

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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October 16, 2016
Start: 10:22 a.m.
Recess: 12:38 p.m.

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-Copeland
Jumaane D. Williams
Robert E. Cornegy, Jr.
Chaim M. Deutsch
Rafael Espinal, Jr.
Rory I. Lancman
Ritchie J. Torres
Steven Matteo

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

Juanita Holmes
Deputy Chief and Commanding Officer
NYPD Domestic Violence Unit

Edward Hill
Deputy Commissioner
Mayor's Office to Combat Domestic Violence

Madeline Garcia Bigelow, Director
Domestic Violence Project
Urban Justice Center

2 [sound check, pause]

3 [gavel]

4 CHAIRPERSON GIBSON: Good morning, ladies
5 and gentlemen. I am Council Member Vanessa Gibson of
6 the 16th District in the Bronx, and I am proud to
7 Chair the City Council Committee on Public Safety. I
8 welcome each and every one of you to City Hall, and
9 to today's committee hearing. Today, we are
10 examining the NYPD's Domestic Violence Unit and four
11 domestic violence related and reported bills. I want
12 to thank the sponsors of the bills we are hearing for
13 their leadership in proposing these bills. Domestic
14 violence truly knows no boundaries. It can span
15 across all socio-economic backgrounds regardless of
16 one's age, race, ethnicity, education or sexual
17 orientation. I was glad and am truly pleased to
18 learn that intimate partner homicides in our city
19 have declined by 27% in 2014. And so far this year,
20 domestic violence related assaults have decreased by
21 over 6%. Today in our city, we have the lowest rate
22 of domestic violence related homicides of the ten
23 largest cities across the nation. Sadly, despite
24 these recent achievements, domestic violence
25 continues to be pervasive across our city. Just last

2 year in 2014, NYPD officers responded to over 282,000
3 domestic incidents all across the city, an average of
4 773 per day. Specifically, in public housing and the
5 New York City Housing Authority domestic violence
6 incidents have almost doubled from 2009 to 2013.

7 These, however, are only the incidents that we know
8 of. Many incidents simply go unreported due to fear,
9 to shame, loss of economic resources or threats of
10 violence, injury or death. Of the 62 family-related
11 homicides in 2013, a vast majority, 74% have no prior
12 contact with law enforcement. We need to see the
13 faces behind these numbers. Domestic violence harms
14 more than just the victim. It affects family
15 members, friends, co-workers, colleagues and the
16 entire community. Most importantly, it affects the
17 children. Every year more than three million
18 children witness domestic violence in their homes.
19 Studies have shown that this exposure to family
20 violence at such a young age normalizes and accepts
21 this behavior. It contributes to the next generation
22 of abusers or potential abusers and victims. We
23 truly must stop this endless cycle of violence.

24 The NYPD has recognized the unique
25 difficulties and challenges with domestic violence

2 related crimes, and has dedicated a domestic violence
3 unit to address these issues. These officers receive
4 specialize training in handling all of these cases.
5 Not only do these units fight crime, they do home
6 visits. They assist in obtaining order of protection
7 and provide domestic violence awareness outreach. In
8 addition, the department will be releasing a request
9 for proposal the end of this month for their Crime
10 Victim Advocate Program, which will expand their
11 current system for victim services. Under this new
12 program, each of our precincts along with our PSAs
13 will have a dedicated DV victim's advocate, which
14 will assist victims and families with navigating
15 various social services. In addition to learning
16 more about the DV Unit at the NYPD, we will be
17 hearing four bills today related to DV and hate crime
18 reporting. The first bill Intro 948, sponsored by
19 our Speaker Melissa Mark-Viverito, will increase the
20 frequency of reporting for DV and hate crime related
21 offenses and require that this data is posted on the
22 NYPD's website. Council Member Torres sponsors Intro
23 968, which would add to the previous bill, and
24 require the Police Department to report on the number
25 incidents and murders related to DV that have

2 occurred on public housing property. Council Member
3 Reynoso has sponsored Intro 961, which would amend
4 the previous bills by requiring the NYPD to report on
5 the number and percentage of all domestic violence
6 crimes that involve an incident partner. And
7 finally, the last bill sponsored by Council Member
8 Levine Intro 959, would amend the previous bills by
9 requiring the department to report on the number of
10 hate crimes broken down by the motivations of those
11 crimes. I believe that each of these bills will
12 provide valuable data that will assist us in
13 targeting and prioritizing services to those truly in
14 need, and I am proud to sponsor each of these bills
15 as a co.

16 Finally, in today's hearing we hope to
17 learn what created innovative solutions the
18 department is doing to address the problem of
19 domestic violence. I would like to know what support
20 our police officers need in responding to all of the
21 emergency calls, and understand some of the
22 underlying factors that also contribute to this
23 abuse. Truly, I am thankful for the opportunity
24 while October is National Domestic Violence Awareness
25 Month. We know that there are many victims living in

2 the shadows of darkness, and simply our efforts, our
3 aggressive message of ending domestic violence truly,
4 truly is prioritized each and every day outside of
5 October as well. So while many of us have stood
6 together, in our communities across the city we wear
7 purple, and in solidarity to end domestic violence to
8 make sure that many individuals know that love should
9 never hurt that there are services out there for each
10 and every one of our victims and their families. So
11 I am thankful to have and hold today's hearing
12 because it's really important to make sure that we as
13 an administration as a Council are providing all the
14 necessary resources and programs for our police
15 officers to respond efficiently and effectively.

16 I would like to thank the Public Safety
17 staff for really putting this hearing together. I
18 want to recognize our Counsel Deepa Ambekar; our
19 Legislative Analyst Beth Golub; Policy Analyst Laurie
20 Wenn; our Financial Analyst Ellen Eng; my committee
21 staff Dana Wax, and Kaitlyn O'Hagan. I also want to
22 recognize the Speaker's staff Fiza Ali and Theo Moore
23 for all of their help with this hearing. I'd also
24 like to acknowledge the presence of Council Members
25 Minority Leader Steve Matteo and Council Member Rory

2 Lancman, and we will have other members joining us
3 later throughout the day. And with that, we are very
4 proud to have with us providing testimony this
5 morning our Deputy Chief Juanita Holmes, the
6 Commanding Officer of the NYPD Domestic Violence
7 Unit, and our Deputy Commissioner for the Mayor's
8 Office to Combat Domestic Violence, Edward Hill.
9 Thank you both for being here, and with that, I'm
10 going to go to the clerk to do the oath of office.

11 CLERK: Please raise your right hand. Do
12 you affirm to tell the truth, the whole truth, and
13 nothing but the truth in your testimony before this
14 committee, and to respond honestly to Council Member
15 questions? Please state your name and affiliation
16 for the record.

17 DEPUTY CHIEF HOLMES: [off mic]

18 DEPUTY COMMISSIONER HILL: [off mic]

19 CHAIRPERSON GIBSON: So you just--you two
20 are the only ones testifying, right?

21 DEPUTY CHIEF HOLMES: [off mic]

22 CHAIRPERSON GIBSON: Okay, great. Thank
23 you so much again for being here, and you can begin.
24 Thank you.

2 DEPUTY CHIEF HOLMES: [off mic] Thank
3 you.

4 CHAIRPERSON GIBSON: Oh, wait, your mic.
5 Make sure the red light is on.

6 DEPUTY CHIEF HOLMES: It's only

7 CHAIRPERSON GIBSON: Okay. Great.

8 DEPUTY CHIEF HOLMES: Good morning, Chair
9 Gibson and members of the Council. I am Deputy Chief
10 Juanita Holmes, Commanding Officer of the Domestic
11 Violence Unit of the New York City Police Department.
12 On behalf of Police Commissioner William J. Bratton I
13 would like to thank you for the opportunity to
14 discuss the support and services that the Police
15 Department provides to victims of domestic violence,
16 as well as the four bills under consideration today
17 that relate to the Police Department's reporting of
18 domestic violence and hate crime statistics. I am
19 privileged to be joined here today by Deputy
20 Commissioner Edward Hill from the Mayor's Office to
21 Combat Domestic Violence. Providing support to
22 victims of domestic violence is a vital concern for
23 the department as well as for this Council, and it is
24 especially relevant today considering that October is
25 National Domestic Violence Awareness Month.

2 Last year, NYPD responded to over 280,000
3 domestic incidents citywide, an average of 767
4 reports everyday. So far this year, there has been a
5 21% reduction in citywide--I'm sorry. Reduction
6 citywide in the number of domestic violence related
7 murders year-to-date as well as a 6% decrease
8 citywide in domestic violence related felonious
9 assaults year-to-date. Domestic violence is an issue
10 that occurs in every community in New York City
11 regardless of race, ethnicity, gender and sexual
12 orientation. We have experienced success in our
13 effort to combat domestic violence, but many of the
14 most vulnerable victims who are in need of services
15 for the Police Department and other essential city
16 agencies cannot be ignored. In many cases, the
17 services and support that these victims receive can
18 save their lives as well as ensure the safety of
19 their loved ones.

20 The Administration is supportive of the
21 laudable goals put forward by the Speaker and the
22 Council to provide important regular statistical data
23 to the public regarding domestic violence and hate
24 crime incidents that occur in this city. While we
25 look forward to maintaining an open and ongoing

2 dialogue on how to best meet these goals, the bills
3 raise some initial concerns as currently drafted.

4 All four bills under consideration today require that
5 data regarding domestic violence and hate crime
6 statistics be reported online on a weekly, monthly,
7 and quarterly basis disaggregated by precinct.

8 Furthermore, the bills require that these reports be
9 updated weekly and posted on a webpage where the
10 department keeps its weekly COMPSTAT information.

11 Much of the data that is called for in the
12 legislation is already reported and made publicly
13 available online on an annual or fiscal year basis.

14 When interacting with domestic violence victims'
15 community, it is essential that efforts be made to
16 ensure the privacy of the victim, encourage the
17 reporting of the crime, and avoid re-victimization.

18 We caution that online reporting with the type of
19 frequency required in these bills, as drafted, for
20 what are very sensitive crimes down to the glandular
21 level, i.e., down to housing development, raises
22 general privacy concerns for the victim and could
23 possibly even stigmatize the residents of a
24 particular housing development.

2 I would like to now describe our multi-
3 faceted approach to assisting victims of domestic
4 violence. It starts at the Police Academy with our
5 recruits. All NYPD officers are trained on how to
6 respond to domestic violence incidents. This
7 universal training is primarily conducted at the
8 Police Department and is supplemented throughout the
9 year by command level training. It covers arrest
10 policies and procedures for domestic violence
11 incidents, proper completion of domestic violence
12 incidents reports, evidence collection, and the
13 department's policies and procedures for working with
14 domestic violence victims with limited English
15 proficiency. Central to the department's effort in
16 enforcing the law and ensure victims' safety is the
17 work for the Domestic Violence Unit. The unit is
18 composed of domestic violence officers, detectives
19 and supervisors throughout our precincts, and police
20 service areas. Our domestic violence officers
21 encounter unpredictable and potentially volatile
22 situations with skills and training that help ensure
23 victims' safety as well as their own. The officers
24 conduct home visits, assist victims in obtaining
25 court and counseling services, and help them obtain

2 shelter and safe home alternatives through our fellow
3 city agencies and partner service providers such as
4 Safe Horizon, New York City Anti-Violence Project,
5 New York Asian Women's Center and Sanctuary for
6 Families. Last year the Domestic Violence Unit
7 conducted over 70,000 successful home visits.

8 Since taking command of the Domestic
9 Violence Unit I have instituted bi-annual all-in
10 conferences for domestic violence officers, which
11 provide additional training on services available to
12 victims as well as relevant criminal law updates
13 relating to stalking aggravated harassment, and
14 criminal mischief. Our officers are trained on how
15 to recognize abusive relationships to not be
16 judgmental or questioning a person's motives for
17 staying in a violent relationship, and to understand
18 the factors that influence those decisions when
19 working with victims such as situational reasons like
20 economic dependence, social isolation, cultural and
21 emotional pressures or lack of viable housing
22 alternatives. It is our mission to help them stay
23 safe and learn about their options, and for the NYPD
24 to respond appropriately.

2 Additionally, each year the Domestic
3 Violence Unit hosts an annual conference at 1 Police
4 Plaza, which actually took place this past week.
5 That is attended by our domestic violence officers as
6 well as detectives, sergeants, and service providers
7 and more importantly Commissioner William J. Bratton.
8 Commissioner Bratton has repeatedly stressed the
9 importance of addressing public safety issues through
10 partnership and problem solving knowing full well
11 that domestic violence is traditionally an under-
12 reported crime. Providing essential services to
13 victims and spreading awareness about domestic
14 violence requires creativity, a willingness to
15 collaborate with others, and a key emphasis on
16 community engagement.

17 The NYPD has a strong track record of
18 working together with other city agencies in
19 providing critical services to domestic violence
20 victims. Each New York Family Justice Center, which
21 now operates in Brooklyn, Bronx, Manhattan and Queens
22 with Staten Island opening next year, contains two
23 domestic violence officers on site. These centers
24 operated by the Mayor's Office to Combat Domestic
25 Violence are co-located with local district

2 attorney's office and provide comprehensive multi-
3 agency and community services for victims of intimate
4 partner violence, elder abuse, and sex trafficking in
5 one location. Our domestic violence officers there--
6 are there to render care and guidance to victims, and
7 manage any aspects of criminality that arise. These
8 services are delivered in a comfortable supportive
9 environment that is a safe haven for those seeking
10 assistance. In conjunction with the New York City
11 Sheriff's Office, our officers assist domestic
12 violence victims in helping obtain and service orders
13 of protection. This important document orders
14 abusers to stop threatening and physically abusing
15 their victims, and creates a zone of safety for the
16 victim and when applicable their children. Service
17 of this document not only puts an abuser on notice to
18 stay away from their victim, but also provides our
19 officers with a vital tool to prevent further abuse
20 in the event the order is violated. The NYPD has
21 also partnered with the Mayor's Office to Combat
22 Domestic Violence and initiating the coordinated
23 approach to preventing stalking, our CAPS program.

24 CAPS, originally launched in conjunction
25 with the Richmond County District Attorney's Office,

2 is a homicide prevention initiative to increase
3 identification and reporting of intimate partner
4 stalking cases, enhance stalking arrests, and
5 prosecutions, and engage in appropriate risk
6 assessment and safety planning with stalking victims.

7 Due to the success of this program,
8 identifying stalking cases in Staten Island, the
9 program is currently being piloted in the 101st,
10 103rd, 105th, and the 113th precincts in Queens. In
11 collaboration with Mayor's Office to Combat Domestic
12 Violence the department played an active role in
13 launching the Domestic Violence Response Team, DVRT
14 in Staten Island to provide rapid response to high
15 risk cases by facilitating interagency coordination
16 and collaboration to carry out individualized action
17 plans to meet the service and safety needs of
18 victims. DVRT has partnered with community based
19 organizations to assist victims who are at high risk
20 of escalating abuse, serious physical injury or
21 death.

