

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

Jointly with

COMMITTEE ON PUBLIC SAFETY

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HELD AT: Council Chambers - City Hall

B E F O R E: Julissa Ferreras-Copeland  
Chairperson

Vanessa L. Gibson  
Chairperson

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

James O'Neill  
NYPD Commissioner

Robert Boyce  
NYPD Chief Commanding Officer of Detective  
Bureau

Susan Herman  
Deputy Commissioner of Collaborative Policing at  
NYPD

Joanne Jaffe  
NYPD Chief of Commission Affairs Bureau

Vincent Grippo  
Management and Budget at NYPD

Tracie Keesee  
Deputy Commissioner of Training at NYPD

Terrence Monahan  
NYPD Chief of Patrol

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

Lawrence Byrne  
Deputy Commissioner of Legal Matters at NYPD

John Miller  
Deputy Commissioner for Intelligence and  
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Thomas Chan  
Chief of Transportation Bureau at NYPD

Joseph Fox  
Chief of Transit at NYPD

Benjamin Tucker  
First Deputy Commissioner at NYPD

Cyrus Vance  
Manhattan District Attorney

Darcel Clark  
Bronx District Attorney

Michael McMahon  
Staten Island District Attorney

Eric Gonzalez  
Brooklyn Acting District Attorney

Bridget Brennan  
Special Narcotics Prosecutors



2 CHAIRPERSON FERRERAS-COPELAND: Good  
3 morning and welcome to today's Finance Committee  
4 Hearing. My name is Julissa Ferreras-Copeland, and I  
5 am the Chair of the Committee. I want to thank my  
6 Co-Chair Council Member Vanessa Gibson and the  
7 members of the Public Safety Committee for joining  
8 us. I want to acknowledge the members that are here.  
9 We have Council Member Rodriguez and Minority Leader  
10 Matteo. This morning, the Council-- the Committee  
11 continues its look at Fiscal 2018's Executive Budget  
12 with the New York City Police Department. We will  
13 hear from NYPD Commissioner James O'Neill. I'll  
14 begin with a brief overview of the NYPD's Fiscal 2018  
15 Executive Budget. The Department's expense budget  
16 totals 5.6 billion dollars which is an eight percent  
17 increase over its Fiscal 2016 Adopted Budget. The  
18 supports a workforce of over 51,800 positions, around  
19 35,900 of which are uniformed and 15,940 of which are  
20 civilian. The Fiscal 2018 overtime budget totals  
21 621.7 million. I would note that through March of  
22 this fiscal year, overtime spending has totaled 551.3  
23 million. On the capital side, the Fiscal 2017/2021  
24 Commitment Plan includes about two billion for the  
25 NYPD. This represents a six percent increase over

2 the Preliminary Plan. A majority of these funds are  
3 allocated towards maintaining police facilities;  
4 however, other notable projects this year include a  
5 comprehensive overhaul of technology operations  
6 citywide, locker room renovations, and the  
7 construction of a new precinct in Southeast Queens.  
8 Before we hear from the Police Commissioner, I want  
9 to highlight a few issues that I hope to discuss  
10 further this morning. The Council continues to push  
11 for essential capital improvements in police  
12 facilities, and we were pleased to see funding in the  
13 Executive Plan for citywide locker room and precinct  
14 bathroom renovations. I know that my colleagues and  
15 I will be interested in receiving updates about the  
16 Department's Plan for the essential precinct's  
17 renovations and rehabilitation projects throughout  
18 the City, those ongoing and those that are under  
19 consideration. Our police officers deserve to work  
20 in an environment that is safe, clean, modern, and  
21 that suits the important work that they do. However,  
22 as I highlighted with other agencies, I am concerned  
23 about the alignment of planned capital funds with  
24 actual commitments of those funds. The NYPD's  
25 Executive Plan increases by 109.6 million over the

2 Preliminary Plan to two billion dollars. However,  
3 given the Department's Capital Commitment rate in  
4 prior years, we know the Department will likely not  
5 spend a large percentage of these funds in Fiscal  
6 2018. Turning to headcount, the Council led the way  
7 a couple of years ago in advocating for additional  
8 funding for the Department to civilianize positions  
9 which allows officers to return to the streets for  
10 vital enforcement work and save City money. However,  
11 civilian hiring continues to stall, and progress on  
12 this front is of concern to us. I would like to  
13 receive an update from the NYPD on efforts to hire  
14 additional civilian staff. Additionally, as the part  
15 of the Administration's HealingNYC initiative to  
16 combat the opioid epidemic in our city, the Executive  
17 Budget includes 17.9 million in Fiscal 2018. This  
18 will fund 134 additional positions including 84  
19 detectives to investigate overdose and make drug  
20 trafficking cases. While added enforcement and  
21 ensuring that these drugs are off our streets is  
22 critical, I would note that the significant  
23 discrepancy between this headcount increase and new  
24 staff allocated on the public health side, two  
25 agencies such as DOHMH and the Health + Hospitals,

2 I'm interested to hear from the NYPD how it will work  
3 with other agencies to address this problem not only  
4 in terms of enforcement but also prevention and  
5 treatment. Finally, the City was glad that after  
6 months of lobbying by the Mayor and Police  
7 Commissioner, Congress recent spending agreement  
8 includes 61 million to reimburse local Police  
9 Departments responsible for protecting President  
10 Trump and his family. These are costs that the City  
11 should not have to bear. I hope the Department is  
12 able to receive and recognize reimbursement for the  
13 total cost of securing Trump Tower to this point and  
14 that the City is compensated for all future costs of  
15 providing this type of security. I look forward to  
16 hearing from these-- about these issues and more at  
17 today's hearing. Before turning it over to my Co-  
18 Chair, I want to thank the Finance Staff that helped  
19 prepare this hearing: Regina Poreda-Ryan, Nathan  
20 Toth, Eisha Wright, Steve Riester, and Eric  
21 Bernstein. I will now turn the mic over to my Chair,  
22 my Co-Chair, for her opening remarks. And Chair, if  
23 you don't mind, I just wanted to acknowledge the  
24 recent passing of Peter Wertheim from the Mayor's  
25 side. He was a young man who really loved this city,



2 and I had the pleasure of working with. He passed  
3 yesterday at 39 years old. So, I just wanted to take  
4 a couple of moments to have a moment of silence and  
5 reflection for him and his family. Thank you, Chair.  
6 You may begin your opening statement.

7 CHAIRPERSON GIBSON: Thank you very much  
8 Chair Ferreras-Copeland, and I too want to join you  
9 in expressing our sincere condolences and prayers to  
10 Peter's family. He worked for Deputy Mayor Alicia  
11 Glen, and many of us knew him on a personal level.  
12 So certainly we want to continue to pray for strength  
13 for his family and friends. Good morning, ladies and  
14 gentleman. Welcome to City Hall. I am Council Member  
15 Vanessa Gibson of District 16 in the Bronx, and I'm  
16 proud to serve as the Chair of the Committee on  
17 Public Safety. I welcome each and every one of you  
18 here today, to all of my colleagues who are here, and  
19 to my fellow Co-Chair, both ladies in red today.  
20 Certainly want to thank Police Commissioner James  
21 O'Neill and the entire NYPD Executive Team who's  
22 here. We're looking forward to having a very  
23 productive conversation this morning. I want to  
24 quickly take this time to recognize the significant  
25 changes and investments that the NYPD, this City

2 Council and the Administration have made to address  
3 the public safety concerns of our City. From the  
4 budgetary wins of FY 2016 to the collaborative  
5 partnerships that the Department has engaged in, the  
6 NYPD's 5.6 billion dollar budget reflects the  
7 changing dynamics of criminal justice and public  
8 safety in our city. At this morning's hearing I hope  
9 to continue discussing the many initiatives the  
10 Department has engaged in, including Project Cease  
11 Fire and Project Reset, the Neighborhood Coordination  
12 Officer Program called NCO, our neighborhood-based  
13 policing model, HealingNYC, and opioid enforcement,  
14 the expansion of Shot Spotter technology, these  
15 initiatives including many others represent the  
16 various ways to look at policing in New York City and  
17 overall crime and public safety across our  
18 neighborhoods. In addition, I hope we can discuss  
19 the new technology advances such as the Sustainable  
20 Technology Initiative and how the Department is  
21 engaging in a new community survey to measure  
22 community satisfaction. As we continue the budget  
23 process for this fiscal year of 2018, I want the  
24 committee to further understand the budgetary  
25 challenges that the Department faces and the success

2 the Department has achieved. As the Council  
3 continues to push for reforms and further  
4 investments, we hope that the Department's budget  
5 will reflect our concerns to continually improve  
6 public safety and address inequities within the  
7 criminal justice system. I also want to thank the  
8 staff of Public Safety for all of their work in  
9 making sure that today's hearing is possible, our  
10 Finance Director Latonya McKinney, our Deputy  
11 Director Regina Poreda-Ryan, our Deputy Director  
12 Nathan Toth, Deputy Director Paul Scimone, Senior  
13 Financial Analyst Steve Riester, our Unit Head Eisha  
14 Wright, and my Legislative Senior Counsel Deepa  
15 Ambekar [sp?], and my Chief of Staff, Dana Wax. And  
16 once again I'm looking forward to hearing your  
17 testimony, Commissioner, and I truly want to thank  
18 you and your entire Department. we have had a lot of  
19 great success in this city, not only keeping overall  
20 crime down across the City, but really building  
21 stable families and communities and really allowing  
22 residents to be a part of many, many conversations,  
23 all of the community efforts, the interfaith  
24 services, the NCO program, the Community Partnership  
25 Program, a number of initiatives that you have been a

2 part of at your leadership, I thank you. This is  
3 your first time coming to this committee in your new  
4 capacity as Commissioner, and we are grateful. I  
5 also want to acknowledge and thank you for your work  
6 with the anti-gun violence and cure violence  
7 organizations, because they do incredible work  
8 working in partnership with you and many  
9 stakeholders, and I'm grateful that they are getting  
10 the credit that they so rightly deserve. So, I thank  
11 you once again for being here and to all of my  
12 colleagues, and now I'll turn this hearing back over  
13 to my CO-chair, Chair Ferreras-Copeland. Thank you.

14 CHAIRPERSON FERRERAS-COPELAND: Thank  
15 you, Chair Gibson. Before we begin, I'd like to  
16 remind my colleagues, many of which are making their  
17 way here, that the first round is five minutes of  
18 questions, and then if we have time we'll have a  
19 second round of three minutes. I will now-- before  
20 we hear from the Commissioner, you'll be sworn in by  
21 the Committee Counsel.

22 COMMITTEE COUNSEL: Do you affirm to tell  
23 the truth, the whole truth and nothing but the truth  
24 in your testimony before the committee today and to  
25 respond honestly to Council Member questions?

2 COMMISSIONER O'NEILL: I do. Okay, thank  
3 you. Good morning everyone. Thank you for the  
4 opportunity to discuss the Mayor's Executive Budget  
5 for the 2018 Fiscal Year. It is a pleasure again to  
6 be here and to testify before you about the  
7 outstanding work the men and women of the New York  
8 City Police Department have been doing and continue  
9 to do every day and night. Before I present the key  
10 budget highlights, I want to update you on our core  
11 crime fighting mission and the status of several  
12 important public safety initiatives. I'll try to be  
13 as brief as I can so we can get to as many of your  
14 questions as possible. In my last appearance before  
15 the Council in March, I reported on the consistent  
16 focused efforts of our police officers to not only  
17 maintain New York's record low crime rates, but to  
18 foster even better relationships with all those who  
19 live in, work in, visit New York City so that we may  
20 all share in the responsibility of reducing crime  
21 even further. I'm pleased to inform you that this  
22 exceptional work is rapidly expanding and paying  
23 fantastic dividends as we near the half-way point of  
24 the year. Citywide, and these numbers are from a  
25 week ago Sunday. The CompStat book for this week

2 hasn't come out yet. Citywide, overall crime is down  
3 by 5.4 percent from last year, 33,089 versus 34,978.

4 Homicides are down 18.2 percent, 90 versus 110.

5 Robberies are down 11.7 percent, 4,719 versus 5,344.

6 Rapes are down by 5.8 percent, 473 versus 502.

7 Felony assaults are down by 3.6 percent, 6,771 versus

8 7,024. Burglaries are down 8.1 percent, 4,235 versus

9 4,610. Grand larcenies are down 2.6 percent, 14,993

10 versus 15,394, and auto thefts or grand larceny auto

11 is down 9.3 percent, 1,808 versus 1,994. Shooting

12 incarceration, another major indicator of our

13 effectiveness are down a remarkable 15.6 percent over

14 last year, 238 versus 282, and the number of shooting

15 victims is down by 19.3 percent, 267 versus 331.

