don't  
15 have internet. I don't have access to a computer. I  
16 can't go on the website to read. How does that  
17 information get to the general public?

18 DIRECTOR LOGAN: So, I think when we're  
19 talking about education in this immediate, the  
20 education has been concentrated on those people that  
21 are the ones that are applying for a license, that  
22 are the licensed gun holders who would be in jeopardy  
23 if they don't understand what they're supposed to be  
24 doing. And that is why NYPD has been making sure  
25 that they're updating their information and making

1  
2 sure that the licensed gun holders, including those  
3 that were-- that prior to the law had been denied the  
4 carry permits, right? Making sure that they know  
5 that they can reapply now if they were denied simply  
6 because they didn't have-- they weren't able to  
7 articulate a specific need as to why they needed to  
8 carry. In terms of a broader education for the  
9 public in general so that your constituents, our  
10 constituents, our neighbors understand what the  
11 universe is, we are continuing to work to see what  
12 that messaging is, but because as you've all pointed  
13 out, Thursday is around the corner and the impacted  
14 individuals are the licensed gun holders. The  
15 education has been very much targeted towards making  
16 sure that the rules are up, that people who have the  
17 obligation to know those rules are getting that  
18 information.

19 COUNCIL MEMBER JOSEPH: Thank you.

20 COMMITTEE COUNSEL: We'll go to Council  
21 Member Hanks, Ariola and then Holden.

22 CHAIRPERSON HANKS: Thank you, Ms. Logan,  
23 for that clarity. I think that illuminated a lot, you  
24 know, as far as the education component. I want to  
25 talk a little bit about transparency. To what extent

1 will the Department on data relating to enforcement  
2 practice in sensitive locations?  
3

4 EXECUTIVE DIRECTOR BARROWS: In terms of  
5 reporting data, as I've mentioned right, and when we  
6 talk about incidents that occur in sensitive  
7 locations, if those are shootings or firearms  
8 arrests, those are all going to be encapsulated in  
9 what we currently do, but certainly interested in  
10 having a dialogue in exploring how else you think we  
11 can better educate the public about law enforcement  
12 action that's taken at those sites.

13 CHAIRPERSON HANKS: Thank you. I mean,  
14 we want to start looking at the existing reporting  
15 requirements and how they may be amended to ensure  
16 that there's public transparency on specific  
17 enforcement in the sensitive location regulations.

18 EXECUTIVE DIRECTOR BARROWS: Thank you.

19 COMMITTEE COUNSEL: Ms. Ariola followed  
20 by Holden.

21 COUNCIL MEMBER ARIOLA: Thank you Madam  
22 Speaker and Chair Hanks for the indulgence of a  
23 second round. So, we all know that the force of the  
24 NYPD has been depleted and each of us have a  
25 precinct, multiple precincts, in our district that

1  
2 may now be further depleted because of details going  
3 into Times Square. What is your projection of how  
4 many police officers you will need in order to make  
5 sure that this law, new law, can be enforcement?

6 EXECUTIVE DIRECTOR BARROWS: Thank you for  
7 the question, Council Member. My understanding is  
8 that current deployment in this area will meet the  
9 needs for this new law. We're not creating  
10 additional, like I said, checkpoints or details just  
11 for purposes of enforcing this law. This is, again,  
12 like I said it's not a C change in terms of how all  
13 of our officers have trained. There are gun-free  
14 zones throughout New York City that have existed  
15 prior to September 1<sup>st</sup>, like government buildings and  
16 NYC parks. This is simply just expanding the number  
17 of gun-free zones. So it's important that are  
18 offices are aware, are educated of the rules, but I  
19 think that that can be achieved through current  
20 deployment.

21 COUNCIL MEMBER ARIOLA: Okay. So there  
22 won't be any additional reduction from local  
23 precincts to help with the enforcement of the new  
24 law.

1  
2 EXECUTIVE DIRECTOR BARROWS: Not to my  
3 knowledge.