22 Even though overall housing crime
23 decreased by 6% last year, the pervasive issues of
24 domestic violence in NYCHA developments has required
25 an intense outreach focus by the NYPD in order to

2 provide support to this vulnerable population. Last
3 year 15% of all domestic violence related major
4 felonies in the city occurred in NYCHA developments.
5 The NYPD regularly reports with NYCHA's Family
6 Service Department to refer resident victims of
7 domestic violence or child sex victims to NYCHA's
8 Emergency Transfer Program, which enables them and
9 their families to relocated confidentially to a
10 development in another area. Moreover, in our
11 ongoing partnership with the Mayor's Office to Combat
12 Domestic Violence, NYCHA DVRT was established to
13 detect patterns of domestic violence within NYCHA
14 developments and identify potentially high risk
15 victims and link them with services.

16 In collaboration with NYCHA and HRA, NYPD
17 participates in the Domestic Violence Intervention,
18 Education and Prevention Program. As a part of this
19 program, case managers from Sanctuary for Families
20 partnered with domestic violence officers who are
21 staffed in our PSAs to jointly perform outreach to
22 every NYCHA household where domestic violence is
23 reported letting the victims know that they are not
24 alone, and providing crisis counseling, safety
25 assessment and service referrals. The NYPD will soon

2 launch the Crime Victim Advocate Program, which will
3 expand services available to crime victims by
4 partnering with social service organizations to place
5 crime victim advocates in 86 commands throughout the
6 city. The program will be commit--I'm sorry, it's
7 76--it should be 76 commands throughout the city.
8 The program will command based with two advocates
9 available at most of our precincts and public service
10 areas. I'm sorry, police service areas. One will
11 specialize in domestic violence issues while the
12 other will be a generalist who works with all
13 categories of crime victims. The goal of this
14 program is to help victims of crime understand the
15 criminal justice process with our victims to
16 essential resources and services, advocate on the
17 victim's behalf before third parties, and answer
18 questions about the experience of victimization. The
19 advocates will be tasked with conducting training
20 sessions with members of the command that they are
21 assigned to on a variety of subjects related to
22 victimization. They will also be responsible for
23 performing community outreach in order to build local
24 residents' trust and confidence in the criminal
25 justice system, and provide useful information about

2 victimization. We look forward to continuing to work
3 with our city and community partners as well as with
4 the Council on providing support and services to
5 victims of domestic violence. Although our approach
6 is multi-faceted, it is in no way static. It is
7 always evolving based on the needs of our victim
8 population. Informational material on how the Police
9 Department can help when domestic violence situation
10 occur as well as on how to keep your family safe is
11 available online and in all precincts. Additionally,
12 members--members from the Domestic Violence Unit
13 frequently present at our precinct community council
14 meetings that take place throughout the city.

15 Turning back to the legislation under
16 consideration today, while we look forward to
17 maintaining further conversation on this subject with
18 the Council, the bill in its current form raise
19 additional concerns. Part of Intro 948 requires the
20 department to report on a weekly, monthly and
21 quarterly basis the total number of hate crimes, the
22 number of murders determined to be hate crimes, and
23 the number of felonious assaults determined to be
24 hate crimes. Additionally, Intro 959 requires that
25 hate crime data be disaggregated by animus towards a

2 targeted group that formed the motive for such crime.
3 The bill's requirements would be inconsistent with
4 how the Police Department officially tracks this
5 important information. Currently, the New Yorkers
6 State Department of Criminal Justice Services
7 requires NYPD to report hate crime statistics on a
8 quarterly basis. A general concern about more
9 frequent reporting exists because a determination as
10 to whether a hate crime has occurred requires a
11 finding of biased motivation. In order to make this
12 finding, an investigation needs to take place, and
13 the amount of time needed to perform an investigation
14 varies from--varies on the circumstances, and can
15 take longer than a week, a month and even a quarter.
16 Additionally, the bills if enacted in their current
17 forms would all take effect immediately. While the
18 Administration appreciates the need for this
19 information, the legislation should contemplate these
20 new reporting obligations for the Police Department
21 as well as any infrastructural changes needed to
22 accommodate the requirements of the legislation.

23 We commend the City Council for
24 highlighting this important issue, and look forward
25 to maintaining an open and robust dialogue on this

2 legislation. As I--as I hope I have communicated,
3 the Police Department is highly focused on working in
4 collaboration with our partners including the Council
5 and providing essential services to victims of
6 domestic violence, and we welcome discussion of this
7 bill. Thank you for the opportunity to speak today,
8 and we are ready to answer any questions that you may
9 have.

10 CHAIRPERSON GIBSON: Thank you very much
11 Chief Holmes, Deputy Commissioner.

12 DEPUTY COMMISSIONER HILL: Good morning
13 Chairperson Gibson and members of the City Council
14 Committee on Public Safety. I am Edward Hill the
15 Deputy Commissioner of the Mayor's Office to Combat
16 Domestic Violence, OCDV. Thank you for the
17 opportunity to join the New York City Police
18 Department, NYPD Domestic violence--

19 [background comment]

20 DEPUTY COMMISSIONER HILL: I'm sorry.
21 Sorry about that. Domestic Violence Unit--Unit Chief
22 Juanita Holmes to speak with you today about the
23 unprecedented levels of collaboration and support
24 that we have had at the NYPD Domestic Violence Unit,
25 and this Administration and particularly under the

2 leadership of Chief Holmes. The Mayor's Office to
3 Combat Domestic Violence oversees the delivery of
4 domestic violence related services in New York City.
5 Through the New York City Family Justice Centers, the
6 FJCs, our Domestic Violence Response Team and our
7 Anti-Stalking Initiative, the Office to Combat
8 Domestic Violence administers and coordinates direct
9 services to victims of intimate partner violence,
10 elder abuse and sex trafficking. Through these
11 direct service programs, we have daily communications
12 with the police officers in the Domestic Violence
13 Unit throughout the city, and often work hand-in-hand
14 with them to meet the immediate and long-term safety
15 needs of our clients.

16 The New York City Family Justice Centers
17 operated by OCDV and currently located in the Bronx,
18 Brooklyn, Manhattan and Queens, provide comprehensive
19 multi-agency services for victims of intimate partner
20 violence, elder abuse and sex trafficking in one
21 location regardless of the client's language, income,
22 immigration status, gender identity or sexual
23 orientation. We just have the ground breaking of the
24 Staten Island Family Justice Center, which will open
25 next year. Since the beginning of this

2 Administration we have had--there have been over
3 100,000 client visits to the New York City Family
4 Justice Centers and almost 340,000 visits since the
5 first FJC opened in Brooklyn in 2005.

6 Each center is co-located with the local
7 district attorney's office, and has staff from other
8 35 community organization partners on site who offer
9 counseling, services for adults and children, civil
10 legal assistance, immigration assistance, economic
11 empowerment, and supportive services. In addition,
12 there are two Domestic Violence Prevention Officers,
13 DVPOs, on site at each Family Justice Center who can
14 provide our clients with police paperwork, take
15 complaints and file Domestic Incident Reports. It's
16 also referred to as DIRs, and offer information about
17 the criminal justice system. Last year over 3,300
18 clients met with the on-site DVPO. The on-site DVPO
19 are integral to the coordinated service delivery
20 model of the Family Justice Centers, and allow
21 clients the opportunity to meet with law enforcement
22 in a warm and welcome--welcoming environment where
23 they can also receive their social and legal services
24 that they need. Many of the DVPOs at the Family--at
25 the--excuse me--at the Family Justice Centers have

2 been stationed at the centers since their inception,
3 and have really embraced and embodied the mission of
4 the FRJCs. By maintaining our around the clock
5 communication with a client in a high-risk case, we
6 aid in closely with a client's local precinct to
7 effectuate an arrest or even dressing up in a costume
8 to entertain children during a family literacy event.
9 In addition to the Family Justice Centers, OCDV works
10 closely with the NYPD DV Unit on homicide prevention
11 initiatives aimed at reducing the incidents of
12 intimate partner homicides and engaging victims at
13 the earliest moment so that we can connect them with
14 services before they abuse escalates to serious
15 physical injury or fatality. So far this year,
16 domestic violence homicides have decreased 21% from
17 47 in 2014 to 37 in 2015. ODCV Domestic Violence
18 Response Team, DVRT, works with high risk victims of
19 intimate partner violence, and coordinates a team of
20 15 city agencies including the district attorney's
21 offices and 30 community based organizations to
22 create individualized action plans to meet the
23 service and safety needs of clients. The NYPD DV
24 unit has been a strong institutional partner since
25 the first DVRT program was launched in 2004.

2 Currently, there are DVRT teams in Staten Island and
3 one that works specifically in NYCHA through the
4 Mayor's Action Plan, MAP, for Neighborhood Safety,
5 which we launched in January 2015. In the coming
6 months, DVRT will be expanded to a citywide program
7 headed by DVRT Director and individual borough
8 coordinators who will work closely with DVPOs across
9 the city to link more high risk clients to services.

10 As a partner city agency for DVRT, DVPOs
11 provide over 40% of client referrals, assist with
12 obtaining police paperwork, provide immediate
13 assistance for clients with urgent safety needs, to
14 apprehend abusers and/or liaise with the department
15 to do so to provide ongoing support to clients. The
16 DVPOs regularly attend DVRT team meetings where they
17 provide critical up-to-date information about
18 criminal justice interventions with the clients that
19 we are discussing. We are very proud of the DVRT
20 success in particular our work with NYCHA through the
21 Mayor's MAP Initiative, which recognizes the need to
22 specifically address domestic violence occurring in
23 public housing. During the first nine months of
24 NYCHA DVRT, there was a 310% increase in clients
25 seeking services from the 15 MAP developments

2 compared to the same period last year. Moreover,
3 since our launch of MAP, the MAP initiative, major
4 domestic violence felonies are down 8% in those
5 developments. Through the work of the Staten Island
6 DVRT, we observed that stalking was the number one
7 abusive behavior reported by the high-risk clients
8 being served by the program. We know nationally 54%
9 of female homicide victims have reported stalking to
10 the police before they were killed by their intimate
11 partner. By recognizing intimate partner stalking
12 from the onset, and providing appropriate criminal
13 justice interventions, we believe we can save lives.
14 For that reason, last year OCDV in collaboration with
15 the NYPD and the Richmond County District Attorney's
16 Office launched a Coordinated Approach to Preventing
17 Stalking, CAPS Program to increase the identification
18 of intimate partner stalking cases, enhance stalking
19 arrests and prosecutions, and link victims to
20 critical services through DVRT or the Family Justice
21 Centers. In the first year of the program on Staten
22 Island, there was a 233% increase in the
23 identification of intimate partner stalking cases by
24 NYPD. Based on the success of--on Staten Island, the
25 CAPS program has expanded in June 2015 to four

2 precincts in South Queens, the 101st, 103rd, 105th
3 and 113th Precincts, and we'll be in every precinct
4 in Queens by the middle of next year. Within the
5 first two weeks of the roll out in Queens, DVPO
6 secured the first felony stalking arrest in New York
7 City in 2015. During the rollout of the program,
8 OCDV worked closely with the NYPDV Unit to train the
9 borough command and the DVPOs about intimate partner
10 stalking providing a breakdown of New York State
11 stalking statute, and information about how to
12 technology intersects with stalking.

13 Outreach is the lynchpin of everything we
14 do at OCDV. We know that in order to effectively
15 response to the incidents of domestic violence in the
16 city, we must focus on raising awareness about
17 domestic violence, not just during Domestic Violence
18 Awareness Month, but everyday of the year. Since the
19 start of the Administration, OCDV staff have
20 participated in almost 2,400 outreach events and
21 distributed over half a million pieces of public
22 education material. This year we have already
23 conducted 1,400 outreach events, a 600% increase from
24 2013. It is important to note that these outreach
25 efforts not only bring information and awareness to

2 communities throughout the city, but often also bring
3 disclosures from victims of events who we can quickly
4 connect with service. NYPD is a key partner in
5 OCDV's outreach efforts, and we work hand-in-hand
6 with the NYPD DV Unit at transit hubs, business
7 districts, beauty salons and grocery stores. So far
8 this year we have conducted over 200 joint outreach
9 events with the NYPD. Specifically, with regard to
10 public housing, our NYCHA DVRT staff has conducted
11 510 outreach events, and distributed over 142,000
12 pieces of public education material since the program
13 was launched in 2015, and the NYPD has participated
14 in many of those events.

15 We look forward to continuing to work
16 with Chief Holmes and the NYPD Domestic Violence Unit
17 to create innovative approaches to strengthening the
18 safety net for domestic violence victims and reducing
19 domestic violence crime as well as collaborating with
20 the NYPD and with the Council on our shared goal of
21 raising awareness about domestic violence throughout
22 the city. Thank you for the opportunity to testify,
23 and we look forward to answering any questions you
24 may have.

2 CHAIRPERSON GIBSON: Thank you very much,
3 Deputy Commissioner Hill, and certainly in the
4 absence here our Commissioner Rose Pierre-Louis, we
5 thank you for your presence and your partnership and
6 for all the work the Mayor's Office to Combat
7 Domestic Violence has been doing. We have been
8 joined by Council Members Ritchie Torres, Council
9 Member Julissa Ferreras-Copeland, Council Member Mark
10 Levine, and Council Member Robert Cornegy, and
11 Council Member Vincent Gentile. So I just have a
12 couple of questions, and certainly thank the entire
13 administration. Chief Holmes, I had an opportunity
14 to meet with you recently, and I am just very
15 impressed with the level of commitment that the
16 Domestic Violence Unit has undertaken, and yes the
17 number are down and that just means that we're doing
18 great work, but I always think about those numbers
19 that we don't know, and those cases that are behind,
20 you know, doors in the shadows of darkness that we
21 certainly want to bring into the light. So I thank
22 you for the work you've been doing. I don't have
23 enough purple clothing my wardrobe to demonstrate all
24 the work we need to continue doing, but I've had an
25 opportunity this month to work very closely with many

2 of my Domestic Violence Officers particularly PSA 7.

3 So I really want to recognize one of your amazing

4 sergeants, Carleen Brown at PSA 7 and her team have

5 been doing great work. We were at a train station

6 this week, and as soon as we left, her officers were

7 going to do home visits. And even in the two hours

8 that we were at the subway station, we encountered

9 five potential cases, and that just for me magnified

10 the level of priority that we need to continue to

11 have. But I want to thank you very because your

12 officers do a great job everyday, a lot of behind-

13 the-scenes work that we may never see or know. But

14 just on the record I want to make sure you know how

15 much we appreciate the work your officers do under

16 your leadership, and certainly the Mayor's Office to

17 Combat Domestic Violence. I can't tell you how many

18 events I have done with MOCDV, but I'm truly thankful

19 for your commitment. Thank you both.