16 That is till 267 victims too many, of course, but we

17 continue to make massive in-roads into gangs and

18 crews by using precision policing to focus on the

19 worst of the worst in each borough, the relatively

20 small percentage of people who are responsible for

21 much of the violent crime. You'll recall that at the

22 end of our last year our city marked 998 shootings

23 for all of 2016. It was the lowest number of

24 shootings every recorded in New York City and the

25 first time that figure had ever dropped below 1,000.

2 I don't think it's possible to overstate how  
3 remarkable this is. NYPD is waging an all-out war on  
4 illegal guns in this city, and we're winning by a  
5 lot. The way we look at it, every firearm we're able  
6 to take off the street represents a life saved and a  
7 family kept intact. We continue to focus many of our  
8 efforts in public housing where overall crime is down  
9 by 2.1 percent, 1,650 versus 1,685 from last year.  
10 Shooting incidents in housing developments have  
11 dropped by 8.3 percent, 44 versus 48 from last year,  
12 by 22.8 percent since 2015, 44 versus 57, and by 56  
13 percent since 1995 when we saw 100 shootings by this  
14 point on the calendar. We are working very  
15 proactively to attack gun violence in public housing  
16 and beyond, and aim to make the historic low we saw  
17 last year the norm. Let me also address concerns  
18 about crime in our subway system, which is up 5.5  
19 percent overall this year, 895 versus 848. We have  
20 seen robberies in the transit system drop by 15.5  
21 percent this year, 147 versus 174. But felony  
22 assaults are up by eight percent, 121 versus 112.  
23 Similarly, grand larcenies which include purse or  
24 headphone snatching to removing a bag from the  
25 shoulder of a sleeping passenger or items from a

2 rider's pocket without the use of force have gone up  
3 12 percent, 617 versus 551. Members of our Transit  
4 Bureau have been conducting extensive crime  
5 prevention outreach to combat this uptick. They  
6 distribute flyers and speak with subway riders every  
7 day in high-density stations as well as locations  
8 where we've registered spikes in crime. We advise  
9 riders about the steps they can take to keep  
10 themselves and their property safe. We continue our  
11 approach to maintaining safety and order in the  
12 system by including quality of life violations that  
13 if left unchecked will breed more serious crimes. As  
14 we continually state, New Yorkers not only need to be  
15 actually safe, we also need to feel safe, too. Below  
16 ground as well as above and every community in New  
17 York City, our stated purpose is to relentlessly  
18 continue our fight, our work fighting crime and  
19 keeping people safe by way of our Neighborhood  
20 Policing philosophy and through our highly effective  
21 method of precision policing, and it should go  
22 without saying, it is our aim indeed, our mission to  
23 keep improving on all these numbers, and we're very  
24 confident we'll do just that with full partnership  
25 from the public that we serve. As I stated back in



2 March, safer streets must also mean safer roadways  
3 for pedestrians, bicyclist, motorist alike. The NYPD  
4 is playing a major role in Vision Zero, Mayor de  
5 Blasio's plan to eliminate traffic-related deaths  
6 entirely. We continue to work in close partnership  
7 with the New York City Department of Transportation  
8 sharing critical collision data and analysis, and we  
9 have partnered with DOT and the Taxi and Limousine  
10 Commission on joint traffic education and enforcement  
11 campaigns throughout the five boroughs. These  
12 efforts are yielding very positive results.

13 Citywide, traffic fatalities are down 15.5 percent  
14 this year, 65 versus 77. That includes a 5.5 percent  
15 drop, 1,105 versus 1,170 in collisions involving  
16 bicyclists with an increase of 0.80 percent in  
17 collisions involving pedestrians, 4,039 versus 4,007.

18 To counter the root causes of many of these  
19 incidents, we have upped our education and  
20 enforcement efforts and have issued 9.9 percent more  
21 summonses for hazardous violations this year, 300,581  
22 versus 273,457. Of those, we issued 52.6 percent  
23 more summonses for speeding, 25,395 versus 16,642;  
24 49.1 percent more for texting, 17,508 versus 11,736;  
25 27.5 percent more for failure to stop at red lights,

2 24,815 versus 19,462; 14.1 percent more for improper  
3 turns, 33,267 versus 29,146; and 42.7 percent more  
4 for failing to yield right-of-way to pedestrians,  
5 21,274 versus 14,905. As we continue our stepped up  
6 efforts of education coupled with enforcement with  
7 the guidance of the Mayor's Vision Zero Actin Plan,  
8 I'm confident we'll continue to make significant  
9 progress. The success of our public safety mission  
10 depends most of all on our efforts to forge even  
11 stronger relationships with all New Yorkers. This is  
12 paramount because we know that in order to drive  
13 crime down past already record low rates, we require  
14 the insight and assistance of every member of the  
15 community. As I have said many times before, no one  
16 knows a block, a street or a neighborhood better than  
17 those who live and work there every day. We need  
18 that knowledge and we know that in order to gain it  
19 we must ensure that our partnerships are built on  
20 trust. Our city is a welcoming place, and the NYPD  
21 aims to maintain our well-earned title of safest big  
22 city in United States by performing our duties with  
23 fairness, professionalism and discretion. I know  
24 that our cops carry out their important work in this  
25 fashion and the member of the public with whom our

2 officers interact are all afforded this same level of  
3 respect regardless of age, race or immigration  
4 status. Make no mistake, we will not throw away the  
5 good will we've worked so hard to attain these last  
6 three and a half years, because we understand that in  
7 order to achieve true public safety, each of us must  
8 have a stake in keeping all of us safe. More on that  
9 in a couple of minutes. As you know, New York City  
10 Police Department is well into the most radical top  
11 to bottom operational change we have ever seen since  
12 the advent of CompStat in the 1990's. Our  
13 neighborhood policing philosophy is just that, the  
14 principle by which we are guided as we go about all  
15 of our daily work, business of fighting crime and  
16 keeping people safe. Neighborhood policing is a  
17 doctrine, not a program we've been testing out with  
18 small groups of officers in select precincts, it is  
19 in fact a complete paradigm shift in the way the  
20 entire NYPD conducts everything it does. We have  
21 restructured our department at every level. We draw  
22 in the small sectors that police officers patrol so  
23 they now follow natural neighborhoods instead of  
24 arbitrarily chosen blocks of space. Dedicated teams  
25 affect sector officers who work the same

2 neighborhoods every day on the same tours so those we  
3 serve can actually get to know them and vice versa,  
4 and added the role of Neighborhood Coordination  
5 Officers to our commands so that two NCOs in each  
6 area can act as conduits between the steady sector  
7 cops and the public. Most importantly, we have  
8 finally given our police officers the time and the  
9 resources to accomplish the things we have long asked  
10 them to do. Specifically, our steady sector cops now  
11 have a third of their work days away from the  
12 constant stream of 911 jobs dispatched over their  
13 radios so they can leave their vehicles, visit  
14 workers in stores and residents in their home and  
15 interact with kids on the street and our playgrounds.  
16 Additionally, officers are assigned to what we call  
17 response orders to cover the 911 and 311 calls while  
18 all of this is happening. The result is that our  
19 cops working more closely with community members to  
20 identify problems specific to their neighborhoods to  
21 develop intelligence about crimes and to lead  
22 problem-solving and crime-fighting efforts is now the  
23 rule rather than the exception. This is how we're  
24 earning trust. Everything we do now is geared  
25 towards fostering productive ties to the people in

2 our neighborhoods while also reducing crime and  
3 keeping people safe. Neighborhood policing is  
4 inherently proactive. Not only with respect to  
5 making connections with those who live and work in  
6 every corner of New York City, it also strengthens  
7 our efforts to investigate crime, catch criminals and  
8 prevent crimes before they occur. I want to point out  
9 that throughout this tremendous evolution in the NYPD  
10 we've had Mayor de Blasio's full support and we  
11 benefitted from the City Council support as well.

12 Thank you for your ongoing partnership and assistance  
13 and for everything you do to help us build a better  
14 and stronger Police Department. Most notably, the  
15 Council and the Mayor authorized the first headcount  
16 expansion the NYPD had seen in a dozen years. With  
17 the hiring of new police officers and a strong push  
18 towards civilianization, we essentially added 2,000  
19 officer to patrol. We use them to create our  
20 Counter-Terrorism Critical Response Command to  
21 repurpose our former taskforce as a new and improved  
22 disorder and crime control unit called the Strategic  
23 Response Group and to bolster our patrol precincts  
24 and housing police service areas as we prepare to  
25 introduce neighborhood policing citywide. Last week,

2 up in the Bronx we announced a bold public outreach  
3 campaign with the goal of further educating people  
4 about the virtues of neighborhood policing through  
5 paid advertisements in the media. We announced that  
6 meetings, unlike any we have ever held before, are  
7 now under way around the City with hundreds more to  
8 come. These meetings are run by the Neighborhood  
9 Coordination Officers in our precincts and housing  
10 PSAs and focus very specifically on the small sectors  
11 they are responsible for safeguarding. No commanding  
12 officers or other high-ranking supervisors will be  
13 present at these meetings, and that's by design. We  
14 want our cops to know that the leadership of the NYPD  
15 trusts them without reservation to inform the public  
16 to problem solve and to cultivate new and innovative  
17 ways of fighting crime and disorder. If we want the  
18 public to trust us, we first need to show everyone  
19 that we trust our police officers. In conjunction  
20 with this effort, we've also unveiled a new website,  
21 buildablock.nyc that allows anyone in New York City  
22 with the click of the mouse to see who their  
23 Neighborhood Coordination Officers are and when and  
24 where those small sector meetings will be held.

25 We're asking the public to go to that website, to

2 find their meeting and to engage with us. So far,  
3 the site supplies detailed information for the 52  
4 commands, that's 43 precincts in all nine PSAs,  
5 already operating as Neighborhood Policing Command,  
6 and we're slated to add four more precincts in July.

7 We know that our police officers are enjoying and  
8 indeed flourishing under this new model of policing.

9 We know that residents and workers in our communities  
10 often find it equally rewarding. To quantify all of  
11 this, we have started using what we call a sentiment  
12 meter to enhance the metrics by which we measure the  
13 levels of satisfaction in our neighborhoods. You will  
14 note that we've continued our close cooperation with  
15 the City Council by last briefing you on this topic  
16 on May 3<sup>rd</sup>. This real time survey, currently in the  
17 beta stage, works with hundreds of applications found  
18 on all of our smart phones, and asked real people in  
19 very specific areas of our city how they feel about  
20 their police and their overall safety. It shows us  
21 where in the City trust and effectiveness are  
22 thriving and where we need to work harder. This  
23 gauging of satisfaction is similar to our quality of  
24 life repose which continues to be driven by  
25 complaints from the public. When I'm out at

2 community gatherings I often tell people that I had  
3 the good fortune of being a precinct commander for 16  
4 and half years. I knew then, as I do now, that I  
5 wouldn't have any charge of a particular command for  
6 very long if I didn't address these community  
7 complaints. So, it's something we will continue to  
8 do with great effectiveness. The public wants and  
9 expects us to keep answering their concerns, and  
10 we'll do with the knowledge that many issues can be  
11 resolved in ways that do not involve some  
12 reinforcement action. When such action is warranted,  
13 however, our offices will soon have more options  
14 available to them. We're on track to have our entire  
15 Police Department rained by June 13<sup>th</sup> on the Criminal  
16 Justice Reform Act and on the existence and use of  
17 new civil summonses. We completed this guidance in  
18 collaboration with eh civilian and the New York City  
19 of Administrative Trials and Hearings. We met with  
20 advocates through the Mayo's Office of Criminal  
21 Justice. This Act will afford our offices the option  
22 to issue a civil summons instead of a criminal  
23 summons for some low level crimes. It'll allow us to  
24 use the full range of enforcement tools we currently  
25 have at our disposal while advancing the many steps



2 the NYPD has taken to implement precision policing in  
3 all of our neighborhoods. We know that our successes  
4 don't happen by accident. They are all a direct  
5 result of the dedication of our cops, the skill and  
6 creativity of our commanders, the leadership of our  
7 executive staff, and the unrivaled assistance from  
8 the public we serve, and as I told you in March, our  
9 successes are also a result of the commitment to  
10 public safety by this Administration and by you. As  
11 we look around our nation at crime trending upward in  
12 other major cities, we can all see that New York City  
13 is indeed an exception. In no small way we're also  
14 able to do what we do so well because of the  
15 relationships we enjoy with our local, state, federal  
16 law enforcement partners. Through several joint  
17 taskforces and other coordinated efforts, we  
18 routinely work seamlessly with the FBI, the Bureau of  
19 Alcohol, Tobacco and Firearms and Explosives, the  
20 Drug Enforcement Administration, and others to combat  
21 crime in ways that could not previously be conceived,  
22 even in recent years. Now, these partnerships are  
23 stronger than I've ever seen them in my nearly 35  
24 years in law enforcement, and as we conduct long-term  
25 investigations and remain in lock-step with our five

