

FIRE AND EMERGENCY MANAGEMENT

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

FIRE AND EMERGENCY MANAGEMENT

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September 18, 2024

Start: 10:06 a.m.

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HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Joann Ariola, Chairperson

COUNCIL MEMBERS:

Carmen N. De La Rosa

Oswald Feliz

Kevin C. Riley

Lynn C. Schulman

Susan Zhuang

A P P E A R A N C E S

Daniel Flynn, Chief Fire Marshal of the City of  
New York

Malcolm Moore, Chief of Special Operations

Don Nguyen, Deputy Commissioner and General  
Counsel for the Fire Department of New York

Joseph DiGiacomo, Fire Marshal and K-9 Ray

2 SERGEANT-AT-ARMS: This is a microphone  
3 check for the Committee on Fire and Emergency  
4 Management. Today's date is September 18, 2024,  
5 located in the City Hall Committee Room. Recording is  
6 done by Rocco Mesiti.

7 SERGEANT-AT-ARMS: Good morning and  
8 welcome to today's New York City Council hearing on  
9 Fire and Emergency Management.

10 At this time, we ask that you silence all  
11 electronic devices and at no time is anyone to  
12 approach the dais.

13 If you have any other questions during  
14 the hearing, please see the Sergeant-at-Arms.

15 Chair, we're ready to begin.

16 COUNCIL MEMBER ARIOLA: [GAVEL] Thank you.  
17 Good morning. I am Council Member Joann Ariola, and I  
18 am Chair to the Fire and Emergency Management  
19 Committee. I want to thank all for being here this  
20 morning for today's hearing, which is an Oversight of  
21 the FDNY's Search, Rescue, and Fire Investigative  
22 Procedures. I would also like to acknowledge that I  
23 am accompanied by my Colleague, Council Member Susan  
24 Zhuang.

2 I'd like to thank our Committee Staff,  
3 Josh Kingsley, Senior Counsel, and William Hongach,  
4 Senior Policy Analyst, as well as the formidable  
5 Phyllis Inzerillo, my Chief-of-Staff.

6 At today's hearing, we expect to hear  
7 from the Fire Department on their current search and  
8 rescue operations during numerous types of  
9 emergencies, including weather and flooding-related  
10 events, building collapses, vehicle accidents, and,  
11 of course, fires. The Committee seeks to ensure that  
12 the FDNY is adequately equipped and prepared for both  
13 large and small-scale search and rescue operations,  
14 as well as general fire and non-fire emergencies.

15 In addition, we'll hear testimony from  
16 the Department's Bureau of Fire Investigation, which  
17 is responsible for determining the origin and causes  
18 of fires and explosions. We seek to learn more about  
19 certain facets of the Department's Special Operations  
20 Command, which includes Fireworks Enforcement Task  
21 Force, the FDNY's K-9 Unit, which plays a crucial  
22 role in finding victims following structural  
23 collapses, and I really do look forward to hearing  
24 from the Administration, and I hope this will be a  
25 thoroughly informative hearing.

2 I will now turn the mic to the Counsel  
3 for swearing in.

4 COMMITTEE COUNSEL KINGSLEY: Thank you,  
5 Chair. First, from the Administration will be hearing  
6 from FDNY. We'll be hearing from Chief Malcolm Moore,  
7 Chief Daniel Flynn, and General Counsel Don Nguyen.

8 Can you please just raise your right hand  
9 and just affirm the following, that you affirm to  
10 tell the truth, the whole truth, and nothing but your  
11 truth in your testimony before this Committee, and to  
12 answer honestly to Council Member questions.

13 CHIEF FLYNN: I do.

14 GENERAL COUNSEL NGUYEN: I do.

15 CHIEF MOORE: I do.

16 COMMITTEE COUNSEL KINGSLEY: Okey-doke.

17 Thank you. You may go ahead.

18 CHIEF FLYNN: Good morning, Chair Ariola  
19 and Members of the Fire and Emergency Management  
20 Committee. My name is Daniel Flynn, and I am the  
21 Chief Fire Marshal of the City of New York. I am  
22 joined by Malcolm Moore, Chief of Special Operations,  
23 and Deputy Commissioner Don Nguyen, General Counsel  
24 for the FDNY. Thank you for the opportunity today to  
25

2 discuss search and rescue and fire investigative  
3 procedures.

4           The concept of search and rescue plays  
5 out in multiple ways for the Fire Department. Upon  
6 arriving at a fire, firefighters conduct searches to  
7 locate individuals and remove them to safety. We  
8 train to surmount any challenge and overcome any  
9 obstacle to rescue individuals in peril. Sometimes  
10 this is straightforward, as locating any conscious  
11 individuals and assisting them or that person out of  
12 the fire. Sometimes it means identifying an  
13 unconscious or immovable individual and working on  
14 physically removing them from fire danger. Depending  
15 on the nature of the location and the evolving  
16 conditions of the fire, performing a rescue may  
17 involve complicated maneuvers, such as a rope rescue  
18 from a window or rooftop.

19           While all firefighters are trained to  
20 search a premises and make rescues, the companies  
21 within Special Operations Command, or SOC, have a  
22 broad mission that includes a specific focus on the  
23 rescue of civilians and firefighters. There are  
24 approximately 650 members within the Special  
25 Operations Command.

2           Firefighters become eligible to enter SOC  
3 after five years with the Department. To join, they  
4 complete an online application, participate in an  
5 interview, and are considered based on their years of  
6 training and experience.

7           Within SOC, there are five rescue  
8 companies and eight squad companies. Rescue and squad  
9 companies respond to every confirmed fire, as well as  
10 other extraordinary incidents. Squad companies  
11 function as engine companies in addition to their SOC  
12 capabilities. Squad company members also undergo  
13 specialized training and work with complex equipment  
14 to enable them to respond to medical incidents, deal  
15 with hazardous materials, and make forcible entries  
16 and carry out a variety of search and rescue  
17 procedures.

18           Rescue company members have additional  
19 specialized training. Their focus at a fire is  
20 primarily on securing a scene and performing search  
21 and rescue procedures. This includes extrication and  
22 victim removal, including the rescue of civilians and  
23 fellow firefighters. Rescue members are also trained  
24 in SCUBA operations and respond to water incidents,  
25 vehicle extrications, and other complex incidents.

2 When a firefighter is in peril, the rescue of that  
3 firefighter is most often performed by a member of a  
4 rescue company.

5 Special Operations Command also includes  
6 other units that are involved in search and rescue.  
7 Marine Operation Command is a fleet of 32 boats of  
8 various sizes to patrol and respond to emergencies in  
9 the waters around New York City, and when  
10 circumstances dictate, incidents across the region,  
11 including along the coast and up the Hudson River.  
12 Rescues range from minor incidents involving small  
13 craft that have run out of gas to large-scale  
14 incidents, such as the Miracle on the Hudson, during  
15 which members of the FDNY Marine Unit assisted in  
16 evacuating passengers from a commercial jet that had  
17 landed in the river.

18 SOC also contains the Robotics Unit. As  
19 Committee Members will remember from our hearing and  
20 demonstration earlier this year, the Robotics Unit  
21 provides responders with exceptional visual and  
22 situational awareness using drones and aerial, naval,  
23 and ground-based robotic devices.

24 The Bureau of Fire Investigation  
25 procedures are carried out by the Bureau of Fire



2 Investigation members, fire marshals. Fire marshals  
3 are law enforcement officers who identify and examine  
4 evidence at fire scenes to determine the cause and  
5 origin of a fire. They analyze and interpret  
6 laboratory results. They conduct interviews of  
7 witnesses and potential suspects, and the conclusion  
8 of their investigation of incendiary incidents often  
9 includes an arrest of a suspect or suspects. A  
10 critical element of the job is preparing and swearing  
11 out affidavits to obtain subpoenas and serving those  
12 subpoenas upon witnesses so that they can gather  
13 evidence necessary to carry out investigations. Fire  
14 marshals prepare detailed investigative reports and  
15 testify as expert witnesses at hearings and trials.

16 To become a fire marshal, uniformed  
17 firefighters who have a minimum of five years of  
18 field experience become eligible to take a civil  
19 service exam administered by the Department of  
20 Citywide Administrative Services. Fire marshals then  
21 complete a comprehensive 17-week training course that  
22 includes extensive lessons on topics including fire  
23 science and chemistry, electrical systems, evidence  
24 collection, fire debris analysis, safety, and the  
25 causes of fire. They receive instruction on the New

2 York State Penal Law, the rules of criminal  
3 procedure, probable cause, search and seizure rules,  
4 arrest processing, and evidence and property  
5 vouchering.

6 Fire marshals use a variety of techniques  
7 when carrying out their investigation. Through a  
8 partnership with the New York City Police Department,  
9 marshals access database systems to examine detailed  
10 reports on criminal activity and suspects. On  
11 average, BFI completes approximately 5,700 fire  
12 investigations a year.

13 Within the Bureau of Fire Investigation,  
14 the K-9 unit works with K-9s that are specifically  
15 trained to identify accelerants and locate survivors  
16 during disasters and structural collapse incidents.  
17 Fire marshals investigating an incident typically  
18 activate the K-9 unit when there is a probability  
19 that an incendiary device or arson is a potential  
20 factor in the investigation. The unit develops  
21 physical evidence at a scene that can be taken into  
22 custody by marshals, tested, and offered into  
23 evidence for use in criminal prosecutions.

24 In a major emergency, the K-9 unit  
25 responds with one or more K-9 teams to locate

2 potential victims. The dogs can be extremely valuable  
3 in locating victims in need of rescue in collapse  
4 incidents.

5           Currently, the department operates three  
6 K-9 teams. Dog handlers are highly trained and  
7 observant. They send the K-9s into circumstances only  
8 when they are comfortable with the level of risk to  
9 the dog. The K-9s receive regular veterinary visits  
10 and care.