4 COUNCIL MEMBER ARIOLA: Okay. And I  
5 think that you can see a lot of us are focused on the  
6 PSAs, the education, for people who have the guns  
7 that are legally carrying guns, and I think that  
8 because there isn't enough education, there isn't  
9 enough outreach, and there isn't a grace period, I  
10 think there is a great inequity for a person who has  
11 gone through all the rigors of getting a license  
12 legally, all the background checks, all the mental  
13 health checks, all the paperwork, all the-- the  
14 showing why the need is there, to then be arrested  
15 and be charged with the same Class E felony of  
16 someone who has an illegal gun. And that is why it's  
17 so important that outreach is done, so that people  
18 who have done the right thing and are carrying  
19 legally are not then arrested when going into a  
20 sensitive area, unknowingly, and being arrested and  
21 treated as if they have an illegal gun. So, you  
22 know, that's why the education and the grace period,  
23 I believe, is key to really making this work and  
24 having it be equitable. Thank you.

1  
2 COMMITTEE COUNSEL: Next, we'll hear from  
3 Council Member Holden followed by Council Member  
4 Bottcher and Mealy for a second round.

5 COUNCIL MEMBER HOLDEN: Thanks again.  
6 Just a couple of follow-up questions. Let's talk  
7 about technology. I don't know if you want to tip  
8 your hand at this point. The Mayor had outside City  
9 Hall some-- I don't know if it had metal detectors,  
10 but they weren't like a machine where you put, you  
11 know, your belongings in. It was just these bars  
12 that were standing, free standing objects, that would  
13 detect I think a firearm. Is that going to be  
14 deployed or something like that technology or any  
15 kind of technology deployed around Times Square?

16 EXECUTIVE DIRECTOR BARROWS: I'm not  
17 aware of any technology being deployed like the kind  
18 that you're speaking about. Again, I just want to  
19 bring home the point that this isn't much different  
20 than how our officers are trained. Like I said,  
21 there have always been gun-free zones. We're  
22 educating our officers about the law. If there are  
23 suspected violations of the law, like any other  
24 incident, our officers will investigate and they  
25 address the condition.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL MEMBER HOLDEN: So you're not aware of any technology that would be deployed? I mean, would the Council know about any-- if they-- if you are deploying metal detectors somehow? Because there's all different technology now. That's-- again, it's not a-- it's not where you put something through a machine. It's just free-standing, and we know that exists because it was at City Hall. That would seem to be something that would detect right away and then what happens after that? Does the officer descend on this person? You know, it could escalate. That's what I'm just concerned about.

EXECUTIVE DIRECTOR BARROWS: I'm not aware of the deployment--

COUNCIL MEMBER HOLDEN: [interposing]  
Okay, you're not aware? You know-- okay. So--

EXECUTIVE DIRECTOR BARROWS: [interposing]  
But I would just say, like I think you're highlighting really important points. These are the things that we look at when we deploy--

COUNCIL MEMBER HOLDEN: [interposing]  
Right.

EXECUTIVE DIRECTOR BARROWS: technology.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL MEMBER HOLDEN: I get it. Just, so, in a gun-free zone if you carry an illegal firearm, are there additional charges?

EXECUTIVE DIRECTOR BARROWS: Well, I mean, you would be charged with criminal possession of a weapon as well.

COUNCIL MEMBER HOLDEN: No, but there's no difference between being in Times Square or five blocks out of Times Square. You still get charged with the same felony, right?

EXECUTIVE DIRECTOR BARROWS: It's not the same felony if you have a loaded firearm. It's a C-level felony.

COUNCIL MEMBER HOLDEN: I'm sorry?

EXECUTIVE DIRECTOR BARROWS: it's not the same type of felony if you have a loaded firearm and you carry a loaded firearm in New York City or New York State, it's a C felony. It's not an E felony.

COUNCIL MEMBER HOLDEN: Right. It's a felony. It's a more serious charge, but there's no difference between in a gun-free zone and being in a regular zone.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

EXECUTIVE DIRECTOR BARROWS: Excuse me. I'm sorry to interrupt. It's a C Violent felony as well. I just want to highlight that.

