

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY JOINTLY WITH COMMITTEE ON
MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM,
DRUG ABUSE AND DISABILITY SERVICES

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April 25, 2014

HELD AT: Council Chambers
City Hall

B E F O R E:
VANESSA L. GIBSON
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile
James Vacca
Julissa Ferreras
Jumaane D. Williams
Robert E. Cornegy, Jr.
Chaim M. Deutsch
Rafael Espinal, Jr.
Rory I. Lancman
Ritchie J. Torres
Steven Matteo
Ydanis A. Rodriguez
Laurie A. Cumbo
Eric A. Ulrich
Corey D. Johnson
Inez D. Barron
David G. Greenfield

MENTAL HEALTH, DEVELOPMENTAL DISABILITY,
ALCOHOLISM, DRUG ABUSE & DISABILITY SERVICES:

Andrew Cohen, chair

Elizabeth Crowley

Rubin Wills

Johnson

Peter F. Vallone, Jr.

A P P E A R A N C E S

Chief Jeremiah Quinlan
Commanding Officer of the Special
Investigations
New York City Police Department

Vanessa Fontaine
Mother of (deceased) Ovante Oquento

David Perecman
Attorney for Vanessa Fontaine

Christopher Zimmerman
Lieutenant and Commanding Officer
NYPD Missing Persons Squad
New York City Police Department

Lauren T. Watkins
President
Independent State Clothing and Wearable
Tech Company

Kim Mack Rosenberg
President
National Autism Association
and
The Elisabeth Birth Center for Autism and
Advocacy

Pat Barrientos
QSAC - Quality Services for the Autism
Community

Susan Williams
and
Christine Austin
Director of Adult Services Program (Long
Island)
The School for Language and Communication
Development

Jesse Mohica
Father of Autistic 15 year old son

1 [gavel]

2 ANDREW COHEN: [laughs]...excellent uh

3 Good afternoon, uh, I am Council member Andrew Cohen,
4 chair of the Council's Committee on Mental Health and
5 Developmental Disabilities Alcoholism Drug Abuse and
6 Disability Services. I am pleased to be joined today
7 by Council Member Gibson, Chair of the Public Safety
8 Committee. Uh, we are here today to discuss Autism a
9 topic, a choice that was inspired by the tragic loss
10 of Andre Ovante Oquendo. As I am sure in this room
11 alr...As I am sure in this room already knows Ovante
12 Oquendo was an autistic non-verbal young man who
13 disappeared here from his school in October 2013.
14 Sadly, after a city-wide search effort his remains
15 were found in January. This terrible loss has caused
16 us to look for new ways to protect young people who
17 had been diagnosed with Autism. Council Member
18 Wills, who will be here shortly, uh, has introduced
19 four pieces of legislation to help design locate
20 young people with Autism, who have gone who have gone
21 missing...uh, I will let him tell you a bit more about
22 each bill. I would like to mention, however, that
23 one in every 68 children will be diagnosed with
24 Autism and roughly half of them will go missing in
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2 some point in their lives. Uh, at this point I would
3 like to acknowledge Council Member Gibson and Council
4 Member Chiam Deutsch is here and uh... and, uh, I am
5 going to give the microphone Council Member Gibson,
6 who is gonna make...[INAUDIBLE]. Thank you.

7 COUNCIL MEMBER VANESSA GIBSON: Thank you
8 very much Chairman Cohen and good afternoon ladies
9 and gentlemen, it is a pleasure to be here. I am
10 Council Woman Vanessa Gibson. I proudly chair the
11 committee on Public Safety and I am certainly honored
12 to be here with my colleagues to discuss this very
13 important and critical issue and the package of
14 legislation that is primarily sponsored by our
15 colleague Council Member Ruben Wills. Uh,
16 unfortunately, we are here today because of recent
17 events that have opened our eyes to the sad reality
18 that at as a City, we must do more to protect our
19 loved ones with special medical needs. We have all
20 been touched by the horrific tragedy of Ovante
21 Oquendo, and earlier today we were joined with his
22 mother at a press conference with many other
23 advocates and just a week ago similar fears of
24 another tragedy unfolded in Brooklyn when Daniel
25 Gaba, another young boy with Autism, went missing

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2 from his Dyker Heights home in Brooklyn. Um
3 fortunately, in that situation, after nine hours of
4 searching, Daniel was located and returned to his
5 family, but as we know this could have ended much
6 differently. The power of the internet and
7 technology and social media needs to be harnessed by
8 our City and by families with loved ones who are
9 living with mental illnesses and special needs. Just
10 yesterday we learned how powerful the internet and
11 technology could be in the search efforts when May
12 Goldberg, a 59 year old woman living with severe
13 dementia and alzheimer's went missing from her
14 apartment on Manhattan's Upper West Side. Ms.
15 Goldberg's son filed a Missing Person's Report with
16 the NYPD which led to the issuance of a Silver Alert.
17 Ms. Goldberg's son then took to the internet, where
18 he started a thread on a social networking site
19 called "Reddit". He asked users from the New York
20 City area to be on the lookout for his mother and
21 just hours later she was noticed on the street by a
22 fellow user of that website. So this truly is a
23 great example of how technology could be used to
24 further assist our law enforcement in its efforts to
25 locate missing persons with special medical needs.

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2 Uh, today this afternoon I look forward to hearing
3 testimony on Intro 284, which would expand the City's
4 Silver Alert Program to include all missing persons
5 with developmental disabilities and not just our
6 seniors. In addition, Intro 286, which comes out of
7 the Public Safety Committee would require the New
8 York Police Department to create a voluntary special
9 medical needs registry that would allow our families
10 to vol...voluntarily list their loved ones with the New
11 York Police Department and be equipped with a GPS
12 Tracking Device. It...it is, of course, of great
13 importance that we also leverage critical
14 partnerships with the State and Federal Government
15 and that is why we will also be discussing two
16 important resolutions today that would assist the
17 City in its efforts to speed up the time in which we
18 are able to locate vulnerable missing persons, um,
19 and with that I would just again, thank all of our
20 advocacy groups that do this work on an everyday
21 basis, their commitment and investment and look
22 forward to continue partnerships as we continue to
23 provide as much as we can in terms of resources and
24 programs so that we can prevent horrific tragedies
25 like Ovante Oquendo. Um and now I will turn the

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floor back over to my colleague, our chairman of the Committee, um as we will be discussing this important legislation this afternoon. Thank you.

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ANDREW COHEN: Thank you Councilwoman Gibson. Uh, I'd like to acknowledge that we have been joined by Council Member Espinal and I'd like to call the first panel...uh, Deputy Chief Jeremiah Quinlan, uh, Lieutenant Christopher Zimmerman and Benjamin Krakow. [VOICES] ...ok [VOICES] [PAUSE] [RUSTLING PAPERS]

DEPUTY CHIEF JEREMIAH QUINLAN: We're good? Ok. Good afternoon Chair Gibbs, Chair Cohen and members of the Council. I'm Deputy Chief Jeremiah Quinlan, Commanding Officer of the Special Investigations of the New York City Police Department. I am joined today Mr. Mr. Benjamin Krakower, Director of Watch Command for the Office of Emergency Management. On behalf of Police Commissioner William J. Bratton, I am pleased to be here to offer the Administration's comments on the bills before you today. Intro 284 would expand the concept of Silver Alert currently contained in the Administrative Code and administered by the NYPD with the help of OEM to include, within its scope, a

1 person of any age with the developmental disability.
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3 Intro 286 would create a new voluntary special needs
4 registry for individuals with special medical needs,
5 who would be provided with a GPS tracking device that
6 would be utilized if the person were to be reported
7 missing. Both bills are founded on the medical
8 desire to enhance the protection of volatile
9 individuals and we applaud their intent. The City in
10 general and the New York City Police Department, in
11 particular, devotes substantial resources in locating
12 missing persons, especially if they fall within, what
13 we call a "special category". A child under 16,
14 someone mentally or physically impaired to the extent
15 that hospitalization may be required, someone not
16 capable of self-care or clear communication, a person
17 65 years or older, possible drowning victim, someone
18 missing under circumstances indicating unaccountable
19 or involuntary disappearance or filing a unique or
20 unusual case which merits an enhanced response. As
21 you know, the individuals sought to be assisted by
22 both bills would likely already fall within New York
23 City Police Department's Special Category for Missing
24 Persons and depending on the circumstances immediate
25 investigation and/or search, utilizing all possible

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2 resources of the Police Department, as well as
3 requests for the Public's assistance in locating
4 them. One of the ways in which the public is
5 notified is through the Silver Alert System, where a
6 person missing is 65 or older and has dementia, as a
7 result of alzheimer's disease or a similar condition
8 that is reported missing under circumstances
9 indicated he or she is in imminent danger of serious
10 bodily harm or death. The Silver Alert is issued by
11 both the Police Department's Deputy Commissioner of
12 Public Information and by OEM's Notify NYC System in
13 order to include the public in the search for a
14 person at risk. In 2013, the City issued 63 Silver
15 Alerts. When a missing senior is not determined to
16 be in imminent danger or serious bodily harm or death
17 the Police Department and Notify NYC may issue an
18 alternative message. A Missing Senior notification
19 to mobilize the public as well. In 2013 the City
20 issued 57 such notifications. Turning to Intro 284
21 the bill would add a new category of individuals to
22 the Silver Alert Protocol, mainly a person of any age
23 with a developmental disability. Because the term
24 "developmental disability" is not further defined, it
25 would be difficult to predict the scope of this

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2 change given the potential universal developmentally
3 disabled individuals residing in New York City. In
4 any event, the addition to this bill would seem to
5 replicate two systems which already exists. One is
6 the well-know Amber Alert System for children under
7 18. Perhaps the less well-known is the other
8 emergency notification system maintained by the
9 State's Missing Vulnerable Adult Clearing House
10 established in New York State's Executive Law Section
11 837F-1. A vulnerable adult is defined as an
12 individual 18 or older, who has a cognitive
13 impairment, mental disability or brain disorder, and
14 whose disappearance had been determined by law
15 enforcement to impose a credible threat of harm to
16 such missing individual. If a vulnerable adult is
17 reported as missing to the local law enforcement
18 agency, the law enforcement agency and the law
19 enforcement agency determines that there is a
20 credible threat of harm to the person the agency will
21 contact the Clearing House and request that emergency
22 notification be issued. The Clearing House will then
23 determine which regions of the State should receive
24 the message and issue the notification to the
25 region's media, law enforcement agencies and