20 So I wanted to ask a question on the unit

21 itself, the Domestic Violence Unit. You talked a

22 little bit about the structure in terms of officers,

23 sergeants, investigators, detectives. Do you have a

24 number in terms of the current headcount of officers,

25 uniformed officers and civilian officers in the

2 Domestic Violence Unit, and can you give us an idea
3 of how it's deployed across all 77 commands and non-
4 PSAs?

5 DEPUTY CHIEF HOLMES: Yes. Well,
6 currently we have over 400 members assigned to the
7 Domestic Violence Unit. That consists of like--it's
8 comprised of sergeants as well as police officers.
9 In the police service areas we have also civilian
10 members from Sanctuary for Family in partnership.
11 They work with us in assisting residents of housing,
12 domestic violence victims. In addition to that, we
13 have detective bureaus in each precinct. So there's
14 76 precincts that staff it with Domestic Violence
15 Unit. Central Park doesn't currently have a Domestic
16 Violence Unit, but we work closely with the detective
17 squads in conducting investigations, and apprehending
18 offenders and things of that nature.

19 CHAIRPERSON GIBSON: Okay, and in your
20 testimony you talked about a level of training that
21 all officers receive, but can you provide any
22 specific training, very unique for the role of being
23 a Domestic Violence Officer that officers currently
24 receive.

2 DEPUTY CHIEF HOLMES: Yes. Well, all
3 members of the department and the Academy--

4 CHAIRPERSON GIBSON: [interposing] Right.

5 DEPUTY CHIEF HOLMES: --get training or
6 in domestic violence incidents how to respond,
7 tactics and things of that nature. In addition to
8 that, a Domestic Violence Officers they receive
9 training as far as conducting home visits, how to
10 generate or manage their cases. Also, how to operate
11 what we call our Domestic Violence Intimate
12 Management System, and that's the system where we
13 enter all the domestic incident reports that are
14 prepared. So they're entered into that system, and
15 managed as well as how to conduct proper home visits,
16 which is also housed in that particular system, which
17 we refer to as the events. (sic)

18 CHAIRPERSON GIBSON: Okay. So, how often
19 does the training shifts. So understanding that the
20 current curriculum of training that's already
21 incorporated for every officer in the department,
22 with some of the nuances. So for instance with the
23 eruption of mental in our communities--

24 DEPUTY CHIEF HOLMES: [interposing] Yes.

2 CHAIRPERSON GIBSON: --and the work that
3 we're doing vulnerable communities, communities with
4 disabilities, LGBT, young intimate partner violence,
5 how do we provide any additional training that meets
6 those very unique needs?

7 DEPUTY CHIEF HOLMES: Okay. So
8 additional training is normally given through command
9 level training, which is given at every precinct.
10 What--what happens if we have any updates on the
11 criminal procedure or different laws, or anything
12 related to domestic violence, additional service,
13 service providers, that's given at the command level.
14 In addition to that, I actually implemented something
15 called All-In. It's a biannual training where all
16 the Domestic Violence Units are brought in twice a
17 year, and given updates n training. In addition to
18 that, we work closely when you relate it to teens
19 with Day 1, who has been incorporated into our
20 domestic violence training that's given to school
21 safety officers. So they partner with us in
22 delivering that training in addition to their
23 training that's given during bi-annuals, and also
24 we're in the process of developing some sort of
25 command level training to give to the initial

2 responders on patrol related to teens and domestic
3 violence.

4 CHAIRPERSON GIBSON: Okay. I appreciate
5 that. I mean I think I said in my opening that
6 domestic violence doesn't know an age.

7 DEPUTY CHIEF HOLMES: Yes.

8 CHAIRPERSON GIBSON: And so working with
9 the school, school safety, focusing on young adults
10 and healthy relationships, understanding a lot of
11 this pattern behavior that's been witnessed right--

12 DEPUTY CHIEF HOLMES: [interposing] Yes.

13 CHAIRPERSON GIBSON: --over the years,
14 and that, you know, that kind of transcends to the
15 younger generation. I also look at elder abuse, and
16 this Council has been very supportive of fighting
17 against elder abuse. Many grandmothers and, you
18 know, grandfathers are victims by their own
19 grandchildren. So what are we doing in terms of the
20 older and senior population as far as domestic
21 violence?

22 DEPUTY CHIEF HOLMES: Okay, as far as
23 elder crimes are concerned overall, elder crimes
24 account for 10% of the department's overall elder
25 crimes, yes. I'm sorry, 10% of elder domestic

2 violence, elder abuse accounts for 10% of all
3 department elder crimes. So with that being said,
4 when you look at domestic violence as a whole, it
5 actually is 1% of our total citywide domestic
6 violence crimes.

7 CHAIRPERSON GIBSON: I see.

8 DEPUTY CHIEF HOLMES: But still, to speak
9 about how we are very concerned when it comes to
10 elders, we have what we call a high propensity list,
11 and that list consists of individuals that give more
12 than just a routine visit on a monthly basis, and our
13 list consists of 33% of elderly. So although they
14 only account for 1% of our domestic violence crime,
15 it shows you--it speaks in volumes how they're a
16 priority as far as concerning their--their wellbeing.

17 CHAIRPERSON GIBSON: The high propensity
18 list you talked about is that categorized by the type
19 of DV like elder abuse, intimate partner? Are there
20 categories?

21 DEPUTY CHIEF HOLMES: Well, high
22 propensity is usually generated by if it's a heinous
23 crime, usually, we'll put a person that was the
24 victim of some sort of really heinous crime on our
25 high propensity list, and elders and children

2 depending on the circumstances, they generate
3 automatic visits. So we spoke about our home visits
4 that are conducted on a daily basis. If we receive
5 any crime involving an elder, it could be a burglary,
6 a robbery. It doesn't have to be DV, it's normal for
7 the department to have a call made or someone go and
8 visit that elder, and just to kind of get a feel of
9 what's going on in the household. So as a result of
10 our domestic violence home visits, it's generated or
11 created--I believe it's about 130 something elders
12 that we have implemented into our high propensity
13 program. So they're getting regular visits in
14 addition to children, crimes involving children. We
15 also have what we call the Child at Risk List. So we
16 have a list that consists of children that we need--
17 that we felt needed some follow up post a domestic
18 violence incident.

19 CHAIRPERSON GIBSON: So being on this
20 list means that there is a greater priority and a
21 greater retention given. How long does an individual
22 or family remain on the list, and is there a lot of
23 fluctuation, and what happens when they're off the
24 list, and the follow up with that particular
25 individual and family?

2 DEPUTY CHIEF HOLMES: Right. Well,
3 usually what happens is, you know, we request their
4 permission to be on this list, and a lot of people
5 don't disagree with it that really, really need it.
6 I have people that have been on the list for six
7 years. So, it's--it's really no, you know, no bar
8 set as far as how long they remain on the list as
9 long as they need us or they feel they need us, we
10 continue to conduct visits there. Now if they--if
11 they move out of a resident precinct that's
12 conducting those visits, then it's standard operation
13 for us to notify the command that they're actually
14 moving in, and let them know that this is a high
15 propensity victim. And if they feel the need to be--
16 to continue the visits, then we--that precinct will
17 pick up conducting the visits to those individuals.

18 CHAIRPERSON GIBSON: When a 911 call
19 comes in and it's not necessarily specified that it's
20 a DV case, and patrol officers respond, what happens?
21 Can you just walk me through the process of an
22 incident. Officers respond and determine it's DV
23 related, do they call back to the command ask for the
24 DV Unit or how is that? Because they're trained to

2 handle it, but is--is there a time when DV assistance
3 is--is needed?

4 DEPUTY CHIEF HOLMES: Well, that depends.
5 What happens is if they--if the job doesn't come over
6 as a domestic violence incident, then the uniformed
7 members of the service will notify our
8 communications. They will go over the radio and
9 notify that this is a domestic violence incident. It
10 doesn't necessarily generate the response of the
11 domestic violence officer because remember they're a
12 smaller unit, and like you said, our initial
13 responders have extensive training in responding to
14 domestic violence incidents. But they may call back
15 to the house for the DV officer if it's someone
16 that's on our high propensity. If it's someone they
17 feel is really in immediate need of services. So
18 that is done. It's not common because they are also
19 in a position of providing numbers and how to receive
20 services. So it depends on the circumstances
21 associated with that particular domestic violence
22 job.

23 CHAIRPERSON GIBSON: Okay, and in many of
24 these cases, to what extent do you think many of
25 these officers responding use discretion and attempt

2 to de-escalate that particular situation through lots
3 of tactics. So, you know, verbal conversation before
4 an actual arrest is made. So a lot of it is
5 basically the discretion of those officers
6 responding, and to what extent they can de-escalate
7 that situation--

8 DEPUTY CHIEF HOLMES: [interposing]

9 Right.

10 CHAIRPERSON GIBSON: --it happens.

11 DEPUTY CHIEF HOLMES: Right. So a lot of
12 times they may get there, and it's their job to
13 investigate what's going on here. So they enter into
14 the household, and what we like to train them to do
15 is take into account the entire household. There may
16 be elders there. There may be children there. So
17 once they get in to kind of conduct their
18 investigation, as to who resides there and who's
19 present there, and then they find out what's going
20 on. If it's a verbal, then they'll fill out a
21 domestic violence incident report indicating such.
22 Now, naturally, if they feel even based on that
23 verbal that maybe some sort of services could be of
24 assistance, then they make their referrals, and
25 naturally on the Domestic Incident Report is the

2 domestic violence officer's or sergeant's contact
3 information because a copy is left of that report
4 with the victim. And I'm sorry. I forgot the second
5 half of your question. I know you said if they go
6 there--

7 CHAIRPERSON GIBSON: [interposing] Well,
8 I was just saying--

9 DEPUTY CHIEF HOLMES: [interposing] With
10 arrests.

11 CHAIRPERSON GIBSON: Right in terms of
12 getting ton arrest.

13 DEPUTY CHIEF HOLMES: So now if it's
14 something where it's a must arrest, we have certain
15 situations where you must make arrests, naturally
16 felonies, and things of that nature. But there is a
17 threshold when it comes to certain misdemeanors where
18 you can--you can get the permission of the victim.
19 If she says, listen, I don't want to--I don't want
20 him arrested. But they have to say that on their--
21 they have to convey that on their own accord. We
22 don't say it's a misdemeanor. Do you want him
23 arrested or do you not want him arrested? They have
24 to convey to us I understand the crime here at hand,
25 but I don't really to press charges or I don't want

2 him arrested. We indicate that in our--what we call
3 our memo books, and in addition to that, we prepare a
4 Domestic Incident Report. And what happens is the
5 misdemeanor--if there's two misdemeanors committed,
6 what I mean by that the victim as well as the
7 perpetrator, are equally responsible for the crime
8 that took place there. We try and determine who was
9 the primary physical aggressor meaning who initiated
10 because if we don't really want to re-victimize the
11 victim. So if the victim was just protecting herself
12 or attempting to protect herself and in turn ended up
13 committing some sort of misdemeanor, then it's their--
14 -they have to make the determination and in making
15 that arrest of just the perpetrator.

16 CHAIRPERSON GIBSON: Okay, and in
17 addition when any of the officers are responding, and
18 it could be a potential, you know, DV case, the
19 follow up and then the service providers just in
20 terms of the resources that are available, you and I
21 have talked about having some sort of a mechanism
22 where DV officers can provide to that individual and
23 family a list of resources that are available, the
24 Sanctuary, Safe Horizon, Urban Justice, Day One.

2 Just different organizations that can possibly help
3 them--

4 DEPUTY CHIEF HOLMES: [interposing] Yes.

5 CHAIRPERSON GIBSON: --along the way just
6 to not only provide the education and the awareness
7 and the outreach, but possibly prevent something
8 further from happening down the line.

9 DEPUTY CHIEF HOLMES: Right. Well,
10 currently, you know, our initial responders are also
11 aware of the services that are provided, and even if
12 they're not intimate, they can get that information
13 from our DV, from our Domestic Violence Officers.
14 That Domestic Violence Officers and their office as
15 well as in the precinct when you walk in there's
16 plenty of literature related to domestic violence
17 services and resources. In addition, to that we're
18 looking into creating some sort of cards that can be
19 given out, and not just stigmatizing domestic
20 violence. If we respond to burglary or robbery, but
21 the card would contain information related to
22 services and resources about domestic violence as
23 well as other services, housing or victim--victim
24 services about-- You know, if you're a victim of a

2 crime how to obtain compensation for your--the
3 particular crime that you are--were met with.

4 CHAIRPERSON GIBSON: Okay. In terms of
5 the outreach, I know that each DV Unit in the
6 commands has a series of outreach efforts that they
7 do on, you know, on a timely frame. Can you describe
8 some of the outreach efforts, and what the units are
9 doing in terms of working with stakeholders and
10 others on the ongoing education campaign?

11 DEPUTY CHIEF HOLMES: Yes, well, outreach
12 in the NYPD it's all year long. So we speak about
13 that October being Domestic Violence Awareness Month,
14 but they conduct outreach all year long. They attend
15 the community--precinct community council meetings is
16 one form that they attend on a monthly basis with the
17 exception of July and August. Also, they attend a
18 lot of the clergy--a lot of the clergy members will
19 have them come to their church and speak to their
20 parishioners. In addition to that, we have programs
21 throughout the city. One particular program it's
22 called the Grandmother's Love Program, which was
23 initiated in Brooklyn. I think it's been about five
24 years that it's been in place. Myself as well as
25 Chief Joanne Jaffe, who is the Chief of Community

2 Affairs, had started that small group in Brooklyn,
3 but now it's expanded citywide with the support of
4 our Police Commissioner William J. Bratton. In that
5 forum what happens is these are grandmothers that are
6 raising their children as a result of incarceration
7 of their child or even worse the demise of their
8 child. So as a result of that, we bring in guest
9 speakers once a month. And they speak to them about
10 the different resources and services, and whatever
11 information they need in helping them--in helping
12 assist them in raising their grandchildren.

13 CHAIRPERSON GIBSON: Got it. I just have
14 two questions before I get to my colleagues. What
15 would you say to the--the fact that over 70% of the
16 DV incidents that we have across the city and
17 obviously some of the homicides that many of these
18 individuals and families have had no prior contact
19 with law enforcement in the past. Although we know
20 that there probably was a need for interaction. What
21 would you say are some of the underlying reasons and
22 how are we trying to address that challenge?