COUNCIL MEMBER HOLDEN: Oh, okay, so there are additional, alright. Thank you.

COMMITTEE COUNSEL: Thank you, Council Member. We'll go back to Council Members Bottcher and Mealy.

COUNCIL MEMBER BOTTCHER: I want to ask you about the firearm permits that were applied for this summer. The new rules that were just promulgated requiring social media accounts to be submitted, training, those are just now going into effect, but the Supreme Court invalidated New York's gun law on June 23<sup>rd</sup>, and over the summer thousands of people rushed to apply for licenses. The numbers I saw were that over 9,000 people applied in August statewide as opposed to like 3,000 in August of 2021. What is going to happen with those people who applied during that window? Are they going to get their licenses without the social media review or are they going to be subject to the rules that are just now being enacted?

1  
2 DIRECTOR LOGAN: So we issued an  
3 emergency rule on August 23<sup>rd</sup> that would cover those  
4 individuals who have pending applications as well as  
5 those who applied prior to September 1<sup>st</sup> to see the  
6 new law that's going into effect on September 1<sup>st</sup>.  
7 So, the emergency rule addressing the pending  
8 applications would-- it strikes the proper cause  
9 standard. So, it would say that the-- or it says  
10 that we would be looking at those pending  
11 applications without the proper cause standard in the  
12 letter of necessity. As far-- it also addresses  
13 applications where people were denied solely based on  
14 proper cause. So if someone applied within the last  
15 three years and were denied solely based on proper  
16 cause, they would be able to have their application  
17 reviewed again free of charge as long as they seek  
18 that review within 60 days.

19 COUNCIL MEMBER BOTTCHEER: Help me  
20 understand what that means at a practical level if  
21 someone, Joe Smith, applied on July 15<sup>th</sup> for a  
22 firearm. He didn't submit-- didn't need to submit  
23 social media, didn't need to take training. Is he  
24 going to have to do that now, or will he get the  
25 license or not?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

DIRECTOR LOGAN: So, they would have to attest that they understanding that training will be required. However, the training would not apply for the pending applications as well as the applicants that applied between-- I'm sorry-- August 23<sup>rd</sup> and September 1<sup>st</sup>. From September 1<sup>st</sup> on, the training will apply.

COUNCIL MEMBER BOTTCHEER: And that's a source of concern, right? Because you're going to have these thousands of people with concealed carry licenses who did not have to get trained, who did not have to have their social media reviewed. What is being done to take a hard look at those folks?

DIRECTOR LOGAN: So, the training they will have to do upon renewal, which is every three years, so they will have to do the 16-hour plus the two hour of live fire training when they do renew. However, for social media, and-- we have a very robust licensing requirements to begin with. These are things that we already require references prior to the state law being in effect. We already took a look at social media accounts. The state law is just requiring them now provide us with those names, I guess, to make it a little bit easier on or

1 investigation. Otherwise, these are things that we  
2 did look at previously.

3  
4 COUNCIL MEMBER BOTTCHEER: But they will  
5 have their social media reviewed. They just won't  
6 have had to submit the handles to you directly.  
7 They'll just be more work. So but we can be  
8 confident that there is a strong effort being made to  
9 take a look at those folks who are getting licenses?

10 DIRECTOR LOGAN: Correct.

11 COUNCIL MEMBER BOTTCHEER: Thank you.

12 COMMITTEE COUNSEL: Thank you, Council  
13 Member. We'll go to additional questions from  
14 Council Member Mealy and then turn it over to Council  
15 Member De La Rosa.

16 COUNCIL MEMBER MEALY: Thank you, Madam  
17 Chair. I just want to know, does the Police  
18 Department have a budget on advertising?

19 EXECUTIVE DIRECTOR BARROWS: we certainly  
20 have a budget for Deputy Commissioner--

21 COUNCIL MEMBER MEALY: [interposing] Do  
22 you know how much it is?

23 EXECUTIVE DIRECTOR BARROWS: of Public  
24 Information. I don't have that information in front  
25 of me. I can certainly-- I can certainly find out.