11           Thank you again for the opportunity to  
12 testify about the incredible work performed by the  
13 members of the Special Operations Command and the  
14 Bureau of Fire Investigation. We are very proud of  
15 the work that is done by our SOC units and by our  
16 fire marshals within the city. I'm happy now to take  
17 any questions at this time.

18           CHAIRPERSON ARIOLA: Thank you so much,  
19 Chief, and we are all very proud of the work of the  
20 Fire Department. Please know that.

21           I've also been joined by my Colleague,  
22 Council Member Lynn Schulman.

23           We're going to start with search and  
24 rescue. In what circumstances and in what types of  
25

2 emergencies does the FDNY engage in search and rescue  
3 operations?

4 CHIEF MOORE: I guess I'll start with that  
5 question.

6 CHAIRPERSON ARIOLA: Okay. Thank you,  
7 Chief Moore.

8 CHIEF MOORE: So when you talk about car  
9 accidents, fires, collapses, high angle rescue, all  
10 of those things, those are the incidents where the  
11 Department basically engages in search and rescue.  
12 All of our fire units are trained to perform certain  
13 levels and then we have the highly trained SOC units  
14 that can come in and supplement.

15 CHAIRPERSON ARIOLA: Right, and I'm  
16 assuming there are different procedures for each of  
17 the different emergencies?

18 CHIEF MOORE: Yes.

19 CHAIRPERSON ARIOLA: E explain that a  
20 little bit.

21 CHIEF MOORE: I guess we have training  
22 bulletins essentially covering just about every  
23 eventuality that you'll see during an emergency, and  
24 the units are required to use those procedures when  
25 they're operated.

2 CHAIRPERSON ARIOLA: When you do have  
3 search and rescue operations, what units usually  
4 conduct those?

5 CHIEF MOORE: I'm sorry, repeat.

6 CHAIRPERSON ARIOLA: When you do have  
7 search and rescue emergencies, what units are usually  
8 called to conduct those?

9 CHIEF MOORE: Okay. Well, at fires, all of  
10 our units are trained to conduct search and rescue.  
11 Ladder companies particularly perform it at fire  
12 operations. Like I said, the rescue and the squad  
13 companies usually supplement those efforts.

14 CHAIRPERSON ARIOLA: And are there  
15 circumstances where other City agencies would play a  
16 role in search and rescue operations?

17 CHIEF MOORE: Well, PD is trained to a  
18 certain level to do some of those things. They're  
19 responsible. Their core competency is water rescue so  
20 they are the lead City agency when it comes to that.  
21 Collapse, we're the lead City agency so they're  
22 oftentimes present, but we're the incident commander  
23 at those incidents.

24 CHAIRPERSON ARIOLA: Right. What are the  
25 qualifications and training requirements that exist

2 for employees working in units that conduct search  
3 and rescue?

4 CHIEF MOORE: For firefighting units,  
5 regular line units, the 361 engine and ladder  
6 companies. Basically, they just have to make it  
7 through the 18 weeks of probation every firefighter  
8 school where they would learn the basic techniques.  
9 For special operations, we run a number of advanced  
10 level classes for the members that are working in  
11 command. The minimum requirement is that they have  
12 five years in the Department before they can apply  
13 and eventually get an opportunity to work special  
14 ops.

15 CHAIRPERSON ARIOLA: Okay. Great, and who  
16 establishes the standards for the special operations  
17 training and qualifications for each unit?

18 CHIEF MOORE: Who establishes the  
19 standards? Well, they've been set, I mean, over  
20 years. SOC has been part of the Department for 50  
21 years or more. We follow NFPA training standards when  
22 it comes to most of the things, but I guess a lot of  
23 the work we do is unique to New Yor so, over time,  
24 we've built out the training models to reflect what  
25 we do here in the city.

2 CHAIRPERSON ARIOLA: And so they haven't  
3 changed?

4 CHIEF MOORE: Well, we're always adding  
5 things. We're always adding things as new  
6 technologies come in, you know, the new building  
7 construction, all of those things. We build that into  
8 the training that we do.

9 CHAIRPERSON ARIOLA: Well, one addition  
10 is, you know, there was a lot of talk over the  
11 summertime about using drones, especially for water  
12 rescues.

13 CHIEF MOORE: Yes.

14 CHAIRPERSON ARIOLA: So to what extent  
15 does the Fire Department utilize drones in search and  
16 rescue operations?

17 CHIEF MOORE: Okay, so the drone program  
18 came in around 2017, and it's built out over the  
19 years. The way we use them in particular now is when  
20 we have fires, the Command Tactical Unit, that's the  
21 robotics unit, they're assigned on second alarms or  
22 special called by the incident commander. They fly  
23 drones overhead, giving us a nice 360 aerial view of  
24 the fire scene. In instances where buildings have  
25 collapsed or we're not able to operate, we've had

2 multiple instances where we've been able to fly  
3 drones, you know, small, low-level drones inside the  
4 buildings to take a look at the layout in areas where  
5 we wouldn't put members.

6 CHAIRPERSON ARIOLA: Great. In my  
7 District, and a number of Districts across the city,  
8 of course, we're surrounded by water, and so we have  
9 our City beaches, and a lot of the search and rescue  
10 that happens, except for fires, happens on our  
11 beaches over the summertime. Do you coordinate with  
12 the NYPD for when drone usage could be more helpful  
13 for you when you guys are trying to get somebody out  
14 of the riptide or some type of dangerous situation in  
15 the water?

16 CHIEF MOORE: Well, starting last year, we  
17 basically had dedicated units operating on the  
18 beaches, particularly in Rockaway from the weekend  
19 before Memorial Day through just this past Sunday so  
20 we have units patrolling the beach, flying drones. I  
21 think we have three units. Parks Department, I  
22 believe, has units out there. PD has units out there,  
23 and OEM actually has units out there flying also. We  
24 divide the beach up, and we're patrolling those areas



2 from 8 a.m. to 8 p.m., a couple hours before the  
3 lifeguards come on and a couple hours after.

4 CHAIRPERSON ARIOLA: Right. I know that a  
5 lot of what we see in addition to drownings or  
6 potential drownings or those type of water rescues,  
7 we see a lot of privately operated boats and jet skis  
8 in the water, and they're not, sometimes they're  
9 just, you know, Wally Weekenders and they get a  
10 little jammed up so how often would you say that your  
11 water rescue is conducted because of that type of an  
12 accident or a water rescue because of a boat or a jet  
13 ski?

14 CHIEF MOORE: Well, looking at the last  
15 couple of years, I don't think we've had a lot of  
16 accidents involving jet skis. We do get a lot of  
17 phone calls when they fall off the jet skis in the  
18 water, things like that, so we build a lot of  
19 responses based on people thinking that these people  
20 are in more distress than they actually are, but I'd  
21 say the main body of work is people getting caught in  
22 riptides or people going out a little bit too far  
23 into the water where they don't belong.

24 CHAIRPERSON ARIOLA: Right. We do a lot of  
25 work here in this Body with education and outreach so

2 is it the FDNY or do you work with other agencies for  
3 any type of outreach relating to safety precautions  
4 for water, recreation, boats or jet skis?

5 CHIEF MOORE: Well, we've done PSAs and  
6 other things to spread the word about water dangers,  
7 operating safely, not being in the water when  
8 lifeguards are off duty and the like. I think the  
9 primary responsibility for that is Parks. I'm not  
10 really sure what they're doing in terms of ad  
11 campaigns.

12 CHAIRPERSON ARIOLA: Okay, great. In your  
13 testimony, Chief, you said that there are 32 boats  
14 that you have in the command. So how are those  
15 resources deployed? Are they deployed citywide? Are  
16 they kind of in a station and they're called out? How  
17 are they deployed when you need a water rescue that  
18 would need a boat?

19 GENERAL COUNSEL NGUYEN: We have 32 boats  
20 in the fleet, but in actuality, the in-service units,  
21 we have three full-time units, Marines One, Six and  
22 Nine, and then we have three seasonal boats that we  
23 put in off of Brooklyn, off of Throgs Neck and Queens  
24 and a second boat off of Staten Island so during the  
25 months of May to November, we have six full-time

2 boats in service. The other boats are boats we  
3 interchange based on the scale of an incident.

4 CHAIRPERSON ARIOLA: They're held where?  
5 They're deployed, I don't know if I missed that.

6 CHIEF MOORE: Well, they're from central  
7 firehouse.

8 CHAIRPERSON ARIOLA: From central?

9 CHIEF MOORE: Right.

10 CHAIRPERSON ARIOLA: Okay, so they're not  
11 like based..

12 CHIEF MOORE: Marine Six is in the Marine  
13 Yard. Marine One is on the lower west side. Marine  
14 Nine is out in Staten Island. Marine Three is out in  
15 Brooklyn. Four is out in Throgs Neck, Queens, that  
16 section of Queens and..

17 CHAIRPERSON ARIOLA: A portion of it is.

18 CHIEF MOORE: Say again?

19 CHAIRPERSON ARIOLA: A portion of it's  
20 Queens. You're right.

21 CHIEF MOORE: Yeah, right, right. That's  
22 that is the waters right there. It's right there from  
23 the Bronx. (INAUDIBLE)

24

25

2 CHAIRPERSON ARIOLA: I ask that question  
3 because we do have a firehouse right on the canal in  
4 Howard Beach in District 32...

5 CHIEF MOORE: Yes.

6 CHAIRPERSON ARIOLA: And we have a we have  
7 an NYPD boat there, but we don't have a fire boat...

8 CHIEF MOORE: Yes.

9 CHAIRPERSON ARIOLA: So I just wondered  
10 because there are so many water rescues along the  
11 Rockaway Peninsula, I just think you might want to  
12 just make a note. Maybe that's a place where we could  
13 station something.