23 DEPUTY CHIEF HOLMES: Okay, I think some
24 of the underlying reason are a lot of people have
25 reservations in calling the police, and whether it's

2 prior experience with the police or just out of fear,
3 they want that sensitive incident to remain private.
4 It could be numerous reasons. I mean we've touched
5 on that here now in our testimony how people don't
6 report out of financial dependency, or out of
7 embarrassment, cultural reasons. So how we're
8 looking to change that is by increasing and improving
9 our awareness in collaboration with numerous service
10 providers. I spoke about the New York Asian Women's
11 Center, Safe Horizon, Sanctuary for Families. Also,
12 Day One, which I spoke about as far as the teams are
13 concerned. The Mayor's Office to Combat Domestic
14 Violence, and the numerous, numerous service
15 providers that we interact with. Barrier Free Living
16 is one that helps us with a domestic violence
17 population such as physically and mentally sometimes
18 challenged. That's a community that we, you know,
19 that sometimes goes underreported because of
20 challenges. So, we've been working with Barrier Free
21 to address some of their concerns and issues. But
22 constant, constant, constant, constant awareness and
23 outreach. I think a lot of it is--some of our
24 victims don't even know the services that are
25 available to them, the financial resources, the

2 living accommodations that are available to them. So
3 that's--that's something that we are trying to work
4 on, and improve up.

5 CHAIRPERSON GIBSON: Okay. No, I agree--
6 I appreciate it. I mean I think the community
7 partnerships with organizations you described and
8 many more that have the relationships in the
9 communities already, which is key because, you know,
10 many individuals see a uniform and they're very
11 fearful for many reasons. So having that connection
12 I think would put a lot of individuals at ease, and
13 make them feel a lot more comfortable, and I say that
14 just from seeing all of the subway outreach we do.
15 Many individuals came up to officers talking about
16 many other issues, not just DV related, and starting
17 to just build up a comfortable setting where they
18 feel like they can engage in a conversation and not
19 fear any, you know, retribution from that.

20 DEPUTY CHIEF HOLMES: Yes, and other
21 thing that really helps us are the advocates that are
22 currently in the PSAs as well as the 44 Precinct. So
23 I think the--the program that we're--the project that
24 we're dealing--program I should refer to it as--where
25 we're going to put crime advocates in every precinct

2 is very helpful because a lot of times, they don't
3 want to speak with a uniformed member out of
4 apprehension for many reasons. But having that
5 civilian presence I think has been tremendous, of
6 tremendous assistance to us in--in getting through to
7 some of our victims.

8 CHAIRPERSON GIBSON: Okay. So on the
9 agenda with the four bills I know in your testimony
10 you talked about I believe three of the four and some
11 of the prime sponsors are here today and will speak
12 more in detail about it, but I just wanted to make
13 reference to the Administration really appreciating
14 the need for, you know, delving into these issues and
15 getting more information, being accessible on the
16 website. But you also described that we could
17 potentially have infrastructure changes that are
18 needed to accommodate these pieces of legislation if
19 enacted. So I just wanted to know if you could speak
20 a little bit about that in terms of what that means.
21 Does that mean additional staffing, civilian stuff,
22 et cetera? If you could speak to any of that.

23 DEPUTY CHIEF HOLMES: Okay, it--it could
24 relate to resources and I'll tell you why because
25 just--just for me to prepare today because I wanted

2 to have some things, figures in my head, it's very
3 labor intensive. We query numerous systems. We also
4 look at whether it's 61s or Domestic Incident
5 Reports, and believe it or not, a lot of this is done
6 manually. So we have systems in place, but it's a
7 lot of manual labor in order to get the accuracy that
8 we need when we're reporting so that--that's I think
9 the part of the infrastructural concerns that we
10 have.

11 CHAIRPERSON GIBSON: Okay, and we
12 appreciate that. I mean these are conversations we
13 certainly need to have as we approach the next fiscal
14 year and budget.

15 DEPUTY CHIEF HOLMES: [interposing] Okay.

16 CHAIRPERSON GIBSON: Conversations and
17 these that we certainly would need to know. So that
18 we can provide as much support as needed for the
19 implementation of a lot of the bills that we're--
20 we're putting forth.

21 DEPUTY CHIEF HOLMES: Okay.

22 CHAIRPERSON GIBSON: Okay, thank you.
23 So, of course, I have tons of questions, but I want
24 to get to my colleagues that are here, our Council

2 Member Vincent Gentile has questions. Council
3 Member.

4 COUNCIL MEMBER GENTILE: Thank you, Madam
5 Chair and good morning. Thank you to--to Chief
6 Holmes and to Commissioner Hill. Thank you for being
7 here and certainly for your testimony. I'm impressed
8 with all the different aspects of what you do in--in
9 domestic violence cases. I spent a lot of years
10 prosecuting domestic violence cases in the beautiful
11 borough of Queens.

12 DEPUTY CHIEF HOLMES: Uh-huh.

13 COUNCIL MEMBER GENTILE: And one of the
14 things that always struck me in a misdemeanor court
15 are those domestic violence victims that come in the
16 courtroom with their abuser and want to drop charges,
17 and will not listen to a judge or a prosecutor. What
18 do you do in those cases with those victims either
19 before or after the court appearance?

20 DEPUTY CHIEF HOLMES: Well, we're very
21 supportive of our victims whether they want to press
22 charges or not. Our concern is the safety of the
23 victims. Naturally, a lot of times in the heat of
24 the moment, I want them arrested. I want to press
25 charges. We do what we're responsible for doing. We

2 prepare to process their arrest. We prepare the
3 paperwork. We follow up with our victims. That's
4 what our home visits--a lot of our home visits
5 encompass is follow up with our victims, and then
6 ensure that they are pointed in the right direction,
7 that they have the proper resources and services that
8 they need. Even if we have to make the phone call
9 for them sometimes. So in situations where they
10 decided to drop the charges, and they're back with
11 their, you know, with their partner, I--I would like
12 to believe and hope that they take advantage of the
13 services that--or resources that we made available to
14 them in conjunction with the Mayor's Office to Combat
15 Domestic Violence and with our Family--Family Justice
16 Centers.

17 COUNCIL MEMBER GENTILE: Do you also
18 spend time educating the judiciary in--

19 DEPUTY CHIEF HOLMES: [interposing] Yes we
20 do

21 COUNCIL MEMBER GENTILE: --these issues
22 making them sensitive to the situation. Because
23 sometimes they present the--with the situation in
24 front of them and you have a victim who won't sign a
25 corroborating statement, and a victim who was clearly

2 a victim, but for reasons we all know, do not--does
3 not want to go forward. Have you done educational
4 forums with the judiciary to--to educate them on
5 these issues?

6 DEPUTY CHIEF HOLMES: Absolutely. I'm
7 currently sitting on a panel with Judge Deborah
8 Kaplan. So, and then I'm part of her subcommittee in
9 education, and then in collaboration with other
10 agencies. And these are some of the issues that we
11 were concerned with in addition to a lot of the
12 issues surrounding the dismissal rate in New York
13 City, the conditional discharge. Sometimes we make
14 the assumption that the judges are aware of the
15 perpetrator's full domestic violence history, and we
16 found that in a lot of cases that's not necessarily
17 so. So as a result of that, our Domestic Violence
18 Unit's supervisors definitely are responsible for
19 having a relationship with our bureau chiefs of our
20 domestic violence units in the County D.A.'s Office.
21 So they all know their--you know their respective
22 bureau chief in addition to working with the other
23 members in the courts to ensure that the victim's
24 case is being heard, and all the information

2 surrounding that particular case is brought before
3 the court.

4 COUNCIL MEMBER GENTILE: And were you--or
5 do you instruct your officers to make an arrest even
6 without the victim's cooperation?

7 DEPUTY CHIEF HOLMES: Absolutely. There
8 are arrests made without the victim's cooperation.
9 Absolutely.

10 COUNCIL MEMBER GENTILE: Um...

11 DEPUTY CHIEF HOLMES: [interposing] We
12 have--you know, there--we're tasked with also that
13 guy instinct. Our--our sole purpose is when we enter
14 into the household to ensure that we did everything
15 within our possible means to ensure that that family
16 and the victim is safe. And if we feel that, okay,
17 this arrest needs to be made this evening, naturally
18 the circumstances the arrest have to be there. They
19 make that arrest even if the victim on their own
20 accord states it's, you know, I don't want him
21 arrested and it's a misdemeanor. If we determine for
22 the safety of that household, this arrest has to be
23 made then we make the arrest.

24 COUNCIL MEMBER GENTILE: Okay, that's
25 good. Also, okay so we have an arrest, and then you

2 have a victim who's willing to go forward, and it's--
3 it's a felony. So you get an indictment--a voted
4 true bill, and then the case goes off to the District
5 Attorney's office, and becomes--it gets handed to the
6 D.A.'s office, and the D.A.--Assistant D.A. is
7 assigned to that case. What--what is your role at
8 that point? The case has been handed over to the
9 district attorney. So it's the district attorney's
10 case to go forward and prosecute, and they have all
11 their own services also obviously through the Family
12 Justice Center and so on and so forth. So it's now
13 the D.A.'s responsibility to go forward with that--
14 with that matter. What is--what is your role at that
15 point?

16 DEPUTY CHIEF HOLMES: Well, my role is to
17 ensure that they have all the evidence that they need
18 to support the case. Because like you said a lot of
19 times the victim--sometimes they become
20 uncooperative. So if you have enough evidence for
21 evidence based prosecution then a lot of times they
22 can move forward without the victim's cooperation.
23 So at that particular point, I want to make sure that
24 they have a full package of what they need to support
25 the case.

2 COUNCIL MEMBER GENTILE: Other than the
3 evidence support, all the other social support would
4 be up to the district attorney at that point--

5 DEPUTY CHIEF HOLMES: [interposing] Yes.

6 COUNCIL MEMBER GENTILE: --correct?

7 DEPUTY CHIEF HOLMES: Right.

8 COUNCIL MEMBER GENTILE: I see. Okay.

9 Let me just finish off then with these questions
10 about or this question about orders of protection.
11 You and I both know the problems with orders of
12 protection the fact that in many cases when something
13 is happening, a piece of paper doesn't always--saying
14 you have an order of protection doesn't always
15 protect that victim. What--how effective have you
16 found orders of protection to be in actually keeping
17 victims safe?

18 DEPUTY CHIEF HOLMES: Well, overall I
19 think order of protections are keeping a lot of
20 victims safe. However, we do have a number of
21 individuals or offenders that are what we call recids
22 of criminal contempt. So you do see a lot of criminal
23 contempt as far as order or protections are
24 concerned. As a result of that, we've been working
25 with our current district attorneys and trying to

2 identify those members that have the strong criminal
3 contempt history, and trying to ensure that they get
4 special consideration as far as prosecution is
5 concerned. So on my behalf as far as my unit is
6 concerned, myself as well as my executive officer has
7 put something in place that has some technological
8 challenges. So we're doing that also manually by
9 identifying what we call DV type offenders. So DV
10 type offenders we created a metric system, and the
11 metric system consists of maybe eight areas where you
12 see he's a perpetrator that committee shootings or
13 has been shot, drug history. But the one thing we're
14 focused on is the domestic violence history. There
15 are individuals that have this extensive history, and
16 sometimes they can stay under the radar. Why?
17 Because you'll see numerous, numerous harassment
18 complaints, which is why the CAPS program was
19 developed to create and push forward the stalking
20 charge to a lot--to a lot of the officers giving them
21 something more substantial to charge instead of
22 looking at harassment violation, harassment
23 violation. And not happening in their presence and
24 not the result of a violation of order of protection.
25 So, therefore, not being able to make that arrest.

2 COUNCIL MEMBER GENTILE: So you're saying
3 that criminal contempt charges and prosecutions are
4 on the increase?

5 DEPUTY CHIEF HOLMES: Well, I'm going to
6 say that from the numbers that I had I saw that there
7 was actually a decrease in violations of order of
8 protection. It's an increase only with certain
9 offenders that are just in the business of re-
10 victimizing certain victims. So what I'm actually
11 saying is that those offenders that are identified we
12 are addressing that by working with the courts, and
13 trying to get a stronger prosecution.

14 COUNCIL MEMBER GENTILE: Okay, that's it.
15 Well, you've certainly come a long way in many short
16 years. So congratulations on all the aspect of your
17 department, and the same with the Mayor's Office,
18 too.

19 DEPUTY CHIEF HOLMES: Thank you so much.

20 CHAIRPERSON GIBSON: Thank you very much,
21 Council Member Gentile. We've also been joined by
22 Council Member Reynoso, and next we will hear from
23 Council Member Mark Levine.

24 COUNCIL MEMBER LEVINE: Thank you, Chair
25 Gibson. Good morning Chief. Great to see you.

2 DEPUTY CHIEF HOLMES: You, too.

3 COUNCIL MEMBER LEVINE: I'd like to speak
4 about Intro 959, which I'm pleased to be co-sponsor
5 with Council Members Gibson, Torres and Miller. This
6 is the bill requiring weekly reporting of hate crimes
7 data. Of course, you're currently reporting through
8 COMPSTAT, recording and reporting data on a wide
9 variety of crimes, and this has had an incredible
10 impact on public safety in the city not only because
11 it's driving accountability in the department, but
12 because now the public and policymakers can have a
13 debate about law enforcement that's grounded in the
14 fact, not sensational headlines or rumors or
15 anecdotes. We know week to week whether crime is
16 going up or down across a wide variety of categories,
17 and that's had an incredibly power impact. But
18 there's a gaping hole in what we're reporting, which
19 is the lack of reporting of hate crimes. And I'll
20 tell you why this is so important, and why the
21 current state mandate of the quarterly reporting of
22 hate crimes is not sufficient. There's no class of
23 crime that more directly ebbs and flows in connection
24 to current events than hate crimes. And I'll give
25 you a classic example. Last summer, the summer of

2 2014, when there was a conflict in Israel, the Gaza
3 Conflict, we saw a tremendous spike in the anti-
4 semitic crimes, which happened to be year round by
5 far the high--the largest category of hate crimes.
6 This was a change we saw in incidents on a day-to-day
7 basis, not a quarterly basis, not a yearly basis. I
8 don't know today whether we've seen a spike in anti-
9 semitic crimes in the city due to the current round
10 of violence in Israel because I don't have access to
11 that data in real time. But it's a question worth
12 asking, and that information would inform decisions
13 that this body makes about allocation of resources,
14 about the messaging that we're delivering to our
15 constituencies. And I think it's critical
16 information for the public to have to rightly alarm
17 people when it's justified and to prevent hysteria
18 when it's not justified, but we need the facts. And
19 I'm--I'm a little perplexed because in your opening
20 testimony you said--you explained that our bill would
21 require hate crimes data to be disaggregated by an
22 animus towards the targeted group that form the
23 motive for the crime. And you said that that would
24 be inconsistent with how the PD officially tracks
25 this important information. But once in a while I am

2 actually able to get the stats sent, if I want to say
3 Council Member, I probably wouldn't have that. But I
4 do at least have if I make a special request, the
5 ability to get data. So I happen to have the data
6 from September 13th. This is a month old, and it
7 lists hate crimes broken out by the following
8 categories: Anti-semitic, anti-black, anti-white,
9 anti-Hispanic, anti-ethnic, anti-religious, anti-
10 sexual orientation, anti-disability, anti-other,
11 anti-Asian and anti-Muslim. So, I don't see what you
12 meant when you say it was inconsistent with what
13 we're current--currently collecting. And I don't see
14 why given that through COMPSTAT we've already got
15 reports on general crimes citywide, borough wide, by
16 precinct, by week, by month, by year, historic. I
17 mean it must add up to hundreds of different
18 tabulations of data, why you couldn't just add one
19 more for hate crimes.