1  
2 COUNCIL MEMBER MEALY: so how much of  
3 that budget do you feel that you would put into  
4 education on this? You say since it's in the middle  
5 of Times Square, why not the Times Square Alliance?  
6 Have you talked to them to put it on a big cam?

7 EXECUTIVE DIRECTOR BARROWS: We have  
8 engaged--

9 COUNCIL MEMBER MEALY: [interposing] For a  
10 month?

11 EXECUTIVE DIRECTOR BARROWS: So we made--  
12 in discussing our emergency rules and also with this  
13 proposal, we have engaged not only with the Council,  
14 but we have engaged with the Times Square Alliance,  
15 and--

16 COUNCIL MEMBER MEALY: [interposing] So  
17 nothing is concrete as of yet, and this is coming out  
18 September 1<sup>st</sup>?

19 EXECUTIVE DIRECTOR BARROWS: I think  
20 we've talked about just the different-- the different  
21 avenues we've been exploring to educate the public  
22 and our own licensees.

23 COUNCIL MEMBER MEALY: I'm just trying to  
24 find out other than email or going on somebody  
25 webpage, how could the average person just maybe come

1  
2 to Times Square and look up and say oh, I got a-- my  
3 lic-- my gun is on me. Maybe I'm from out of town, I  
4 got to put it in a box now and go into stores.

5 EXECUTIVE DIRECTOR BARROWS: Well, I  
6 mean--

7 COUNCIL MEMBER MEALY: [interposing]  
8 Wouldn't that be helpful to this city?

9 EXECUTIVE DIRECTOR BARROWS: Yes, and I  
10 think that's why we're putting signage at every  
11 single entry point into the zone so when people cross  
12 into the zone they're aware that they're in a gun-  
13 free area. That's also why we're working with DOT to  
14 also have video messaging boards as well.

15 COUNCIL MEMBER MEALY: Video messaging?

16 EXECUTIVE DIRECTOR BARROWS: Yes.

17 COUNCIL MEMBER MEALY: Will that be at  
18 Times Square?

19 EXECUTIVE DIRECTOR BARROWS: It will be  
20 at the Times Square zone at different entry points.

21 COUNCIL MEMBER MEALY: Any newspapers?  
22 What part of the budget would you allocate to every--

23 EXECUTIVE DIRECTOR BARROWS: [interposing]  
24 Right, that's an import-- yes, as my colleague noted,  
25 that's an important note, too. We've issued two



1  
2 emergency rules in regards to this law taking effect  
3 on September 1<sup>st</sup>. Those rules are--

4 COUNCIL MEMBER MEALY: [interposing]  
5 [inaudible]

6 EXECUTIVE DIRECTOR BARROWS: What's that?

7 COUNCIL MEMBER MEALY: It's an awesome  
8 law.

9 EXECUTIVE DIRECTOR BARROWS: Oh, thank  
10 you. I appreciate it. Those rules are published in  
11 the City Record and other media outlets as well. So  
12 that is out there.

13 COUNCIL MEMBER MEALY: Thank you.

14 COMMITTEE COUNSEL: Council Member De La  
15 Rosa?

16 COUNCIL MEMBER DE LA ROSA: Thank you.  
17 So my question piggybacking on Council Member Mealy's  
18 question and some of the colleagues here. What about  
19 language access? So, the signs that you showed are  
20 in English. Is there any considerations for language  
21 access for people that are differently-abled to make  
22 sure that this information is getting out?

23 DIRECTOR LOGAN: So, the City is going to  
24 make sure that all of the signage is consistent with  
25 the City's law for language access. So, it will be

1  
2 in-- there'll be the caption for it's 15 languages  
3 that we're now required? It's between 10 to 15  
4 languages, and we will make sure that all the signage  
5 is consistent with the law.