2 District Attorneys in New York City in the southern  
3 and eastern district of New York at the federal  
4 level. Each year, we also receive portions of money  
5 the DA's officers have seized through asset  
6 forfeiture. As I pointed out to you in March, we're  
7 fortunate to get an additional 20.3 million dollars  
8 from the Queens District Attorney's Office this year  
9 which will enhance our neighborhood policing efforts.  
10 Specifically, that funding is going towards the  
11 purchase of new SUVs and cars for the 16 police  
12 precincts in that borough, plus replacing and  
13 updating training equipment and technology to be used  
14 at our policy academy and beyond. Citywide, we  
15 continue to leverage every tool available to us to  
16 keep the City safe, including the use of new and  
17 innovative technology. Twenty-three years ago,  
18 CompStat revolutionized crime fighting by leveraging  
19 the power of data. We still rely on CompStat today  
20 as the tip of the spear driving our precision  
21 policing efforts to ensure rapid and relentless  
22 follow-up on crime conditions and accountability.  
23 We're also keenly focused on technological advances  
24 and how they can be applied to fighting crime as well  
25 as creating safer and more efficient ways for police

2 officers to do the job of keeping all New Yorkers  
3 safe. We do all of this with the understanding that  
4 it's absolutely imperative to maintain the NYPD's  
5 position at the forefront of American policing. At  
6 the end of 2014 we launched our voluntary mini pilot  
7 program for body-worn cameras. At that time, we  
8 picked a half of dozen commands and had nearly 60  
9 patrol cops test them out for just over a year. The  
10 testing informed us about this emerging technology  
11 and put us in a great position to start the arduous  
12 procurement process. After weighing proposals from  
13 28 different body camera vendors, we selected one,  
14 and last month we launched a much larger pilot  
15 program beginning in the 34 precinct in Washington  
16 Heights and Inwood. Next month, officers in Brooklyn  
17 will begin wearing the cameras followed by more  
18 precincts in each of the five boroughs and successive  
19 months through the fall. I want to make clear that  
20 this larger pilot program is much more extensive than  
21 was required by the court, and as a department we  
22 have been eager to move forward on this. All told,  
23 about 1,200 officers in 20 commands will wear these  
24 body cameras during our comprehensive evaluation.  
25 Within two years, every New York City cop on patrol

2 will be wearing one. Police wearing body cameras in  
3 United States is a necessary step, one that I truly  
4 believe will benefit everyone in our city, cop and  
5 civilian alike. This is the evolution of policing  
6 and we have to evolve, because if we're not evolving,  
7 we're not moving forward as a Police Department or as  
8 a city. As you already know, all of our officers  
9 have department-issued smart phones putting police  
10 databases in the palms of their hands. A new  
11 performance evaluation system is now up and running  
12 on those phones that allow self-reporting so officers  
13 can record the deeds and interactions that make up  
14 their work day. The Cope Rapid Assessment Feedback  
15 Tool, or CRAFT, allows supervisors in the field to  
16 make notations about individual officers who may not  
17 even be under their direct command. The system also  
18 allows quarterly evaluations to ensure that police  
19 officers and precincts, DSAs in transit districts, on  
20 a wider scale are performing at their full  
21 potentials, and soon, our revolutionary neighborhood  
22 policing application will allow quality of life cares  
23 to managed and discussed by the groups of officers  
24 responsible for specific areas of the City. Outward  
25 facing, meanwhile, are social media foot print

2 continues to expand. In order to share important,  
3 timely and accurate information directly with the  
4 public, the NYPD currently has 122 Twitter accounts,  
5 one for every precinct, PSA and many individuals on  
6 our command staff. I have one as does First Deputy  
7 Commissioner Ben Tucker, whose tweets regularly  
8 highlight the illegal firearms our brave men and  
9 women in uniform take off New York streets, New York  
10 City streets, almost daily. We also maintain about  
11 30 separate Facebook accounts so far for neighborhood  
12 policing commands, plus one for recruitment and  
13 another for the cadet corps, and more are coming  
14 soon. Additionally, the NYPD manages its own blog at  
15 NYPDnews.com, and we're on Snapchat, Instagram and  
16 have our own YouTube channel. Turning to budgetary  
17 issues, the NYPD has an obligation to protect not  
18 just members of the public but also critical  
19 infrastructure including the financial district, the  
20 transit system, bridges, tunnels, and ports. We rely  
21 on federal funds to help protect all New Yorkers and  
22 visitors through our great city against terrorist  
23 attacks and to strengthen our Homeland Security  
24 preparedness. The Federal Fiscal Year 2017 budget  
25 was recently approved, and the final Homeland

2 Security grants nationwide appropriation is in line  
3 with that of Federal Fiscal Year 2017, 2016.

4 Although applications guidelines have not yet been  
5 released, the NYPD is already preparing for the  
6 Federal Fiscal Year 2017 Preparedness Grant Funding  
7 process. It is anticipated that the timeframe for  
8 the Fiscal Year 2017 grant application process will  
9 be significantly compressed because the Department of  
10 Homeland Security will announce and award these  
11 grants by September 30<sup>th</sup>, 2017. As I just mentioned,  
12 the NYPD relies on federal funds to protect New  
13 Yorkers against terrorist attacks to strengthen our  
14 preparedness. More specifically, federal funds have  
15 allowed us to develop and sustain our sensor and  
16 information technology centerpiece know as the Domain  
17 Awareness System, which provides critical support to  
18 the Department's counterterrorism mission to hire  
19 intelligence research specialists to deploy officers  
20 to the transit system and other strategic locations  
21 citywide based on real-time intelligence gathered  
22 here and abroad and to train officers to respond to  
23 chemical, ordinance, biological, and radiological  
24 threats and active shooter scenarios. The NYPD also  
25 uses federal funds to purchase personal protective

2 equipment for uniformed members of the service and to  
3 require other critical equipment that enhances our  
4 officers' abilities to protect New Yorkers and  
5 critical transportation and port infrastructure.

6 Regarding President Trump's most recent Executive  
7 Order on April 25<sup>th</sup>, Federal Judge William H. Orrick  
8 sided with Santa Clara County, the City of San  
9 Francisco and other jurisdictions who argued that a  
10 threat to take away federal funds from cities that do  
11 now cooperate with some federal immigration  
12 enforcement could be unconstitutional. In making the  
13 ruling applied nationwide, Judge Orrick blocked the  
14 Federal Government from enforcing a key portion of  
15 the President's January Executive Order on  
16 immigration which ordered the Department of Homeland  
17 Security and Justice Department to block cities from  
18 receiving federal funds that do not cooperate with  
19 federal immigration enforcement. While Judge  
20 Orrick's ruling does not find that policy  
21 unconstitutional, it did find that the counties and  
22 cities that challenged the law demonstrated they  
23 could face immediate irreparable harm if the policy  
24 was allowed to put into place and the constitutional  
25 challenge could proceed once the case is fully heard.

2 I will add that the NYPD continues to be in strict  
3 compliance with the City's detainer law. We have  
4 complied with zero federal detainer requests this  
5 year, even as the number of detainer requests we've  
6 received so far this year is nearly doubling amount  
7 received in all of 2016. We feel strongly that this  
8 is not the role of a municipal police force to  
9 enforce general immigration laws and to turn our NYPD  
10 officers into de facto US Immigration and Custom  
11 Enforcement Agents is to undo much of the highly  
12 commendable work we have achieved over the years.  
13 Additionally, Mayor de Blasio has stated that our  
14 city's resolve to remain a safe and welcoming city of  
15 immigrants does not change due to the President's  
16 Executive Orders on immigration. As for the NYPD's  
17 around-the-clock role in the protection of the  
18 President, we are preparing an application to the New  
19 York State Division of Criminal Justice Services for  
20 reimbursement of the extraordinary cost directly  
21 associated with security for the President-elect  
22 during the transition period following the November  
23 election. This application will then be submitted by  
24 DCJS through the Department of Justice. Total amount  
25 awarded for this grant is 27 million dollars and is



2 open to other jurisdictions including Florida and New  
3 Jersey. Also, it was recently announced in the  
4 Federal Fiscal Year 2017 budget that another 41  
5 million will be provided for post-inauguration costs.  
6 These are nationwide appropriations and we are  
7 awaiting guidelines for applying. Regarding the  
8 Executive Budget and its impact on the NYPD, the  
9 Police Department's Fiscal Year 2018 City Tax Levy  
10 Expense Budget is 5.2 billion. The vast majority of  
11 this, 92 percent, is allocated for personnel  
12 services. Highlights in the Executive Budget include  
13 opioid response. Funding is provided for 84  
14 additional detectives for investigations, 50  
15 additional criminalists for lab testing, Narcan kits  
16 for 23,000 officers and related operational equipment  
17 and supplies. Shot Spotter expansion: Funding is  
18 provided to expand the gun shot detection and  
19 location program in Staten Island, Manhattan and the  
20 Bronx. Domestic violence evidence collection  
21 equipment: State asset forfeiture funding is  
22 providing for tactical alternative light source  
23 cameras and for data extraction devices. On April  
24 29<sup>th</sup>, Mayor de Blasio released the Fiscal Year 2018  
25 Executive Capital Budget and Commitment Plan. The

2 total Capital Plan for the Police Department is 2.343  
3 billion which covers Fiscal Years 2017 to 2027. In  
4 this plan, the NYPD was able to secure an additional  
5 98 million in City and Federal capital funds over and  
6 above the last capital plan. In this financial plan,  
7 we received a significant amount of funding for  
8 ongoing information technology projects, including  
9 21.4 million body-worn camera infrastructure, 16.3  
10 million for crime data warehouse upgrades, 11.1  
11 million for evidence tracking system, 9.8 million for  
12 upgrades through our computer crimes evidence  
13 management system, and 9.6 for microwave radio  
14 enhancements. I am extremely optimistic about the  
15 future of the NYPD and the direction we're heading.  
16 As the remarkable decreasing crime so far this year  
17 shows, we can police the City effectively without  
18 intruding unnecessarily or excessively into the lives  
19 of its residents, businesses or visitors. I believe  
20 the same is true of our mission to defend New York  
21 City from another terrorist attack. In my  
22 experience, there is a direct correlation between the  
23 level of public support for the police and our  
24 success in fighting crime and terror. We will  
25 continue to work tirelessly to earn and keep the

2 trust and confidence of all New Yorkers and to ensure  
3 that there are even better days ahead. We'll do in a  
4 way that always optimizes police officer safety.

5 This is all part of policing in the 21<sup>st</sup> century and  
6 no police department in the nation has been more  
7 successful in the past two decades than the NYPD. In  
8 fact, in terms of technology, training and tools, the  
9 NYPD has seen more positive change over the past  
10 three years than it has seen in a whole generation.

11 We fully expect this trend to continue and we're so  
12 grateful to be moving ahead with the critical support  
13 of the Mayor and the City Council. The police don't  
14 underestimate the change even one person our great  
15 city can affect, neither should the public.

16 Everything we do is geared toward embracing our  
17 differences and celebrating all of our common traits,  
18 as I look forward to working with each of you as we  
19 make our way forward together. Thank you again for  
20 this opportunity to testify, and at this point I'd be  
21 happy to take your questions.

22 CHAIRPERSON FERRERAS-COPELAND: Thank  
23 you, Commissioner. We've been joined by Council  
24 Members Espinal, Vacca and Treyger. So I wanted to  
25 jump right in and talk about the opioids. I know

2 that you made mention in March the Administration  
3 announced the 38 million dollar initiative to combat  
4 the opioid crisis in the Executive Budget. We're  
5 looking at the total funding for HealingNYC across  
6 all city agencies. NYPD is receiving 50 percent of  
7 the 38 million in Fiscal 2018. Why-- I know that you  
8 spoke about the dedication of a lot of the dollars  
9 for hiring detectives. One, can you walk us through  
10 why detectives as opposed to any other group? And  
11 also, if crime is decreasing, why is that you need  
12 this very specific group of detectives to fight your  
13 opioid epidemic?

14 COMMISSIONER O'NEILL: The money is to  
15 increase the headcount.

16 CHAIRPERSON FERRERAS-COPELAND: Right.

17 COMMISSIONER O'NEILL: So, we'll be  
18 hiring more police officers so we can move  
19 experienced detectives into these positions, but I'll  
20 let Bob Boyce talk to you. Bob Boyce, talk about  
21 that, and then Deputy Commissioner Susan Herman can  
22 also talk about that.

23 CHAIRPERSON FERRERAS-COPELAND: Thank  
24 you, Commissioner. Just press the button, and if you  
25 could state your name for the record.