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2 emergency notification systems such as Notify NYC.
3 We suggest, therefore, that there is no need to
4 expand the concept of Silver Alert in the matter
5 suggested by the bill. In light of the parallel
6 systems that already exist and which are in active
7 use. In 2013 there were three Amber Alerts and 12
8 missing Vulnerable Adult messages issued by the City.
9 We should remember that a key element of all these
10 types of alert systems are that they be used
11 sparingly so that they retain their character's true
12 emergencies in the public mind. The need to provide
13 public notice in individual cases must be balanced
14 against the potential that the public becomes
15 overwhelmed with information or complacent and
16 literally, tunes out of the emergency notification
17 messages, or in this case, potentially ops out of the
18 Notify NYC entirely. We believe that the present
19 alert systems strikes that balance well and we would
20 recommend that they continue to operate in the
21 current matter. In respect to Intro 286, a different
22 set of concerns arises. The creation of a voluntary
23 special medical needs directory is an appealing
24 concept since it establishes an expectation of
25 protection for the most vulnerable among us. We

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2 would like to suggest an alternative since we believe
3 that expectation may be unrealistic. One serious
4 problem associated with such registries is that they
5 are generally outdated almost from the time they are
6 created and require extensive resources to maintain
7 accuracy. Beyond establishing a registry the bill
8 contemplates a procedure in which the police
9 department would issue a GPS tracking device to a
10 person with special needs whose location would be
11 tracked if the person was reported missing. We
12 suggest that creating a duty for the Police
13 Department issue and monitor GPS devices in this way
14 is not practical for many reasons - privacy concerns
15 regarding the medical information for which would
16 have to be shared about the registry, the potential
17 unreliable use of GPS devices in a dense urban
18 environment, including inside buildings and subways,
19 the potential liability concern if the GPS
20 malfunctions and the fact that the registrant may or
21 may not be wearing the device at any given time and a
22 significant resources that would have to be expended
23 by the Police Department in maintaining the registry,
24 as well as the overall program, in the hope that it
25 would prove useful in an individual case. Instead we

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believe that a better course is to support effort to provide families with GPS or other tracking devices, which they would use on a voluntary basis in the manner that they choose. Families would then be able to provide the GPS tracking information to the Police Department when they report their loved one missing. In order to facilitate an immediate investigation and search, resolutions No. 151 and 174 before you today are good examples of these efforts the administration has committed to work with the Council to enhance opportunities for New Yorker's to take advantage of effective technologies which can help locate missing persons in need, perhaps to include developing the program to test the technology on a PILOT basis. We appreciate the opportunity to offer our thoughts and the bills before you and we are pleased to answer any questions you may have. Thank you.

ANDREW COHEN: Thank you very much. Uh, I would like to [INAUDIBLE]...who are to be joined by Council Member Wills and I think she has a statement she would like to make.

COUNCIL MEMBER VANESSA GIBSON: Before Council Member Wills, uh, provides his testimony I would like to just remind anyone here if you want to

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2 submit testimony to us please sign up to your right
3 um so that we have your information and we are able
4 to call you, uh, once we are done with our presenters
5 today. So again if anyone wants to sign up please do
6 so at this time. Thank you.

7 COUNCIL MEMBER RUBEN WILLS: Good

8 afternoon I am Council Member Ruben Wills and I
9 represent the 28th Council District of Queens. I
10 would like to thank Council Member Cohen, Chair
11 Committee on Mental Health and Developmental
12 Disabilities Alcoholism and Drug Abuse and Council
13 Member Gibson, Chair of the Public Safety Committee
14 for agreeing to hold this hearing today. I would
15 also like to thank all of you for attending,
16 especially the NYPD representative [INAUDIBLE] all of
17 you who will be testifying today. I especially would
18 like to thank Ms. Vanessa Fontaine, mother of the
19 late Ovante Oquendo, as well as her attorney David
20 Perelman, for being here today. Today's hearing will
21 serve to educate and create a bigger dynamic of
22 awareness of the developmental disorder Autism
23 Spectrum Disorder. We will hear testimony from
24 parents of children who are living with the disorder
25 and how this condition has impacted their lives. We

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2 will hear testimonies from members of various
3 committees, committed organizations from our district
4 and throughout New York City, whose main focus is to
5 bring attention to educate, assist and continue to
6 spread the awareness of Autism. It was with great
7 sadness and some dreaded feeling of force reaction
8 that we had to respond to the death of Ovante with a
9 drafting of a suite of legislation. The four pieces
10 of legislation that we introduced to the New York
11 City Council, as one main goal in which to focus,
12 that is to prevent the unpreparedness of caregivers
13 and authorities which will ultimately prevent any
14 unfortunate death of any other child with Autism
15 forever occurring in this city again. These
16 preventative pieces of legislation, coupled with
17 measures already in place, will safe guard children
18 with a sense of comfort and security to the families
19 of those living with Autism forever having to endure
20 the feeling of helplessness as did Ms. Fonaine and
21 her family. These pieces of legislation will serve
22 to educate on the facts of Autism as well as nuances
23 that many of us whose lives may not directly be
24 affected by this disorder would ever know or assist
25 parents and law enforcement in locating children with

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2 Autism. As was tragically demonstrated by the
3 instances of missing non-verbal and autistic 14 year
4 old Daniel Ghabra of Brooklyn and missing seven year
5 old Michael Kingsbury, who was found dead in a car in
6 Washington, D.C., young people with Autism often run
7 away or look for safe supervised spaces. In fact the
8 recent studies found that nearly half of all children
9 with Autism will wander, or run away at least once.
10 Although all children are known to wander away,
11 children with Autism are nearly four times more
12 likely to do so. In addition, approximately one-
13 third of the children with Autism will wander away
14 are unable to communicate their name, address of
15 phone number. In response to these startling
16 statistics I have partnered with Council Members
17 Cohen, Gibson, Cumbo, Vallone, Palma, Cornegy,
18 Torres, Barron, Constantinides, Gentile, Levine and
19 Mendez to introduce these four pieces of legislation
20 which we will be discussing today. Thank you very
21 much.

22 COUNCIL MEMBER ANDREW COHEN[?]: Thank
23 you, um I just have a couple of questions,
24 particularly with, uh, Intro 286, uh, I I understand
25 that you know you raise the the issue that the

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registry will you know have it will be challenged to be kept up to date but I I wonder as a resource like wouldn't it be better to have this registry than not have it? Uh...

DEPUTY CHIEF JEREMIAH QUINLAN: You know the position we put it is that if you give the GPS devices to the families when the person...it's, uh, a web-based, uh, um, way to track so we don't need the registry as long as the person when they report them missing they come to us with the information and we can assist them in tracking with the device and finding them missing. Maintaining a registry would just add an administrative nightmare basically to the Police Department, uh, people you know based on the testimony we estimate that there's 30,000 I think that's a low-ball figure we probably have a higher amount. Roughly 30,000 individuals that reside in New York have some sort of Autism and that's just Autism, we are not talking about other developmental disabilities and based on the testimony I've heard we estimate that 15,000 of them are gonna run sometime during their course. So you talk about a registry a minimum of 15,000 if you just deal with Autism and not talk about dementia and not talk about other

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2 cognitive development disabilities so you know how
3 how I don't know what the list would look like but it
4 would exceed 20,000 people and would have to be
5 maintained on a basic...basically at least on a monthly
6 basis to make sure it is accurate. We track banks in
7 New York City, uh, we maintain a list of those banks
8 and that's got to be con...constantly updated and those
9 are financial institutions that are basically a brick
10 and mortar. You know why we deal with people that
11 move, we have to keep on updating, get new addresses
12 if they change the device if the device malfunctions?
13 So we constantly have...to be of use it would have to
14 be updated. It would be much easier if the people
15 that have people that have dependents that have
16 cognitive disability that are issued the device to
17 maintain their old [SNEEZE], maintain their medical
18 records maintain the information we need that if we
19 did have to track 'em it...they could provide it with
20 us and we would immediately track 'em.

21 ANDREW COHEN: Uh, just so that I am
22 clear so as you're concerned more that it...it that it
23 will present you know place a burden on the
24 department in terms of maintaining this list or do
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you just don't think that list will be particularly useful even if it if it could be maintained?

DEPUTY CHIEF JEREMIAH QUINLAN: It would be a burden and I'd rather see the Police resources what we do have [INAUDIBLE MUMBLING] we have over 13,000 missing person cases a year in New York City. I'd rather devote the resources of the Police Department to actually finding those people as opposed to maintaining a list that may or may not be beneficial.

ANDREW COHEN: Thank you.

DEPUTY CHIEF JEREMIAH QUINLAN: Thank you.

COUNCIL MEMBER VANESSA GIBSON: Thank you very much for your presence and testimony today. Uh, I just have one quick question and it's also about the same Intro, um being that you indicated that there could be some challenges in terms of implementation and obviously accuracy of the data, um how best would we try to approach this as a Council if we put the [UNCLEAR] on parents to make it a voluntary GPS for parents to buy into as you suggested and do we know of any localities that may

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have already implemented this program we could use as a possible model?

DEPUTY CHIEF JEREMIAH QUINLAN: Alright well first of all I'd like to commend the families of, the, uh, anybody with the, uh, child or adult with dementia or Autism you know their life isn't their own for lack of a better way of phrasing it, uh, the vigils we have a we have a small number now any number missing is a is a high number of...[UNCLEAR]...that missing but luckily in New York City because of the vigilance of the caretakers, uh, missing autistic kids we don't have a large number and that's a and that's a credit to the family. Anything that would help us to find them is a benefit. If a GPS device is used it's a great benefit for us. It's another tool that we could use in our [UNCLEAR] when we are looking for these people. As far as publicizing it, we could publicize it through our community affairs, we could work with the various agencies, uh, health and hospitals and also the advocates of these groups. Lieutenant Zimmerman he's the CO of Missing Persons he's familiar with the locality that does use these devices but the problem they have is the problem that

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2 problem we are going to issue what type of device to
3 you use? You know these, uh, these devices are
4 battery charged they have to be maintained, uh, they
5 have a life span with the battery and they also we
6 looked at those GPS devices in the in the New York
7 City for banks as far as like bait money, die packs,
8 uh, GPS they're not that great when, uh, in an urban
9 environment they have difficulty getting signals and
10 once you go into the subway system now they have a
11 major problem but in a rural area, anything out of
12 boroughs, I live in Queens so Queens, Brooklyn, Bronx
13 you have a lot areas that it would be extremely
14 beneficial. [cross talk]

15 LIEUTENANT CHRISTOPHER ZIMMERMAN: Uh, I
16 had a meeting with the Suffolk County Sherriff's
17 Department and they maintain something similar to
18 this. They have a they use I believe the term used
19 is "Project Lifesaver". They have 30 something
20 clients that they track with cogni...uh, cognitive
21 limitations. Some of...now the sheriffs came in and
22 just gave us a very very brief overview what they do.
23 Some of the problems they have had is maintaining
24 current information they have clients moving, uh,
25 they do not provide batteries to the families. The

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2 batteries have to be changed and they do it every 30
3 days, uh, also some of the obstacles they run in some
4 of the clients will not wear the device they remove
5 the device but they have had success with utilizing
6 GPS tracking devices. Some of the limitations some
7 of the things they said they when they get an
8 activation on one of their GPS devices when they are
9 activated they respond with three cars, triangularly
10 positioned, but they said maintaining 30 something
11 clients is quite a bit of work and they actually have
12 a checks and balances systems they are using, uh,
13 intermittently they will drive by they will actually
14 drive by a client's house with their tracking device
15 to see if it is actually operable when in the middle
16 of the night they do it. They don't do it to intrude
17 on the family. They are very concerned about police
18 intrusion in the family's life you know, they don't
19 want to be overbearingly but they also want to make
20 sure that the client's are maintaining their end of
21 the bargain. Their end of the bargain meaning
22 changing the batteries, they give almost like a sign-
23 off list to the parent or caretaker, that every day
24 they check the battery. The device that they showed
25 me, uh, is a little bigger than this watch, or

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actually probably around the same size as this watch and they told me the good things and they told me some of the difficulties they've had and that the resources they have to deliver to do it. And like I said it is a very brief overview I don't have the finite information but we were just looking at it with them just trying to see where they were going with it and how they handled it.