6 COUNCIL MEMBER DE LA ROSA: Okay. I think  
7 it's important also as you all think about, you know,  
8 getting the information out that you look at ethnic  
9 media. I know there's a new office, so that  
10 communities can have that information in languages  
11 that they understand and also feel comfortable with.  
12 My second question is around-- can you walk us  
13 through? So what happens? A police officer sees  
14 someone in Times Square with a gun, what happens?  
15 Can you walk us through that scenario? And you  
16 mentioned there's an investigation that happens. Is  
17 this investigation happening after there's an  
18 incident or are the police officers trained to spot a  
19 gun and approach that person and make an arrest?  
20 What is the process?

21 EXECUTIVE DIRECTOR BARROWS: So, we can  
22 arrive at a scene in a number of different ways,  
23 correct? It could be-- it could be a 911 call. It  
24 could be officer's observation. It could be a number  
25 of these, but where there is a suspected violation of

1  
2 the law, our officers are going to investigate the  
3 situation. Obviously, if the person is a licensed  
4 firearm owner, they have a duty to present that  
5 license to us. Otherwise, we will take-- we will  
6 address the condition and take enforcement where  
7 necessary.

8 COUNCIL MEMBER DE LA ROSA: And so if  
9 they're licensed and they show their license, what  
10 happens?

11 EXECUTIVE DIRECTOR BARROWS: If they're  
12 licensed and they-- depending on the circumstance,  
13 right? There are a number of exceptions to who can  
14 carry into sensitive locations like retired law  
15 enforcement, active military, others. So that is  
16 permissible to carry. We talked about the exceptions  
17 that we're making for people in Times Square that  
18 reside there. IF their residence is on the license,  
19 that would be permissible that they're coming to and  
20 from in a continuous and uninterrupted fashion to  
21 their residence. The same for business premises  
22 licenses while the business premises is indicated on  
23 the license, and as long as they're traveling in  
24 conformance with our rules, that would be permitted  
25 to come to-- to come to and from that business to--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

COUNCIL MEMBER DE LA ROSA: [interposing]

And your rules state that it would have to be in a lock box when they're transporting the weapon through Times Squares or they can carry it--

EXECUTIVE DIRECTOR BARROWS: [interposing]

Yes, for business premises licenses, yes.

COUNCIL MEMBER DE LA ROSA: Okay,

alright. Thank you.

COMMITTEE COUNSEL: Do any other Council

Members have questions before we turn to public

testimony? Thank you everyone. We'll now turn to

the public testimony section of the hearing. Members

of the public if you are present and want to testify,

please fill out one of those slips up here at the

front. We're going to begin actually with the Times

Square Alliance. Tom Harris from Times Square

Alliance will be testifying over Zoom to begin. So,

we'll turn to you in just a second, Mr. Harris. Mr.

Harris, can you unmute yourself on Zoom? You're good

to go.

TOM HARRIS: Thank you very much. Good

morning, Chairperson Hanks and members of the

Committee on Public Safety. My name is Tom Harris

and I'm the President of the Times Square Alliance.

1  
2 Times Square Alliance is the business improvement  
3 district that exists to make Times Square clean,  
4 safe, and desirable for all. I'm testifying today on  
5 behalf of the Times Square community to help define  
6 and discuss the area commonly known as Times Square.  
7 We fully support Intro 602's designation of Times  
8 Square as a sensitive area as it relates to the State  
9 Penal Law for carrying firearms. The Alliance thanks  
10 the Adams' Administration and the Council for the  
11 collaborative approach it has taken in defining Times  
12 Square for this legislation. Times Square has  
13 traditionally merited special designation due to its  
14 nature as a major tourist and pedestrian space which  
15 the City recognizes through unique zoning and  
16 regulatory policies. We also very much appreciated  
17 the opportunity to work with the city agencies on  
18 defining the boundaries of Times Square. Thank you  
19 for working with us to make our neighborhood safe for  
20 all. Times Square is back to pre-pandemic pedestrian  
21 crowding. In July, our neighborhood had an average  
22 of 367,947 pedestrians per day, just shy of our 2019  
23 numbers. This past Saturday, we welcomed 382,000  
24 people, and the New York City Police Department does  
25 an excellent job of assuring their safety. Given the