2 CHIEF BOYCE: Chief Robert Boyce, NYPD.

3 CHAIRPERSON FERRERAS-COPELAND: Thank  
4 YOU.

5 CHIEF BOYCE: I'm Commanding Officer of  
6 Detective Bureau. We've embarked on a five-point  
7 plan to stem the amount of overdose that are created,  
8 that are happening in the city right now, and right  
9 now we're up about 22 percent from last year. Last  
10 year was in excess of 1,300 overdoses, and that's  
11 over twice the amount of homicides and car crashes  
12 that-- that there. So, it's a crisis in the City that  
13 we've never seen before. To combat that, to stem the  
14 distribution of this heroin and fentanyl cocktail,  
15 we've come up with a five-point plan. Just the  
16 numbers again, 344 deaths this year versus 283 last  
17 year which is one of the high points that we've had  
18 over a five-year span. That's the difference of 61.  
19 Now total cases, 344, we've had 271 saves. So that  
20 would have been 615 total overdose [sic] if it wasn't  
21 for Narcan and naloxone. So, tremendous job by the  
22 men and women of the NYPD and the EMS. They've saved  
23 a lot of people out there. So, we've seen boroughs  
24 across this city with Manhattan North now leads the  
25 City in overdoses right now, and then there's Bronx

2 and then there's Brooklyn North, those three. After  
3 that, Staten Island has 36. That is the most per-  
4 capita that we've seen so far.

5 CHAIRPERSON FERRERAS-COPELAND: Can you  
6 just give me the borough breakdown that you just gave  
7 us on numbers.

8 CHIEF BOYCE: Sure.

9 CHAIRPERSON FERRERAS-COPELAND: So we  
10 have Manhattan leading.

11 CHIEF BOYCE: Manhattan North with 56 and  
12 the Bronx with 55. Brooklyn North was 51. We then  
13 have Manhattan South with 40, 27 in Queens South, 35  
14 in Queens North, and 36 in Staten Island. The  
15 leading commands where we've seen the most in one  
16 area is the 122, which is 14<sup>th</sup>, the 120 which is 12<sup>th</sup>,  
17 and then 19<sup>th</sup> precinct in the Upper East Side with  
18 11. Now, these numbers are of 05-19 as of Friday  
19 night. We're not finished with the weekend yet.  
20 We're still going through it. So, we've embarked on  
21 this five-point plan. Each overdose will get the  
22 same focus as we do on a homicide. So we'll have  
23 either crime scene or evidence collection come to the  
24 scene, gather evidence, take pictures, and start  
25 dealing with it, phone numbers, and talking to people

2 in the area, canvases of that nature. Sixty-four of  
3 the 84 officers have gone to Narcotics Squads, to  
4 each squad in the City, the most being the Bronx and  
5 Staten Island and then others in line with that.

6 Twenty detectives will be assigned to the Criminal  
7 Enterprise Division. There's three federal  
8 taskforces, I should say three joint taskforces,  
9 because there's other agencies involved as well.

10 They will be addressing interdiction, heroin and  
11 fentanyl that comes into the country in order to-- or  
12 through other parts of the country, I should say as  
13 well. What's happening is the-- most of the

14 overdoses are being occurred through heroin and a  
15 fentanyl cocktail mixed together. That is increased  
16 potency to some levels of 60 percent. We also hired  
17 50 analysts at the lab to help us get this

18 information out to provide our detectives exactly  
19 which one has heroin and which batch is where. So if  
20 we have a cluster, we do that as well, patterns. You  
21 see if a cluster let's say in the 19<sup>th</sup> precinct, we

22 will identify that, those recoveries there, and see  
23 if we can tell if that's fentanyl or heroin cocktail.

24 So that's where we are as we're using the 50. I will  
25 say that our detectives used to field test heroin in

2 the streets. We can't do that anymore because  
3 fentanyl is lethal to our detectives in the street.  
4 There's a plume that can go up and hurt them. So we  
5 have them all sent to the lab now, and we also are  
6 part of an RX Stat where I think I believe over 20  
7 city agencies attend as well as-- I'm sorry, and  
8 federal agencies as well, to kind of get help or  
9 these people. Our focus is not on the individual  
10 addict. Our focus is on the distribution, street  
11 level as well as interdictions from coming into the  
12 country.

13 CHAIRPERSON FERRERAS-COPELAND: Okay.

14 And I know that you may have alluded to some parts of  
15 the five-point plan, but is there-- what is your very  
16 specific five-point plan? I know you talked about  
17 focusing on the actual topic--

18 CHIEF BOYCE: Each overdose we take a  
19 case on. It's assigned to a detective, that's one.

20 CHAIRPERSON FERRERAS-COPELAND: Okay.

21 CHIEF BOYCE: Sixty-four officers to  
22 replenish our Narcotics Squad that's across the City,  
23 that's two. Number three is 20 detectives to our  
24 interdiction to your three federal taskforces.  
25 That's the strike force, OCID, and DEA Taskforce.



1 COMMITTEE ON FINANCE WITH COMMITTEE ON PUBLIC SAFETY 41

2 Then we also have-- four if 50 analyst for the crime  
3 lab, and five is attendance and contribution to the  
4 RX Stats by the higher [sic] taskforce.

5 CHAIRPERSON FERRERAS-COPELAND: Okay.

6 COMMISSIONER O'NEILL: I'd like to have  
7 Commissioner Susan Herman come up and talk about our  
8 work with our agencies and what we're doing with  
9 naloxone.

10 CHAIRPERSON FERRERAS-COPELAND: Great,  
11 and while she comes up, I just wanted to know the 59  
12 analyst, is that civilian or uniform?

13 COMMISSIONER O'NEILL: Fifty is civilian.

14 CHAIRPERSON FERRERAS-COPELAND: Civilian,  
15 okay. Oh, 50, okay. Thank you.

16 COMMISSIONER O'NEILL: Yeah, 5-0.

17 CHAIRPERSON FERRERAS-COPELAND: Okay,  
18 thank you.

19 DEPUTY COMMISSIONER HERMAN: Good  
20 morning. Deputy Commissioner Susan Herman, and I'd  
21 like to talk about two things. First, the work that  
22 we're doing with many other agencies of the City.  
23 Chief Boyce referred to RX Stat as well as RX Stat  
24 Operations Group which is a newly formed group that  
25 meets quarterly co-sponsored by the NYPD, the

2 Department of Health and HIDA [sic], and we have over  
3 25 city, state and federal agencies at the table,  
4 enforcement, healthcare, homeless services, many  
5 different social services represented at the table.

6 Purpose of that group is to save lives. That's what  
7 we're all coming together to do, and we review case  
8 studies of fatal overdoses, identify procedures,  
9 policies and resource gaps that could be tweaked,  
10 changed, chat needs to happen to save more lives, and  
11 in between each quarterly meeting we meet in small  
12 groups on particular issues that were raised at these  
13 quarterly meetings and try and resolve those issues.

14 It's a very important, productive, new development in  
15 the City. We have changed, for instance, as a result  
16 of cases that were identified at this meeting. We  
17 have gone from having about 10 percent of the  
18 shelters in the City staffed with people who know how  
19 to administer naloxone to 90 percent who know how to-  
20 - and have naloxone on site. We have changed  
21 protocols for how long people are held in City  
22 hospitals before they're released after a reversal.

23 We have changed how we think about getting to the  
24 worst of the worst rather than just everybody who is  
25 dealing in drugs. Many policies have changed as a

2 result of this conversation. The goal, I think, is  
3 really important to reinforce, that we're all coming  
4 together to save lives. That's the point. So,  
5 that's the operations group. And I think another  
6 initiative that's worth highlighting a little bit is  
7 the HOPE Program on Staten Island which was really  
8 initiated by DA McMahon as an example of a terrific  
9 collaboration of healthcare providers, Legal Aid,  
10 DA's Office, NYPD all coming together to figure out  
11 what a good program would be. We settled on a post-  
12 duress pre-arraignment program, launched in January.  
13 So far about 165 people have been offered the  
14 program. Ninety-- over 90 percent of those who are  
15 offered it choose to enter the program. Since  
16 January we've had four re-arrests of people who have  
17 chosen to participate in the program, and  
18 participation is defined by meaningful engagement in  
19 treatment programs.

20 CHAIRPERSON FERRERAS-COPELAND: So you  
21 mentioned the stay of people in, I guess, H+H and  
22 that there was a difference in the stay after your--  
23 or while you're treatment. Is it extended or  
24 shortened?

2 DEPUTY COMMISSIONER HERMAN: It's not  
3 while you're in treatment. It's after a reversal. If  
4 you come to the-- if EMS or the NYPD or someone feels  
5 has administered naloxone or Narcan, you may feel  
6 better right away, but then typically you're taken to  
7 the hospital to see whether the effect of the drugs  
8 that are in you takes over again, and we've had some  
9 incidents where it's been problematic after somebody  
10 left the hospital prematurely. So, they are issuing  
11 guidelines to hospitals to encourage people to hold  
12 people a little bit longer for observation.

13 CHAIRPERSON FERRERAS-COPELAND: Okay,  
14 thank you. Seems like a very detailed plan, and  
15 hopefully it will be a successful one that we can use  
16 throughout the country. I know that there was a  
17 story this weekend featured in the Daily News about a  
18 particular site in the Bronx, and I know that the  
19 NYPD did some work years ago to kind of clear it out.  
20 It seems like it's gotten right back to-- or not  
21 maybe at the level, but once again we see a lot of  
22 addicts in that area. Can you speak to is this part  
23 of the plan to kind of get also some areas cleaned up  
24 where we see addicts that may be returning to?

2 COMMISSIONER O'NEILL: Yeah, that is  
3 definitely part of the plan as Chief Boyce and Susan  
4 Herman stated. We're not looking just to go after  
5 low-level people using drugs. I read the story, and  
6 it's a bit heart-breaking. So we will be back there,  
7 not just the NYPD, with all the other agencies we  
8 work with to make sure that the people there get the  
9 help that they need. Joanne, did you have something  
10 you wanted to add, Chief Jaffe?

11 CHIEF JAFFE: Joanne Jaffe, Chief of the  
12 Community Affairs Bureau. From a preventative  
13 standpoint, we've just created a video working with  
14 our federal partners related to the dangers of the  
15 opioid crisis to present to families to PTAs and also  
16 to young people. So we're going to be working with  
17 PSB in the Housing Bureau to distribute this  
18 throughout the City, and also we created small cards,  
19 and those cards will be distributed. We ordered  
20 100,000. We're getting them this week to all police  
21 officers when they respond to families, they'll be  
22 able to get them those cards out. It asks, "Do you  
23 or someone in your family or a neighbor know anyone  
24 that is, you know, involved in some type of substance  
25 abuse?" And on the opposite side of the card has a

2 list of resources so people could get help, and we  
3 did that in collaboration with Sue Herman's Office,  
4 Deputy Commissioner of Collaborative Policing.

5 CHAIRPERSON FERRERAS-COPELAND: And this  
6 is in multiple languages?

7 CHIEF JAFFE: It will be in multiple  
8 languages. We just did other books in multiple  
9 languages, and this will be also in multiple  
10 languages.

11 CHAIRPERSON FERRERAS-COPELAND: Okay,  
12 great. I think she wants to add something.

13 DEPUTY COMMISSIONER HERMAN: I just want  
14 to say in conjunction with the testing that you  
15 talked about the funding people in our labs to test  
16 product, that that testing leads to more than  
17 criminal investigation. It leads to reports to the  
18 Health Department so that they can issue public  
19 health warnings about where fentanyl has popped up  
20 and what kinds of drugs it's appeared in. So, we  
21 have a very close collaboration and we send regular  
22 reports from our lab to the Department of Health.

23 CHAIRPERSON FERRERAS-COPELAND: Okay.

24

25

2 DEPUTY COMMISSIONER HERMAN: So, it  
3 benefits the health effort as well as the criminal  
4 justice effort.

5 CHAIRPERSON FERRERAS-COPELAND: Thank  
6 you. And I think one of the-- I mean, there was a  
7 lot of alarming parts of this story, unfortunately,  
8 but one of them was the multiple use of needles. So,  
9 I would think that that would be another  
10 collaboration point with the Health Department on  
11 either accessing clean needles or figuring out a way  
12 where people are not using needles multiple times.

13 COMMISSIONER O'NEILL: It was a disturbing  
14 story on many levels.

15 CHAIRPERSON FERRERAS-COPELAND: Okay.  
16 Well, we'll be following up with you. I know the  
17 article just came out. So we can continue to follow  
18 up on other strategies. I wanted to talk. I know  
19 that you spoke about Trump overtime. We had a  
20 hearing on this. Just wanted to ask, to date what is  
21 the cost of protecting the First Family.