COUNCIL MEMBER VANESSA GIBSON: Ok

Lieutenant can you please just identify yourself for the record.

LIEUTENANT CHRISTOPHER ZIMMERMAN: Oh I

apologize, I am Lieutenant Christopher Zimmerman. I am the Commanding Officer of Missing Persons Squad for the NYPD.

COUNCIL MEMBER VANESSA GIBSON: Ok and

just one follow-up because you mentioned, uh, HAC DOHMH, um being that we have so many advocacy groups across the city that work with many parents of children with Autism, um are there any thoughts or discussions at PD about putting together almost a partnership, because we as a council obviously want this type of system to work and we are trying our best to find some balance and what I think is great

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2 I'm very big on partnerships because I recognize that
3 you know, medical professionals at the Department of
4 Health at HHC are sometimes very uniquely equipped
5 with working with this population and in terms of
6 developing partnerships so you can address a lot of
7 those in accuracy in terms of location, phone number,
8 address. Things that sometimes tend to change while
9 you may not get that information as quick DOH may get
10 it or an advocacy group so has there been any talk
11 about working with the Mental Health Community to see
12 if this registry will work in that way?

13 LIEUTENANT CHRISTOPHER ZIMMERMAN: We
14 work with the ALTOS[sp?] Association currently, we'll
15 expand we are looking to expand our outreach because
16 there are a lot of advocacy groups out there that
17 have that are very helpful so it's under
18 consideration now it is gonna expand but we do
19 currently work with a couple of the groups.

20 COUNCIL MEMBER VANESSA GIBSON: Ok. I
21 would like to acknowledge that we have been joined by
22 Council Member Paul Vallone and we do have one
23 question, or a couple of questions or comments from
24 Ruben Wills.

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COUNCIL MEMBER RUBEN WILLS: Yes good afternoon, uh, again thank you for coming out I just have a few questions. Um, you deal with missing persons? Could you give us the cost of how much it would cost um to do a Missing Person's search or how much it costs the department when we actually had to deal with the search for Ovante?

DEPUTY CHIEF JEREMIAH QUINLAN: It's a tremendous amount of resources we pull from throughout the city it went on for a couple of months. I don't break it down to a cost factor but...

COUNCIL MEMBER RUBEN WILLS: ok but...

DEPUTY CHIEF JEREMIAH QUINLAN: always personnel and hours it's tremendous, we shift people from all over the City to help in that search.

COUNCIL MEMBER RUBEN WILLS: Ok so what I'm asking or what I'm wondering is how can we have gone through a tragedy like this and that's just one of them, we've had multiples and say that the costs to maintain a data base would be so overwhelming that it would out shadow the cost.

[TALKING OVER EACH OTHER]

DEPUTY CHIEF JEREMIAH QUINLAN: I never said that councilor...excuse me.

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COUNCIL MEMBER RUBEN WILLS: Well ok so I
will...clarify it

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DEPUTY CHIEF JEREMIAH QUINLAN: I never
brought up a cost factor.

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COUNCIL MEMBER RUBEN WILLS: Ok well I'm
bringing it up. You did...

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DEPUTY CHIEF JEREMIAH QUINLAN: I just
brought up a resource factor.

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COUNCIL MEMBER RUBEN WILLS: Resources is
cost.

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[SPEAKING AT SAME TIME]

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DEPUTY CHIEF JEREMIAH QUINLAN: Resources
is personnel...nah

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COUNCIL MEMBER RUBEN WILLS: Resources
you brought up is manpower, personnel.

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DEPUTY CHIEF JEREMIAH QUINLAN:
Resources...resources is personnel. Personnel that can
be used in the street to help look for the child as
opposed to doing data entry and maintaining a list.

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COUNCIL MEMBER RUBEN WILLS: No if we...

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DEPUTY CHIEF JEREMIAH QUINLAN: I didn't
bring up cost...

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COUNCIL MEMBER RUBEN WILLS: Ok so if we
used um civilian, I'm sorry...

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DEPUTY CHIEF JEREMIAH QUINLAN: You can't put a cost to a human life.

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COUNCIL MEMBER RUBEN WILLS: Nah I'm not I'm not trying

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DEPUTY CHIEF JEREMIAH QUINLAN:
[INAUDIBLE]

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COUNCIL MEMBER RUBEN WILLS: "...to say you did that." I don't want to turn you into a bad guy. I'm not saying you did that. I'm trying to do is meet you where that I think we're at in this particular conversation so if we're talking about personnel and putting people on the street wouldn't it be more effective to have something where we can start from the data base? If you are saying...wait a minute if the premise of the conversation your testimony says that the department would issue a GPS tracking device to a person with special medical needs but legislation does not say that and if you have a copy of the legislation that says it in the earlier version I apologize myself. The legislation at this point should state that the NYPD would have discretion over stating which GPS device was acceptable to you and then you would develop you would have total discretion to develop the metrics

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2 for which ones would be more successful and I do
3 appreciate in your testimony that you spoke about the
4 less-dense out of boroughs and how the GPS is more
5 effective than in the city but if you had discretion
6 over it and you already said that the two other
7 Intros 151 and 174, which called on the costs or the
8 allocation of the resources to be from the State and
9 Federal Government, if they paid for it, if they paid
10 for the actual GPS devices then we wouldn't have to
11 worry about the parents purchasing them. We wouldn't
12 have to worry about the parents um life and shelf
13 life of them. Uh, we have devices that have already
14 proven to work, but again the NYPD would have
15 discretion over which devices the State okayed for
16 these things. Would that take some of the owners off
17 some of the resources that are needed for these to be
18 successful?

19 DEPUTY CHIEF JEREMIAH QUINLAN: Well you
20 know I'm for anything that would help make the
21 families lives a lot easier and to assist in, uh,
22 expeditiously locating these people if they do go
23 missing these individuals.

24 COUNCIL MEMBER RUBEN WILLS: I think that
25 we do need to get you updated.. [INTERRUPTED]

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DEPUTY CHIEF JEREMIAH QUINLAN: And we're all on a common voice. I have the old copy.

COUNCIL MEMBER RUBEN WILLS: I think yeah, I think that's where a lot of the misconception came from. We would never want to put that kind of owners on an already strained department. Right? We are already trying to give you a thousand more officers so we don't want to say we give you a thousand, you gotta take 50 to do this. What we're saying is this um if the state paid for it do the Medicaid, uh, the people first waver um which they already using for environmental modifications this would actually save the state money. It would save us not on just the physical costs but on the emotional costs of having a parent go through multiple weeks of a search when we may be able to do the GPS device, uh, the types of GPS devices again you would have discretion over is one that has actually been developed um a young lady, one of the people who have it has a company that would provide it if she was okayed by the State actually has developed clothing so it deals with the sensory issue that the Autism community has to deal with when a tracking device goes into the hem of the clothing so

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2 it's not visible to a predator that would take these
3 children and is not something that they would take
4 off a chain or a watch and it fits into fashionable
5 forward, I think that's the word we are using,
6 clothing also. Um so the the legislation actually
7 combines with each other so that the Federal
8 Government and the State pays for the devices. They
9 pay for the private company tracking. The data base
10 that we're talking about a d-Tap, uh, d-Tap right?
11 D-Tap would actually only deal with those who
12 voluntarily opted into it. The out dating of the
13 data base wouldn't happen because they would, they
14 would be responsible for updating if they moved or
15 something like that but them moving their physical
16 residence would have nothing to do with the data base
17 being having a higher functionality because when they
18 opt into it they will be giving you the code so if
19 Person A has an autistic spectrum disorder child they
20 would give you a code that goes into their tracking
21 and when that code is registered if I'm if I can't be
22 reached or if I am on the subway or if I am about or
23 if anything happens and I can't be reached and my
24 child bolts from school the school can then call
25 NYPD. The voluntary information is in the data base

1
2 and you can activate that tracking device for that
3 amount of time. So it is not having a tremendous
4 amount of officers sitting in a place and again, we
5 can use civilian officers trained I mean civilian
6 personnel trained to do this if NYPD does use. We
7 can do that so that cuts down on a lot of resources
8 also. And the privacy issues will be dealt with
9 HIPAA legislation because we have Federal um
10 representatives on board with this also. I know I I
11 I apologize because it doesn't seem like you guys
12 received all of the information and when I asked my
13 opening question I didn't...I I see that I saw that
14 this stance. I never want you to think that I was
15 trying to say that the NYPD was sitting here trying
16 to put a cost value on life. Um, we're just saying
17 that these suite, uh, this suite of legislation and
18 one of the things that you did bring up we didn't
19 know about, about the vulnerable adults and that I
20 think is part of poor uh promotion? Is that the right
21 word? Is that the word that I should use here? Poor
22 promotion uh for people to really understand what
23 that was about so that being aside the other two
24 pieces, the uh, I think which still be effective if
25 we had you guys on board to navigate it all the way

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through. That's all that's all the questions I have the statements last question.

[LOW TALKKING GOING ON]

COUNCIL MEMBER VANESSA GIBSON: Thank you very much Council Member Wills and now we hear from Council Member Paul Vallone.