14 CHIEF MOORE: So interestingly enough,  
15 just to just to answer, we've had conversations and  
16 discussions about that area. The only problem there  
17 is the amount of time it takes for them to get out of  
18 the canal into the water so really hasn't proven to  
19 be as effective as the boat responding out of the  
20 Brooklyn location going towards the Rockaways.

21 CHAIRPERSON ARIOLA: (INAUDIBLE) Council  
22 Member Zhuang.

23 COUNCIL MEMBER ZHUANG: Thank you, guys. I  
24 want to thank you guys because beginning of this  
25 year, my District had a four-alarm fire. You guys

2 come probably in 20 minutes and the help to the  
3 family and everyone is safe.

4 I do have one question. After the fire, I  
5 heard there's a couple of firefighters getting  
6 injured. Is any way you guys can do more to prevent  
7 your firefighters getting injured from those rescues  
8 and also help the neighbors?

9 CHIEF MOORE: The only thing I think I  
10 could say about that is, listen, firefighting, it's a  
11 tough job. You're talking about a four-alarm fire. I  
12 imagine there's a lot going on there and injuries  
13 happen. I mean, it's tough work.

14 COUNCIL MEMBER ZHUANG: Is there any way  
15 to reduce work?

16 CHIEF MOORE: Well, our equipment does the  
17 lion's share of protecting us. You know, our SCBAs  
18 keep us from inhalation injuries and those kind of  
19 things. Our bunker gear protects us from thermal  
20 injuries. But the physical injuries associated with  
21 firefighting, that's about as random as anything.

22 COUNCIL MEMBER ZHUANG: Okay, got it.  
23 Thank you.

24

25

2 COUNCIL MEMBER SCHULMAN: Hi, I'm Council  
3 Member Schulman. I want to thank you for all of your  
4 wonderful work.

5 I'm in a District, we don't have a ton of  
6 fires in my District. It's District 29, which is  
7 Forest Hills, Kew Gardens and Richmond Hill, we seem  
8 to have more fires than the other two parts of the  
9 District so what I wanted to ask you was for the, and  
10 I don't think... Chair, did you ask about the lithium  
11 ion?

12 CHAIRPERSON ARIOLA: (INAUDIBLE)

13 COUNCIL MEMBER SCHULMAN: Okay, so  
14 lithium-ion batteries. There is a shop in my District  
15 that was that you guys closed. It looks like it's  
16 reopened on Queens Boulevard, and the guy was  
17 arrested, as a matter of fact, the owner, because he  
18 had some other illegal activity in addition to what  
19 was going on with selling fake batteries and not  
20 registered batteries and all of that so I just want  
21 to know like how often do you go out and look at  
22 shops? Do you do it proactively? Do you wait for  
23 somebody to make a complaint?

24 CHIEF FLYNN: I could take that. So, yes,  
25 I'm very familiar with the incident that you

2 referenced there. We take it very seriously and we  
3 reinspect every single time when we do find  
4 violations at those locations.

5           And to answer the question, do we do it  
6 proactively or based on complaint. All of the above.  
7 We're out there every single day. We've established a  
8 lithium-ion battery task force. Members of BFI, along  
9 with members of Bureau of Fire Prevention,  
10 accompanied by the Department of Consumer and Worker  
11 Protection go out on a daily basis to inspect  
12 commercial locations and to address any complaints  
13 that are received through 3-1-1 or other means. We  
14 pledge to get out to address any complaints within 12  
15 hours related to lithium-ion batteries. We have  
16 conducted thousands of these inspections on  
17 investigations.

18           The arrest that you mentioned, that was a  
19 repeat offender so he basically was thumbing his nose  
20 at the law. We felt at that point it was reckless and  
21 it rose to the level of arrest, and we did take  
22 action in that in that specific case and we have done  
23 that in the past as well, and we would be open to  
24 doing that in the future.

2           The work that we've done so far, I  
3 believe, has made a tremendous difference. We are  
4 making sure that these shops are selling certified  
5 batteries, high-quality batteries that are not as  
6 prone to causing these fires. We've launched an  
7 advertising campaign with the help of the Council and  
8 the Mayor's Office. We spent a million dollars on  
9 ads. We're on the radio every day talking about this.  
10 We're on the subways. I think the message is getting  
11 out and it's really reflected in our data. As of this  
12 morning, the number of fires are very similar to this  
13 time last year. However, this time last year, we had  
14 109 injuries from these fires specific to these  
15 devices with 14 fatalities and, as of this morning,  
16 we've only had 68 injuries and three fatalities so  
17 we're 11 down from where we were last year, and I  
18 really attribute that to the public safety messaging  
19 that we're getting out there and the enforcement  
20 that's being conducted when it is brought to our  
21 attention.

22           Also, another fact to note, we've  
23 encouraged people to keep these outside when  
24 possible, and I think that message is getting across  
25 because this time last year, we had 134 structural



2 fires. That would mean fires that occur inside  
3 buildings. This time, as of this morning, we only  
4 have 97. So I think the numbers have flipped. We're  
5 starting to see more non-structural fires because  
6 people are getting that message and they're keeping  
7 them outside, but anytime anybody feels that they see  
8 something in your District that doesn't look right,  
9 just call us and let us get out there and take a look  
10 at it. We are eager to find these locations and we  
11 want to go out and inspect them on a daily basis.

12 COUNCIL MEMBER SCHULMAN: I know you  
13 talked about the public service campaign. Because I  
14 know your Community Affairs Unit goes out and does  
15 things on a more local level, do you have folks to do  
16 that as well in terms of the lithium-ion batteries  
17 because there are a lot of complexes in my District  
18 that might benefit from somebody coming out. I live  
19 in what's called Parker Towers, which is three large  
20 buildings, if you're familiar, in Forest Hills, and I  
21 see people coming in with bikes that live there that  
22 have lithium-ion batteries on them so is there a way  
23 to have them come in and do a session in the District  
24 or something like that?

2 CHIEF FLYNN: Absolutely. Our Fire Safety  
3 Education Unit, that is one of the top priorities  
4 within the unit this time, amongst other things too.  
5 We can't lose sight of the other fire safety concerns  
6 due to this epidemic that we're facing here with the  
7 batteries so that is the top of their agenda and, of  
8 course, if anybody would like us to come out and do  
9 presentations, we do those as well on a daily basis,  
10 certainly when requested. We would love to get into  
11 these large building complexes and talk to management  
12 and spread the word. One of the things that precludes  
13 us in our inspections is that we can't go into  
14 people's private residences.

15 COUNCIL MEMBER SCHULMAN: No, I  
16 understand.

17 CHIEF FLYNN: So it's really based on  
18 common areas.

19 COUNCIL MEMBER SCHULMAN: Yes.

20 CHIEF FLYNN: And really fire safety  
21 education, which encompasses a lot of things. As I  
22 mentioned, close the door, have working smoke alarms,  
23 which we partner with the Red Cross and we install  
24 thousands of smoke alarms a year. If you need a smoke  
25 alarm, contact the Red Cross and we will accompany

2 the Red Cross members and we'll actually install a  
3 smoke alarm for you in your house free of charge.

4 COUNCIL MEMBER SCHULMAN: Okay, no, that's  
5 great. Also, what I'm going to ask my Colleagues to  
6 do, so most of us have email newsletters that we send  
7 out so if you give us a blurb, we can add that to it,  
8 you know, just if people have questions or just a  
9 little educational piece, we're happy to do that so  
10 we really want to work with you when I, I mean, I'm  
11 just mentioning this, I know you're not the  
12 Commissioner, but when the incident happened at that  
13 shop, which is a few blocks from where I live, I  
14 wasn't notified about it so we really want to work  
15 more closely with you so I just wanted to mention  
16 that.

17 CHIEF FLYNN: Sure. Anything that helps,  
18 we are willing to do and we love to spread the word.

19 COUNCIL MEMBER SCHULMAN: Thank you very  
20 much. Thank you, Chair.

21 CHAIRPERSON ARIOLA: Thanks so much. So  
22 part of what we do here as a Committee is talk about  
23 your budget and talk about your staffing because when  
24 it comes time and we will be entering the time for  
25 budget again before we blink an eye, that we make

2 sure that you have what you need in order to take  
3 care of your different Departments that you oversee.  
4 So how many fire marshals are there currently in the  
5 Bureau?

6 CHIEF FLYNN: Well, we just put a class  
7 in. We promoted a class on Friday, which we thank the  
8 Council and the Mayor's Office for supporting that.  
9 We promoted 29 fire marshals and three supervisors.  
10 That brought our level to 112 fire marshals, 21  
11 supervisors and five fire marshal commanders. That's  
12 the level two supervisor, which is in essence, a one-  
13 star chief.

14 CHAIRPERSON ARIOLA: Great.

15 CHIEF FLYNN: They run our bases. We have  
16 two main bases, one in Brooklyn and Sunset Park. The  
17 Brooklyn base covers all of Staten Island, all of  
18 Brooklyn, and Manhattan up to 110th Street. The  
19 Queens base is located in Fort Totten. That base  
20 covers the rest of the city, Queens, Bronx, north of  
21 110. So those are our two main bases and each one of  
22 those will have a Chief, and then we have our Special  
23 Operations Command in Brooklyn on Hooper Street and  
24 we have a Chief there as well so our number of fire  
25 marshals is at 112. We do approximately 5,700 fire

2 investigations a year so the workload is quite high  
3 per marshal. We get the work done. We've never missed  
4 an opportunity to investigate a fire so that hasn't  
5 precluded us from getting the work done, but right  
6 now we're at 112 and I believe our budgeted headcount  
7 is 110. They allowed us to go over by two due to some  
8 grant funding for two marshals that are assigned to  
9 the Joint Terrorism Task Force.

10 CHAIRPERSON ARIOLA: Right. But those  
11 numbers are seriously lower than, say, 10 or 15 years  
12 ago, where you had well over 300 or 400.