22 COMMISSIONER O'NEILL: Commissioner  
23 Vinnie Grippo of Management and Budget will speak on  
24 that.

2 DEPUTY COMMISSIONER GRIPPO: Okay. So,  
3 we have 23.8 million that covers the period between  
4 the election and the inauguration, and as far as to  
5 date because of the wagon and just the processing of  
6 the overtime payments, we have through the end of  
7 March that would be an additional 7.3 million  
8 dollars, bringing the total spend so far to 31.2  
9 million. If you look at our projection, just to run  
10 through the end of the fiscal year which is how we're  
11 basing the potential reimbursements, we project that  
12 by the end of the fiscal year we'll expend 42.5  
13 million. That-- those numbers will include and do  
14 include the Presidential visit. So, even though I  
15 don't have the operational overtime expended beyond  
16 the end of March, we have the number for the  
17 President's visit at 1.2 million, which we will also  
18 put towards federal reimbursement.

19 CHAIRPERSON FERRERAS-COPELAND: And  
20 that's 1.2 million for multiple visits or for one?

21 DEPUTY COMMISSIONER GRIPPO: That one  
22 visit that we had on May 4<sup>th</sup>, I believe. I may have  
23 the date wrong. Was it May 4<sup>th</sup>? I think so.

24

25



2 CHAIRPERSON FERRERAS-COPELAND: May 4<sup>th</sup>,  
3 okay. So, just to be clear, a presidential visit on  
4 average will cost us 1.2 million.

5 DEPUTY COMMISSIONER GRIPPO: That's-- no,  
6 this is the actual visit. It was--

7 CHAIRPERSON FERRERAS-COPELAND:  
8 [interposing] Right, I'm just saying--

9 DEPUTY COMMISSIONER GRIPPO: calculated--

10 CHAIRPERSON FERRERAS-COPELAND: in the  
11 future, is that the--

12 DEPUTY COMMISSIONER GRIPPO:  
13 [interposing] That, yes. Yes, and that's  
14 historically pretty, you know, in line as well that a  
15 visit will cost in between one and two million  
16 depending on the number of moves the President makes  
17 in the areas within the city that he visits.

18 CHAIRPERSON FERRERAS-COPELAND: So, are  
19 we going to continue to engage with the Federal  
20 Government so that we're able to get the appropriate  
21 numbers to be reimbursed, because clearly the numbers  
22 that we're issued are countrywide, right, I would  
23 think?

24 DEPUTY COMMISSIONER GRIPPO: Yes.

2 CHAIRPERSON FERRERAS-COPELAND: As  
3 opposed to the portion that we're getting here in the  
4 City.

5 DEPUTY COMMISSIONER GRIPPO: Yes.

6 CHAIRPERSON FERRERAS-COPELAND: So, what  
7 is the-- what do those engagement efforts look like?

8 DEPUTY COMMISSIONER GRIPPO: So, we're  
9 very encouraged, actually, with the two  
10 appropriations. Again, the 23.8 million is the  
11 period between the election, the inauguration. The  
12 Feds made 27 million available, and being that the  
13 President spent the majority of his time during that  
14 period in New York City, we are optimistic that we  
15 will be able to get full reimbursement for that  
16 period. Now that we are post-inauguration, the 41  
17 million is a sizable amount of money, obviously,  
18 that's been put forward. Our expenditures will be a  
19 smaller portion of that. If it comes in at the  
20 projection, it would be the 16.7 million plus the 1.2  
21 for the presidential visit. So, we would be seeking  
22 a number less than half of the 41 million. That  
23 number would be shared. That amount of money would  
24 be shared with Mar-a-Lago and with New Jersey. So,  
25 ultimately, we'll have to see how much of that we can

2 get from the feds, but we are fully prepared to make  
3 the case for full reimbursement for both periods.

4 CHAIRPERSON FERRERAS-COPELAND: And the  
5 16.7 million is for the family that's here, for  
6 clarity?

7 DEPUTY COMMISSIONER GRIPPO: that's for  
8 any of the protections we've had at Trump Tower which  
9 includes the Trump Tower security detail that's there  
10 for the First Lady, you know, as well as the building  
11 in general now being obviously an elevated target,  
12 and like I said, it also includes the one  
13 presidential visit that we've had since the  
14 inauguration.

15 CHAIRPERSON FERRERAS-COPELAND: And just  
16 for clarity, is there a created taskforce there?  
17 Because I know we had engaged in conversations on  
18 possibly impeding your savings plans for overtime.  
19 So, was there a change in strategy where you just  
20 have a very specific group of officers now protecting  
21 Trump Towers, or--

22 COMMISSIONER O'NEILL: [interposing] We  
23 didn't do that, but as we move through the year we  
24 got better at it. We evolved, and we're able to

2 scale it down. So, that's how we continue to save  
3 money.

4 CHAIRPERSON FERRERAS-COPELAND: So,  
5 needing less officers, or--

6 COMMISSIONER O'NEILL: [interposing] As  
7 we--

8 CHAIRPERSON FERRERAS-COPELAND:  
9 [interposing] scale it down?

10 COMMISSIONER O'NEILL: As we moved  
11 through this, we were able to scale it down with less  
12 police officers, and I went down in April to  
13 Washington D.C. to let people know how important this  
14 money is to keeping the city safe.

15 CHAIRPERSON FERRERAS-COPELAND: Yes, we  
16 heard, and we thank you for that. Wanted to talk  
17 about the 10-year Capital Plan. As you mentioned in  
18 your statement, there's 1.1 billion for police  
19 facilities, and one of the Department's capital  
20 program goals is to maintain facilities and building  
21 systems. Can you provide us with some details on the  
22 Department's commitment rate for capital projects in  
23 relationship to facilities and buildings?

24 DEPUTY COMMISSIONER GRIPPO: Okay. I  
25 don't have the commitment rate just for facilities

2 and buildings. The overall commitment rate for last  
3 year was 40 percent. The prior year was 48 percent.  
4 This year, obviously we still have a few more months,  
5 so it's uncertain, but we think we'll be close to  
6 that 40 percent number as well. No question the  
7 biggest challenge in terms of spending capital monies  
8 comes on the facility side, largely because of the  
9 procurement requirements for construction projects.  
10 We have and continue to-- we've worked on a series of  
11 requirements contracts that allow us to do the work  
12 more quickly so that we don't have to individually  
13 bid out each and every capital improvement project,  
14 boilers, HVAC systems, things of that nature. We  
15 expect that that is going to help us in future years  
16 reduce the issue of unspent funds that need to be  
17 rolled over to the next fiscal year.

18 CHAIRPERSON FERRERAS-COPELAND: Okay.

19 I'm going to ask you my yearly question about the 110  
20 precincts. I know that it's in the Capital Plan. I  
21 don't know-- what's your plan? It just seems that we  
22 kind of keep pushing it out, keep pushing it out.  
23 Are you looking for location? What's the status?  
24 The precinct is significantly old and pretty much not  
25 necessarily conducive, I think, at some point for the

2 type of policing and community policing that we want  
3 to have.

4 DEPUTY COMMISSIONER GRIPPO: So, agreed,  
5 and we have it on a very short list, as I've  
6 testified before for buildings that do need to be  
7 replaced. There's a capital project scope  
8 development program that OMB has. So we were asked  
9 to include a number of facilities in that, and what  
10 we've done is we've included the 110-- this-- it's  
11 already-- it ran through a program that was similar,  
12 and the issue was the property in Flushing Meadows  
13 Park was not feasible for a precinct for issues that  
14 you're aware of. What we're looking to do now is  
15 identify another location, an alternate location, not  
16 necessarily in Flushing Meadows Park that would be  
17 viable for replacement of the 110. So, if we can get  
18 it through that program, they can help identify a  
19 site and then do a preliminary design on the  
20 facility. That we think would be the next, the best  
21 next step for the 110.

22 CHAIRPERSON FERRERAS-COPELAND: And what  
23 is your kind of timeline, best case scenario, in this  
24 new program? Because you know, it's a little  
25 discouraging now. I think we've been through like

2 three programs. So, how do I-- how can I have faith  
3 that this final program, hopefully, will actually  
4 work?

5 DEPUTY COMMISSIONER GRIPPO: Well, the  
6 tricky-- the tricky thing is finding a piece of  
7 property. So, I can only refer the 116<sup>th</sup> precinct,  
8 which is a new precinct in Queens, to show you how  
9 different scenarios yield different results. In that  
10 instance we didn't have a site. We were looking at  
11 some sites that would have required purchase of land  
12 which would have made for a very long process from  
13 start to finish, to construction, final construction,  
14 and opening a new precinct. In our search we found a  
15 property that was owned by DOT. We were able to work  
16 with the Department of Transportation and come to an  
17 agreement to establish an MOU. That's going to allow  
18 us to construct that-- to move on construction and  
19 design of that building much quicker because we found  
20 a public site. So, the key here, and we would  
21 welcome support from your office, from the community.  
22 That's how we ultimately yielded a site in the 116<sup>th</sup>.  
23 It's really about finding a suitable piece of  
24 property for the building.

2 CHAIRPERSON FERRERAS-COPELAND: Okay.

3 So, we'll follow up and engage on some next steps for  
4 the siting of this new facility. Civilianization, I  
5 know that part of your citywide savings was  
6 identifying savings through, I guess, attrition, but  
7 also civilian positions that you did not fill. Can  
8 you provide the committee with a hiring update of the  
9 415 civilian positions that were part of the  
10 commitment of us expanding the force I think it was  
11 in Fiscal Year 14 or 15? So, where are we with those  
12 positions that we were to hire? And with the already  
13 existing delays in civilian hiring, do you anticipate  
14 being able to hire the additional civilian headcount  
15 added in the Preliminary and Executive Budget?

16 DEPUTY COMMISSIONER GRIPPO: So, there  
17 were two civilianization programs funded by the Mayor  
18 and the City Council. The first was 200 PAAs. Those  
19 have been fully hired and have been filled. The next  
20 plan was 415 civilian positions that break out as 120  
21 PAAs, 95 evidence property control specialists, 100  
22 auto service workers, and 100 statistician crime  
23 analysts. Of those 415, 237 have been hired. The  
24 biggest issue with hiring in this category was the  
25 statistician and crime analyst positions where we



2 could not-- we did not have a suitable civil service  
3 title. We were having issues recruiting within the  
4 titles that were available to us. We worked with  
5 DCAS, and in the month of March were successful in  
6 changing the salary range on a particular civil  
7 service title which has now allowed us to essentially  
8 identify appropriate candidates for that job. So,  
9 we're pretty confident that between now and the close  
10 of the fiscal year we'll be able to fulfil the vast  
11 majority of the 178. In addition to that, we have  
12 created an internal taskforce that's looking at the  
13 background process that we conduct which is far more  
14 extensive than many other departments, and what we--  
15 the taskforce is going to be implementing a number  
16 of-- essentially, they're going to be expediting that  
17 process, and we expect that that's going to decrease  
18 hiring times by months, which will help not only with  
19 this batch of civilian positions, but future civilian  
20 hiring, help speed that up and make it more  
21 efficient.

22 CHAIRPERSON FERRERAS-COPELAND: Okay. As  
23 part of the citywide savings program, the Department  
24 is projecting to save 15 million in Fiscal 2018. A  
25 majority of these savings are reducing vacant non-

2 safety civilian positions. So are any of those  
3 positions within the 415 that we just discussed, and  
4 just-- and even as the Department is reducing  
5 civilian headcount, but the Department is still  
6 increasing uniform headcount, has the Department  
7 identified any uniform-related savings, and have we  
8 had the opportunity to look at or see if we're going  
9 to be meeting our Fiscal 2017's overtime saving  
10 goals?

11 DEPUTY COMMISSIONER GRIPPO: Okay, so  
12 that-- those--

13 CHAIRPERSON FERRERAS-COPELAND:  
14 [interposing] Those were several questions.

15 DEPUTY COMMISSIONER GRIPPO: The quick  
16 answer on the positions you see as savings are  
17 absolutely not in any way attached to any of the  
18 civilianization programs that we have implemented.  
19 The non-safety civilian positions that we put up as a  
20 savings, frankly we testified before this body many  
21 times and said that for us to find material like  
22 savings that amount to any real cost, it usually has  
23 to come from personnel. We are in a position where  
24 we came before this council and asked for more  
25 uniformed members of service. So, ultimately

2 reducing the number, it was not there. The only  
3 place that we can go to are those non-safety civilian  
4 vacancies, and so we're giving up positions that have  
5 been vacant. They're administrative civilian  
6 positions that have no impact on civilianization,  
7 ultimately so that we can achieve some real savings  
8 in this fiscal year. The other thing that we've been  
9 doing that may be confusing, as you look at it, where  
10 we added 84 detectives, we were asked to reduce our  
11 number of civilian positions by 100 to offset some of  
12 the costs. So, we-- the answer is no. We are not in  
13 any way looking for savings on the uniform side, but  
14 we have been offsetting some of the costs of the  
15 increases we've seen with reductions in civilian  
16 staffing. So, there was the 100 civilian positions  
17 that were removed to help sort-- to help fund a  
18 portion of the 84 detectives, and then where you see  
19 the increase of 50 lab technicians, the crime  
20 analysts, those 50 positions were 50 positions that  
21 were non-safety civilian positions that we simply--  
22 we removed from that budget and put in as a crime  
23 analyst to fund the need on the safety side.