COUNCIL MEMBER PAUL VALLONE: So other than the Suffolk County model, is there any other model that you have looked at or found that could be useful? Because what we're saying I'm not a big a fan of "it's too difficult". I'm a big fan of trying to work out. We can't ignore what happened so our responsibility here is to not so much as to ignore it but try to come up with an additional plan to give parents somewhere, and I like your last paragraph where you are saying that to work in conjunction with the families with the GPS maybe we could even expand on what you mean by that and if there is any other municipality that has something in the light that we can model or make better?

LIEUTENANT CHRISTOPHER ZIMMERMAN: I know Suffolk County...The only program I am aware of is the one that Suffolk County Sherriff's Department uses and that is Project Lifesaver and I believe is a

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2 private entity involved with that and there is some
3 costs involved with it and it may, they came in to
4 give us a very weak overview of how it worked. It
5 was, they showed us the operable...the operation... the
6 operable abilities of it and how they track it and I
7 asked questions regarding, you know uh, how do they
8 [PERSON COUGHING] maintain it, how do they how do
9 they keep the information current and they started
10 going into the problems that they incurred and some
11 of it was people moving, uh kids moving the device,
12 uh batteries having to be purchased by the family and
13 as uh Mr. Will said there is an identifier, each kid
14 has a unique number assigned to him so if he does go
15 missing they can activate the device so that is true
16 that that number is uniquely identified to that
17 child. I didn't know of any other program. That's
18 the only program I knew about.

19 COUNCIL MEMBER PAUL VALLONE: But if even
20 if that program has managed to protect one child I
21 still think it's not something we can dismiss or say
22 it's too overburdening for the department to do. I I
23 don't think our goal is to overburden...

24 DEPUTY CHIEF JEREMIAH QUINLAN: You know
25 I never said there were overburdened...

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[TALKING OVER EACH OTHER]

ANDREW COHEN[?]: He's coming across in a testimony that's here that it's not a wise suggestion to go forward with this...

DEPUTY CHIEF JEREMIAH QUINLAN: No, we're a whole week behind. Anything that could help locate these children, you know we're for it, it's simple as that. The only question is how large of a database and how...we'd have to research that to see how large of a data base it is and how effective it is to maintain a data base of over 20,000 names based on the estimate of 15,000 people with Autism are gonna bolt so until we know what the population of people voluntarily coming up I mean if the program is successful it's successful. I'm not doubting the fact that a GPS device can limit the amount of time a person's missing.

COUNCIL MEMBER PAUL VALLONE: Is there a way to take your suggestion where, say it's not a data base that the police department maintains but it's personal between the parent, the company and the child to successfully transmit that information to you at the time of the occurrence that you could then...

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DEPUTY CHIEF JEREMIAH QUINLAN: Yes when the parent or the guardian.....

COUNCIL MEMBER PAUL VALLONE: and I think that's something we might have to do.

DEPUTY CHIEF JEREMIAH QUINLAN: You know, the parent the guardian. We take missing persons not only from the [INAUDIBLE - CROSS TALKING]...

COUNCIL MEMBER PAUL VALLONE: It might also just providing that information

DEPUTY CHIEF JEREMIAH QUINLAN: Exactly.

COUNCIL MEMBER PAUL VALLONE...upon the emergency occurrence these are the steps to take and I think that might be more realistic uh approach as opposed to your data base.

DEPUTY CHIEF JEREMIAH QUINLAN: And we wouldn't have to constantly be updating it when people moved into the area, we wouldn't have to update it constantly when they move from one location to another so it's an excellent suggestion.

COUNCIL MEMBER PAUL VALLONE: Alright.

DEPUTY CHIEF JEREMIAH QUINLAN: Thank you.

COUNCIL MEMBER PAUL VALLONE: Thank you.

Do you have something else to add on?

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LIEUTENANT CHRISTOPHER ZIMMERMAN: No,

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just from Suffolk County uh we keep seeing parental

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they have certain clients that had a had care givers

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that work certain shifts that take care of that

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person so it wasn't always just a family member.

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COUNCIL MEMBER RUBEN WILLS: I like that

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so it we're discussing, I just want to be clear as an

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alternative where instead of maintaining just a

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physical data base we would put a mechanism in place

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so that when the family has a provider for GPS

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there's a way that as soon as something happens the

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NYPD...

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DEPUTY CHIEF JEREMIAH QUINLAN: ...together

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COUNCIL MEMBER RUBEN WILLS: ...has access

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to that data, that navigation.

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DEPUTY CHIEF JEREMIAH QUINLAN: Exactly!

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COUNCIL MEMBER RUBEN WILLS: That works.

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I mean...

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[INAUDIBLE - CROSS TALK]

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DEPUTY CHIEF JEREMIAH QUINLAN: Exactly!

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It is an excellent way, there is no reason for us to

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maintain...

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COUNCIL MEMBER RUBEN WILLS: But you

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would still...

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DEPUTY CHIEF JEREMIAH QUINLAN: It would be seamless.

COUNCIL MEMBER RUBEN WILLS: But we would still need the NYPD to okay the actual devices in that will be used. You would have discretion over saying "we think these devices are better as other devices". We just don't want it to be a "free for all" where people start having devices [INAUDIBLE - CROSS TALK]

DEPUTY CHIEF JEREMIAH QUINLAN: Like you mentioned,

COUNCIL MEMBER RUBEN WILLS: [INAUDIBLE]

DEPUTY CHIEF JEREMIAH QUINLAN: excuse me councilor, you know a lot of these people have [INAUDIBLE]

COUNCIL MEMBER RUBEN WILLS: Right.

DEPUTY CHIEF JEREMIAH QUINLAN: So a wrist watch we have uh, Chris mentioned Suffolk, they had to put it in the kid's shoe. A favorite pair of shoes because they are gonna take, what my son, he can't have tags on his shirts, I have to cut...

COUNCIL MEMBER RUBEN WILLS: Right.

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DEPUTY CHIEF JEREMIAH QUINLAN: the tags off his shirt. Uh it bothers him so a watch, he's not gonna wear a watch.

COUNCIL MEMBER RUBEN WILLS: But I hope...

DEPUTY CHIEF JEREMIAH QUINLAN: My daughter's a teenager, you can't get the apple falling away from her so that's not a problem.

COUNCIL MEMBER RUBEN WILLS: Right. Right. Well I hope that um, you hang around for a few minutes, um and hear the presentation from the young lady who actually is one of the people who have developed something that answers all of those questions. Uh yeah if she can't [INAUDIBLE] it was incredible right? That's all FOX5, that's how we brought her and I think that when she makes her presentation um, it answers a lot of questions that a lot of people have had. You know something her name is Lauren. I think it was something that was well thought out and she has an autistic child herself.

DEPUTY CHIEF JEREMIAH QUINLAN: I want to thank the Council for bringing up the issue to use GPS devices. It is a great idea it is just a matter of maintaining it and using it. But then you know, again, any parent of an autistic child knows you stil

1
2 have to be vigilant. The kid could take off the
3 jacket. They could take it...even if you sew it in a
4 pair of pants, changes pants so it's not, you know
5 we're still gonna have to do a full-blown search that
6 just helps locate the child.

7 COUNCIL MEMBER MARGARET S. CHIN: Ok.

8 DEPUTY CHIEF JEREMIAH QUINLAN: Thank you
9 Councilor.

10 COUNCIL MEMBER MARGARET S. CHIN: Thank
11 you, we have been joined by two council members.
12 Council Member Robert Cornegy and Council Member
13 Steve Matteo and now we will have questions, comments
14 from Council Member Deutsch.

15 COUNCIL MEMBER CHAIM M. DEUTSCH: Thank
16 you very much Chin. First of all Chief I just want
17 to congratulate you on your new position and I go way
18 back, I think of 20...22 years that I know you back
19 when 1990...1994, back in the 70, so I commend you for
20 your expertise and your knowledge in the New York
21 City Police Department and you have been a great
22 asset to the people of the City of New York. So
23 thank you. I also, I want to uh, I just want to like
24 what Council Member Wills uh mentioned and Council
25 Member Vallone uh are having. The State just gave

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2 money of over a million dollars on a video system
3 that records outdoor activity which was just
4 implemented in the Brooklyn area with an independent
5 company that monitors the cameras where the NYPD
6 would have access in case there's some type of
7 criminal activity in that vicinity, so I want to
8 second that with the Council Members you just
9 mentioned about having that independent company be
10 monitoring the GPS system and then access should be
11 given to the NYPD at any time necessary so I agree
12 with what was just said. That's all I want to say,
13 thank you so much.

14 COUNCIL MEMBER MARGARET S. CHIN: Thank
15 you very much Council Member Deutsch and we have also
16 just been joined by Council Member Jumaane Williams.
17 Thank you for being here. Anyone else? Any other
18 questions, comments? Oh and we will get you the
19 updated legislation so you will have it...

20 DEPUTY CHIEF JEREMIAH QUINLAN: I
21 appreciate it.

22 COUNCIL MEMBER MARGARET S. CHIN: Ok, so
23 I want to thank all of you, thank you so much Chief
24 and Lieutenant, thank you to OAM for your presence
25 here today and we will continue to have conversations

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with you as soon as we continue to put together these legislations and we thank you for your tremendous support and the work that you are already doing. Thank you very much for being here.

DEPUTY CHIEF JEREMIAH QUINLAN: I thank the Council for having me, thank you very much.

COUNCIL MEMBER MARGARET S. CHIN: Thank you thank you.

[TALKING]

[WOMAN - UNSURE]: I'd like to call our next panel up forward Kim Mack Rosenberg from the National Autism Association, the New York Metro Chapter and The Elisabeth Birth Center for Autism and Advocacy; Pat Barrientos from QSAC Quality Services for the Autism Community; Susan Williams and Christine Austin from the School for Language and Communication Development please come forward.

[TALKING]

[WOMAN - UNSURE]: Colleagues are we all ready? Ok, thank you for being here and we'll start with Kim Rosenberg? Kim? Ok there you go.