13 CHIEF FLYNN: Yes.

14 CHAIRPERSON ARIOLA: The thing I know  
15 about the Fire Department as being Chair for two and  
16 a half years is the Fire Department gets the job done  
17 even if they have only three people in their  
18 Department, right, but that doesn't mean that you  
19 don't deserve to have your budgeted headcount, and  
20 that's what we want to fight for you to have, is your  
21 budgeted headcount, so if you have qualified fire  
22 marshals, we have to make sure each and every one of  
23 them are working, each and every one of them out  
24 there, and we have to make sure that others are  
25 coming on as fire marshals, inspectors and anything

2 that has to do with search, rescue and determining  
3 the reasons for fires.

4 We've been joined by Council Member  
5 Riley. Thank you.

6 Because of what I just said, would you  
7 say that in a perfect world, you'd want a larger  
8 headcount of fire marshals?

9 CHIEF FLYNN: Yeah, I think every Bureau  
10 within the Fire Department probably would like more  
11 staff, but we have adequate staff to get the job done  
12 at this time, yes, but those 29 marshals, they have  
13 to go to class so it's not like they hit the streets  
14 right away. It's a 17-week training class so we won't  
15 see them actually have an effective role until  
16 probably after the holidays.

17 CHAIRPERSON ARIOLA: 5,700 fires and 112  
18 marshals. We got to figure out a way to get you more.  
19 It's my understanding that you have fire marshals  
20 doing fire investigation, security of personnel and  
21 property, the Commissioner's security detail,  
22 assigned to the ATF task force, OEM liaison, youth  
23 fire setters intervention, lithium-ion task force,  
24 the CAT team and much more so, since they're all in  
25 different various positions throughout the

2 department, I'll ask the question again. Do you think  
3 that the 112 is adequate?

4 CHIEF FLYNN: We could always use more  
5 staff and, like you said, we have...

6 CHAIRPERSON ARIOLA: That's good. We're  
7 going to fight for you to have more.

8 CHIEF FLYNN: I appreciate that greatly.  
9 As you mentioned, we've kind of expanded a lot of the  
10 things that we do but, again, I don't believe that  
11 our services to the citizens have diminished in any  
12 way. It's just really more workload on the individual  
13 marshal, which is unfortunate, but that's what we're  
14 facing.

15 CHAIRPERSON ARIOLA: Right. And with this  
16 staffing, how many fire marshals do you have on duty  
17 per tour on a daily basis?

18 CHIEF FLYNN: That varies. As you  
19 mentioned, we do have those specialized units. As far  
20 as we call them catching marshals, marshals that  
21 actually work at the base and catch the day-to-day  
22 cases. We try to operate with a minimum of three  
23 teams citywide so that would be six fire marshals,  
24 and we are required to have a supervisor at each of  
25 our base locations so that would be a minimum of six

2 fire marshals and two supervisors at any time. Most  
3 times during the day, we have a greater number than  
4 that, but that's our minimum that we try to operate  
5 at.

6 CHAIRPERSON ARIOLA: And if they need  
7 backup where they are, if they need an additional  
8 member to come, that's not a problem? You reinforce,  
9 right?

10 CHIEF FLYNN: Yes. Those are citywide,  
11 those three teams so they would be able to respond to  
12 (INAUDIBLE) and support any mission that they have.  
13 We also have those specialized units would also  
14 respond. We have a Fire Scene Unit that will come out  
15 to document scenes and to provide an area of refuge  
16 to the marshals if necessary with a desk there so  
17 they do respond to any multiple alarms. They're  
18 operating 24/7 as well. But the staff is generally  
19 higher than the three teams, but that's our minimum  
20 operational effectiveness.

21 CHAIRPERSON ARIOLA: Right. And I probably  
22 should have begun with this. But I know that there  
23 was a recent tragic loss to the BFI of a fire marshal  
24 and I understand it was medical related, but we on  
25



2 our Committee and me, as Chair, are very sorry for  
3 your loss.

4 CHIEF FLYNN: I appreciate that. It was a  
5 huge loss. George was a good friend, and it was a  
6 huge loss for us. George, as you probably know, ran  
7 our lithium-ion battery task force for us so he had a  
8 wealth of knowledge, and the Department feels his  
9 loss. Thank you.

10 CHAIRPERSON ARIOLA: But they are required  
11 to take annual physicals, correct?

12 CHIEF FLYNN: We have annual medicals.  
13 Anytime you go on medical leave, if you have not had  
14 a medical within six months, you will be required to  
15 have a medical. There are some members from time to  
16 time that don't go on medical leave and may fall  
17 through the cracks. We actually just addressed that  
18 recently so we're making sure that everybody within  
19 the Bureau who has not had a medical within a year  
20 will take a medical.

21 CHAIRPERSON ARIOLA: Well, he certainly is  
22 missed by the Department and by the City at large.

23 I'm going to ask one more question about  
24 training, and then I'm going to yield to Council  
25 Member Riley.

2           So on training, what kind of continuing  
3 education or training do you provide for the marshals  
4 after they complete the initial training?

5           CHIEF FLYNN: So we implemented...

6           CHAIRPERSON ARIOLA: Both in-person and  
7 online.

8           CHIEF FLYNN: Okay. We utilize the  
9 Learning Management System, which is used universally  
10 by the Department. That's online training so a  
11 marshal, we have a different block every month. Some  
12 of them will be time-sensitive issues that may arise  
13 that we want to make sure that we get training on.  
14 Some things are through online courses that we  
15 provide, but each marshal is required to take that  
16 training module so it keeps everybody up with the 16  
17 job performance requirements that are outlined in  
18 NFPA's 1033 standard for fire investigators. This  
19 also satisfies New York State certification  
20 requirements by completing 12 hours of tested  
21 material related to the 16 JPRs annually. We do have  
22 an annual education day that members attend focused  
23 on BFI operations. Some recent topics that we've had  
24 were search and seizure, interaction and policing,  
25 people in crisis, Miranda rights, interrogations. We

2 also do have (INAUDIBLE) training, tactical training.  
3 Members will participate in training focused on  
4 tactical operations. Some of those recent topics are  
5 use of force, defensive tactics, active shooter  
6 responses. We also have periodic training tips,  
7 updates that are sent to inform members of the latest  
8 information related to fire investigation, fire  
9 science, policing, officer safety, public safety and  
10 situational awareness. And also every tour the  
11 officer is required to conduct a drill with the  
12 members at the base.

13 CHAIRPERSON ARIOLA: Okay, great. Thank  
14 you.

15 I now yield to Council Member Riley.

16 COUNCIL MEMBER RILEY: Thank you, Chair.  
17 Excuse my tardiness if you asked these questions  
18 already.

19 Good morning to the Fire Department.  
20 Thank you so much for the tremendous work that you do  
21 within New York City. I know as being the elected  
22 official from the Bronx, we do see our fair shares of  
23 horrific fires and your Department is always there to  
24 make sure that our residents come out as safe as  
25 possible so we really appreciate it.

2 Search and rescue operations are a  
3 critical part of Fire Department's responsibilities,  
4 often requiring teamwork, specialized training and  
5 quick decision-making so I just wanted to ask, what  
6 are the psychological challenges faced by  
7 firefighters during and after search and rescue  
8 operations?

9 CHIEF FLYNN: I think that toll is, it  
10 depends on the individual. Firefighters, fire  
11 marshals, EMS members, we have a stressful job. It's  
12 a difficult job, and we do have a Counseling Services  
13 Unit that we encourage everybody to reach out to, and  
14 I think it is utilized properly by our members to  
15 reach out and there's no repercussions for seeking  
16 counseling within the Bureau of Fire Investigation or  
17 otherwise. I think we have very many members that  
18 have sought the help of the counseling unit on their  
19 own, and we also provide proactive counseling to  
20 them. We have members from CSU go out to the bases  
21 that we have, go out to the firehouses and just talk  
22 to the members about what they're feeling and what  
23 they're facing. The mental health concern is very  
24 great for us in the Fire Department, and we encourage  
25 them to do whatever they can to get their mental

2 health right, but that is definitely a concern of  
3 ours that we take extremely seriously. Like I said,  
4 we have a dedicated counseling service unit that's  
5 located on Lafayette Street in Manhattan where  
6 members can go to receive any kind of counseling,  
7 marriage counseling, not just related to the stresses  
8 that they have on the fire floor, but stresses they  
9 may take home as well so we want to make sure that we  
10 stop that also. You may go home and take it out on  
11 your family, and we don't want to see that so we take  
12 that extremely seriously and we encourage anybody to  
13 seek help when necessary.

14 COUNCIL MEMBER RILEY: Thank you, Chief.  
15 How do Fire Departments utilize technology such as  
16 drones or thermal imaging in search and rescue  
17 efforts?

18 CHIEF MOORE: Okay. I think that one is  
19 for me. If I may just add on to what Dan just gave  
20 you about mental performance, because I think that's  
21 part of what you're talking about. Over the last,  
22 say, five or six years, we've incorporated mental  
23 performance training, bringing in instructors from  
24 all over the country as part of our training for  
25 firefighters, even before they get in the firehouse,

2 of how to operate the obstacles they're going to  
3 face, the stresses that they're going to feel on  
4 their bodies in those moments, and I've taken the  
5 class. I've taken it actually several times,  
6 different levels of it, and it definitely, it is a  
7 phenomenal thing to sit through and watch and see how  
8 your body reacts to situations at a fire scene. You  
9 pull up to a building and there are people hanging  
10 out of the windows all over the place and fire's  
11 here, and this is going on here, and you have all of  
12 the other stresses. To be able to maintain that calm  
13 in that moment, that's part of the training that  
14 we're giving to our members also.

15 COUNCIL MEMBER RILEY: Okay. But I did  
16 want to ask, how do the fire utilize technology such  
17 as drones and thermal imaging?