24 CHAIRPERSON FERRERAS-COPELAND: So, if we  
25 didn't have this opioid epidemic, those could have

2 been also savings, potentially if you hadn't hired  
3 them.

4 DEPUTY COMMISSIONER GRIPPO: That's  
5 right.

6 CHAIRPERSON FERRERAS-COPELAND: Okay.  
7 And then on the overtime?

8 DEPUTY COMMISSIONER GRIPPO: So, we, I  
9 think, last year as you know, we came in 10 million  
10 under the overtime cap. This year, the situation  
11 with Trump overtime is where it sort of gets  
12 difficult. But what we are looking at, if we get  
13 full reimbursement for Trump and you take that off of  
14 our overtime budget, right now we have a plan in  
15 place to meet the cap. We're within a million or so  
16 literally as we're calculating to the end of May's  
17 pay date. We're within a million or so of the  
18 budget, and we've implemented a number of controls in  
19 the last two months that we hope will bring us in.  
20 now, there's always the uncertainty of unplanned  
21 events and things that might happen the rest of the  
22 fiscal year, but we look very good in terms of being  
23 able to achieve the overtime cap.

24 CHAIRPERSON FERRERAS-COPELAND: And any  
25 additional-- if you do go over, you can get based on

2 the-- if we're not-- we don't have the Trump  
3 reimbursement dollars coming at full ask.

4 DEPUTY COMMISSIONER GRIPPO: Correct.

5 CHAIRPERSON FERRERAS-COPELAND: Okay. I  
6 have some additional questions in reference to Rikers  
7 Island and DV questions and hiring freeze, and-- but  
8 I'm going to come back in the second round so that  
9 the Chair can ask her questions. We've been joined  
10 by Council Member Williams. Chair, and then we will  
11 be followed by Council Member Rodriguez.

12 CHAIRPERSON GIBSON: Okay. Thank you  
13 very much, Chair, and good afternoon once again.  
14 Thank you for your testimony and really outlining a  
15 lot of the work the Department is doing. I just want  
16 to piggyback a little bit off of what the Chair was  
17 talking about in civilianization, and I understand  
18 that the number 415 is separate from the non-safety  
19 civilian positions that we're talking about. So,  
20 when the Prelim came out there were 150 positions  
21 that we identify, civilian that had been vacant that  
22 we saved several million dollars. When the Executive  
23 came out, there was another 150 civilian positions  
24 that we also identified, and now the Department is  
25 looking at a new city time automation system for

2 civilian staff where we're recognizing an additional  
3 160 positions. So what I'd like to further  
4 understand is in all of the efforts to operate more  
5 efficiently and reduce overtime, the civilian staff  
6 I'm very concerned about. I recognize the 415 and  
7 the crime analyst, the evidence specialists,  
8 etcetera, but are we talking in these positions, the  
9 150, 150 and 160, are we talking about PAAs, and what  
10 other civilian staff are we talking about, and do you  
11 see any disruption in the work that these civilian  
12 staff do at the local precincts? That's my concern.  
13 Are we able to sustain the work with all of these  
14 positions that are vacant in terms of moving forward  
15 with civilianization?

16 DEPUTY COMMISSIONER GRIPPO: So, one  
17 thing I would say is that the precincts themselves,  
18 we have ultimately been doing the opposite, which is  
19 adding resources to the precincts, doing everything  
20 we can to add civilian personnel to allow for us to  
21 transition some of the cops who are doing  
22 administrative things, move them back into control.

23 CHAIRPERSON GIBSON: Right.

24 DEPUTY COMMISSIONER GRIPPO: Ultimately,  
25 as far as-- the 300 positions, it's 150 that were

2 true savings that were put up of vacant positions,  
3 and then it was the 50 positions we had to-- we  
4 needed to self-fund those crime analysts that we  
5 moved over, and then the hundred for the detectives.  
6 Those are civilian positions that come from their  
7 PAAs, their staff analysts, but largely what they  
8 would be if they were filled are positions in our  
9 administrative commands. There's civilian personnel  
10 in the administrative commands. Certainly I can't  
11 say there isn't some pain for those of us who are  
12 managing those commands, but ultimately in the effort  
13 to find savings and in the commitment the Mayor has  
14 put forward that every agency had to achieve some  
15 savings. That's the one place we can-- like I said,  
16 we can put up something that has-- that monetarily is  
17 of substance, and it's the area where we will feel,  
18 be believe, you know, the least pain to our critical  
19 operations. It is not impacting, and I want to  
20 stress that, the commitment we've made to  
21 civilianized positions in those commands and to get  
22 more cops out on patrol. We've ensure that and the  
23 options we took over the last few years ensure that  
24 we are up in staffing in those buildings.

2 CHAIRPERSON GIBSON: Okay, so for-- and  
3 I'm glad you said that because my next question would  
4 have been for the higher volume commands where you  
5 need that civilian staff. Yet, yes, we all have to  
6 absorb pain, but I don't want it to be more civilians  
7 that have to absorb pain than it is uniformed  
8 officers. So, are we looking at the total system in  
9 terms of overtime reduction and making sure that we  
10 have civilian staff that are efficient and sufficient  
11 and also the uniformed staff as well? So, when we  
12 look at overtime overall, are we just focusing on  
13 reducing civilian staff or both overtime for  
14 uniformed and civilian as well?

15 DEPUTY COMMISSIONER GRIPPO: Well, as a  
16 Department we're looking to operate as efficiently as  
17 we can, and ultimately we're managing the overtime  
18 budgets on both. The focus--

19 CHAIRPERSON GIBSON: [interposing] Okay.

20 DEPUTY COMMISSIONER GRIPPO: of the  
21 overtime cap that we've discussed is a uniformed  
22 overtime cap that we have agreed to, and so that,  
23 when we have those conversations we're looking  
24 exclusively at the uniformed overtime. Civilian  
25 overtime is up, reflective of shortages in certain



2 areas, but that number that you see, that overtime  
3 issue, again, is not coming from the civilians  
4 working in the commands providing administrative  
5 support. What's largely driving civilian overtime  
6 are traffic enforcement agents, school safety agents,  
7 and the one area that doesn't fall under traffic  
8 enforcement and school safety is largely our trades  
9 people who are doing facilities work. It's really  
10 not coming from the administrative, the civilian in  
11 those administrative titles that are in our commands.

12 CHAIRPERSON GIBSON: Okay, so I just want  
13 to make sure and be clear that we're not going to  
14 return and have another conversation about hiring  
15 more civilians because the overtime has increased so  
16 much. Okay, just want to make sure. I want to talk  
17 quickly about the Criminal Justice Reform Act, and  
18 Commissioner, you alluded to that in your testimony  
19 that we are on the timeframe to allow the full  
20 implementation of CJRA. I wanted to find out, do you  
21 have updates on how many officers so far have  
22 received the training on CJRA and how that training  
23 is working, and then also-- and this is for existing  
24 uniformed patrol offices now, and then also are we

2 incorporating it into the academy training for the  
3 new recruits that are graduating?

4 COMMISSIONER O'NEILL: Deputy Commissioner  
5 of Training, Tracie Keesee will speak about that.

6 CHAIRPERSON GIBSON: Hi.

7 DEPUTY COMMISSIONER KEESEE: Hi, how are  
8 you?

9 CHAIRPERSON GIBSON: Good afternoon.

10 DEPUTY COMMISSIONER KEESEE: Tracie  
11 Keesee, Deputy Commissioner of Training. To answer  
12 your question, we have started the training. We  
13 rolled that out about a month ago, and we've done  
14 this in a couple of ways. First, we have created  
15 modules to, of course, explain what we're going to be  
16 doing and the new changes, and those are being loaded  
17 up on-- have been, excuse me, loaded up on NYPDU.  
18 That is one technology piece that absolutely helps  
19 train the entire Department either through smartphone  
20 or through desktop. So, that is rolled out. That is  
21 mandated. I do not have the numbers for you of how  
22 many have gone through already, but I can get that  
23 for you. The other vehicle that we use to make sure  
24 that the training is done will be through roll call.  
25 So, the roll call trainings will begin, excuse me,

2 have begun, and they will continue of course until  
3 June, and then in addition to that we did have fine  
4 [sic] message that went out announcing the new  
5 changes as well as we will be making sure that it is  
6 done through command training and that those things  
7 are disseminated the way in which they have been done  
8 historically. These also will be added into the  
9 training for the recruits as well. So, the  
10 implementation plan is one that we have followed over  
11 the last two years to make sure that it's an  
12 efficient roll out.

13 CHAIRPERSON GIBSON: Okay, and we're using  
14 existing funds? Are we-- who's doing the training  
15 for the sergeants and other high level command staff  
16 that's using that information to train their patrol  
17 officers at roll call?

18 DEPUTY COMMISSIONER KEESEE: The training  
19 is done by usually training sergeants in each of the  
20 precincts.

21 CHAIRPERSON GIBSON: Okay.

22 DEPUTY COMMISSIONER KEESEE: And so it's  
23 rolled out that way. And one of the things that we  
24 really have utilized is the NYPDU. It allows folks  
25 to go in and do that individualized training with a

2 slide dex [sic] to get the information. It also  
3 allows us to be able to track who's done the training  
4 and who still needs to do it.

5 CHAIRPERSON GIBSON: Okay, great. I  
6 wanted to quickly ask a question, and I'm thankful  
7 for the commitment in school crossing guards, and our  
8 budget reflects an additional 200 new school crossing  
9 guards and an additional 100 supervisors. I wanted  
10 to make sure that we have every uncovered school  
11 right now that may be covered by a traffic  
12 enforcement agent, and then also I wanted to make  
13 sure that we're working with DOE and SCA as well as  
14 DOT on coverage for the new schools that are coming  
15 on the pipeline this September.

16 COMMISSIONER O'NEILL: Chief--

17 CHAIRPERSON GIBSON: [interposing] Are we  
18 ready?

19 COMMISSIONER O'NEILL: Yeah, Chief  
20 Monahan will speak.

21 CHAIRPERSON GIBSON: Okay. Just want to  
22 make sure we're ready for the school year. Good  
23 afternoon.

24 CHIEF MONAHAN: Good afternoon. Chief  
25 Terry Monahan, Chief of Patrol. Currently, we have

2 63 school posts being covered by a traffic  
3 enforcement agent. We have currently allotted to  
4 hire 196 at this point. So we're doing interviews,  
5 that number just on a weekly basis.

6 CHAIRPERSON GIBSON: And we have changed  
7 some of the practices by which we advertise and  
8 promote for school crossing guards beyond the  
9 precinct using other community efforts as well,  
10 right?

11 CHIEF MONAHAN: Yes, we're reaching out.  
12 We're using our NCOs in all the commands to reach  
13 out, and we're trying to get more people in.

14 CHAIRPERSON GIBSON: Okay, great. Thank  
15 you. Since you raised NCO, I wanted to talk about  
16 the NCO program and the evaluation. You alluded that  
17 we're in 52 precincts, all of our PSAs. We've  
18 announced these safety summits across the City of New  
19 York. Can you talk a little bit about what the  
20 evaluation will look like? And then moving forward  
21 as you continuously expand into the rest of the  
22 precincts, where are we going to make sure that we  
23 have enough coverage of patrol officers in these  
24 commands to make sure that we can have the NCO  
25 program universally in the entire Department?

2 COMMISSIONER O'NEILL: Terry?

3 CHIEF MONAHAN: What we're doing right  
4 now, we're rolling this out very slowly. It's been  
5 no more than four commands per quarter. So, we're  
6 doing another four commands coming out in July.  
7 There'll be another four coming on in October. By the  
8 time we get up to October, it'll be 51 police  
9 precincts with the nine PSAs covering 60 of our  
10 commands. What we do is we look at the time off the  
11 radio. We have a report that we look at on a weekly  
12 basis to make sure that we have enough personnel  
13 within the patrol squads that our sectors are getting  
14 a third of their time off the radio. With the 43  
15 commands that we have up and running right now, we  
16 are getting right at that number. Some commands are  
17 a couple of percentages short. Some commands are a  
18 little bit over, and again, we're monitoring crime  
19 because as good as this is, if crime goes up, then  
20 it's a failure. So we're taking a look at these  
21 commands and making sure that as we roll it out crime  
22 continues to go down.