KIM ROSENBERG: Hi good afternoon thank you my name is Kim Mack Rosenberg and I am the president of the New York Metro Chapter of the

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2 National Autism Association and a Board Member of the
3 Elisabeth Birth Center for Autism One Advocacy, which
4 is a national advocacy group. I am also, most
5 importantly, a parent of a 14 year son on the Autism
6 Spectrum, Henry. Thank you very much for holding
7 today's hearing and for inviting me to participate.
8 It's extremely heartening to see the City Council
9 paying attention to critical issues relating to
10 Autism and wandering. I think that even for parents
11 who don't have children who wander or have wandered
12 or at risk of wandering we all know someone whose
13 child has wandered. No one is untouched by this
14 issue and as the number of people being identified
15 with Autism increases wandering is going to become a
16 bigger and bigger issue. Studies have shown that
17 approximately half the children with Autism wander
18 and it's something that everyone who lives with cares
19 for works for children or adults needs to be aware
20 of. Wandering related factors including drowning,
21 prolonged exposure to outdoor conditions remain among
22 the top causes of death for people with Autism. It's
23 a very dangerous situation when a child or an adult
24 with Autism tries to leave a safe situation for
25 whatever reason. They may try to leave their school,

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2 to leave an adult care giver within the community or
3 even try to escape their home or apartment. Because
4 people with Autism face significant challenges with
5 respect to social and communication skills and safety
6 awareness wandering is potentially dangerous and
7 sometimes deadly behavior. As we've seen too often
8 and most recently in the case of Ovante Oquendo the
9 results of wandering can be tragic. The reasons that
10 people wander are numerous. They may wander to
11 escape a situation or to try to get to something he
12 or she desires. Many people with Autism have a deep
13 interest in things, specific things and may gravitate
14 toward those items of interest such as trains, pools
15 or other water sources, a particular store, a
16 particular person. The options are endless. People
17 may also try to escape an environment, again there
18 can be many reasons. There can be a sensory overload
19 situation or a fear or anxiety in an unfamiliar
20 situation. There are many things that can and should
21 be done to prevent wandering and to help those who do
22 wander to return home safely. I am so pleased to see
23 the Council taking measures to address the critical
24 issue of finding and returning wandering children or
25 adults safely home. We very much support creating a

1 registry, a voluntary registry in supporting using
2 the GPS tracking devices in order to help these
3 people return safely home. The sooner someone can be
4 alerted that a person is missing the better chance of
5 a better outcome that we have and using alert systems
6 create a means to add additional or vulnerable people
7 to these alerts like the Silver Alerts are really a
8 critical piece as well. And it's very important to
9 us as an organization, as the National Autism
10 Association as an organization representing families
11 and largely run by volunteers that people of all
12 financial means be able to avail themselves of these
13 devices. This shouldn't be an economically-based
14 solution. Everyone should be able to have their
15 child returned safe to them if their child leaves.
16 It's a valuable way of preventing wandering-related
17 tragedies. I also wanted to add that we must
18 continue to educate everyone in the community about
19 Autism and wandering. Any in New York Metro has for
20 the past 2 years provided profession training to desk
21 sergeants of the NYPD on Autism-related issues. We
22 funded that, and provided a professional, who does
23 training with respect to those issues and his name is
24 Dennis DeBolt. He's come spoken both last year and
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2 the year before at the police academy and we are very
3 pleased to have been able to provide that. I think
4 this, along with the NYPD own initiatives helps the
5 NYPD and other first responders to better recognize
6 Autism and to have the knowledge of how best to work
7 with an individual on the spectrum in any law
8 enforcement related situation. We also must make
9 sure that those in schools, therapeutic environments,
10 day-hab programs, assisted and residential living
11 environments, as well as parents and caregivers are
12 educated about wandering and wandering prevention.
13 Our national parent organization has, for the last
14 several years, taken a leading role on this issue in
15 bringing awareness and education on a nation-wide
16 level and with respect to tracking devices for when
17 children or adults do wander. Among its initiatives
18 is a program called AWAARE.org - Autism Wandering
19 Awareness Alert Response and Education. We provide a
20 website that has valuable tools about prevention and
21 ways to increase chances that a person with Autism
22 that does wander is found safe. There is information
23 for both parents and professionals there, as well as
24 first responders. And among the most valuable tools,
25 with respect to wandering does put in place to

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2 prevent or minimize wandering as we tragically
3 learned often professionals with whom we trust our
4 child's care may not be adequately trained to prevent
5 our child from wandering or there may be inadequate
6 supervision in place. We may never be able to
7 eradicate wandering entirely, but we can and should
8 take measures to train professionals and parents to
9 minimize the chances of wandering. I and our
10 organization's look forward to partnering with the
11 City Council further to implement measures proposed
12 by the Council here now, as well as exploring further
13 ways in which New York City can take a lead and in
14 taking measures to protect among our most vulnerable
15 citizens. Thank you very much.

16 PAT BARRIENTOS: Good afternoon
17 Chairwoman Gibson, Chairman Cohen, Members of the
18 Community on Mental Health and the Committee on
19 Public Safety [INAUDIBLE]. Uh my name is Pat
20 Barrientos I serve as the external affairs
21 coordinator for Quality Services to the Autism
22 Community, otherwise known as QSAC. Uh first let me
23 take the opportunity to thank Council Member Wills
24 for drafting and introducing legislation that is
25 crucially important. Um to supporting the safety and

1 well-being of people with Autism. For those before
2 this committee addressed specific programs that
3 revolve around the use of technol...GPS technology that
4 many families are starting to explore um as a way to
5 mediate some of their anxieties and fears. In the
6 recent case of Ovante Oquendo brought to life the
7 fear of many parents of a child or adult with Autism
8 who has on a daily basis, whether at home, school, a
9 neighborhood store or family outing the fear of their
10 child eloping, otherwise known as wandering, bolting
11 or running, is very real. According to a recent
12 study conducted by the interactive Autism network
13 through the Kennedy Krieger Institute 49% of children
14 with an Autism Spectrum ah disorder, tried to run off
15 at least once before they reach the age of... once
16 after they reach by the age of four. In the same
17 study 58% of parents stated eloping is the most
18 stressful behavior they encounter. Furthermore, the
19 study also highlighted said children between the ages
20 of four and seven with Autism were four times as more
21 likely to wander away than children with the same age
22 without Autism. That number doubles to eight times
23 between the ages of seven and ten. When it comes to
24 children with Autism and especially those who are
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2 unable to communicate GPS technology could be a time
3 and life saving tool. However, this technology, like
4 any other technology, has limitations, especially
5 with the regards due to costs. On average the device
6 can cost families \$500 a year but we have seen costs
7 as high as \$750 per year, which covers the costs of
8 the device and monitoring. To some this may not
9 sound expensive when it comes to providing a layer of
10 security for their child but for many families this
11 cost is a financial burden. To put it into
12 perspective 60% of the 1,600 QSAC participants we
13 served each year um is participants who come from
14 low-income families. It is important that the
15 families with the child with Autism, such as the
16 families we serve, have access to a GPS tracking
17 device regardless of the ability to pay, especially
18 when it comes to the safety of their child. This is
19 why we hope New York State will cover the costs of
20 these devices under the People's First Waver, thereby
21 allowing families to add another layer of protection
22 for their child, regardless of affordability. Of
23 course, these devices are not a guarantee, as a
24 parent should not be given a false sense of security
25 that the GPS technology is the ultimate answer to

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2 ensuring their child's safety. We must also be
3 cognizant that GPS technology has its limitations.
4 It can't prevent accidents that involve crossing the
5 street, walking within a cross walk, strangers, who
6 with intent is to cause harm. For this reason GPS
7 technology should be used in coordination with other
8 precautionary measures that parents and service
9 providers have in place, coupled with valuable
10 community-based trainings for parents and caregivers.
11 When it comes to children and adults with Autism, we
12 must ensure a full wrap around response that sees
13 technology as an aspect of ensuring a child's safety
14 while also continuing to support trainings and other
15 initiatives that support families in ensuring the
16 safety of their children. Another limitation that
17 was touched upon earlier, um, another limitation
18 needs to be considered is coverage area and
19 reliability for these devices and the research that I
20 have done, some devices either have little or no
21 coverage in the New York City area. To this end we
22 need to be engaged with network providers to
23 encourage them to expand access, ensure that coverage
24 is not a barrier to access service devices. I cannot
25 emphasize how important to, how it is for families to

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2 have the flexibility of choosing a device that is
3 appropriate for their child. For example, a child
4 who is able to wear a bracelet or necklace, with a
5 tracking device, isn't necessarily appropriate for
6 another child. Families should have access to a list
7 of devices to choose from, so as to select a device
8 that is most appropriate for them. As an
9 organization that has served the Autism community for
10 the last 36 years, the resolutions here and
11 introductions, mean a great deal to the families we
12 serve around New York City and Long Island. Since
13 1978 QSAC has been trusted by families on a daily
14 basis, not only to provide the best quality of
15 service for their loved one but also trusted to keep
16 their children safe. Community based organizations
17 like QSAC can provide valuable insight and guidance
18 to ensure the success of new programs and assist
19 families of protecting their loved ones. We look
20 forward to working with Council Member Wills, members
21 of the committee, OPWDD, and the NYPD as partners.
22 Together, we can create a network that can be a model
23 to the city and other cities to provide another layer
24 of safety to the Autism community. Thank you.

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KIM ROSENBERG: Thank you very much. And Susan Williams?

SUSAN WILLIAMS: Good afternoon.

KIM ROSENBERG: Thank you.

SUSAN WILLIAMS: It is an honor to be here. I'm here um, thank you, on behalf of Marco Domiani, who I believe uh, you spoke with, um, earlier this week, or perhaps last week. Um, I am Susan Williams. I am a parent vice-chair of the Manhattan Developmental Disabilities Council and uh, unfortunately or fortunately, the parent of a young autistic non-verbal adult with Autism. The Manhattan Developmental Disabilities Council is an official advisory body to the New York City Department of Health and Mental Hygiene to the New York State Office of People with Developmental Disabilities and [SPEAKING TO SOMEONE ON THE SIDE, LAUGHS] to the Manhattan Developmental Disabilities Regional Office. We meet monthly to assess, identify the needs of the Manhattan community. We address all areas of concern in relation to existing services and needed support for people with intellectual developmental disabilities which includes Autism and their families. I am here today to provide testimony to

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2 the City Council on the above-referenced topics on
3 behalf of Marco Domiani[SP], the Chair of the DD
4 Council could not be here today and he is the
5 Executive Vice President also of YAI Network. We
6 were all shocked and saddened at the loss of Ovante
7 Oquendo. Our hearts go out to his family and all who
8 knew him. Unfortunately, the tragic events
9 surrounding Ovante could happen again. Children and
10 adults with intellectual disabilities are at an
11 increased risk of becoming lost and harmed.
12 Thankfully, due to the vigilance of the Developmental
13 Disabilities Community, along with the New York
14 Police Department and caring New Yorkers, most
15 individuals who are lost are quickly found in good
16 health. This is not always the case, however, so we
17 applaud the City Council's efforts in strengthening
18 provisions to further protect vulnerable persons
19 through a registry promoting the use of tracking
20 devices, as appropriate, to aid in the effort to
21 quickly locate a missing person with intellectual
22 developmental disabilities. We offer a few
23 recommendations and this is just simply a change in
24 the wording of some of these things. Intro 286
25 Chapter Nine Section F, "We propose that special

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2 medical needs be changed to read Autism Spectrum
3 disorder, or another intellectual developmental
4 disability and that the word *illness* be stricken and
5 be replaced with *condition*. You are not really
6 talking about sick people here, we are talking about
7 a disability. Um, in resolution Number 174, and in
8 all other sections, as appropriate, we also ask that
9 provisions not be limited to people simply with
10 Autism, but to include all people with intellectual
11 developmental disabilities. In Resolution Number
12 174, it may already be the case that tracking devices
13 are eligible for reimbursement under the OPWDD, um,
14 People First Waver, um, we recommend that the City
15 Council confirm the available funding of assisted
16 technology device, whatever it might be, and I agree
17 with the gentleman from QSAC that all devices are not
18 appropriate for all people. Um, and then work
19 collaboratively to pursue an education and outreach
20 campaign. If it is not an allowable support then
21 OPWDD will have to find an alternate funding stream
22 or possibly modify its lists of services with the
23 Federal Government. On behalf of the Manhattan DD
24 Council, its many parents and I have been involved
25 with this council for uh, I think 25 years, uh self

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2 advocates, which uh, they're marvelous participants
3 and the many providers, QSAC among them, we again
4 thank the New York City Council for taking the
5 leadership role in ensuring greater protection for
6 our most vulnerable New Yorkers. Thank you.