18 CHIEF MOORE: Okay, yeah, I'm sorry, I  
19 did, that was the question. My apologies.

20 COUNCIL MEMBER RILEY: I do appreciate  
21 that answer because that leads into my follow-up  
22 question after so I appreciate that answer.

23 CHIEF MOORE: Okay. So technology. Thermal  
24 imaging cameras, we've had for years. They're a  
25 phenomenal asset to have when you're in a blacked-out

2 hallway, you know, trying to make your way into a  
3 fire apartment. Simply put, they work. You hold the  
4 camera up and you're able to see things you would  
5 never be able to see with the naked eye.

6           In terms of drones, we've been flying  
7 drones for the last seven years. We've been building  
8 the program, and we use them in all sorts of  
9 different capacities. We use them at collapse  
10 operations. We use them at fires to give us an aerial  
11 view of, and even a lot of times, a thermal imaging  
12 view of the fire building so that we can make sure we  
13 see all of the hot spots and essentially finish up  
14 before we take off.

15           COUNCIL MEMBER RILEY: And a follow-up  
16 question for your statement that you just gave about  
17 mental health, and going to a building, you do see,  
18 it's a chaotic scene. There might be several  
19 different things going on. How do firefighters  
20 prioritize their search and rescue efforts when faced  
21 with multiple victims in a crisis situation?

22           CHIEF MOORE: Well, every unit that  
23 responds to a fire has an assignment so it's their  
24 responsibility to carry out that assignment. I'd say  
25 the first arriving ladder company's primary function

2 is to locate the fire apartment, if we're talking  
3 about an apartment building, and initiate search  
4 operations after they identify the location of the  
5 fire.

6 COUNCIL MEMBER RILEY: Okay. One last  
7 question, Chair. What role does public education play  
8 in improving community safety and assisting Fire  
9 Departments in search and rescue scenarios?

10 CHIEF MOORE: A major role. I'd say a  
11 major role. Getting the information out there about  
12 something as simple as closing the door when you  
13 leave your fire apartment is a tremendous lifesaver.  
14 I mean, you mentioned the Bronx. I mean, we've had a  
15 bunch of these fires. I think of Prospect Avenue,  
16 perfect example of a fire where the fire was on the  
17 first floor of a five-story building. The tenants  
18 fled the apartment and left the door open, and I  
19 think we ended up with 13 fatalities in that fire,  
20 and not one of them from the fire apartment. That's  
21 just a perfect example of a situation where closing  
22 the door would have made all of the difference.

23 CHIEF FLYNN: Also in Twin Parks, it's the  
24 same situation. Nobody from the fire apartment was  
25 even injured in that fire. If not for the door being



2 open, I firmly believe that nobody would have died in  
3 that fire so that education piece is huge. If the  
4 occupants of that apartment had received the  
5 education to know that they need to close that door,  
6 nobody would have died in that fire. I really believe  
7 that.

8 COUNCIL MEMBER RILEY: And would love to  
9 collaborate with my office to do some outreach in the  
10 community if we could do some educational workshops.  
11 I think that would be very helpful, and to all the  
12 members of the Council, I think that would be helpful  
13 as well. Thank you, Chair.

14 CHAIRPERSON ARIOLA: Thank you. We've also  
15 been joined by Council Member de la Rosa. Council  
16 Member, do you have questions at this time? Okay.

17 So I'm just going to backtrack for a  
18 second. We're going to go back to staffing. Because  
19 do fire marshals go out alone or they go out with  
20 partners?

21 CHIEF FLYNN: We all have a partner.

22 CHAIRPERSON ARIOLA: Say again?

23 CHIEF FLYNN: The fire marshals have a  
24 partner. They're teamed up with another fire marshal.

2 CHAIRPERSON ARIOLA: They're teamed up  
3 with one. And what about night tours? What kind of  
4 staffing is on night tours? We always operate a  
5 minimum of three teams so night tours as well.

6 CHAIRPERSON ARIOLA: All right. All right.  
7 Thank you.

8 So now moving on to the investigation. So  
9 what type of physical evidence is collected for  
10 examination as part of a fire investigation?

11 CHIEF FLYNN: We can conduct any type of  
12 investigation. We are police officers within New York  
13 State so we collect various pieces of evidence. Fire  
14 debris analysis. We collect video surveillance  
15 systems. We take sworn statements from occupants and  
16 witnesses. But at a fire scene, we generally collect  
17 evidence to submit for fire debris analysis at the  
18 NYPD lab, which we have a phenomenal relationship  
19 with the NYPD, and they will analyze any evidence  
20 that we bring to them to determine if there's  
21 accelerants within that evidence, what we collect  
22 from the area that we believe to be the origin of the  
23 fire.

24

25

2 CHAIRPERSON ARIOLA: All right. Do they  
3 use any specific equipment at that point to gain this  
4 evidence?

5 CHIEF FLYNN: I'm not sure. To collect the  
6 evidence?

7 CHAIRPERSON ARIOLA: Yes.

8 CHIEF FLYNN: No real specialized  
9 equipment. We just find the area that we believe to  
10 be affected by if it is an accelerant, and we would  
11 take a sample there. It depends on the scene. Every  
12 scene is different, drastically different so it  
13 depends on what we would be collecting. Sometimes  
14 there's a gas can at the scene. Obviously, that's  
15 physical evidence that we need to collect. And we  
16 would send that out, take a sample of the liquid that  
17 would be in there, collect the can as evidence, but  
18 analyze the liquid that is within the can so every  
19 scene is different, but we don't collect evidence at  
20 every scene but, when we do, we use the NYPD lab to  
21 collect it. We've collected physical evidence from  
22 suspects that have been, they may have dropped in  
23 fleeing from the crime scene. We submit that to the  
24 OCME's office for analysis, and they can conduct a  
25 DNA testing on that. We just recently had a member of

2 EMS that was assaulted at the hospital. We were able  
3 to conduct a video surveillance and were able to  
4 track that individual, and we saw him discard an  
5 article of clothing. We collected that article of  
6 clothing, submitted it to the OCME's office. We had a  
7 match, and we were able to make an arrest on that for  
8 a vicious assault on one of our EMS members. So we  
9 take not only fire investigation very seriously, but  
10 the safety of our members very seriously. So that  
11 doesn't come up a lot, but we also oversee all the  
12 security for the Fire Department, for our facilities,  
13 as well as our personnel, and we make sure that  
14 people are not assaulting our personnel.

15 CHAIRPERSON ARIOLA: Right, that's good.  
16 And when the evidence is collected, and it does have  
17 to go to all different agencies, whether it's ME or  
18 the NYPD, what is the intersectionality between all  
19 the agencies for you to access the databases or any  
20 type of computer analysis stuff and, usually, how  
21 long does it take?

22 CHIEF FLYNN: That's a case-by-case basis.  
23 Some evidence comes back rather quickly. DNA evidence  
24 generally takes a lot longer so we have to wait a  
25 little while for that. Fingerprint analysis is

2 different. The laboratory analysis generally comes  
3 back fairly quickly. We get that in about two weeks  
4 or so.

5 CHAIRPERSON ARIOLA: Right, and you have  
6 access to that, though, like you don't have to wait  
7 for a report? Do you have a database that you can go  
8 to and see where it's at pending?

9 CHIEF FLYNN: Well, they do directly send  
10 us the results once they are available. We'll get an  
11 email from the lab that the results are available,  
12 but we recently have gained access to NYPD's Omniform  
13 system, which is a great win for us in the Bureau so  
14 each marshal now has their own login to the Omniform  
15 system so we can enter our own complaint reports. A  
16 lot of those lab-collected evidence goes directly  
17 into that complaint report so we're able to see that  
18 as well. Like I said, that was a huge improvement in  
19 the way we do business in BFI. Prior to that, we  
20 didn't have our own logins, where we'd have to use a  
21 police officer to log us in and enter those complaint  
22 reports, but that really changed the way we do  
23 business, and those lab results would be tied to that  
24 complaint report.

2 CHAIRPERSON ARIOLA: All right. We got to  
3 work on getting you access to other databases that  
4 would have important information (INAUDIBLE)

5 CHIEF FLYNN: We recently got access to  
6 NYPD's Domain Awareness system, which is very useful  
7 for us in our investigations so we do have some  
8 members that have access to that as well. NYPD has  
9 been a great partner of ours, and our relationship is  
10 excellent. We are on a task force with NYPD and the  
11 ATF. Their Arson and Explosion Unit works every  
12 single day with marshals assigned to our Special  
13 Investigations Unit so our relationship with NYPD is  
14 fantastic.

15 CHAIRPERSON ARIOLA: Okay, great. Now, we  
16 spoke about training, right? There is ongoing  
17 training, correct? It's not just 17 weeks or whatever  
18 it was. There's ongoing training (INAUDIBLE)

19 CHIEF FLYNN: All the training that I  
20 mentioned in my last statement related to training  
21 was in-service training.

22 CHAIRPERSON ARIOLA: Okay, and you told me  
23 where the units are located. That's good. You're  
24 ahead of me. That's good.

2           Okay. We're going to go to the K-9 unit  
3 now. It's very intriguing because at one of our  
4 hearings, we did have the robotic dog so it's  
5 intriguing. So how long has the K-9 unit in the FDNY  
6 been operating?