20 DEPUTY CHIEF HOLMES: Now, well, the
21 Administration is in great support of the goals of
22 the bills. As far as stats are concerned, I don't
23 actually have the stats before me as far as the hate
24 crimes are concerned, but I can tell you that now the
25 way it's currently reported quarterly in addition to

2 informally to the Council these numbers have been
3 provided. And then quarterly to the State
4 Department, which doesn't publicly post it until
5 annually. And I think what I was relating that to
6 not how we collect or disaggregate the information as
7 far as aminus was concerned, I think I was relating
8 it to the biased motivation component determination
9 as far as the investigations. So you can have
10 complete, concise and accurate numbers. So when we
11 look at it on a weekly basis, a lot of those
12 complaints are later determined to not be a biased
13 act. And I believe that's the reason why we report
14 it quarterly to the State Department, and even they
15 hold back on making it public until there's an annual
16 report because of the investigation that goes into
17 those particular crimes. I agree the public should
18 be made aware, but we're not saying we're not
19 supporting the goals. What we are saying is that
20 maybe it should be, you know, we'll continue to talk
21 about it as far as the language is concerned and
22 related to the frequency of reporting.

23 COUNCIL MEMBER LEVINE: Okay, but we
24 reclassify crimes all the time. Sometimes what was
25 first seen as an accidental death was later ruled to

2 be a homicide. Sometimes what's first understood to
3 be a homicide is later ruled to be a suicide.

4 DEPUTY CHIEF HOLMES: Uh-huh.

5 COUNCIL MEMBER LEVINE: Sometimes what's
6 first thought to be an accidental fire is later ruled
7 to be a suicide.

8 DEPUTY CHIEF HOLMES: Uh-huh.

9 COUNCIL MEMBER LEVINE: Sometimes what's
10 first thought to be an accidental fire is later to be
11 arson. Even in assaults it's not always immediately
12 clear in the days after the assault whether the
13 victim and the assailant were intimate partners. And
14 may determine when and whether we classify the
15 assault as domestic violence--

16 DEPUTY CHIEF HOLMES: [interposing] Uh-
17 huh.

18 COUNCIL MEMBER LEVINE: --and what you do
19 in general is you report the numbers as you
20 understand them at any given moment. And sometimes
21 you needed--you need to go back and make changes, but
22 that shouldn't paralyze us and keep us from
23 reporting. We just want to know the numbers as you--
24 as you understand them at any given moment.

2 DEPUTY CHIEF HOLMES: That information
3 can be provided offline.

4 COUNCIL MEMBER LEVINE: Offline?

5 DEPUTY CHIEF HOLMES: Upon request and
6 upon request. I mean I think we have been providing
7 that. Um, we provided it to the Speaker as well as
8 the Council informally, the information offline that
9 you're requesting. I know the inspector that's been
10 assigned to that unit has supplied that information
11 offline and upon request.

12 COUNCIL MEMBER LEVINE: Right. I just
13 read you a report I got from a month ago. Yes, I as
14 an elected official can access that report if I make
15 a special request, but I was explaining earlier why
16 that's not good enough. Why the public needs this
17 information. Why Council--all council members need
18 this in real time on a regular basis. Imagine how
19 this committee would function if we had--did not have
20 regular updates on the murder rate in the city.
21 Virtually every single piece of legislation we move
22 depends on our understand on whether crime is going
23 up and down, whether it's occurring evenly throughout
24 the city, whether some categories including domestic
25 violence are moving in different directions. We

2 depend on information to make policy, and that's as
3 true in the case of hate crimes as it is with general
4 crime. And as I explained earlier, we can't make
5 policy based on headlines. I can't wait for the New
6 York Post to report on some spectacular hate crime
7 before an alarm goes off. I need the facts.
8 Everyone here needs the facts. The public needs the
9 facts to prevent hysteria on the one hand if it's not
10 justified, and to raise the alarm when we might be
11 unaware of a threat. There's a compelling reason to
12 get it up publicly in the age of the Internet, and
13 you're doing it already for almost every category of
14 crime. So I don't understand why you wouldn't want
15 to do it for hate crimes as well.

16 DEPUTY CHIEF HOLMES: Well, it's not
17 that. I did not say that we don't want to do it.
18 The Administration is definitely supportive of the
19 goals of these bills, and we're just currently
20 reviewing it. But upon request we can supply you
21 that information offline.

22 COUNCIL MEMBER LEVINE: Okay. I
23 appreciate that. I'll just close by saying this is
24 data you're already collecting. It is of great
25 relevance to policymakers and the public. You've got

2 a system already for updating the website with
3 dozens, maybe hundreds of reports weekly, and to me
4 it's--it's really common sense that you would add
5 hate crime data to those reports.

6 DEPUTY CHIEF HOLMES: Okay.

7 COUNCIL MEMBER LEVINE: Thank you, Madam
8 Chair and thank you Commissioner and thank you Chief.

9 DEPUTY CHIEF HOLMES: You're welcome.

10 CHAIRPERSON GIBSON: Thank you very much
11 Council Member Levine, and next we will have Council
12 Member Antonio Reynoso.

13 COUNCIL MEMBER REYNOSO: Good, I believe--
14 --good morning still. Yes. Good morning, Chief.

15 DEPUTY CHIEF HOLMES: Good morning.

16 COUNCIL MEMBER REYNOSO: Thank you for
17 being here, and you Chair for having this, um, this
18 great hearing that I think we definitely need to have
19 in helping address a lot of concerns that we have and
20 our ability to write meaningful legislation that can
21 support, you know, to prevent domestic violence. I
22 do want to say I'm--I'm shocked. Well, I'm not
23 shocked. I guess I'm just--I'm starting to get used
24 to it that even what I think is very sensible
25 legislation like the ones that we're presenting

2 today, that the NYPD would stills say that it's--that
3 they want to review it. They don't think it's
4 exactly what they want it to be, and that they think
5 they're doing enough, and more legislation by the
6 City Council is not necessary. That's the message
7 I'm getting from your testimony that I see here.
8 It's just concerning. I don't think we've ever
9 presented a piece of legislation since I've been a
10 council member to the NYPD where they said this is
11 good stuff, we want you to do this. We support this
12 and we're going to move forward and make it happen.
13 Instead, we're challenged constantly, and thereafter
14 there's a huge report on all the work that you're
15 already doing. But we're asking for more is what
16 we're saying, and I don't understand why reporting
17 information--and I'm looking at the reasoning why you
18 don't believe it's good, or why you don't think it's--
19 -it's where we need it to be just right now. But
20 information is the most valuable thing that we have
21 as council members so that we can make the right
22 decisions.

23 DEPUTY CHIEF HOLMES: Uh-huh.

24 COUNCIL MEMBER REYNOSO: And it's almost
25 like you're thwarting our ability to assist you or

2 assist the general public in advancing our goals to
3 prevent domestic violence. It's like you think the
4 responsibility--I feel that you believe the
5 responsibility lies solely on you. And that anyone
6 that interferes with that, is doing just that,
7 interfering. Anyone who tries to assist you with
8 that is more of an interference than he is a partner.

9 DEPUTY CHIEF HOLMES: Well, I apologize
10 that you feel that way because that's not the message
11 I'm sending. The message I'm sending is that we are--
12 --the Administration is supportive of the goals. This
13 is valuable sensitive data to both domestic violence
14 and hate crimes.

15 COUNCIL MEMBER REYNOSO: Yes.

16 DEPUTY CHIEF HOLMES: It's just some of
17 the language that we wanted to kind of further
18 discuss, and like I made mention of the
19 infrastructure. I--I know the importance of the need
20 of this information. You having this information as
21 far as services being provided to the right areas as
22 far as budget concerns. But I also know especially
23 how stigmatizing this information can be if it's made
24 public. And when you speak about disaggregated by
25 development, and some of our developments may have

2 one or two domestic violence related crimes. So you-
3 -as far as we're going to increase reporting, we
4 definitely don't want to take ten steps backwards. So
5 I think about stigmatization of victims. I think
6 about the victims seeing this publicly and possibly
7 we're saying oh, domestic violence is on the rise
8 here. Maybe I won't call the police to address my
9 issue. Those are some of the things we don't want to
10 see. I know how valuable this information is.
11 Personally I know how valuable this information is in
12 order for this right services to be provided to the
13 right areas. So the Administration is not against
14 the goals of this bill. I'm just asking for a little
15 more time to further discuss some of the language in
16 the bills, and the reporting frequency.

17 COUNCIL MEMBER REYNOSO: So, I had a
18 conversation with the Office to Combat Domestic
19 Violence and with the Commissioner, and she did speak
20 to some concerns over the lack of information that
21 her office is able to receive so that they can
22 properly address issues that they think that they can
23 be helpful in.

24 DEPUTY CHIEF HOLMES: Yes.

2 COUNCIL MEMBER REYNOSO: And that my
3 piece of legislation specifically involving intimate
4 partner domestic violence cases is something that is
5 extremely under-reported or not reported at all, and
6 that she would really appreciate having more
7 information so I can address an issue. So just
8 letting you know another agency with your--and I
9 think that you might be hearing from them soon
10 hopefully. They did say that they could use more
11 data. Everyone can use more data. I do want to say
12 that they're looking at the glass half full as
13 opposed to, you know, half empty. That we need to
14 know where these things are happening.

15 DEPUTY CHIEF HOLMES: Uh-huh.

16 COUNCIL MEMBER REYNOSO: People need to
17 know exactly what developments are having--are having
18 issues. I found out recently that Bushwick Houses is
19 one of the locations where the most domestic violence
20 cases are coming from in the precinct, and now I'm
21 going to be able to assist OCD and the precinct in
22 being able to provide resources to address those
23 issues. Without that information, if I'm not looking
24 for that information or digging for it and doing my
25 due diligence, I can't help. I can't help. And what

2 I'm trying to say here is that I just want to be
3 helpful and I think this information will allow me to
4 have the information that is appropriate to do that.
5 And that I hope in these conversations that we're
6 going to have moving forward are not changing the
7 dynamics of the bill, the frequency of the bill or my
8 bill I want to say. I think the other bills that the
9 council members have made--no offense--that maybe you
10 are talking about infrastructure and time line as
11 opposed to the content of the bill. And it's easy to
12 support goals. This is--you're talking about
13 protecting victims and talking about domestic
14 violence.

15 DEPUTY CHIEF HOLMES: Certainly.

16 COUNCIL MEMBER REYNOSO: There is no one
17 who is going to sit in your seat and ever say we don't
18 support these goals. That's the easy thing to do.
19 Getting something done is the hard part. So
20 hopefully we can get something done.

21 DEPUTY CHIEF HOLMES: Yes.

22 COUNCIL MEMBER REYNOSO: Thank you.

23 DEPUTY CHIEF HOLMES: You're welcome.

24 CHAIRPERSON GIBSON: Great. Thank you
25 Council Member Reynoso and I just had a couple more

2 questions. I wanted to talk specif. Council Member
3 Torres had to leave, but he and I work closely
4 together as he chairs the Committee on Public Housing
5 and you talked in your testimony about the Domestic
6 Violence Response teams from OCDV, and some of the
7 other work that's being done. So, of the 15 targeted
8 developments I understand that there's a high
9 prevalence of DV cases. I represent one of them in
10 the Bronx in PSA 7. So I wanted to know some of the
11 work that we're doing in those targeted developments,
12 and have they been successful because what I also
13 envision is using those models for other developments
14 like Council Member Reynoso represents Bushwick and
15 that is one of the 15 as well. But that doesn't mean
16 that we don't have DV cases in the other NYCHAs
17 across the city. So can you talk a little bit about
18 DV in public housing?

19 DEPUTY CHIEF HOLMES: Well, I can speak
20 to as far as the domestic violence stats in public
21 housing. So currently, public housing accounts for
22 15% of the citywide domestic violence majors as far
23 as crime is concerned. They're down currently--they
24 were down 1% last year. They're down currently this
25 year--[background comments]--I'm sorry, I was talking

2 to--I just want to give you the accurate numbers.
3 Just one second. [background comments] Okay. So
4 last year NYCHA was down a total of 1% as far as
5 domestic violence crimes were concerned. As far as
6 domestic violence crimes were concerned. This year
7 they were actually up half a percent, but felonious
8 assaults have only risen by a raw number of five
9 crimes. It seems to be that robberies are driving the
10 domestic violence crimes in housing, and the
11 robberies are up a raw number of 35, but 20% in
12 housing. As far as how the DVRT program is working
13 with housing, I'm going to let Deputy Commissioner
14 Edward Hill speak to that. Okay.

15 DEPUTY COMMISSIONER HILL: So the
16 domestic violence response team at NYCHA consists of
17 actually three components. One of the components is
18 an outreach team in each borough that targets those
19 15 developments and does extensive outreach. As I
20 mentioned in my testimony, so far this year, they've
21 done 510 outreach events in those 15 developments. I
22 should say some of those outreach events are current
23 in the neighborhood around the developments, you
24 know, the supermarkets that people use and things
25 like that. The other component is actual case

2 managers that take clients from those 15 developments
3 to either approach us during outreach event or go to
4 the Family Justice Center or call our office and
5 identify themselves as living those developments.
6 They get assigned a specialized case manager to work
7 with them on their case, do counseling and crisis
8 intervention, do safety planning, do a lot of victim
9 center services that the victim would like. And then
10 make appropriate referrals that the client might
11 need. During that work with the client, the case
12 manager will do a risk assessment on the client. And
13 if the risk assessment indicates that the client is
14 at high risk of homicide or re-assault, they go into
15 a special part of the NYCHA DVRT program where we
16 actually coordinate services with the 15 other city
17 agencies that I mentioned in our testimony and the
18 district attorney, and the DV Unit at the NYPD to
19 make sure that client is getting the services that
20 they're entitled to. To make sure that the client's
21 safety is considered, and all the services that
22 they're getting. And we meet every month in those
23 cases to make sure that what we told the client was
24 going to happen actually occurs.

2 CHAIRPERSON GIBSON: Okay. So I'm aware
3 of a lot of the outreach efforts that OCDV has been
4 doing. As I said, representing one of them I've seen
5 it. So, my resident associations, my tenant leaders,
6 a lot of the stakeholders that lived in the
7 developments for many, many years in bringing out all
8 of the services in just a myriad of ways. So when we
9 did National Night Out during the summer, I mean we
10 had OCDV. We had PSAs. I mean it was a lot of work
11 being done, and I guess what I'm trying to find out
12 and understand is why is there so much deviant in
13 public housing? What is it about public housing that
14 brings it so high on the radar and, you know, what
15 can we as a Council do in addition in addition to
16 what's already being done? What can we do to address
17 I guess the specific needs of residents of public
18 housing. It almost sounds weird asking that.