7 KIM ROSENBERG: Thank you very much and
8 Christine Austin.

9 CHRISTINE AUSTIN: Good afternoon, my
10 name is Christine Austin and I am honored to be here
11 today and to be given the opportunity as the director
12 of Adult Services Program on Long Island and Queens,
13 as well as a special education teacher that works
14 with individuals, young adults, um children with
15 Autism and their families within their homes. Um, I
16 am here to speak on behalf of the School for Language
17 and Communication Development "SLCD" an able
18 community adult services to voice our support for
19 amending the Silver Alert Program to include missing
20 persons with developmental disabilities and to make
21 available GPS tracking device to those persons who
22 are at great risk for wandering, elopement, injury
23 and death. We believe that all children and adults
24 of all abilities have a right to realize their full
25 potential while living and learning in a caring and

1 safe environment. We have the privilege of working
2 with developmentally disabled children and adults and
3 are familiar with the challenging behaviors of
4 elopement. Today, 1 in 68 persons are diagnosed with
5 Autism and are at risk for wandering related
6 incidents and death. In California, it was found
7 that elevated death rates among those with Autism
8 Spectrum disorder were in large part due to drowning,
9 which was a result of wandering. Awareness of the
10 incidents of Autism and its risks is not enough.
11 Awareness of the tragic results of wandering is not
12 enough. It is our responsibility to utilize
13 prevention materials to decrease the risks for those
14 persons most vulnerable. Prevention includes the
15 expansion of an alert program and the use of GPS
16 tracking devices to ensure the safety of our most
17 vulnerable, susceptible and our most loved citizens.
18 We applaud the recent resolution calling for the
19 Silver Alert Program to include persons with
20 developmental disabilities. We applaud the New York
21 City Council for putting forth this amendment. We
22 urge the United States Department of Justice to fund
23 this project. We urge the Committee on Mental Health
24 Developmental Disability Alcoholism Drug Abuse and
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2 Disability Services to amend the administrative code
3 of the City of New York, to amend the Silver Alert
4 Program. We urge the New York State Office for
5 People with Developmental Disabilities to include the
6 use of GPS tracking devices and the covered service
7 available under the People First Waver. Thank you.

8 ANDREW COHEN: Uh thank you for your
9 testimony, I was just wondering sort of, uh, taking a
10 step back sort of, uh, in terms of interfacing with
11 the law enforcement when there is a wandering or an
12 elopement event, I don't know if your members of your
13 organization or anecdotally, if there is a feeling
14 about what the level of response is. Is the current
15 level of response adequate, what is the reaction of
16 parents you know who, or caregivers who, when one of
17 these events takes place that they have to
18 inter...interface with law enforcement, is that process
19 you know, getting the results generally speaking,
20 that we're looking for or not?

21 SUSAN WILLIAMS[?]: I believe that the
22 police are terrifically responsible. My child went
23 to public school here in New York with the most
24 severely disabled children, not only autistic um, but
25 they would elope and the New York Police Department

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2 was incredible at responding, and um, when adult
3 people go missing I'm member of a, a, a, an
4 organization called the Interagency Council, uh
5 through a parent advocacy network that I run and um,
6 if someone goes missing the alert goes out to every
7 single member of IAC and it also goes out to the
8 police and I must say the responses that I've heard
9 and the solutions have been you know, good, they
10 found the people.

11 CHRISTINE AUSTIN: I also agree, um. I
12 feel that the response time of the, the New York City
13 Police Department is, is definitely key and it is
14 there. I do believe though that we need to continue
15 the education and the training amongst the agencies
16 and the individuals who are most familiar with
17 individuals with disabilities and Autism Spectrum
18 disorders um, for the members of the police
19 department as well.

20 PAT BARRIENTOS: I just want to add that
21 I joined QSAC just about a month or so after the
22 disappearance of Ovante, um, but I have to say
23 visually, the response was amazing. Uh, I do live
24 out on Long Island now and there were posters all
25 over the place. I have to say that it was an amazing

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2 response, um but what I think what made it a great
3 response was a collective coordinated effort, not
4 just lead by the NYPD, but various organizations. I
5 know that QSAC volunteers to help in the search and I
6 think that, as I said in my testimony, that community
7 based organizations do need to be part of the
8 conversation and collectively work together all
9 across the board, uh, from local, state and federal
10 government and across organizations so that we have a
11 program in place and have an amazing response we saw
12 with the Ovante case.

13 COUNCIL MEMBER RUBEN WILLIS: [INAUDIBLE]
14 We know that this is not something that is a one-day
15 event. Um, that we know it's not something that's
16 just a national Autism, you know, month event. This
17 something that people are living with every single
18 day and there is a lot of stresses to it. Um, with
19 that being said, we would ask additional support from
20 you to making sure that one of the things you stated
21 was making sure that this be included into the
22 People's First Waver with Medicaid but make sure that
23 everyone has this and if you stick around we have a
24 presentation of a young lady who actually show us how
25 the costs can be no longer a barrier to any income,

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low income, especially. Um, and it, it displays that the costs is prohibitive also to middle income families when you have to deal with the modifications to the fencing outside your home, inside your home, your automobiles, uh, the clothing expenses. All of these things come into play so we want to thank you guys for that.

ANDREW COHEN: Councilor you have a point?

UNKNOWN COUNCILOR'S VOICE: I just had a kind of a brief statement, um, before I became a council member, I was a legislative policy analyst on the Committee on Aging and when we looked at seniors who were dealing with disabilities, Autism, dementia, uh the facilities that they were housed in usually, um, accommodated, uh, elopement by having alarms on the doors so I have a companion bill introduced to alarm, uh uh, Department of Education, or buildings that house Pre-K into fifth grade but also District 75 schools. Um, really to mirror what's done for the adults so [laugh] it doesn't make sense to me that you would have adults who have uh, safeguards in place of alarming doors and it really wouldn't be present in our most vulnerable, which is our children

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2 and I just wanted to know if you guys had any
3 thoughts on that? You know, in watching what's done
4 for adults uh, dealing with the the entire spectrum,
5 whether it's from uh, uh, Autism to dementia to any
6 of those things a long time ago we recognized that
7 there needed to be safeguards in place to protect
8 them from themselves to some degree. Um, and you
9 kinda would like to see the same thing in place for
10 children. I was just wondering as advocates what you
11 thought of that?

12 SUSAN WILLIAMS [?]: Um, I think that
13 it's an important measure and an important piece of
14 this whole package of legislation and education that
15 needs to go along with the legislation because you're
16 right an alarm is a simple thing and it can send out
17 an immediate alert and can stop someone from
18 wandering very far and I know that there might be
19 some concern about children with Autism having
20 sensory sensitivities and I think it is a balancing
21 act. I think you have to balance the safety of a
22 child against that and I think safety, safety wins
23 out because the other things can be, uh, you know if
24 a child has a melt down or something like that it can

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be addressed but safety should be the paramount concern so I'm very supportive of that measure.

PAT BARRIENTOS: QSAC uh, we have 17 residential homes within our program, uh it's actually looking to open two more uh, sometime this year, uh, that's in the process, uh, I will share with the Committee our procedures uh, in terms of what we do to ensure elopement doesn't happen, or you know, what the protocols are and uh, you know, I would share that with you and would love to work with you, uh, on that legislation.

UNKNOWN MAN'S VOICE: Can you give me a brief description or are you gonna share it with me probably in its...

PAT BARRIENTOS: I probably couldn't do it any justice because I'm not too familiar with the adult program, uh, on the residential side, uh, but I, because I want to make sure I have the most accurate information and I will do that.

KIM ROSENBERG [?]: The agencies that I know that I work with and the agency where my son lives are, um, they're very concerned with safety. Health and safety first, and uh, they have put in safeguards and they are very, um, aware of, um, of

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the need of protection of these individuals. Um, I applaud your putting this legislation forward because I think it is badly needed. We all need to work together and continue to work together. Um, but I'm not afraid of where my son lives that he's going to, uh, run away, which is, um, wonderful. I'm not, I'm not afraid of that.

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ANDREW COHEN [?]: Thank you for your testimony.

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KIM ROSENBERG: You're welcome, thank you.

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ANDREW COHEN: I'm sorr, I'm sorry...

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PAT BARRIENTOS: Just real quick. I just wanted to thank you on behalf of...uh, if it wasn't for your input DTAP and these other pieces of legislation would not have, uh, come to arise so, um, we don't like when other agencies in the City tell us they can't do something because it's too hard.

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[LAUGHTER] good, good.

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PAT BARRIENTOS: So be rest assured we're not going to end because someone tells us it's too hard to do...

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KIM ROSENBERG[?]: Thank you, thank you.

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PAT BARRIENTOS: It's not an answer we want to hear...

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KIM ROSENBERG: Thank you, thank you.

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PAT BARRIENTOS: so I think you found that out very quickly from all of us up here we weren't happy with it but we will continue to work with you.

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KIM ROSENBERG: Thank you for your offer.

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[WOMAN - UNSURE]: Thank you...

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[GROUP TALKING]

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COUNCIL MEMBER VANESSA GIBSON: Our next panel is Lauren Watkins, Jessie Mohica and David Perecman.

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[GROUP TALKING]

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COUNCIL MEMBER VANESSA GIBSON: And if there is anyone else here is interested in testifying or speaking please make sure you see our Sergeant and sign up. Thank you.