1 high and continuously growing levels of foot traffic,  
2 we appreciate the state's recognition as a very dense  
3 area deserving of an extra layer of public safety  
4 protection. Times Square faces challenges. We  
5 strenuously agree that the solution to those  
6 challenges is not more armed citizens, rather a  
7 balanced approach with a fully-funded, fully-  
8 supportive, and proactive Police Department working  
9 with all city agencies to solve problems. We  
10 wholeheartedly endorse Governor Hochul's legislation  
11 to make concealed carry by anyone other than law  
12 enforcement and security professionals in Times  
13 Square illegal, and we support the definition of  
14 Times Square in Intro. 602. We welcome the  
15 opportunity to work with the members of the Public  
16 Safety Committee to make Times Square safer. As we  
17 have seen with other pilot programs, we believe  
18 whatever try in Times Square could be a model for  
19 other neighborhoods citywide. Thank you for your  
20 time and for your collaboration.

22 COMMITTEE COUNSEL: Thank you so much.

23 Next we'll hear from Jordan Otis from the Center for  
24 Court Innovation.

1  
2 JORDAN OTIS: Thank you. Good morning,  
3 Chair Hanks, Speaker Adams, and esteemed Council  
4 Members of the Public Safety Committee. My name is  
5 Jordan Otis and I'm the Deputy Director at Midtown  
6 Community Court, a project of the Center for Court  
7 Innovation. I'm here being a neighbor to Times  
8 Square and our-- the Times Square community falling  
9 within Midtown's catchment area, to talk briefly  
10 about our client-centered and trauma-informed  
11 programing in response to gun violence. The Center's  
12 research on drivers of urban gun violence, over 300  
13 young people from neighborhood with high rates of gun  
14 violence were surveyed to dive into some of their  
15 reasons for seeking out firearms. Over 70 percent  
16 had been shot at or had a family member or a friend  
17 get shot or witnessed others getting shot, and these  
18 young people, mostly ages 16 to 24, fear that they  
19 can be victimized at any time, and they carry guns to  
20 increase the feelings of their safety. From that  
21 research a couple recommendations were included, some  
22 being that folks wanted to see an investment in  
23 community safety strategies outside of law  
24 enforcement, opportunities to create job programs  
25 specifically for youth, bringing services directly to

1 young people, and hiring more credible messengers to  
2 connect with these young folks. To respond to the  
3 drivers of gun violence, Midtown is actually piloting  
4 a program with the Law Department offering diversion  
5 options for young people ages 14 to 17 charged with  
6 gun possession and other related charges, and this  
7 initiative actually employs the teens case managers  
8 and credible messengers who utilize their own unique  
9 experiences to connect with these young people to  
10 help change their behavior while linking them to,  
11 like, truly meaningful services. Since our first  
12 referral last fall, we've actually had 22 folks from  
13 across New York City engage in programming, and  
14 throughout the 60 days that they're with us,  
15 programming is highlighted by goal-setting workshops,  
16 community building circles, deliberative dialogues,  
17 weekly engagements in case management, and folks also  
18 have streamlined access to different workforce  
19 development opportunities, individual and family  
20 counseling, harm reduction services, sexual wellness  
21 services, and community-based arts and music  
22 programming as well. Midtown is intimately familiar  
23 with the charges-- or sorry, with the challenges  
24 facing the Times Square area and stands ready to  
25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

partner with the Council in reducing gun violence. Midtown hopes to help cultivate a Times Square region that centers public safety for both residents and visitors alike. I'd like to thank the Council for its continued partnership and are available to answer any questions folks may have. Thank you.

CHAIRPERSON HANKS: Thank you.

COMMITTEE COUNSEL: Okay, thank you everyone. If anyone else is here to testify, please speak now. Confirm that there's no one else online who's looking to testify as well. And with that, we can turn to the Chair to close out the hearing.

CHAIRPERSON HANKS: Thank you, everyone. I would like to thank NYPD, Madam Speaker, my colleagues for the informative and incredible testimony today on the sensitive issue of sensitive areas. And with that, I adjourn this committee hearing. Thank you.

[gave]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMITTEE ON PUBLIC SAFETY

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 September 9, 2022