19 DEPUTY CHIEF HOLMES: I agree. I mean we
20 know that historically even looking back as far as
21 12, 13 years that a lot of our domestic violence
22 homicides are being associated with low socio-
23 economic issues and that being low education, low
24 high school graduation, poverty or unemployment. So
25 I know those are some of the issues that surround our

2 domestic violence homicides. And you're right, in
3 housing at least--probably one-third of their crime
4 is domestic violence related in housing developments,
5 and it is of concerns. And I can't speak to the
6 accuracy as far as those social and economic issues
7 surrounding that particular--those particular crimes.
8 But I know that those are some of the things that we
9 see when we take a look at our domestic violence
10 homicides. Actually, in housing in NYCHA domestic
11 violence homicides were down last year with six in
12 comparison to eight the year before. So that's a 25%
13 decrease. This year they only account for--not only
14 because one homicide is one too many--but they
15 account for three in comparison to six last year. So
16 they're actually down 50% with one being intimate
17 partner, and the other two being family related.

18 CHAIRPERSON GIBSON: Okay.

19 DEPUTY CHIEF HOLMES: But like I spoke to
20 2015 year to date, there is an increase of 3% as far
21 as domestic violence crimes appear to be concerned in
22 housing, but robbery is really what's driving it.
23 And robberies may be associated with the cell phone
24 issue. There's been a law--legislation put in place
25 where when a victim attempts to make a phone call or

2 call 911 with a cell phone, a lot of offenders grab
3 the phone and leave with the phone, and that resulted
4 in some of the officers not being familiar with the
5 criminal mischief component of that of charging
6 robbery. So that may be what's driving the robbery
7 number in housing.

8 CHAIRPERSON GIBSON: When you say
9 robberies are you talking about street robberies or
10 like--

11 DEPUTY CHIEF HOLMES: [interposing] No,
12 domestic--

13 CHAIRPERSON GIBSON: --or like family--
14 family robberies?

15 DEPUTY CHIEF HOLMES: Domestic violence
16 related. So I'm speaking to the DV component of
17 NYCHA developments. So this is family robberies
18 where there's he snatched her phone. A lot of--a lot
19 of times we'll see it's attributed to phone snatches
20 or he took my ATM card and things of that nature.
21 But they use force to attain it. So that's why the
22 charge robbery is being charged.

23 CHAIRPERSON GIBSON: Got you.

24 DEPUTY CHIEF HOLMES: Uh-huh.

2 CHAIRPERSON GIBSON: And I guess in many
3 of the cases I've seen that have come to my office,
4 we work with OCDV and the NYPD, how do we address a
5 lot of the family issues that come out of DV cases.
6 So for instance siblings and children who pose risk
7 and protecting them, safety transfers in schools and
8 we have a lot of individuals that don't come forward
9 for fear because they're undocumented. So how are we
10 working with some of the multiplicity of just the
11 other socio-economic issues to address that entire
12 family's needs? Because obviously it starts with DV,
13 but then there's a whole flood gate of other issues
14 that arise.

15 DEPUTY CHIEF HOLMES: Right, and that's
16 why we work hand-in-hand with Deputy Commissioner Ed
17 Hill and his staff, but the Family Just Centers they
18 have over 35 different service providers staffed
19 there. They have counseling services. They have
20 legal assistance. You know, the different advocacy
21 groups, and also we work a lot hand-in-hand with
22 Child Protective Services as far as the children are
23 concerned. So we just ensure that they're--that
24 they're ware of the information, and that they're
25 taking advantage of it. When you look at as far as a

2 lot of the--those socio-economic issues surrounding
3 housing and not reporting as far as some of the
4 residents of housing, especially when we have the
5 immigrant community that may be afraid of reporting
6 as a result of deportation or something, or being
7 reported to Homeland Security. That's something that
8 we push through our awareness. You know, no matter
9 who you are and no matter your immigration status, we
10 encourage you to report that that's not being taken
11 into consideration in order to give you the proper
12 services and resources that you need. In addition to
13 that, we have what we put a pilot into--in place as
14 far as translations are concerned reaching some
15 limited English proficient individuals or non-English
16 speaking victims. So we have that in place. We have
17 Language Line in every command, which is a dual
18 handset phone where we can have them speak into the
19 phone and then have it translated for this. The
20 department is in the process of getting off--every
21 officer their own Smart Phone. There is a
22 translation application on the Smart Phone, which is
23 going to assist them in the immediacy of discerning
24 what the situation is when we get to the home where
25 domestic violence is concerned. The one thing we

2 don't encourage our officers to do is to use a family
3 member to translate, and the reason being that
4 naturally because it could be some bias and concern
5 with that when they're afraid of a family member
6 being arrested.

7 CHAIRPERSON GIBSON: That's true. Good
8 point. I wanted to ask a question about the Crime
9 Victim Advocate Program. While I know the RFP will
10 start soon--

11 DEPUTY CHIEF HOLMES: [interposing] Yes.

12 CHAIRPERSON GIBSON: --you can't really
13 speak a lot to the specifics, but I do know that in
14 terms of providing every command, every PSA with the
15 actual services in the commands, I can imagine that
16 when we move forward for our budget conversations
17 that will also being some enhancements to our
18 existing precincts. And this Council working with
19 the Administration every budget year we have
20 prioritized those precincts that are obviously in the
21 greatest need of capital work, and the physical
22 enhancements. So, do you anticipate with this RFP and
23 the services that will begin I believe in May of
24 2016, that there will be any physical changes that

2 will be necessary for the implementation for
3 additional services for DV officers at the command?

4 DEPUTY CHIEF HOLMES: I really don't know
5 if facility assessments were made as far as where
6 going to be housing. Currently, we were proposing to
7 staff them I believe with the Domestic Violence
8 Officers. So I don't have any real information as
9 far as that if that's going to impact having to have
10 any structural modifications made to the precincts
11 concerning where they're going to actually be housed.

12 CHAIRPERSON GIBSON: Okay, and I can
13 imagine that what we are looking for in future
14 services and we're basing a lot of that on existing
15 models of just the ongoing partnerships and
16 relationships that the department has now with many
17 social service and DV providers that we're going to
18 be modeling off of those existing programs and just
19 expanding them, right?

20 DEPUTY CHIEF HOLMES: Yes. So what we're
21 looking to do is at least 12-hour coverage by the
22 advocates in the precinct. They now have staggered
23 schedules. And like we said, one will be a
24 generalist or all crimes and the other will be DV
25 specific. In addition to that, they're going to be

2 conducting training with the officers assigned to the
3 precinct, all the different services available to
4 victims. In addition to that, I believe that they
5 normally--I know with housing they actually go out
6 and do home visits with the Domestic Violence
7 Officers. So I'd like to anticipate that these--the
8 ones dedicated to domestic violence will be operating
9 in the same sense as far as home visits are
10 concerned.

11 CHAIRPERSON GIBSON: Okay. So with all
12 the great work we're doing and the fact that overall
13 homicides are down, DV related, do you think you have
14 enough officers in your unit, and as we look with the
15 existing class that is in the Academy and with, you
16 know, just future opportunities with increased
17 recruitment, do you see a need for more domestic
18 violence officers?

19 DEPUTY CHIEF HOLMES: I do and I'm going
20 to tell you why. Normally we leave it up to the
21 commanding officer depending on the intake of
22 Domestic Incident Reports that have to be
23 investigated or how large their staff is that
24 addresses domestic violence. But I provide oversight
25 for my--for my unit to ensure that they have the

2 proper resources in place. But I'm creating what's
3 called a training unit, you know, that's specifically
4 dedicated to training. So that's going to naturally
5 impact on the resources of the command because that's
6 where we pull from to get our personnel. So as a
7 result of that training unit, in addition to I would
8 like an outreach unit for my office that I'm actually
9 trying to put in place. It will have some impact on
10 the resources as far as officers and some supervisors
11 are concerned.

12 CHAIRPERSON GIBSON: Okay. So the
13 training unit and the outreach will be uniform and
14 civilian or just uniform?

15 DEPUTY CHIEF HOLMES: Uniform and
16 civilian.

17 CHAIRPERSON GIBSON: Both?

18 DEPUTY CHIEF HOLMES: Yes.

19 CHAIRPERSON GIBSON: Okay. You have an
20 idea of the size and capacity yet?

21 DEPUTY CHIEF HOLMES: Our training unit
22 I'm looking for one lieutenant, one sergeant, eight
23 police officers, two civilians, and then the outreach
24 four officers and one sergeant.

2 CHAIRPERSON GIBSON: Oh, wow. Okay.
3 That's a lot.

4 DEPUTY CHIEF HOLMES: Uh-huh.

5 CHAIRPERSON GIBSON: Okay. Got you. And
6 I wanted to ask a question. So I put the hat on as a
7 former assembly member, a former state legislator,
8 and a lot of the work that the State Legislature does
9 in terms of state law to protect the identify of
10 victims to strengthen order of protection and make
11 sure that we really provide a lot of services. So
12 every year, this council puts forth its City Council
13 State Agenda in preparation for the new legislative
14 session, and we are preparing that, you know, during
15 the fall for 2016. And, you know, the one thing as
16 the Chair of Public Safety that I always make sure we
17 look at are state legislation and state bills that
18 can really help support the City and the
19 Administration.

20 DEPUTY CHIEF HOLMES: Uh-huh.

21 CHAIRPERSON GIBSON: The officers,
22 prosecutors being able to prosecute cases, and making
23 sure that we don't double victimize our victims,
24 force them to come into court to testify, et cetera.
25 So, you know, I'm putting this out there now. I

2 don't expect you to have a full platform, but I
3 certainly would hope and work with you and your team
4 in developing some legislation or current legislation
5 that's already pending for 2016 to see what we as a
6 Council can support to help your department do a
7 better job, and also codify, I'm sure state loopholes
8 that we may have in state law. The advocates do a
9 great job of helping us--

10 DEPUTY CHIEF HOLMES: [interposing] Yes.

11 CHAIRPERSON GIBSON: --understand because
12 they're--you know, we have advocates throughout the
13 state that work on this issue everyday. So they have
14 been very helpful, but I also want to make sure that
15 we get the perspective of the Police Department in
16 regards to state legislation that could be
17 supportive.

18 DEPUTY CHIEF HOLMES: Yes.

19 CHAIRPERSON GIBSON: Okay, great. Just
20 wanted to ask a question I think I asked earlier. In
21 terms of each of the commands, every command has a
22 different number of DV officers because you talked
23 about it based on the CO's needs, based on the
24 current number of DV cases and incidents to come
25 before them. So is there an average number? I mean

2 you mentioned the 44 because 44 has 44 has a lot of
3 challenges--

4 DEPUTY CHIEF HOLMES: [interposing]
5 Right.

6 CHAIRPERSON GIBSON: --but outside of
7 that, do you have an average number of the headcount
8 of DV officers in each command?

9 DEPUTY CHIEF HOLMES: No, there's not
10 average number. If--if you look at the 5th Precinct
11 I think it is, I have one sergeant and one officer
12 because of the volume that comes in there. And then
13 you can look at the 44 Precinct where at one point
14 they had one sergeant or--and two sergeants and 10
15 officers. So it's really depending on the volume of
16 the Domestic Incident Reports that come into those
17 particular commands.

18 CHAIRPERSON GIBSON: So how do you make
19 the decision and what time frame by which you make
20 these decision if the 44 at any given time has
21 between 8 and 10 over a period of time, what happens
22 if the 46 in the Bronx, which I also represent, has a
23 need based on numbers, where do we get those bodies
24 from to staff up the DV unit? Like how does that
25 work in terms of shifting?

2 DEPUTY CHIEF HOLMES: It--it comes from
3 the command. So the 46--

4 CHAIRPERSON GIBSON: [interposing] Oh, is
5 that a command?

6 DEPUTY CHIEF HOLMES: --they use their
7 personnel.

8 CHAIRPERSON GIBSON: That's not DV?

9 DEPUTY CHIEF HOLMES: That's not DV.

10 CHAIRPERSON GIBSON: Oh.

11 DEPUTY CHIEF HOLMES: Uh-huh.

12 CHAIRPERSON GIBSON: Wow. Okay.

13 DEPUTY CHIEF HOLMES: Yeah, so the--most
14 of our--all of the DV staffs are originally assigned
15 to that precinct, which makes sense. You know the
16 community. You know the people. So it's a lot
17 easier for the transition as far as them
18 transitioning from patrol into the Domestic Violence
19 Unit.

20 CHAIRPERSON GIBSON: So it's based on the
21 CO and XO in terms of how long those officers stay in
22 that unit per se or--?

23 DEPUTY CHIEF HOLMES: [interposing] No,
24 it's a--they can--

25 CHAIRPERSON GIBSON: --or in the borough?

2 DEPUTY CHIEF HOLMES: I--I mean we have--
3 no they have--we have people that's been here for
4 years, and--and take Sergeant Carleen Brown that you
5 made mention of. Carleen Brown has been currently in
6 that unit probably eight, eight and a half years.

7 CHAIRPERSON GIBSON: Yeah.

8 DEPUTY CHIEF HOLMES: Um, you know, we--
9 we put in place--I actually just did a proposal
10 requesting that these officers be given a special
11 assignment designation because you like to reward
12 them for the great work that they're doing. And it's
13 great because it also sustains. I think the longer
14 they're there, it sustains a stronger duty program,
15 the longer an officer remains in that particular
16 unit. Naturally, we lose some to promotion and
17 things of that nature, but they're always backfilled.
18 It's never where they're at a loss as a result of
19 someone getting promoting moving out of the unit?

20 CHAIRPERSON GIBSON: Okay, or even think
21 about the promotions. That's another conversation.

22 DEPUTY CHIEF HOLMES: Uh-huh. [laughs]

23 CHAIRPERSON GIBSON: Okay. I wanted to
24 ask about one of the bills or two actually that talk
25 about increasing the frequency of DV reporting--

2 DEPUTY CHIEF HOLMES: [interposing] Yes.

3 CHAIRPERSON GIBSON: --the pros and cons
4 of that. So a lot of advocates and others believe
5 that it would help us better identify targeted groups
6 developing targeted prevention and intervention
7 programs, and then in your testimony you described
8 some of the pitfalls where you could have a
9 development that has a high number of DV cases and
10 that could potentially put victims or potential
11 victims, the residents of that area in jeopardy or in
12 harm's way. So, what would you say in terms of that?
13 Do you think that we have more support to increase
14 frequency because we want to target, and want to have
15 a specific focus or do you think that the danger
16 outweighs the--the pros.