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DAVID PERECMAN: Is it alright if I keep this up here:

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COUNCIL MEMBER VANESSA GIBSON: You can't take it on an airplane that much, that much I can...[INAUDIBLE]

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DAVID PERECMAN: I got mine.

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COUNCIL MEMBER VANESSA GIBSON: Ok,

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before we start Council Member Cornegy.

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COUNCIL MEMBER CORNEGY: Um, I, I just

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want to say that, um, I know that the, uh, family of

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Ovante is present and I wanna, uh, congra...you know,

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just wanna say that um, we've been very sensitive and

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knowing that they're here is a testament and to hear

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them listen to all the testimonies is a testament

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wanting this not to happen to another child or

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another family. I just wanted to acknowledge their

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presence.

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DAVID PERECMAN: They're in the back of

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the room and, on their behalf, thank you very much.

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COUNCIL MEMBER VANESSA GIBSON: Thank you

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very much Council Member Cornegy and I guess all of

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us together we share that and we continue to offer

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our prayers to Ovante's family. I'm certainly I I

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appreciate that through pain and through struggle

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that the family has taken their pain and turned it

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really into a plan and a purpose, um, because

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advocacy is truly the way to go. We certainly, these

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unspeakable tragedies, we want to prevent as much as

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we can so I applaud, um, his mom for being here and

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family and thank you so much for the work you're

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doing and we will begin. Thanks. Lauren, you can go first.

LAUREN TERRY WATKINS: Oh I go first?

[MAN'S VOICE]: You wanna go first?

COUNCIL MEMBER VANESSA GIBSON: Yes

Lauren, you may go first. Ladies first...[LAUGHTER]

Yes. Yes. Thank you, thank you so much. Um,

[MAN'S VOICE]: We're just offering a segway.

LAUREN TERRY WATKINS: [LAUGHS] The entertainment has arrived. Ok, hi, um, and I, before I even start I echo your sentiments, sir. Um, when I was writing this testimony I didn't know that Ovante's would be in the room, but I thought about it all the time and when Councilman Wills' office informed me that she would I thought well I'm just gonna cross out every single reference to Ovante and the I said "you know what, these are brave people, and they deserve to be recognized." So I rethought it but I totally understand what you mean, and a, with that I will introduce myself. Good afternoon ladies and gentlemen and thank you for having me. My name is Lauren Terry Watkins. I'm the president of Independent State Clothing and Wearable Tech Company.

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2 But more importantly, I am the mother of Liam, Liam
3 who has Autism. He goes to school in College Point,
4 Queens and I am here to support Councilman Ruben
5 Wills in his efforts to establish a voluntary
6 registry for those with disabilities that might cause
7 them to wander, the Alert System and, in particular,
8 the Councilman's motion to ask the New York State
9 Office of People with Disabilities to include GPS
10 tracking devices as covered services available under
11 the People First Waiver. Ovante Oquendo's body washed
12 up on the rocks of the East River in College Point,
13 Queens. My son Liam, who lives with Autism, attends
14 a special ed school right there in College Point. A
15 stone's throw away from where Ovante was found. Liam
16 and Ovante are and were about the same age. Ovante
17 is gone because no one could find him and when he
18 wandered out of school. Clearly, we all need a way
19 to find the Ovante's out there, all 48% of the Autism
20 population that is at risk for wandering every day.
21 That takes not just a village but an entire citizenry
22 to be aware and educated of what to look for and how
23 to prevent the "Ovante Human Tragedies", but I am
24 also willing to avail my son, and anyone with Autism,
25 the best of technology that is out there as well,

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2 technology to help electronically locate these kids
3 and adults, who lose their bearings, and then could
4 sometimes lose their lives. I was a TV news anchor
5 for ten years before I quit my job to care for my
6 son. I used to interview a guy named Peter Vallone
7 all the time. [LAUGHTER] All the time and argue with
8 him, and run him, ah Tony LoBianco's apartment every
9 Christmas Eve, yeah, so, good greetings and good to
10 see you, but um, he was one of my favorite interviews
11 when I used to have to track down city council
12 members and now I come to you as a mother. Uh, I'm
13 not longer in that role, but I put my journalistic
14 roles to work and I researched the GPS market and I
15 found some very promising things but I also found
16 some very distressing things, which you've already
17 heard a little bit about so I won't go into it too
18 much. But I did learn to sum up, that when it comes
19 to Autism and locating devices, that there are these
20 tiny cheap GPS's, but they don't work in urban
21 environments. They just don't work, and I learn that
22 you slapping this GPS on this population any which
23 way that was not going to work either. So I beta-
24 tested 11 different GPS devices at Autism school here
25 in the New York area, urban areas, so that we could

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2 really figure out what's going on. Because what I
3 learned is that trees and buildings, clouds and all
4 this stuff, it interferes with it. It interferes
5 with it. You know, we have this sci-fi version of
6 it, that these GPS trackers are all the size of your
7 thumb-nail and that you could just implant a chip in
8 your neck and you're fine, like a dog, no, that thing
9 just is a reader if your dog gets lost you could scan
10 it and find out who it belongs to, but it's not going
11 to find the dog while he's running away. There are
12 so many misconceptions about what GPS's can and
13 cannot do. Um, and, uh, I will tell you in a minute
14 why I became such an expert in them, but I jus..I
15 just wanted to say that, you know, we learn that just
16 slapping these things on don't work and I beta-tested
17 11 different GPS's and I can only confirm what just
18 about every Autism mom could tell you without having
19 to do focus groups and do beta-tests like I did. An
20 Autism Mom is going to tell you this, that in
21 addition to the cognitive deficits our kids face
22 we've also got severe sensory issues and you've heard
23 a little bit about them. Let me tell you what a
24 sensor issue is. It's the stuff that most of us
25 don't really worry about. We don't worry about a

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2 scratchy shirt tag, we don't worry about a twisted
3 sock seam. We don't worry about an ordinary wrist
4 watch, but that stuff can someone with Autism into
5 tantrums. It can make them tear off a shirt in a, in
6 a school bus and it can make them kick off a shoe in
7 a shopping mall. You, you think you're seeing a
8 tantrum, but you're really seeing some non-verbal kid
9 saying "there's something I'm wearing and it's
10 freaking killin' me!" so that's what we really need
11 to figure out. So that, imagine if you will, getting
12 someone like that to wear a GPS device. Wear it
13 around their neck? What, so a predator can see it
14 and rip it off and throw it in the East River? I
15 don't think so. An ankle bracelet, like he's under
16 house arrest? Not gonna happen. Even a wristlet,
17 there's a kid in my kid's class, out in College
18 Point, she chewed through a "Hello Kitty" watch in 10
19 minutes. I watched her, so clearly she wasn't having
20 a very good day wearing a wrist device. So what are
21 we gonna do to make them not ruin their whole day?
22 Then answer is I came up with a sensory-soft clothing
23 line that houses and hides GPS trackers in soft
24 compartments, so that no one needs to know the
25 tracker is there. Not the child, who might otherwise

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2 fuss and fidget with it, not a predator, only the
3 teacher, the caregiver, the parent, the bus driver.
4 Those are the people who need to know that they have
5 it. Nobody else and so many people have said, "Oh
6 this so Big Brother Lauren, this is really bad." And
7 I said, "You know what, the technology is here. It's
8 not going away. We are not gonna put the genie back
9 in the bottle. Let's use this technology for the
10 good. Let's let the good guys win for a change. Let
11 us have this technology. Let's make it available to
12 us. Let's stop giving the technology to the bad
13 guys." So I founded this company, it is a fledgling
14 company and Councilman Wills has real business savvy
15 because he basically told me how to start up my
16 company and that's why I am here today and I thank
17 him. The guy knows what he is talking about. Uh, my
18 company is called "Independence Day Wearable Tech"
19 because it gives the wearer a degree of independence,
20 but it also gives the parents and caregivers a moment
21 of independence, a moment normally spent worrying
22 about where the heck their kid is, so I just have
23 this shirt here, you may have seen it. It's a shirt,
24 it looks like any shirt, because [SPEAKING LOW TO THE
25 CROWD], we are in the dignity business here,

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2 [VOICES]...exactly. You can cover him for a second, uh
3 we're in the dignity business. These kids should not
4 be wearing sloppy hospital wear. They need to wear
5 shirts that look like any other preppy kid going to
6 school in Greenwich, Connecticut every day, so here
7 you go. But it's got this hidden compartment and
8 it's got a GPS tracker in it. Now a lot of you might
9 say, "That's not...that's pretty big." You know what
10 it is. But this is the most accurate one we have out
11 there. I'm not gonna go in to brand names because
12 I'm not advertising anybody, but trust me, in six
13 months, this technology will be half the size of
14 this. But until then, we have this very soft
15 compartment that nobody needs to know it's there.
16 It's "FCC approved", it's "Councilman Wills
17 approved", or at least he thought it was pretty cool.
18 [LAUGHTER] And so it's, it's not the entire solution
19 but for once we're not just part of the problem. So
20 I'm grateful to the council, Councilman Ruben Wills
21 for hearing my concerns, to listening to my ideas and
22 for advising me to get a patent. Regrettably, Autism
23 is a growth industry. When my son was diagnosed in
24 the year 2000, the CDC said one in 500 children will
25 be diagnosed with an Autism Spectrum disorder. That

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2 number today is one in 68. New York State Medicaid
3 will sometimes partially reimburse families with
4 Autism, to build a fence around their house. In
5 fact, they did that for us. We built a fence that
6 cost \$4,000 and the State gave us \$3,000 back, and I
7 was enormously grateful that after a mound of paper
8 work, and a year's wait, I got a check for \$3,000,
9 I'm grateful. But you know what? A GPS tracker is a
10 fence or a perimeter that goes everywhere the child
11 goes. Ovante did not go missing from his front yard.
12 Ovante went missing from his school. So, I'm asking
13 the State of New York just to say a fence is great
14 but just update your information about what's out
15 there and what's available. The technology is out
16 there, let's use it. And like I said Ovante was in
17 school, no fence around his home could have saved
18 him. But a GPS tracker is a perimeter that follows a
19 child everywhere he goes, and so as an Autism mom, I
20 would be really grateful if the State recognized that
21 and included the GPS technology in its
22 reimbursements. In fact, what I have decided to do,
23 is when I starting taking bids out, I was out at
24 Venture Capital Conference in San Francisco, and all
25 these tech companies came up to me and said, "I want,

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2 I want, I want to be the technology in your shirts."
3 And I said, "Here's the deal. You give away that GPS
4 for free and I'll, and I'll partner with you." Um,
5 and I got, and I got a taker and then I tested it and
6 it worked great. So what I'm trying to do is if I
7 can get it in their hands, buy my shirt, get a free
8 GPS. Um, that was also a really good idea Councilman
9 Wills, thank you for that. And what it's really
10 gonna do it's going to bring this to low-income
11 families who are so afraid of technology. Our focus
12 groups found that GPS even, you know we even have it
13 in our car, that they are afraid when it comes to
14 their own kid. And so we've got a system where you
15 gonna get, gonna get, clothes, you're gonna get GPS,
16 you're gonna get tech support in Spanish or English.
17 Um, all of this is just for signing up and being with
18 us. So I would just like to say that the extra dose
19 of safety that would bring to the children and the
20 security that it would bring to the parents would be
21 so appreciated. Thank you very much.