23 CHAIRPERSON GIBSON: Is there a set of  
24 defined time that NCO officers spend fighting crime  
25 fighting strategies in the long term? It think it's

2 committed time versus non-committed time working with  
3 the patrol officers responding to radio calls.

4 CHIEF MONAHAN: The Neighborhood  
5 Coordination Officers are off the radio basically all  
6 the time. They work very closely with Bobby Boyce's  
7 detectives. The first training we give every one of  
8 our Neighborhood Coordination Officers is the  
9 criminal investigation course, same course that every  
10 new detective gets. We want them to have that  
11 understanding about crime whenever an issue comes up.  
12 When we talk about the uncommitted time, that's more  
13 towards our sector cops. These are the cops that are  
14 running back and forth on radio runs all the time.  
15 we want them, one-third of their time, off the radio,  
16 uncommitted where they can work with the detectives,  
17 they can work with the NCOs on whatever the community  
18 concerns are, that we can get them to these  
19 neighborhood safety summits and any other local  
20 meeting that might be taking place.

21 CHAIRPERSON GIBSON: Okay, great. And I  
22 know- I look forward to more of the Safety Summits.  
23 I was proud to stand with you in the announcement and  
24 Build the Block. I tested the website out myself. I  
25 put in my address and I found out about my next

2 Safety Summit that's coming up in June, and certainly  
3 want to work with all of you to continue to promote  
4 Build the Block and encourage New Yorkers to reach  
5 out. I recognize from some of the Safety Summits I've  
6 been a part of that the residents that are coming are  
7 traditionally not those that attend local Community  
8 Board and precinct council meetings. We had building  
9 supers and porters and other maintenance staff that  
10 really want to work because they want their buildings  
11 to be better, and there are a lot of quality of life  
12 issues that they don't feel always get addressed, so  
13 at these types of summits, I think a lot of that  
14 information is really addressed, and it's done in a  
15 smaller scale, not in front of hundreds of people  
16 where many people are not always that welcoming with  
17 a lot of the issues that they may struggle with. So,  
18 I look forward to more of that.

19 CHIEF MONAHAN: Thank you. I've got 166  
20 scheduled right now, more going on, and with the help  
21 of the City Council, yourself and the other members  
22 at each local and help us drive people that don't  
23 normally come to these meetings there.

24 CHAIRPERSON GIBSON: Great. I wanted to  
25 ask, Commissioner, you alluded in your testimony, and



2 I appreciate the firm stance that you and the Mayor  
3 and many of my colleagues and I have taken on  
4 fighting to protect the City as a Sanctuary City, and  
5 I wanted to ask, is there more that we can do to  
6 reassure New Yorkers that they are safe, their status  
7 is not a concern, and we're out there to protect  
8 them? I think many of us were a little worried and  
9 alarmed when we heard about the unfortunate incident  
10 in Queens with a non-local law enforcement agent  
11 authority that visited a Queens' school inquiring  
12 about a student there. Have you noticed in your work  
13 that any immigrant families or any one that could be  
14 potential victim of a crime, have you seen any  
15 reductions in the numbers of people reporting crimes?  
16 And then secondly, can we do more as a city to  
17 emphasize that we are a Sanctuary City and we are  
18 fighting to protect every New Yorker from fear of  
19 deportation and any immigration issues that they may  
20 have?

21 COMMISSIONER O'NEILL: We do have a  
22 reduction in the number of DV complaints and DIRs,  
23 and we're just doing an analysis now to see where in  
24 the City that's occurring that might possibly give us  
25 an indication that there's a reduction in people

2 reporting. We don't have that. We're not done with  
3 that analysis yet. I think to continue doing what  
4 we're doing, and I think with the neighborhood  
5 policing program it's going a long way to helping  
6 people throughout the City feel like that the New  
7 York City Police Department is working with them, and  
8 this is-- we do not do civil immigration enforcement,  
9 and we're constantly getting that message out there.  
10 And through Joanne Jaffe's people in Community  
11 Affairs, we are pushing that out there also.

12 CHAIRPERSON GIBSON: Okay, and can you  
13 give us the numbers of the-- have you seen-- do you  
14 have numbers on the decline as of yet, or you're  
15 still analyzing?

16 COMMISSIONER O'NEILL: No, I'm going to  
17 have to get back to you with that.

18 CHAIRPERSON GIBSON: Okay.

19 COMMISSIONER O'NEILL: Okay.

20 CHAIRPERSON GIBSON: And I appreciate the  
21 recognition of Community Affairs and also NCO  
22 officers at these Safety Summits. These are the  
23 questions many residents are asking. So I definitely  
24 think making sure the NCO sergeants and the officers,  
25 Community Affairs, everyone that engages every day,

2 patrol officers with New Yorkers to really reassure  
3 them that we have to emphasize the same messages,  
4 speak in one voice.

5 COMMISSIONER O'NEILL: I attended an  
6 event up at South Bronx churches in the 40 precinct  
7 recently, so that was a-- that was the theme.

8 CHAIRPERSON GIBSON: Okay. You alluded in  
9 your testimony about federal detainer request, and  
10 you said that the number had doubled of the number of  
11 inquiries?

12 COMMISSIONER O'NEILL: Yeah, I'm going to  
13 get Commissioner Larry Byrne to speak about that.

14 CHAIRPERSON GIBSON: Okay.

15 COMMISSIONER O'NEILL: Larry?

16 CHAIRPERSON GIBSON: And he--  
17 Commissioner Larry Byrne, also mentioned at an  
18 immigration hearing at the time in two months ago,  
19 the number was about 170 of inquiries.

20 DEPUTY COMMISSIONER BYRNE: Yeah, I think  
21 through April 30<sup>th</sup> we had about 170 or 179 detainer  
22 requests. Since none of them conformed to the bill  
23 that the Council passed, we honored none of them.  
24 That's up from about 79 for all of 2016.

2 CHAIRPERSON GIBSON: Okay. So, 79 versus  
3 179.

4 DEPUTY COMMISSIONER BYRNE: That's  
5 through the end of April. I have to get you May  
6 numbers. I don't have those.

7 CHAIRPERSON GIBSON: Okay, great. Thank  
8 you very much. And I wanted to ask another question  
9 about hate crimes. I know that since this  
10 Administration has taken over we've experienced an  
11 increase in the number of hate crimes. We have  
12 additional detectives in the hate crimes. I believe  
13 we're at 27. This Council in our budget response  
14 called for obviously more resources for the hate  
15 crimes taskforce, so I'd like to know where we are,  
16 and do you see a need to add more to the Hate Crimes  
17 Unit?

18 CHIEF BOYCE: We are in the process right  
19 now. Right now we're up 100 percent in hate crimes,  
20 and it's 70 versus 140. So it's a real problem for  
21 us in three specific areas: anti-Jewish, anti-Muslim,  
22 and anti-Transgender, and that's what's driving our  
23 numbers. So, we have right now, we're looking at to  
24 add more detectives right now interviewing as we go  
25 forward. We have 23 in the Hate Crimes Taskforce,

2 but the caseload has gone up tremendously. So, right  
3 now I think we have two or three right now  
4 interviewing to bring on now.

5 CHAIRPERSON GIBSON: Okay.

6 CHIEF BOYCE: It should bring us up to  
7 about 26.

8 CHAIRPERSON GIBSON: Okay, two questions.  
9 So you said 70 versus what number?

10 CHIEF BOYCE: Seventy versus 140.

11 That's--

12 CHAIRPERSON GIBSON: [interposing] A  
13 hundred and forty.

14 CHIEF BOYCE: Form what I read this  
15 morning.

16 CHAIRPERSON GIBSON: And the 23  
17 detectives in the unit now, are they focused on  
18 boroughs or do they work for the whole unit and  
19 address any case that comes in?

20 CHIEF BOYCE: It's a centralized unit, and  
21 they're assigned from the central office in the Hate  
22 Crimes Taskforce. They're not assigned to any  
23 different borough. They do work with other precinct  
24 detective squads on specific cases. We employ them.

2 We also employ members of the Special Victims  
3 Division.

4 CHAIRPERSON GIBSON: Okay.

5 CHIEF BOYCE: To help out on cases as  
6 well. So we're able to force multiply on a big case  
7 in any given point, especially with the Special  
8 Victims Division.

9 CHAIRPERSON GIBSON: Okay.

10 CHIEF BOYCE: Because that's what they're  
11 under.

12 CHAIRPERSON GIBSON: And with the number  
13 140 where we're at now, has there been a heavy  
14 concentration based on some of the cases you've  
15 received, in particular neighborhoods across the  
16 City, and if so, what are we doing to really address  
17 those particular issues and hate crimes that are  
18 happening in those communities working with  
19 stakeholders and others to really send a message? I  
20 mean, obviously this is happening across the City,  
21 but we know that it's concentrated in certain areas  
22 across the City.

23 CHIEF BOYCE: Sure. One of the things  
24 we've seen the uptick is the criminal mischief.  
25 They're putting on swastikas throughout transit

2 system and elsewhere throughout the City. That's  
3 driving our number. We also have two specific  
4 boroughs we have been experienced some issues with,  
5 Queens North and Brooklyn South. Now, the Hate  
6 Crimes Unit speaks to the commanding officer of those  
7 precincts to get the word out of what's going on to  
8 give it to the community in that way. So that's part  
9 of his job, but again, he's a centralized unit. He  
10 works out of Special Victims Division.

11 CHAIRPERSON GIBSON: Okay. Are you  
12 concerned at all about under-reporting, and also, is  
13 the unit monitoring hate speech as well? I know in  
14 my borough of the Bronx we've had a few incidents  
15 with cab and taxi drivers where there was language  
16 used. There was someone's, you know, turban that was  
17 removed. Are you looking at in addition to the acts,  
18 but are we looking at hate speech as well as, you  
19 know, like other graffiti or messages across the City  
20 of New York?

21 CHIEF BOYCE: That's also driving the  
22 number, the hate speech, the remarks. Thankfully,  
23 the violence is down quite considerably, but if you  
24 remember the homicide last year of the Imam, so we  
25 have that issue last summer. We're always wary of

2 that, but it looks like it's driving the speech  
3 itself and also the criminal mis [sic]. That's  
4 what's driving the--

5 COMMISSIONER O'NEILL: [interposing] Bob,  
6 out of the 140, can you give a breakdown of what  
7 those crimes are in the boroughs?

8 CHIEF BOYCE: Sure. Okay, it's I guess  
9 140 versus 70 last year, up 70. It looks like from  
10 what we can see right now, aggravated harassment is  
11 up 16. Criminal mischief, what I spoke before, it's  
12 61 versus 12 from last year up 49. So that's also  
13 mostly the swastikas that we see throughout the City.  
14 Terroristic threats are up six, seven versus one.  
15 That's some of the language he alluded to earlier,  
16 and that's what's driving the number at that point,  
17 those specific instances. Also, assaults are up nine  
18 versus-- 27 versus 18. What we've seen as far as the  
19 anti-Muslimism is the pulling off of religious garb  
20 by certain individuals across the City. We've made  
21 an arrest on just about every one of those.

22 CHAIRPERSON GIBSON: Thank you very much,  
23 and now I'll turn this back over to our Chair.

24 CHAIRPERSON FERRERAS-COPELAND: Thank  
25 you, Chair, and I know we're both going to come back



2 in the second round. We've been joined by Council  
3 Members Lancman, Cornegy and Rosenthal. We will now  
4 hear from Council Member Rodriguez followed by  
5 Council Member Vacca.

6 COUNCIL MEMBER RODRIGUEZ: Thank you,  
7 Chair. Commissioner, thank you for all your service  
8 and the men and women of the NYPD for keeping our  
9 city safe. You know, when we deal with Times Square  
10 this week, last week, one thing that we saw was the  
11 quick response for the NYPD putting the red alert and  
12 deploying everyone there, and the City feel, you  
13 know, that we're really ready. Unfortunately, we  
14 lost a life. It was not a terrorist attack, but also  
15 we learned a lesson about importance of keeping that  
16 area safe, Times Square. And as the City been  
17 looking at that area, especially from 47 to 42<sup>nd</sup>  
18 Street, I know that whatever decision was made in  
19 that area, so it required the input of the NYPD, and  
20 those pedestrian bollard that being installed in that  
21 area saved the life probably of dozens of New Yorkers  
22 and tourists that otherwise the pedestrian safety  
23 would not be installed. That car would have been  
24 going through the whole sidewalk. So what did the  
25 NYPD learn from that lesson from what happened this

2 past week, and were those pedestrian bollard  
3 installed following this same criteria as the other  
4 border have been installed in the City?