7           CHIEF FLYNN: The K-9 unit was formed in  
8 2017, where we had one K-9 team. Prior to that, we  
9 had no K-9s. BFI added a second K-9 team in 2018.  
10 These K-9s were single purpose with the ignitable  
11 liquid detection being the K-9s only discipline. Both  
12 of those K-9s were acquired and trained by New York  
13 State Office of Fire Prevention and Control. Then in  
14 2020, BFI added two additional K-9 teams for a total  
15 of four. Then we had a fifth K-9 team added in early  
16 2021. In the fall of 2021, we had a dedicated  
17 supervisor just for the K-9 team assigned to  
18 supervise and manage the K-9 unit. In 2023, in May,  
19 one of our fire marshals in the unit graduated from  
20 an eight-week K-9 trainer course in scent detection.  
21 Following this, that fire marshal graduated from a  
22 separate five-week trainer course, which certified  
23 him as a trainer in the field of urban search and  
24 rescue, disaster dog training from the foundation to  
25 deployment. These certification courses were given by

2 the Penn Vet Working Dog Center. The K-9s added in  
3 2020 and 2021 are dual purpose K-9s with ignitable  
4 liquid detection and live find search and rescue  
5 disciplines. The decision to have dual purpose K-9s  
6 did not permit any additional K-9s to be acquired  
7 from the Office of Fire Prevention and Control  
8 because they will only train certified single purpose  
9 K-9s in ignitable detection only. As a result, the  
10 three newest and youngest K-9s were acquired from  
11 Penn Vet Working Dog Center.

12           The certifications for these disciplines  
13 come from two separate certifying agencies. Ignitable  
14 liquid detection certification is through the United  
15 States Police K-9 Association. All active K-9 teams  
16 are currently certified in scent detection by the  
17 USPCA. Live find search and rescue certification is  
18 through the Urban Search and Rescue System. Again,  
19 all active dual-purpose K-9s are currently certified  
20 by SUSAR. That's the State Urban Search and Rescue.  
21 The unit trains for competency in both discipline  
22 scent detection and live find search and rescue by  
23 spending one day a week, typically Wednesdays, as a  
24 training day. As a certified K-9 trainer, one of  
25 those fire marshals oversees all matters pertaining



2 to training. Training days vary to accommodate  
3 different training venues. In addition, members will  
4 perform daily maintenance training on or off duty, so  
5 the dogs need to be trained every single day. This  
6 training regimen clearly meets any training  
7 recommendations as most agencies, such as the USPCA  
8 and SUSAR, cite 16 training hours per month as the  
9 recommended amount of training. The unit also  
10 conducts training with other agencies, such as NYPD,  
11 New York City Corrections, TSA, inside of New York  
12 City, and often hosts K-9 related training at the  
13 FDNY Fire Academy. Since 2021, the unit has also  
14 performed in numerous certifications, trials, and  
15 competitions, which resulted in numerous first place  
16 finishes in ignitable liquid detection standings. The  
17 unit currently works seven days a week, from 8 to 6,  
18 with at least one, but most likely two K-9s on duty,  
19 depending on leaves. In addition to responding to the  
20 fire investigator request for ignitable liquid  
21 detection, the unit also responds to major technical  
22 rescue matrix runs. That's in conjunction with SOC.  
23 Those are any serious emergencies that include  
24 building collapses, explosions, and aircraft  
25 incidents. When the unit is on duty, all major

2 technical rescue responses are dispatched to the unit  
3 immediately, via the MDT, department radio, incident  
4 command app, or via department cell phone. Any off-  
5 duty requests for scent detection, for ignitable  
6 liquid detection, as well as requests for live find,  
7 search and rescue, at confirmed collapse, rescue  
8 incidents, result in an off-duty member to respond.

9 CHAIRPERSON ARIOLA: Okay, great. You  
10 really did expound on one little question.

11 We're lucky enough to have with us today  
12 Fire Marshal Joseph DiGiacomo, who was there when  
13 this first began, and I want to thank him for his  
14 service to the Department. I know that there was a  
15 lot of oversight. He was one of the initial handlers,  
16 and he's going to do a demonstration for us today  
17 because I thought if we gave the robot K-9 a chance,  
18 we should give our live K-9s a chance to show what  
19 they do, because they are instrumental, and it is  
20 important that their handlers are trained and so what  
21 happens, okay, so I'm a dog lover, I'm an animal  
22 lover so what happens when the handler goes on  
23 vacation? What happens to the K-9? Like is there a K-  
24 9 vet area? Is there a K-9...

2 CHIEF FLYNN: Well, all of our K-9s go  
3 home with the handler so they're part of their  
4 family. We do not have kennels. We do not have the  
5 resources to have kennels within BFI. We do have the  
6 option to utilize NYPD's kennels, but that's really  
7 not ideal. These dogs are part of our handlers'  
8 families for the most part, and they take them home  
9 every night. A lot of them have children, and they  
10 are part of their family. We're not at war so they do  
11 have a very serious job. However, they love their  
12 dogs so they take them home every night, and they  
13 care for them as if they would any other family pet.

14 CHAIRPERSON ARIOLA: Right, and that's  
15 written into your rules and regulations. This is your  
16 dog, your handler, you're the handler, you take care.

17 CHIEF FLYNN: Right now, we are working on  
18 rewriting all of our books, and I believe we are  
19 really at the finish line with that. It was a big  
20 process to get it done. We were able to secure  
21 funding to have a company work with us called Lexipol  
22 to rewrite all of our books from top to bottom, and  
23 that will have an extensive K-9 policy within those  
24 manuals.

2 CHAIRPERSON ARIOLA: And we spoke about  
3 training for the fire marshals. What type of training  
4 is ongoing and required to keep the K-9 ready for an  
5 investigation?

6 CHIEF FLYNN: I think I addressed that in  
7 that K-9 statement.

8 CHAIRPERSON ARIOLA: You did? There was a  
9 lot there.

10 CHIEF FLYNN: Yeah, I know. I just want to  
11 make sure...

12 CHAIRPERSON ARIOLA: Maybe you just want  
13 to try to pick it out for me.

14 CHIEF FLYNN: I wanted to be  
15 comprehensive. Yeah, so they train every day. That's  
16 the easy answer. We do train every day, and they're  
17 required to have 16 hours of training a month, and I  
18 think we go well above that. Our units, as I  
19 mentioned, they compete in competitions. We regularly  
20 win those competitions. I think we're relatively new  
21 in the K-9 world, but I'm very proud of the work that  
22 our K-9 members have done and accomplished and, as  
23 you mentioned, the robot dogs are a great PR thing  
24 for the Fire Department as are our live dogs. I love  
25 getting them out, not only to fire scenes to do that

2 serious work, but to do fire safety education as  
3 well. I think that goes a long way. I think people  
4 listen to your message when you bring the dog out.  
5 Our dogs are friendly dogs. They're not force  
6 protection... (INAUDIBLE)

7 CHAIRPERSON ARIOLA: So their continued  
8 training is really done by the handler?

9 CHIEF FLYNN: By the handler...

10 CHAIRPERSON ARIOLA: So the handler is  
11 trained and... (INAUDIBLE)

12 CHIEF FLYNN: And our trainer. Yes, we  
13 have a trainer as well, a full-time trainer, who  
14 operates as one of those teams, and they do train  
15 together at least once a week.

16 CHAIRPERSON ARIOLA: Okay, and they get  
17 their qualifications how? The full-time trainer?

18 CHIEF FLYNN: Yeah, again, he has the  
19 qualifications to train the dogs, yes.

20 CHAIRPERSON ARIOLA: Okay... (INAUDIBLE)

21 CHIEF FLYNN: In both live find and  
22 (INAUDIBLE)

23 CHAIRPERSON ARIOLA: So they work really  
24 hard so when do they get to retire?

2 CHIEF FLYNN: It's like a human, same way.  
3 When you feel that the dog cannot perform its duties  
4 properly, maybe the handler has a medical issue  
5 themselves, sometimes it's very difficult to  
6 repurpose the dog after. As I mentioned, these are  
7 family dogs also so I would hate to have to take a  
8 dog from somebody and repurpose it when that dog has  
9 become part of somebody's family. Luckily, being that  
10 the unit is so new, we really haven't faced that  
11 much, and I believe every one of our handlers loves  
12 their dog and would want to keep that dog, and we  
13 would accommodate them in that.

14 CHAIRPERSON ARIOLA: Right, and are we  
15 looking to grow the K-9 unit with more dogs?

16 CHIEF FLYNN: As you mentioned, we are  
17 asking our catching marshals to accomplish a  
18 tremendous feat at the base, and I think that's our  
19 core competency is fire investigation. The dog  
20 provides a tremendous resource for us at any scene.  
21 However, the marshal himself, we just started this  
22 unit in 2017. I think we need to make sure that we  
23 provide the citizens a timely response to these  
24 incidents to conduct an investigation, and that core  
25 competency is done by the catching fire marshals at

2 the base but anything that improves our efficiency,  
3 we will definitely support that. And, as you  
4 mentioned, our resources are stretched very thin but,  
5 if given more resources, of course, we would look  
6 into expanding.

7 CHAIRPERSON ARIOLA: All right. I think  
8 you answered all my questions ahead of time on the  
9 handlers and training and what's required so thank  
10 you for that.

11 I don't think you mentioned where they're  
12 trained. Are they trained at the ROC, or?

13 CHIEF FLYNN: It depends. We do various  
14 trainings specific to different incidents, but most  
15 of the time, we do train at the ROC. We have a  
16 collapse pile there that we can conduct search and  
17 rescue. They do demonstrations a lot. I don't know if  
18 any Members of the Council have ever seen one of our  
19 K-9 demonstrations out at the ROC. We do that from  
20 time to time. It's specific to what we are working on  
21 at the time. They may travel around. They'll go to  
22 NYPD facilities as well to train. NYPD has a lot of  
23 K-9 units so we do train with them as well.

24 CHAIRPERSON ARIOLA: Okay. And on the  
25 investigation, what type of investigations would the

2 K-9s be used in so we have fires, right, we have  
3 search and rescue, unfortunately. Can you take me  
4 through like a fire investigation using a K-9?