22 COUNCIL MEMBER VANESSA GIBSON: Thank you
23 very much and for your presence, your testimony and
24 all the great work you do, and all of the credits of
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2 Council Member Wills, of course. [LAUGHTER] Next we
3 will hear Jessie Mohica.

4 JESSE MOHICA: Good afternoon everyone,
5 um, before I start I just wanted to, uh, echo Council
6 Man Cornegy's words to, um, to the Oquendo Family,
7 uh, my thoughts and prayers, and the thought of my
8 family are with you, and I just want to say as a
9 father of uh, a son with Autism, that uh, how deeply
10 I respect and appreciate, through unimaginable pain
11 and tragedy your strength in advocating on behalf of
12 the thousands of families, um, millions of families
13 throughout the nation, that um, that have, uh, loved
14 ones with Autism. Good afternoon Chair Gibson, Chair
15 Cohen, and all the members of the City Council
16 Committees on Mental Health and Public Safety, my
17 name is Jesse Mohica, and I'm the proud father of two
18 sons, one of which is a non-verbal 15 year old man
19 with Autism named Adam. I thank you for this
20 opportunity to provide testimony today to help
21 educate the general public about Autism, as well as
22 encourage the Council to pass the legislation and
23 support the resolutions that are being introduced to
24 provide supports and safe guards to those with
25 Autism. Autism Spectrum Disorder and Autism are both

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2 general terms for a group of complex disorders of
3 brain development. These disorders are characterized
4 in varying degrees by difficulties and social
5 interaction, verbal and non-verbal communication and
6 repetitive behaviors. Autism statistics from the
7 U.S. Centers for the Disease Control Prevention
8 identify one in 68 American children as on the Autism
9 Spectrum. A ten-fold increase in prevalence in 40
10 years. Autism is four to five times more common
11 among boys than girls. An estimated one out of 42
12 boys and one in 189 girls are diagnosed with Autism
13 in the United States. When my son Adam was diagnosed
14 with Autism over 13 years ago, our lives were
15 dramatically changed. He was developing normally
16 until about 18 months, when he experienced rapid
17 regressions. He first lost his words, then his smile
18 and then he retreated to his own world. It is very
19 difficult for me to encapsulate in words how
20 difficult that was. My son has not said a word to me
21 in over 13 years but he speaks volumes to my spirit.
22 My son does not speak, he has very limited
23 communication skills and is not aware of danger. He
24 also has significant developmental delays and needs
25 assistance with all daily living tasks. When we are

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2 with him outside, we make sure we are arm in arm
3 because if we were to let him go he might run into to
4 traffic from us. If he were lost, he would be at the
5 mercy of our society, as he is unable to tell anyone
6 where he lives, or his needs or his wants. I sit h
7 ere today as a father to call upon the support of the
8 legislation in the resolutions being introduced here
9 today. We must do all we can to protect all of our
10 loved ones with Autism. All of these measures will
11 go very far in helping to protect our most vulnerable
12 population, as well as sensitize, and equip our
13 society to better comprehend, care for, and respond
14 appropriately to the needs of those with Autism. I
15 would also like to take this moment to thank Council
16 Member Wills for his leadership on this issue, and
17 all of the members of each committee for their
18 support of those with Autism and their families.
19 Thank you very much.

20 DEPUTY CHIEF JEREMIAH QUINLAN: Thank you
21 very much. David?

22 DAVID PERECMAN: Good afternoon. Uh,
23 Councilman Wills, Cornegy, Vallone and Chair Cohen,
24 Gibson, thank you for letting me come down. Um, I,
25 myself really, and nothing more, here than a conduit

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2 for my client, who, uh, in the back of the room, but
3 thank you for letting me be here. I am blessedly
4 lucky. I do not have an Autistic child, but over the
5 past six months I've been drawn into the lives of
6 people who do, who have become my clients, who I have
7 become close with. And I do have friends, uh, it,
8 it, it's so prevalent it's scary. I have so many
9 friends with this situation but the friends who I
10 have live in the suburbs. They are people of means.
11 Significant means, and they have schools and nannies
12 and all sorts of things that they can do to make sure
13 that things like this don't happen. There's only one
14 thing that can be said to you and there is only one
15 thing that should have been said to you by the police
16 department, or anybody else and that is Bravo! Thank
17 you very much. The City, after Ovante went missing,
18 engaged in a search that I don't think that I've ever
19 seen the likes of, for anyone. Now, the City
20 Government, you here, the State, the Federal
21 Government, have all come together and are all
22 individually posing various items of legislation,
23 changes to make sure this doesn't happen again, and I
24 commend everyone. There are a few things I'd like to
25 add because the devil is going to be in the details.

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2 I don't know if we're ever going to be able to design
3 a system that can guarantee that this will never
4 happen again, but we can do many more things, which
5 this is one very good idea in that regard to help
6 prevent it. Um, Councilman Cornegy's idea about the
7 alarm on the door, you have no idea how many times
8 I've looked at that video tape and watched that door
9 lay there wide open for 30 minutes and not only was
10 the self-closing device not working on the door,
11 because it was a newly-built school, and somebody
12 obviously hadn't gone through the punch list, but
13 nobody went over and closed it, except a school
14 safety agent went over and closed it three minutes
15 after Ovante left the building and out that door.
16 There were a couple of things I want to ask first,
17 can you explain to me how this Silver Alert System
18 fits within this rule brick, because it calls for 24
19 hours. Can somebody help me with that? Because 24
20 hours is a really long time.

21 COUNCIL MEMBER RUBEN WILLS: So that's
22 why we have the hearing so that we can adapt, um, the
23 legislation, uh, as per input from the experts, which
24 would be you, uh, myself and the other members here
25 who are sharing and co-sponsoring and they have full

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input. They actually helped author with the legislation, um, we're here not as people just to have a show, but we're here as people to bear testimony that we don't know, and the only way that we can find out is if you help us. So to me, a 24 hour window would be a long amount of time also, but we're not the experts. That's why we have NYPD here.

DAVID PERECMAN: Ok I was just asking.

Uh, because, and forgive me Vanessa and Dorris, because there are things that I have to say here that are difficult for them to hear. Ovante's school, despite being the school that housed District 75 children, children with Autism are known to be attracted to water and many of whom who disappear end up drowning, um, was located a couple hundred feet away from the East River. We don't know yet, how he ended up in that river. I don't know if we'll ever figure that out. We do know that he ran across the street into the part, we do know that he ran south, and we do know that nobody ever saw him ever again, and we do know that he ended up, indeed, on the same side of the river, although north. Um, there is just is, just isn't a side much evidence that I've obtained and looked into with experts. Indeed there

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2 is a significant flow of water that pulls tides north
3 on the East River as well as south. You can end up
4 there. So, 24 hours is clearly an issue. Um, I just
5 wanted to mention that. There's something else that
6 I noticed. This calls this, I think would need to be
7 set up in such a way that the tracking device, not
8 the device on the child, but the device where you can
9 locate the child, cannot be in the hands of the
10 police. I think it has to be in the hands of the
11 school, if that child is in school, and it has to be
12 something, there has to be a way to set this up, that
13 you can put this through a cell phone and get this on
14 the internet and get this to mommy and daddy, or
15 older brother, a family member. And the reason for
16 that is, there is no question with what we have found
17 out, is there was a major gap in time until the
18 police were notified, as close to an hour, because
19 people go into CYA-Mode, and the people don't, and
20 any caregiver, who loses a child like this, may be
21 more fearful of saying, "Oh my, look what I've done."
22 Before they give that notification, so one of the
23 details that has to be looked into this "perimeter
24 concept". He walks out of the building and I know it
25 exists, walk out of the building - text goes to mom,

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2 text goes to dad. There's no questions, nobody asks,
3 we can't wait for people, this system, I've learned
4 one thing from watching what happens with the
5 Department of Education and School Safety Division.
6 You have to "dummy proof" this system. You have to
7 make it so that no people are involved who can make a
8 mistake like what happened here. And the reason why
9 is because with all of this happening and with all of
10 the press and I have said not nice things at times in
11 the press, nobody at the Department of Education, the
12 Police Department and the School Safety Division are
13 doing very much at all. My understanding is, Agent
14 Perez still works at the school. I may be wrong,
15 but, I haven't heard anything different. So things
16 like this have to be done and I only mention this
17 because I have a mic in front of me and you're here
18 that I ask each of you to the extent you can, to
19 reach out to those entities and ask them to actually
20 figure out why what happened, happened, instead of
21 defending their litigation against me. They're going
22 to lose anyway. What they did here was horrific.
23 There were so many mistakes made. They couldn't
24 possibly escape liability, but now they have to
25 figure out why they did it and they have to not write

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reports that make it look less bad and we had a chief of the police department here and one of the things they talk about in the reports is how the School Safety Agent was engaged in a conversation with a child and her father when Ovante came down the stairs and that's why she was understandably distracted. I have the video tape. She wasn't talking to anyone.

ANDREW COHEN [?]: If we could please keep the testimony of the case. That's that's not what this series is here about. We're here for respect for the family but I really getting into uncomfortable ground with facts about evidence and things that are there, the attorney side of the ...

DAVID PERECMAN: Ok I'm sorry.

ANDREW COHEN[?: You have fathers here talking about their children and their parents focusing on the bills. I don't want to get into the condemning...

DAVID PERECMAN: I'm sorry. I'm just, I'm just asking that you, to the extent...

ANDREW COHEN[?]: I understand that...

DAVID PERECMAN: ...get them to look into so we can fix the problem from the other side of it, because it will help if the school safety agents and

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the Department of Education are also more helpful, along with these GPS devices because then the whole system will work together and this won't happen again. That's the only reason I brought it up. That's why I ask for it. Um, other than that I only say I think that this is great. I think um, I think this is a marvelous thing you are all doing and I appreciate it.

COUNCIL MEMBER VANESSA GIBSON: Thank you. Thank you all very much I appreciate your presence and your testimony and if anyone has any questions or comments. Thank you, thank you very much for being here.

ANDREW COHEN: That concludes the committee. Thank you very much.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Date: 05/13/2014