17 DEPUTY CHIEF HOLMES: Well, I don't--I
18 don't have a personal opinion or anything because I,
19 you know, I'm one for always advocating for more
20 awareness and--and reporting as far as DV victims are
21 concerned. But I know the potential is there. It's
22 already sensitive in nature. A lot of people already
23 feel embarrassed about especially the police coming
24 into their home to address personal matters. So I

2 just think that there's the possibility that it may
3 stigmatize a particular development.

4 CHAIRPERSON GIBSON: Okay, that's a fair
5 statement. Just Deputy Commissioner Hill, I just
6 want to ask one question. I mean I feel like I know
7 so much about the agency. You guys do a lot of other
8 partnerships within the city not just in senior
9 centers in schools. I wanted to understand the
10 Health Relationship Training Academy that the
11 Commissioner had talked to me about in terms of young
12 adults and adolescents. Could you talk about how we
13 gauge success of this program, how do we define
14 success, and what is the content and the curriculum
15 that's in the program?

16 DEPUTY COMMISSIONER HILL: So the program
17 really is run by our agency, but we hire peers.
18 People who are--are just getting out of high school,
19 just beginning college to do healthy relationship
20 workshops with individuals and their peer groups.
21 And our peer group I should say runs from 11 years
22 old up to 24. And the content really is walking
23 through with them what a healthy relationship looks
24 what, and more importantly what an unhealthy
25 relationship looks like. So if somebody is

2 constantly texting you, you might think when you
3 first get into a relationship that's a great thing.
4 They seem interested in what I'm doing, where I'm
5 going, but as that kind of activity goes on, it
6 becomes much more of a controlling type--type
7 activity. So we--the workshops they're about an hour
8 to an hour and a half long, and they basically go
9 through with the teens what unhealthy and healthy
10 relationships look like, and where they can reach out
11 for help if they feel like they need it. We'll be
12 expanding that program actually in the next couple of
13 months through our partnership with the
14 Administration for Children's Services to offer this
15 program to every adolescent that is in foster care.
16 So they can get an understanding of what a healthy
17 relationship looks like, and can avail themselves of
18 the services that are available for them with the
19 Family Justice Center and through the Mayor's Office
20 to Combat Domestic Violence.

21 CHAIRPERSON GIBSON: Oh, okay. I like
22 that idea.

23 DEPUTY COMMISSIONER HILL: Yeah.

24 CHAIRPERSON GIBSON: And in addition to
25 those young adults in foster care--

2 DEPUTY COMMISSIONER HILL: [interposing]
3 Uh-huh.

4 CHAIRPERSON GIBSON: --I also encourage
5 you to identify through ACS and include juvenile
6 facilities for young girls and young guys. I have
7 some in my district working with community providers
8 that would be awesome to visit those as well. And,
9 you know, and obviously these young individuals who
10 we define as at risk for many reasons, but I think
11 that would be great to incorporate that there as
12 well.

13 DEPUTY COMMISSIONER HILL: Yeah, that's a
14 great suggestion. I will say we do some of that
15 already naturally through the Healthy Relationship
16 Academy. We do have juvenile detention facilities,
17 and other programs reach out to us to provide those
18 services, and we do reach out to ACS and talk about
19 how we can do that on a more system wide basis.

20 CHAIRPERSON GIBSON: Okay. I know I was
21 with the Commissioner last year, and we announced the
22 Anti-Stalking Campaign, and there's a huge
23 correlation between obviously DV, healthy
24 relationships and stalking. And I appreciate, you
25 know, the commitment because recognizing a lot of the

2 behavior that we could potentially see as warning
3 signs are--are, you know, are unnoticed that are
4 borderline stalkerish. So, the anti-stalking message
5 is incorporated into the healthy relationship
6 training, right?

7 DEPUTY COMMISSIONER HILL: Yes it is.

8 CHAIRPERSON GIBSON: Okay, good. Great.
9 Okay, this is awesome. Council--oh, yes, thank you
10 for joining us. Council Member Chaim Deutsch, thank
11 you for being here. Did you have any questions?
12 Okay, thank you. This all for me. I am really
13 grateful that you all were here. Thank you so much,
14 Deputy Commissioner and thank you Chief for your
15 work, for your testimony. We will continue to have
16 conversations about the specifics of the bill
17 possibly for amendments and other, you know,
18 enhancements, about the financial aspect of it, and
19 in terms of the frequency of the reporting. We'll
20 talk to all of the bill's sponsors including the
21 Speaker to find out their concerns and, you know,
22 work from that--that point. But I do want to thank
23 you very, very much. I'm very glad that we had this
24 hearing this month, and I'm thankful for all of your
25 work and know that you have the support and the

2 commitment of this Council and this committee as we
3 continue to really work together to eradicate
4 violence in all aspects especially domestic violence.
5 And making sure that we can really drive these
6 numbers down so what we can get to what I want to
7 call Vision Zero.

8 DEPUTY CHIEF HOLMES: Absolutely.
9 Absolutely. Thank you. Thank you, Council Members.

10 CHAIRPERSON GIBSON: Thank you. Thank
11 you for being here today.

12 DEPUTY COMMISSIONER HILL: Thank you very
13 much.

14 [background comments]

15 CHAIRPERSON GIBSON: If there is anyone
16 here that would like to provide testimony, please do
17 so with our sergeant at the front, and I also want to
18 acknowledge that for the record we've received
19 testimony from Sanctuary for Families and Safe
20 Horizon as it relates to today's hearing. Our next
21 panel is Madeline Garcia Bigelow from the Domestic
22 Violence Project at the Urban Justice Center.

23 [pause, background comments]

24 MADELINE GARCIA BIGELOW: Okay.

25 CHAIRPERSON GIBSON: Ready?

2 MADELINE GARCIA BIGELOW: Thanks.

3 CHAIRPERSON GIBSON: You may go.

4 MADELINE GARCIA BIGELOW: Okay. Well,
5 now good afternoon, and thank you so much. I
6 appreciate the opportunity to be here. I actually
7 want to speak very much from the heart. I've been
8 doing the work for the past 23 years, first as a
9 prosecutor and then a civil agency. I had the
10 opportunity to start a project--just as a little bit
11 of background--a domestic violence project at the
12 Urban Justice Center. And the reason that I started
13 that is because I saw that there was a disconnect
14 between the legal and social services that were
15 occurring and co-occurring throughout the city. When
16 I saw Intro--I'm here to support Intro 968--when I
17 saw that this was actually coming forward, I thought
18 what a wonderful thing. And it's wonderful because
19 going to the shadows of darkness and bringing people
20 into light really does mean that we need to have that
21 transparency. And what the details that may be given
22 by gathering these statistics allow us is to really
23 tailor what it is that we're doing. If we don't know
24 what people need, then the default is here are the
25 buckets of information that I in my experience and

2 anecdotally in my field of work, and working in
3 collaboration with systems with government, with
4 other CBOs, what we've come up with. We know it's
5 immigration. We know that there are legal remedies
6 that are needed. We know that people need to move.
7 We know there are housing issues, but to be able to
8 drill down to that granularity, you need the details.
9 You need to be able to know. Right now what I
10 learned today in terms of robberies when the Chief
11 testified that it has to do with phones and debit
12 cards and credit cards. That to me is a potential of
13 financial abuse--

14 CHAIRPERSON GIBSON: [interposing] Uh-
15 huh.

16 MADELINE GARCIA BIGELOW: --that we're
17 not finding out about that there's more of a creative
18 isolation that is occurring by removing the
19 technology from the individual. It means to me that
20 since I don't know that, I may go in and have staff
21 conduct legal clinics, and provide some of this
22 information, but I don't have the knowledge coming
23 forward to say actually what I should be doing is
24 maybe financial empowerment. Maybe I need to bring
25 in one of our clinicians that--where some of the DIRs

2 disclose that there's some sort of mental health
3 issue where the abuse that is occurring is really
4 more of a mental abuse of an emotional abuse of
5 taking away meds. Maybe it's not the physical, and I
6 know that there is a need. I'm a former prosecutor.
7 I'm extremely comfortable with the need of dealing
8 with incarceration and dealing with accountability in
9 the legal system. However, the ancillary issues are
10 not being dealt with. By reporting these statistics
11 what we're really garnering are all the DIRs, and the
12 DIRs are what are chuck full of that information.
13 What normally gets reported is a generalized family
14 violence or perhaps some form or fashion of domestic
15 violence of those cases that get prosecuted, and then
16 prosecuted to the felony level where they're actually
17 indicted, true billed and it moves forward. That's
18 such a small percentage of a whole host of issues
19 that people are dealing with, and why they would
20 actually present.

21 I would like to take a moment, something
22 that I hadn't thought of before was the safety
23 concern that I did hear being testified to today by
24 the Chief. And that being if there is that
25 consistency of reporting on a weekly basis, very

2 often if you really do just have one or two or three
3 or five folks that are reporting at a particular
4 housing, and it's being reported out, then you--there
5 is the opportunity for their safety to be breached.
6 However, there are ways that we can get around that.
7 Perhaps reporting out every quarter. Perhaps not
8 reporting out with the specificity of one particular
9 housing, but rather NYCHA as a whole. NYCHA as a
10 whole in the Bronx. NYCHA as a whole throughout the
11 city. I think to steer away from these things for
12 fear that we're going to be breaching safety really
13 demands the conversation of well how do we not breach
14 that safety. And by--I know that in even preparing
15 and trying to get into NYCHA and trying to do the
16 work that we do, and bringing it to the ground, one
17 of the things that is incredibly frustrating for me
18 is that we can't get statistics on NYCHA. There are
19 no statistics. You go on their website there are no
20 statistics. The statistics--the statistics don't
21 speak to intimate partner violence. It speaks to
22 these pockets, and even my experience would never
23 have borne out thinking of robberies in the context
24 of that's the DV incident that's most occurring right
25 now.

2 I will walk away from this and run back
3 to the office and say this is something we really
4 need to look at because I wouldn't have thought of it
5 in that capacity. I know it occurs, but I didn't
6 know that's the way we were reporting it. Which is
7 different than me coming from the outside as an
8 advocate, as a CBO trying to figure out what's going
9 on. So that those services really are on point. So
10 that we can address those ancillary issues. So that
11 we can say okay let's deal with the legal component,
12 but then how are we going to survive the violence?
13 It's not enough to get the emergency transfer. It's
14 not enough to be able to elect whether or not you
15 want to stay or go. How are you actually going to
16 survive that, the day in and day out of how each of
17 us that are privileged enough to handle our own lives
18 demands us to be present in that, and to have some
19 level of choice? So by having this kind of detailed
20 drill down information, I think it really does allow
21 that. I think it allows the conversation to have a
22 broader breadth. I think it allows bringing people in
23 that aren't solely system. I think it allows for a
24 different way of creating the path, and I think it
25 really is client centered. What happens often times

2 in my experience with the legal system, someone has
3 already self-selected. They've self-identified and
4 they self-selected to report, and then there's this
5 system that says whether or not there's enough
6 probable cause or certain whether or not there's
7 enough to prove the case beyond a reasonable doubt.
8 That's a very small percentage of domestic violence
9 victims in the city or anywhere. It's a population
10 that needs that relief, but just as much we see
11 easily 1,200 clients a year that we provide direct
12 services to. And I can say with--with a good level
13 of certainty that about 30 to 40% we're advising not
14 to go to court because it's not safe. It's simply
15 not safe to always go to court, and that has been
16 recognized by changes in NYCHA where they used to ask
17 for a police report. And you needed to get an order
18 of protection, which notice of substantiation would
19 have to be outside and in the court system when it
20 may not have been safe. There has been recognition.
21 Things have changes in the over 23 years that I've
22 been doing this, and it's a wonderful thing to see
23 that there is this level of collaboration. But I
24 really do think that for us to make that systemic
25 change that's inclusive of all populations of folks

2 who are victimized, that are straight, that are LGBTQ
3 that have disabilities, that are impoverished, that
4 are working poor, that have kids, that can't go into
5 shelter, that-- All these different facets really
6 require us to take a look at the entire package and
7 to be able to do that fighting for statistics or if
8 you can get them in a format because you work in a
9 certain area. And someone else doesn't have access
10 to it doesn't allow us to do the best work. And I
11 think that this has been borne out in the fact that
12 we have had wonderful partnerships with quite a
13 number of council members that have hosted us in
14 providing clinics in their offices, in their district
15 offices. And the reason that's been really fantastic
16 is that we don't say that the clinic is that you have
17 to self-identify a victim of domestic violence first.
18 It is do you have legal issues? Do you have
19 financial issues? And se kind of leave them broad.
20 So the people that are coming in they're only self-
21 selecting that they want to speak to an attorney.
22 Sometimes they're not victims of domestic violence,
23 but I see that as a form of education and outreach.
24 That's now another person, another soldier, if you
25 will, that can go out there and say, Oh, you know

2 what? I just happened to speak to someone about
3 child support, not in a DV context. But I think they
4 may do that because our information is there because
5 we're starting that relationship and that trust.
6 It's allowing us to really have the conversations
7 with the council members what's happening in their
8 particular areas. Because it's those relationships
9 that will allow us to really target. And if you're
10 saying it's a client center service or a trauma
11 informed or whatever the catch phrase is that we're
12 using, then we have to actually allow people to self-
13 identify. These services are only good if someone
14 actually says yes, I can see that I have a need for
15 that, and yes it's accessible and it's safe. And
16 that's going to come--that shouldn't be their lift.
17 Their lift should not be I have to seek it out. We
18 should have the data and the information and the
19 statistics, and the onus should be on us as providers
20 and system providers, and the agencies and faith
21 based to come together and say well, how are we
22 bringing that to them so that they can access it?
23 Because often times the issue that DV victims have
24 it's not the domestic violence. It's the lack of
25 accessibility. What divides those that are

2 privileged enough to have access from those that
3 don't is that you don't just have access once. You
4 can recreate access in your life. If I have an issue
5 in my life I don't just have one door to walk through
6 or maybe two. I often times could at least massage a
7 few open doors, and then I get to make a decision.
8 But here's this information that we don't have. I
9 can tell you quite honestly as a provider it's very
10 difficult to get information. So most of what we do
11 it's through task force and we do get it that way and
12 through conversations, and wonderful relationships
13 with people and through the clients. But this work
14 needs to be able to kind of turn how you're providing
15 the services as things occur. This--the--the best
16 part about today for me was honestly that robberies
17 comment because that's something now that is a
18 different lens for me. It's the same issue, but from
19 a different lens. So those little pieces--a kernel
20 of information that could be accessed out in data
21 that's readily available. You call. They show up.
22 There's a DIR. There's a DIR and when you look at
23 it, it's going to give you these pieces of
24 information. And I, of course, can never speak to
25 the database on a large city wide scale, but in my

2 little world, it's really hard to recreate things,
3 but it can be done. Because then the long-term thing
4 is then is well now that we've done this, what are we
5 going to do with this information, and that really is
6 the partnership of doing it. And it's a
7 transparency and it is taking it out of the shadows,
8 and it is putting a light on it. And it is saying
9 we're hearing you, and we're going to go ahead and
10 we're going target what your needs are specifically.
11 I do think that the issue of safety and
12 confidentiality definitely needs to be addressed,
13 and--

14 CHAIRPERSON GIBSON: [interposing] Uh-
15 huh.

16 MADELINE GARCIA BIGELOW: --it may be
17 something as easy--excuse me--as easy as just not
18 reporting it every week out, or not reporting it
19 under, you know, PSA7. We had one call this past
20 week, and it hasn't been dealt with yet, and now
21 people know it. So I get that that there are ways
22 that I think thinking together we can figure out how
23 to do that while still supporting and championing
24 this. Sorry, but completely off script. [laughs]

2 CHAIRPERSON GIBSON: Thank you. You know,
3 when you speak from the heart, you know, there's
4 always truth in that. So I appreciate it, but we
5 have your testimony on behalf of Urban Justice for
6 the record.