5 CHIEF FLYNN: Sure. So currently, the K-9  
6 is requested by the supervisor at the scene so the  
7 supervisor will make the evaluation of the scene and  
8 see if they think it would be warranted for a K-9 to  
9 respond. We don't have a standard response where  
10 they're responding on a matrix, let's say, so they're  
11 not responding to every, say, multiple alarm. They  
12 respond based on the request of the supervisor at the  
13 scene that evaluates the scene and recognizes the  
14 need. Supervisor will then reach out to our K-9  
15 supervisor. They'll confer and then make that  
16 decision whether to dispatch the K-9 or not. And then  
17 sometimes when the K-9 unit gets out there, the  
18 handler himself will make that evaluation and see if  
19 it would be worth running the dog at that scene,  
20 evaluate the safety precaution that the dog would  
21 have to face. We want to make sure not only our  
22 marshals are safe but our K-9 units are safe as well,  
23 but the short answer of that is the supervisors at  
24 the scene in conjunction with the supervisor of the



2 unit will confer and determine whether that is needed  
3 to respond.

4 CHAIRPERSON ARIOLA: Okay. And just, are  
5 there any safety concerns, and is safety gear used  
6 for the dogs?

7 CHIEF FLYNN: There's always safety  
8 concerns in any incident with the marshals also. We  
9 are very concerned, and we do not operate in what we  
10 would call hot zones. We wait until Fire Operations  
11 has extinguished the fire, conducted their overhaul  
12 process, searched for pockets of fire, made sure that  
13 the scene is safe so we want to evaluate that scene  
14 prior to conducting any investigations and, as I  
15 mentioned (INAUDIBLE)

16 CHAIRPERSON ARIOLA: Okay. We're going to  
17 ask you, Chief, just to move the mic a little closer.  
18 They can't hear you over in the media.

19 CHIEF FLYNN: Sure.

20 CHAIRPERSON ARIOLA: I hear you just fine.

21 CHIEF FLYNN: So we go there, and we'll  
22 evaluate that scene. Of course, in every scene, not  
23 just the K-9-related scene, we have to make sure that  
24 we're going to be safe there so we do provide  
25 equipment for not only the K-9s, but our marshals as

2 well so we want to make sure that we are operating  
3 with best practices when it comes to fire  
4 investigation so we will go there and evaluate every  
5 scene, not just for the human hazard, but for the K-9  
6 hazard. The K-9 handler will get there, take a look  
7 at the area, because it may be jagged glass on the  
8 floor, and we don't want to run the dog. We do have  
9 booties for the dog that will cover their feet to  
10 protect their feet from any sharp objects, but that  
11 determination will be done by the handler ultimately.  
12 We're never going to force a handler to conduct a  
13 search that does not feel that it's safe, but some of  
14 the personal protective equipment that we give to the  
15 marshals, we give them a helmet, a regular fire  
16 helmet. You keep that helmet when you become a  
17 marshal. We also give them a hardhat-type helmet with  
18 a light on it. They keep a set of bunker gear. That's  
19 the fully firefighting gear, structural firefighting  
20 gear. We keep one set of those. We're actually  
21 piloting multiple other sets of gear that we think  
22 may be specific to fire investigation, which actually  
23 would be revolutionary in the world of fire  
24 investigation. None exists right now. We would be  
25 developing the only, the newest and most

2 revolutionary fire investigative gear probably in the  
3 world so we have three sets of gear. We've been  
4 piloting that for a year now, and we think we're  
5 pretty close to making a decision on what that would  
6 look like because the bunker gear is generally not  
7 the best practice for a fire investigation. It's very  
8 hot, and it's not, you know, the dexterity is lost in  
9 that as well and you may be operating for an extended  
10 period of time, and it could be bad for the marshal.  
11 We give them a pair of bunker boots, which is regular  
12 structural firefighting boots. We also give them a  
13 pair of tech rescue boots, which is probably better  
14 for us to operate in long term. They get one  
15 coverall, which is kind of like a mechanics jumpsuit.  
16 They also get a pair of work gloves, and we also  
17 provide them with a half-face respirator with P100  
18 cartridges, which we believe would be sufficient in  
19 most cold zones in fire to filter out particulates  
20 from getting into their respiratory system and we  
21 also give a pair of safety goggles.

22 CHAIRPERSON ARIOLA: That's wonderful.

23 Thank you.

24

25

2 I just want to go back to what you were  
3 saying. You were rewriting the rules. Is that for  
4 just K-9 or for all of BFI?

5 CHIEF FLYNN: The comprehensive rewrite of  
6 our books, which hasn't occurred for a while, and  
7 we're excited about that, and we're looking to roll  
8 that out pretty soon.

9 CHAIRPERSON ARIOLA: Timeline?

10 CHIEF FLYNN: We're doing internal review  
11 right now. It's been done by the company that we work  
12 with, Lexipol, and we hope to get that done soon.  
13 We're reviewing it internally.

14 CHAIRPERSON ARIOLA: Okay. Following all  
15 the investigations, and now you have all the  
16 information back, do you share those results with  
17 fire victims or impacted civilians or does it remain  
18 internally with the courts? How does that disseminate  
19 out?

20 CHIEF FLYNN: Well, we keep it in our  
21 database, the BFI database, and we receive thousands  
22 of FOIL requests a year, thousands, and we fulfill  
23 those when possible, always, but redact them to the  
24 point that we need to, to satisfy those requests, but  
25 we do receive many, many requests, fire report

2 requests, BFI requests, and we fulfill them as they  
3 come in but we do not proactively reach out to people  
4 to report out on the causes, no.

5 CHAIRPERSON ARIOLA: So if my house burned  
6 down and it was suspicious, I guess I would find out  
7 if, through my insurance company.

8 CHIEF FLYNN: Possibly, but, again, we  
9 don't directly notify the insurance company what that  
10 may be either. They would have to request that from  
11 us, make a written request through FOIL because it  
12 has to go through the redaction process. We don't  
13 want to share sensitive materials, HIPAA-related  
14 issues, or anything that would be precluded by law  
15 so, when the marshal completes his investigation, we  
16 forward that investigation that has been FOIL-ed to  
17 our Legal Department, and the Legal Department  
18 conducts those reviews to decide what needs to be  
19 redacted, and what can be shared and what cannot be  
20 shared.

21 CHAIRPERSON ARIOLA: I get it. Okay, thank  
22 you for that.

23 Okay, I'm going to now turn over to what  
24 my Colleague was talking about, which is lithium-ion  
25 battery fires. I know that it's a learning curve

2 because these are things that have been happening  
3 over the last number of years, and we know that it's  
4 difficult, right? We're seeing now lithium-ion  
5 batteries exploding in the back of garbage trucks,  
6 and we know that many lives have been lost because of  
7 lithium-ion batteries, and I applaud the Department  
8 for your groundbreaking regulations and changes in  
9 policy when it comes to protection for your members  
10 when going out and investigating, but more  
11 importantly, putting out these fires because they are  
12 a challenge, to say the very least. So to my  
13 Colleague's point, oftentimes, FDNY conducts  
14 investigations, and they're related to improper  
15 storage of lithium-ion batteries and electric  
16 mobility devices. When you visit a location that has  
17 that, what is the practice after that? Are they  
18 confiscated? You know, are you able to confiscate  
19 them? Like, how can you protect the surrounding area  
20 from people who are bad actors and have these  
21 uncertified lithium-ion batteries, or, you know, ill-  
22 wired electric mobility devices?

23 CHIEF FLYNN: Yeah, so you recognized our  
24 efforts, and I appreciate that, but I also recognize  
25 the Council's efforts in putting together legislation

2 to kind of curb this and I think it's been effective.  
3 I think you're referring to post-fire? These are  
4 post-fire, or just inspections on there?

5 CHAIRPERSON ARIOLA: I think, yeah, I  
6 think it's post-fire. Like, you're going in, you  
7 know, you get a tip.

8 CHIEF FLYNN: Yes, so post-fire, if we  
9 determine that the cause of that fire was a lithium-  
10 ion battery, even if we discover lithium-ion battery  
11 cells at a location, because not every time that we  
12 discover these devices at a fire scene, they're so  
13 prevalent within our city, not every time are they  
14 the cause so, if they are subjected to fire, they may  
15 fail, but they may not be the original cause of that  
16 fire. We view these cells as imminent danger to the  
17 public. They do have a tendency to reignite the  
18 cells, and they can be ejected up to 60 feet from  
19 where the device is so anytime the marshals encounter  
20 even one cell while we're conducting our  
21 investigation, we request our HAZMAT units to come  
22 out there and package it safely. When HAZMAT does  
23 come out, they treat it as an imminent fire. They are  
24 fully encapsulated on air to collect these devices.  
25 They're packaged in barrels with a material that we

2 call cell block that would prevent them from  
3 reigniting so we treat every one of these as almost  
4 an explosive device that could go off at any time. So  
5 anytime we find them, we will back out, the marshals  
6 will back out, treat it as it could erupt into flame  
7 at any minute, and we request that HAZMAT unit to  
8 safely collect that and neutralize it. So all the  
9 cells, if we find individual cells, even if they have  
10 not been part of the area of the fire, we treat those  
11 as such because they may have been subjected to heat.  
12 It's very hard for us to determine which ones will  
13 fail and which ones will not. It's very hard. You  
14 have to look internally at these cells, which is  
15 impossible so we treat that very, very carefully and  
16 safely. We will not operate in an area where we know  
17 that some of those cells are subjected to fire.

18 CHAIRPERSON ARIOLA: All right, great. And  
19 when you talk about the lithium-ion task force. So if  
20 you can just explain that to us, what other City  
21 agencies are involved in it regarding inspections and  
22 enforcement? How does the FDNY coordinate efforts  
23 with those partners? How many FDNY fire marshals and  
24 other staff focus on lithium-ion battery-related  
25 inspections and enforcement? And is anyone directly



2 assigned to that? I ask that many questions because I  
3 know you've got a big paragraph to read to me.

4 CHIEF FLYNN: No, I don't. I'm so used to  
5 talking about batteries, which is a great thing. I  
6 think we've made a lot of progress. So the task force  
7 is staffed with members of BFI, members of Bureau of  
8 Fire Prevention, and members from the Department of  
9 Consumer and Worker Protection. That's staffed on a  
10 daily basis, Monday through Friday. We go out. We  
11 have a list of locations that we will inspect or re-  
12 inspect or follow up on violations that have already  
13 been written. So we have a list of places that we  
14 like to get to every single day. Of course, we may  
15 get caught up in one of them that requires a lot of  
16 enforcement, and we may not get to that location  
17 until the next day, but we staff that regularly with  
18 two fire marshals. That's staffed on a daily basis.  
19 BFP has a minimum of two fire prevention inspectors  
20 and DCWP varies. I believe they would have a minimum  
21 as well of two. We do have a supervisor now that has  
22 taken over for George, who we lost a couple weeks  
23 ago, so we went through an interview process after  
24 the loss of George to select somebody else to take  
25 his place, and he has recently moved into that role.

2 They go citywide. Most of those inspections are  
3 related to either complaints or commercial  
4 establishments that we are aware of and, again, we  
5 encourage the residents of the city to let us know  
6 about any new commercial areas that have opened shops  
7 related to lithium-ion batteries, because I believe  
8 they open up almost every day.

9 CHAIRPERSON ARIOLA: Yeah, I appreciate  
10 that. Now let's turn to fireworks enforcement task  
11 force. I represent a District that is obsessed with  
12 fireworks, legal shows, which we do, and others that  
13 just shoot fireworks for any reason, and so what does  
14 the task force do?

15 CHIEF FLYNN: So we work on that based  
16 upon our staffing levels, and it's been very  
17 difficult for us to do interdictions with fireworks  
18 recently. We would work with NYPD. They have a unit  
19 that would also work on that and the Sheriff's Office  
20 has been very aggressive when it came to fireworks  
21 recently. We have made trips out to Pennsylvania to  
22 see people that are buying bulk products and stop  
23 them from bringing them into the city from time to  
24 time. It's difficult for us. And the penalty is not  
25 really sufficient to really curb these devices being

2 brought into the city. As you mentioned, we do have  
3 an Explosives Unit within the Bureau of Fire  
4 Prevention that does monitor those commercial shows,  
5 but the regularly commercial-bought products are very  
6 difficult to regulate because, as you know, these  
7 things are sold legally in states that are joining  
8 our state so people can go there on a day trip and  
9 bring back hundreds of dollars' worth of fireworks,  
10 and it's almost, it's close to impossible for us to  
11 really know where they are or where they're coming  
12 from.

13 CHAIRPERSON ARIOLA: Yeah, what happens,  
14 let's say you do find a large cache of illegal  
15 fireworks, what happens to them? Are they disposed  
16 of?

17 CHIEF FLYNN: We will take them and NYPD  
18 will dispose of them at Robbins NAC. That's their  
19 range facility where they will, I believe they blow  
20 them all up in bulk at some point. I've never been  
21 there for that, but I was told that's how they  
22 dispose of them. They would be charged with illegal  
23 possession of fireworks, which is really, it would be  
24 a desk appearance ticket so that would be our  
25

2 process. We do collect them, of course, and we safely  
3 dispose of them via the NYPD.

4 CHAIRPERSON ARIOLA: All right. And the  
5 task force is seasonal, right?

6 CHIEF FLYNN: Yes.

7 CHAIRPERSON ARIOLA: So what happens on  
8 the off-season? Is it just NYPD or?

9 CHIEF FLYNN: I don't know that NYPD, I  
10 can't speak for NYPD. I don't know if they have a  
11 (INAUDIBLE)

12 CHAIRPERSON ARIOLA: When it's not  
13 seasonal, which is, what is the season? Would you say  
14 that they're in force?

15 CHIEF FLYNN: I would say Memorial Day,  
16 probably. It slows down significantly after the 4th  
17 of July, but I would say the summertime.

18 CHAIRPERSON ARIOLA: But throughout the  
19 summer, they're in force, right? You'd say Memorial  
20 to Labor?

21 CHIEF FLYNN: Yeah. Anytime we're made  
22 aware of a concern, we will take a look at it, but  
23 really the peak times, I would say leading up to the  
24 4th of July of course.

2 CHAIRPERSON ARIOLA: Okay. I just want to  
3 go back to lithium-ion batteries for a second. Does  
4 FDMI or DCWP have a listing of all commercial  
5 establishments that sell mobility devices and/or  
6 lithium-ion batteries?

7 CHIEF FLYNN: We do have a list of  
8 businesses that we've inspected. Every business that  
9 we have become aware of, we have inspected, so we do  
10 have a list and I can supply that with the Council if  
11 you would like of all locations that are known to us,  
12 but these are very transient businesses. People may  
13 open one. We conduct enforcement. They may move down  
14 the block. So that's why we really rely on the  
15 public's help to let us know where these are, where  
16 they're popping up in their areas. And again, if they  
17 have any concerns, let us know and we'll get out  
18 there and take a look. A lot of times we get  
19 complaints and they're just selling regular pedal  
20 bikes, but we want to get out there and know where  
21 they are. We do have a list and I can supply you that  
22 list.

23 CHAIRPERSON ARIOLA: That's great. I would  
24 really appreciate that. Is there a standard for  
25 inspection schedules or is it just upon notification?

2 CHIEF FLYNN: These are mostly commercial,  
3 pretty much all commercial because that's really only  
4 areas that we can actually get entry into that are  
5 required to provide us access to the commercial  
6 establishments so majority of them are commercial. We  
7 do get complaints from time to time about concerns in  
8 common areas of buildings, which we also have the  
9 jurisdiction to inspect so we get out there as well  
10 and inspect those within 12 hours.

11 CHAIRPERSON ARIOLA: On the commercial  
12 businesses, do you go regularly? Is there a regular  
13 cycle for what you know on your list as bad actors  
14 that you continually visit?

15 CHIEF FLYNN: Yes.

16 CHAIRPERSON ARIOLA: Is there a regular  
17 schedule for that?

18 CHIEF FLYNN: We re-inspect regularly,  
19 every business.

20 CHAIRPERSON ARIOLA: Okay. I'd like to  
21 note that Council Member Oswald Feliz has joined us.  
22 Thank you.

23 I'll let you settle in in case you have  
24 any questions. Just let me know. All right.

2 For now, that's the questions that I  
3 have. I think maybe we can take a two-minute break  
4 just before our demonstration, if you don't mind.  
5 Thank you so much.

6 If everyone can take a seat, we're going  
7 back in. At this point, we're going to open for  
8 public testimony. I now open the hearing for public  
9 testimony.

10 I remind the members of the public that  
11 this is a formal government proceeding and that  
12 decorum shall be observed at all times.

13 If I could have your attention, please,  
14 everyone. Excuse me. [GAVEL] Please.

15 The witness table is reserved for people  
16 who wish to testify. No video recording or  
17 photography is allowed from the witness table.

18 Further, members of the public may not  
19 present audio or video recordings as testimony but  
20 may submit transcripts of such recordings to the  
21 Sergeant-at-Arms for the inclusion of today's  
22 hearing.

23 If you wish to speak at today's hearing,  
24 please fill out an appearance card with the Sergeant-  
25 at-Arms and wait to be recognized. When recognized,

2 you will have two minutes to speak on today's hearing  
3 topic only, FDNY Search, Rescue, and Investigative  
4 Procedures.

5 If you have a written statement or  
6 additional written testimony you wish to submit for  
7 the record, please provide a copy of that testimony  
8 to the Sergeant-at-Arms. You may also email that  
9 testimony to testimony@council.nyc.gov within 72  
10 hours of this hearing. Audio and video recordings  
11 will not be accepted.

12 I'd like to call the first panel. Joseph  
13 DiGiacomo.

14 JOSEPH DIGIACOMO: Good morning, ladies  
15 and gentlemen. My name is Fire Marshal Joseph  
16 DiGiacomo. This is K-9 Ray. He's a five-year-old  
17 Dutch Shepherd. He's named after Chief Ray Downey,  
18 who we tragically lost on September 11th in 2001. He  
19 was named after him because of Chief Downey's  
20 military service as a Marine. K-9 Ray was adopted  
21 from the Military Working Dogs Adoption Center and  
22 also that he was the first acquired search and rescue  
23 K-9 in New York City Fire Department. He's going to  
24 do a short demonstration, it should be rather quick,  
25



2 demonstrating his ability and his skills on ignitable  
3 liquid detection.

4 CHAIRPERSON ARIOLA: Thank you so much.

5 JOSEPH DIGIACOMO: Yes, ma'am.

6 (K9 DEMONSTRATION)

7 So there is a minute amount of ignitable  
8 liquid they're trained on. There are nine different  
9 categories, up to but not limited to about 35  
10 different liquids each of our K-9s are trained on,  
11 and when I say minute amount, it's probably about a  
12 Q-tip's worth that they can find. The accelerant K-9s  
13 differ from all other K-9s. The main factor is when  
14 they find something, there's nothing there. It's a  
15 burnt-out fire scene. Your explosives dogs find a  
16 bomb or narcotics find drugs. When we find something,  
17 there's nothing there so they give an alert to sit.  
18 You saw he got his reward as a ball. Some dogs get  
19 their toy and it's called play and praise. Other dogs  
20 will get food rewarded and the only time they eat is  
21 when they're working.

22 CHAIRPERSON ARIOLA: Thank you so much for  
23 that wonderful demonstration.

24 JOSEPH DIGIACOMO: Thank you.

2 CHAIRPERSON ARIOLA: I want to thank  
3 everyone who came here to testify. I want to thank  
4 the panel for being so prepared and for answering  
5 each and every one of our questions more than  
6 adequately.

7 For my Colleagues who came today, thank  
8 you so much and, again, thank you to Josh Kingsley  
9 and Will Hongach, who I couldn't get through a  
10 hearing without. Everyone have a great, wonderful,  
11 safe rest of the day. [GAVEL]

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C E R T I F I C A T E

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



Date September 30, 2024