7 MADELINE GARCIA BIGELOW: Thank you.

8 CHAIRPERSON GIBSON: But I appreciate it
9 knowing Urban Justice and the work you do over the
10 years. The law clinics that we have, I have one in
11 my office and I agree with the stigma of DV. We
12 don't promote it as a DV clinic. We try to attract
13 clients to come in for another reason because
14 everything is so interrelated, and if there's child
15 support, there's foster care, kinship care,
16 grandparents support grandchildren, you know that
17 there could be some level of a DV case involved. And
18 so, that's been our creativity working with Urban
19 Justice to bring clients in. And I appreciate you
20 raising the issue of the confidentiality and the
21 security because, you know, representing one of those
22 15 targeted developments that was a concern that was
23 raised by the Administration in terms of yes it's
24 great to highlight because of a focus and sharing the
25 information. But also the pitfall is you are kind of

2 on the map now, and everyone knows because everyone
3 that has access that chooses to access it will know,
4 right? The broader public may not all visit the
5 website, but for those that know and do, they will be
6 aware. So I was going to ask what your suggested
7 frequency is. I mean you kind of alluded to it in
8 terms of what would be best to try to satisfy both,
9 the security issue, confidentiality, but also getting
10 the information that we know is helpful and
11 important.

12 MADELINE GARCIA BIGELOW: I think
13 quarterly. I mean I think the numbers are out there--
14 -

15 CHAIRPERSON GIBSON: [interposing] Okay.

16 MADELINE GARCIA BIGELOW: --if quarter if
17 the numbers that folks get preliminarily aren't
18 sufficient to protect the whole, then I would say
19 twice a year. But the aggregate can be all of NYCHA.
20 It could--it doesn't have to be targeted to such
21 specificity because it's not just us as providers. Or
22 yes, the general public may not be looking at it, but
23 it's the folks that work at NYCHA. It's the person
24 who may be the case manager at the location. It's
25 someone that goes in and does a clinic there that's

2 not associated with domestic violence or it's the
3 schools. So I get that there's that--it's not just
4 safety, but it's also the confidentiality because
5 again that--that to me goes to a bit of privilege,
6 and I'm sorry to overuse that word. But just that
7 kind of autonomy that we have that we choose to
8 provide our information when we're comfortable that
9 folks in situations that are marginalized or
10 victimized, indigent or working poor often times
11 because they're having the system assist them, they
12 are disallowed from saying they don't want to give up
13 certain confidential information. So I think that
14 will allow us to look at it. It's a bit more
15 challenging, and I look to your expertise into how do
16 that in a legislative way. But I would be more than
17 happy to think that through. I think that we need
18 it, and I think that there is a way that it can be
19 done where it protects and benefits at the same time.

20 CHAIRPERSON GIBSON: Okay. I appreciate
21 that. Certainly it's under consideration and we
22 will, you know, keep having conversations about the
23 bills. You also talked about many clients coming
24 forth, and potentially a victim of DV, but not
25 actually calling 911 or calling law enforcement. Do

2 we still keep a record? Does your agency keep a
3 record of those cases? And, you know, what do we do
4 absent of not contacting law enforcement? Like how
5 do we address a lot of those issues?

6 MADELINE GARCIA BIGELOW: We do keep
7 that. We have the good fortune of putting together a
8 database in the past year where we're capturing all
9 those discrete pieces of information. It's all in
10 the relationship. If they know that you're part of
11 the community, they meaning the victim, and you're
12 building that trust relationship, then they'll slowly
13 give you more and more information over time. So we
14 have gotten to a point where some people tell us they
15 don't want to leave a relationship. So we're working
16 within the confines of that relationship to provide
17 them with some safety. At that point, we may suggest
18 do you want to see one of our therapists for long-
19 term counseling. Other things that allow them--it's
20 kind of chipping away at the ice or pulling the
21 curtain over just a tiny bit. It's giving people the
22 opportunity to start making those decisions, and
23 feeling that they can trust you enough to take the
24 steps that are dangerous for them. It is dangerous
25 for them. It's dangerous for them physically,

2 emotionally, economically, with housing, with their
3 children. I mean we ask them to do quite a bit in
4 leaving a relationship. There are a lot of pieces
5 that fall apart if they don't have that support. So
6 I think again going back to the reason for this data
7 I can go in there, and if one of the ongoing needs is
8 how to safeguard your full interest (sic) or you
9 don't have insurance. Or maybe we need to figure out
10 some safety where can you call from? How do you do
11 that? Should you have like a spare Metro phone? Can
12 you afford that? Should--instead of maybe the next
13 thing that we put in a proposal that we want to have
14 phone cards. I don't know, but if we have that
15 information, then you're going in, and you're doing
16 DV 101s with that. You're going in and saying hey
17 we're having a clinic on, you know, how to get cheap
18 phone insurance. Whatever. You start thinking in
19 terms of that, and people will come for those reasons
20 without needing to self-identify. And when they're
21 ready, right, because statistically they say it teaks
22 about seven times for someone to attempt to leave
23 before they leave. So you want to try and catch
24 them. It's not that you just want to be there for
25 when they leave because often times there's a real

2 breaking point in that, and there's a lot of damage
3 that's been happening. We want to get there before.
4 I mean certainly things like the RAP Program and
5 agencies like Day One they can get there earlier.
6 That's why healthy relationships is important to
7 teach, but on the other side of it we also have to
8 have this informing equal way of dealing with what's
9 occurring. And if it's client led, sometimes it's a
10 lot messier than just going to court. It's not just
11 it's easy.

12 CHAIRPERSON GIBSON: Do most other
13 advocacy and community groups keep like an internal
14 data base on undocumented cases, so to speak, or
15 unreported cases, rather? Do you know of that
16 because I guess my next question would be is should
17 we as a Council start to look at something more broad
18 on a citywide scale in terms of clients that do not
19 call, but still need some assistance? And is there
20 some way that we can, you know, intervene in a way to
21 still help that family?

22 MADELINE GARCIA BIGELOW: I would assume
23 that most people have some way or documenting that.
24 They may not document it in the way that we just
25 spoke of it, but I think that is--that there is a

2 commonality among advocates that most people won't
3 actually call. That's why you do all that education
4 and outreach. That's why everyone goes to the
5 tabling events, and have DV 101s and tries to find
6 different ways of educating folks because that's the
7 hope. That--that's like the hope to hang their hat
8 on.

9 CHAIRPERSON GIBSON: Uh-huh.

10 MADELINE GARCIA BIGELOW: And at the
11 point--sometimes it's just that ongoing education,
12 and eventually they may either self-report, or they
13 give the information to someone else. Because that's
14 what we really want. It's everyone being--it's
15 everyone being involved. That's what the
16 transparency can do, and that's why this allows DV--
17 like we're all little accountable as well when we
18 don't report things, and when we see things happen
19 and we don't do anything about it. In that way
20 because what we're doing is we are inadvertently
21 allowing the abuser the space to continue doing what
22 they're doing.

23 CHAIRPERSON GIBSON: Right.

24

25

2 MADELINE GARCIA BIGELOW: And so I don't
3 think it's as--I don't think it's going to be that
4 easy to change everything--

5 CHAIRPERSON GIBSON: [interposing] Right.

6 MADELINE GARCIA BIGELOW: --but we've
7 made a tremendous amount of change in the past 20
8 years. And we've made a tremendous amount of change
9 in terms of how we view groups and sects of society
10 that weren't accepted at all even in just the past
11 five years. So there's a lot of hope that then this
12 is the next thing that we're going to be drilling
13 down on, and that may take some muscle, but change is
14 hard. Folks get accustomed to doing things a certain
15 way, advocates included. So it's always good to--

16 CHAIRPERSON GIBSON: [interposing] Right.

17 MADELINE GARCIA BIGELOW: --to challenge
18 ourselves a little.

19 CHAIRPERSON GIBSON: So are those numbers
20 that are kept--I mean you said that some of them the
21 individuals could self-report some. I imagine the
22 organization would deem it's necessary to report. Is
23 that information like shared with the Council? It's
24 kept on file? Is it used as part of your profile

2 and, you know, further mission work, a division of
3 the organization?

4 MADELINE GARCIA BIGELOW: I can speak for
5 myself. It is part of our mission work.

6 CHAIRPERSON GIBSON: Uh-huh.

7 MADELINE GARCIA BIGELOW: It allows us to
8 see what population aren't being served. For some
9 folks it--it does help me to understand why they're
10 not reporting. And there are issues that, you know,
11 we--we are comfortable with the language of it. But
12 there are always new things that crop up because for
13 instance just the immigration of different
14 populations that come in with different backgrounds
15 and different identities, and a different lens. It's
16 just a different filter and lens--

17 CHAIRPERSON GIBSON: [interposing] Uh-
18 huh.

19 MADELINE GARCIA BIGELOW: --right because
20 domestic violence is also--it's objective, but it's
21 also subjective. It's someone having power and
22 control exerted upon them. So their life experiences
23 are narrowed. (sic) Maybe what takes Victim A to
24 feel like they're a victim of domestic violence, and
25 narrowing their experiences is a lot of verbal abuse.

2 Maybe for someone else, it's to the point of having
3 some serious physical injuries. For other people
4 it's--You know, it could be something with their
5 kids. For folks who are--have a physical disability
6 perhaps their abuser is also the person that cares
7 for them. So there are lots of different things.
8 There's the commonality of the power and control, but
9 how that's effectuated is a little different. So I--
10 I would venture to say that almost every agency at
11 minimum does like just even paper reporting for
12 themselves--

13 CHAIRPERSON GIBSON: [interposing] Okay.

14 MADELINE GARCIA BIGELOW: --to try and
15 assess what's going on. I know that for us we are--
16 we've been undergoing--I have written into a grant
17 doing our ongoing quality assurance. So, we're--
18 we've been looking at it with a real tight lens. Um,
19 to really see is what we say we do helpful in the
20 manner in which we do it.

21 CHAIRPERSON GIBSON: Uh-huh. So I wanted
22 to just raise some cases that have come to my
23 attention because I'm not sure what category they fit
24 in. We have a lot of parents whose children, adult
25 children live with them who could potentially be

2 involved in a DV case, and mom or dad, stepparents
3 intervene. And in two of the cases I speak about,
4 one instance was a daughter who was being abused by a
5 boyfriend, and she's now in a DV shelter. But
6 boyfriend is now because mom still lives in the
7 development and now the boyfriend is harassing mom,
8 but the original case was daughter. So I'm not sure
9 category that fits in, but in those types--I imagine
10 when I hear one I imagine there are probably many
11 others, or just instances where parents, you know,
12 have children adult children living them, and they
13 don't like boyfriend or girlfriend. And there could
14 potentially be an issue that's not being addressed,
15 and they don't know how to handle it. What do you do
16 in cases like that, and what category would that fit
17 in?

18 MADELINE GARCIA BIGELOW: I think for--
19 it's very specific to the facts of the case, but it
20 could be in that situation that boyfriend is trying
21 to control former girlfriend through the mother by
22 intimidating the mother or maybe trying to interfere
23 with their housing. That's all part of domestic
24 violence. It could be that it is just a harassment
25 or stalking but non-domestic violence. Just

2 depending. Do you know what I mean? Like the mom
3 would still have the opportunity to report it, but it
4 may not fall under a domestic violence report. It's
5 going to be very specific as to what happened like
6 why--why has this abuser now turned to the mother. I
7 would venture to say it's because he's not garnering
8 what he needs. He's lost some control over the
9 victim, and maybe this is like an end run to that
10 much like you would use children in a situation. In
11 that case, mom wouldn't be the victim of domestic
12 violence. It would be her daughter so under like a
13 DV lens you would really be turning to the daughter
14 if she wanted to do anything about it. Otherwise,
15 then you're counseling the mom as to what her own
16 personal rights are.

17 CHAIRPERSON GIBSON: Okay, that makes
18 sense. Okay. This came up and I was just wondering
19 how that happens. I mean I understand the dynamics
20 now that you describe it in terms of, you know,
21 boyfriend trying to still have control through other
22 mechanisms. And certainly in many cases they live in
23 the same area, a development, neighborhood, and so
24 there's still that access. So, I mean, what we
25 ultimately ended up doing was reaching out to a

2 provider, and they were helping mom deal with it as a
3 new case because of her own fear of her safety and
4 her livelihood being in jeopardy. And so that's the
5 course that she took. But I just didn't understand
6 like what category it--it fell in because the
7 original case was something that was already being
8 addressed, and it almost seemed as if a new case came
9 about.

10 MADELINE GARCIA BIGELOW: It is a new
11 case for the mom, but it is an interesting dynamic,
12 which it's one of those things if you have that kind
13 of relationship. And you're working with them, maybe
14 then you're trying to see if mom can go to therapy,
15 if the daughter wants to go to therapy, if we can
16 somehow transfer. What's the solution to that. So
17 it is that kind of--those sticking points.

18 CHAIRPERSON GIBSON: Okay. Thank you so
19 much for being here today.

20 MADELINE GARCIA BIGELOW: [interposing]
21 Thank you so much.

22 CHAIRPERSON GIBSON: Thank you for all
23 the work you do.

24 MADELINE GARCIA BIGELOW: [interposing]
25 Thank you.

2 CHAIRPERSON GIBSON: We appreciate the
3 Urban Justice Center, one of our partners. Thank you
4 for just the work you do, the grassroots and saving
5 so many lives in the city.

6 MADELINE GARCIA BIGELOW: Thank you so
7 much. Thank you for supporting us. Thank you.

8 [background comments]

9 CHAIRPERSON GIBSON: Thank you all for
10 being here today. Thank you sergeant-at-arms and all
11 the staff of the Public Safety Committee. This
12 hearing is hereby adjourned.

13 [gavel]

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C E R T I F I C A T E

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



Date October 18, 2015