5 COMMISSIONER O'NEILL: So, obviously after  
6 each and every incident that occurs, the whole city  
7 learns a number of things. But I just-- you made a  
8 statement about the NYPD and the first responders,  
9 just to speak to the greatness of the City, it just  
10 wasn't-- it wasn't just uniformed personnel. It was  
11 civilians and tourists alike that came to help. Let  
12 me get Deputy Commissioner John Miller of  
13 Counterterrorism and Intel, and he can tell you about  
14 our long-term plans. We have a temporary fix in  
15 place. We put some concrete block from 42 up to 45,  
16 but John can tell you about our program going  
17 forward.

18 DEPUTY COMMISSIONER MILLER: For the  
19 record, John Miller, Deputy Commissioner for  
20 Intelligence and Counterterrorism. Council Member,  
21 the design for Times Square, as you saw the  
22 construction unfold over the last few years,  
23 contemplated two areas, one on the eastside of Times  
24 Square coming up from 42<sup>nd</sup> Street roughly to I think  
25 it's 44<sup>th</sup> Street, and then that's a pedestrian mall

2 gathering place, and then it flips to the west side  
3 at, I believe, 44<sup>th</sup> Street and continues north where  
4 that crossroads is within the bowtie, as they call  
5 that area of Times Square. Those areas were  
6 bollarded [sic] at crosswalks and then low granite  
7 walls were installed to protect those heavy gathering  
8 areas from either an accidental runaway care or an  
9 intentional ramming attack. Looking at the events in  
10 Times Square from last week where we saw that car go  
11 down the sidewalk on the opposite side, the positive  
12 aspect of it is when it hit the pedestrian gathering  
13 place, it was interrupted by the bollards and came to  
14 a full stop. The questions that are raised by the  
15 incident is what is or are the distinctions between  
16 the amount of pedestrian traffic in the designated  
17 pedestrian gathering areas versus what would be a  
18 regular New York sidewalk anywhere else, and looking  
19 at the volume in Times Square combined with an uptick  
20 in propaganda, including propaganda from terrorist  
21 groups released last week urging large vehicle  
22 ramming attacks.

23 COUNCIL MEMBER RODRIGUEZ: Sorry, I have  
24 to use my other 50 seconds for my following question.  
25 I know, if not I will lose my time. what I will

2 encourage the current-- your division, NYPD, is to  
3 look at the 43<sup>rd</sup> corner where the bollard, they've  
4 been installed closer to the street, and compared to  
5 those at 45<sup>th</sup>, those bollards will be-- the one, the  
6 45<sup>th</sup>, will be at the same distance to the street as  
7 43<sup>rd</sup> Street. Car would not have any opportunity to  
8 get into the sidewalk.

9 DEPUTY COMMISSIONER MILLER: Okay, so to  
10 fast-track that, sir. What we did is we took the  
11 configuration we used when the Superbowl was here,  
12 for Superbowl Boulevard. We installed temporary  
13 measures on both sides of the street. We're working  
14 with DOT if we can-- how quickly we can turn that  
15 into permanent fixtures there, and had some  
16 discussions with DOT and the Mayor's Office.

17 CHAIRPERSON FERRERAS-COPELAND: Thank you  
18 very much, Council Member Rodriguez. Next, we'll  
19 have Council Member Vacca followed by Council Member  
20 Williams, and we've also been joined by Council  
21 Member Ritchie Torres.

22 COUNCIL MEMBER VACCA: Thank you, Madam  
23 Chair. I wanted to talk about Rodman's Neck in my  
24 district. I'm pleased that the final budget will  
25 contain the 274 million that was pledged in the

2 Preliminary Budget. I've been in discussions with  
3 the Police Department concerning noise abatement on a  
4 temporary basis. This project for Rodman's Neck is  
5 sometime away, even though we're getting money in the  
6 budget which is great, and the reality is the noise  
7 in the interim is at unacceptable levels, and I also  
8 know that you'll be performing this project which  
9 will produce even more noise. So, I want to ask you,  
10 can we now formally announce something or talk about  
11 what we're going to do on a temporary basis  
12 concerning noise?

13 DEPUTY COMMISSIONER GRIPPO: Yeah. So  
14 we, we are very concerned as are you in terms of the  
15 amount of time it's going to take to get this project  
16 completed. Understanding the noise issues in the  
17 interim, we have done an outreach to a number of  
18 engineering firms that have expertise in sound  
19 proofing, and what our thought was is that similar to  
20 what you said, we have the firearm-- the noise  
21 generated by the firearms trainings that go on there  
22 on a daily basis, that's been an issue for years. We  
23 will ultimately have some additional noise generated  
24 by the construction project. So the thought was we  
25 could find something to use as a protective-- as both

2 a protective barrier during the construction process,  
3 because we're going to be continuing to conduct  
4 firearms training there, and we're going to have to  
5 quadrant off parts of the property to protect the  
6 people coming in and out from the construction  
7 activities. We're looking at sound-proofed  
8 materials, essentially walls, as opposed to a more  
9 standard construction fence that we would use, and we  
10 did find one. I'm not at liberty to say publicly who  
11 that firm is. We found one that we are particularly  
12 interested in, and we are planning for our summer  
13 months. It's ultimately we have to work this through  
14 DDC. We're planning to test their material at a  
15 firearms range to determine if it will truly be  
16 effective in reducing the sound that is created by  
17 the firearms. So, the issue, just to be clear, why  
18 this is so challenging, is there's nothing we could  
19 put temporarily that would create the effect that the  
20 permanent reductions in sound, the permanent measures  
21 are, because it involves essentially in closing the  
22 range. There's nothing we were able to find that  
23 could actually create a roof or a top on the range  
24 that would be temporary, but these are very high  
25 walls that are thick, sound proof, material. And so

2 ultimately where we are now is we want to test it at  
3 the site to ensure we don't end up spending a million  
4 or two on this and have it not be effective in  
5 reducing the noise that the firearms are creating.  
6 If this ultimately proves to be effective, it will  
7 def-- it will have impact on both. It will have  
8 impact on reducing the sound from the firearms as  
9 well as reducing the sound for the construction, and  
10 it will be a safety measure for the people who have  
11 to come onto that property during the construction,  
12 as it'll provide fencing. It'll be better in getting  
13 people in and out.

14 COUNCIL MEMBER VACCA: When are looking  
15 to install them, and do you need more money in the  
16 budget to do this?

17 DEPUTY COMMISSIONER GRIPPO: We're at  
18 the-- we want to test them first. So we're looking  
19 to test them in the summer months. We don't have a  
20 final date yet or commitment, but ultimately, whether  
21 it's June or July, we'll be putting those fences up.  
22 We'll be doing some testing. If we demonstrate it as  
23 effective, it will likely come out of the  
24 construction budget as there is some estimate for  
25 fencing. This may be a slightly higher cost fencing,

2 but ultimately we go to final design, things change  
3 up and down. So we're hoping to absorb it in the  
4 current capital cost for the project.

5 COUNCIL MEMBER VACCA: So, are we looking  
6 at these temporary barriers if they prove to be  
7 acceptable to you, they could be up in a year or two?

8 DEPUTY COMMISSIONER GRIPPO: That's  
9 correct.

10 COUNCIL MEMBER VACCA: During the  
11 renovation of the range, no part of the range will be  
12 moved? It will just be a shifting within the range?  
13 Will there be other City facilities that have to be  
14 used temporarily?

15 DEPUTY COMMISSIONER GRIPPO: There's  
16 going to be all of the above. It will depend on the  
17 point at which we are at construction. Initially, we  
18 will be continue to operate the ranges as we do  
19 construction around at some point. We will begin  
20 closing one range at a time and allowing ourselves to  
21 use the other ranges. Ultimately, there may be a  
22 period towards the end of construction where we have  
23 to close the range for a number of months  
24 permanently, and we will use our indoor facilities  
25 and other facilities during that period, but we don't



2 have the final construction schedule so it's  
3 difficult to say if and when that will be the case.  
4 Ultimately, though, we imagined we'll have a little  
5 bit of all of what you described depending on the  
6 stage of construction.

7 COUNCIL MEMBER VACCA: Thank you.

8 CHAIRPERSON FERRERAS-COPELAND: Thank  
9 you, Council Member Vacca. We've also been joined by  
10 Council Member Chaim Deutsch. Next we will have  
11 Council Member Williams followed by Council Member  
12 Treyger. Council Member Treyger followed by Council  
13 Member Rosenthal.

14 COUNCIL MEMBER TREYGER: Thank you to the  
15 Chairs, and welcome, Commissioner. Commissioner, I  
16 just want to begin with just discussing the issue of  
17 language access with the NYPD. Out of the total  
18 number of officers we have on the force right now,  
19 how many of them speak a language other than English?

20 COMMISSIONER O'NEILL: Going to have  
21 Commissioner Herman, Sue Herman speak about that.

22 COUNCIL MEMBER TREYGER: Thank you.

23 DEPUTY COMMISSIONER HERMAN: We have  
24 17,000 members of the service who speak 86 languages.

1 COMMITTEE ON FINANCE WITH COMMITTEE ON PUBLIC SAFETY 90

2 COUNCIL MEMBER TREYGER: I'm sorry? So  
3 you have--

4 DEPUTY COMMISSIONER HERMAN:  
5 [interposing] Seventeen thousand members of the  
6 service, that's uniform and civilian--

7 COUNCIL MEMBER TREYGER: [interposing]  
8 Right.

9 DEPUTY COMMISSIONER HERMAN: who speak 86  
10 languages.

11 COUNCIL MEMBER TREYGER: Out of total--  
12 what's the total number of officers and civilian  
13 under the Department?

14 COMMISSIONER O'NEILL: Fifty-one  
15 thousand, 51,000 plus.

16 COUNCIL MEMBER TREYGER: Okay. And I  
17 appreciate I think the effort. The effort seems to  
18 be very real, but I would argue that we still have a  
19 ways to go, particularly in communities I serve in  
20 Southern Brooklyn, increasingly diverse, and you  
21 know, there have been issues of-- reporting issues  
22 because of the language barriers and cultural  
23 barriers that my office is more than happy to always  
24 intervene and help assist, but particularly in  
25 Southern Brooklyn you have a huge Russian-speaking

2 population, Chinese-speaking population, and I do see  
3 that, you know, I think we're hearing the right  
4 things, but I mean, for example, we had to really go  
5 to bat to make sure that precincts in Southern  
6 Brooklyn retained one of its only Russian-speaking  
7 community Affairs folks who was very popular in the  
8 neighborhood, but there was a discussion about  
9 shifting this person to Manhattan or somewhere away.  
10 And so I am very big on this issue of language  
11 access, and again, I want to just also just say that  
12 all of the three precincts in my district, the  
13 communication with my office is excellent and superb,  
14 but language access remains an issue that we're going  
15 to have find ways to kind of work together on, and  
16 I'd be happy to follow up with you, Commissioner, and  
17 your office about that. But certainly, if you're  
18 talking about Brighton Beach, you should probably  
19 have someone that definitely speaks the languages of  
20 Brighton Beach or in Coney Island or in Bensonhurst.  
21 I also just want to speak to the issue of security in  
22 Coney Island. This past weekend we had the marathon,  
23 and Commissioner, I received a flood of complaints  
24 and issues from my residents, just to let you know,  
25 that a resident who lives in Coney Island could not

2 get to Coney Island Hospital because of the traffic  
3 volume associated with the marathon. Fortunately,  
4 the person survived. They had to be taken-- given an  
5 asthma machine, a breathing machine. But we had a  
6 meeting in my community after Easter Sunday when  
7 there was an incident in Coney Island as well.  
8 Residents and the Community Board and elected  
9 officials, my colleague Chaim Deutsch could speak to  
10 this issue as well, are really insisting on more  
11 security presence not just from the NYPD, by the way,  
12 also from the Parks Department because they have a  
13 role to play. We need more PEP offices to patrol the  
14 park property, the beach, because it's two and a half  
15 mile of beach and boardwalk, but as far as the  
16 security presence, back in the day I was told that we  
17 used to have over 200 summer details, somewhere in  
18 that figure, many, many years ago. The detail is now  
19 around 84 or 89. You have the beach, the boardwalk,  
20 the amusement district. You have over a million  
21 visitors coming in, and the residential communities  
22 that we still have to protect and serve. Is there a  
23 commitment to work with us to make sure that we have  
24 adequate security not just in the amusement area, but  
25 also just to help move traffic along? It became a

2 real nightmare this past weekend. So I'd like just  
3 to hear your thoughts on that.

4 COMMISSIONER O'NEILL: You know, we work  
5 with every community all across the City to make sure  
6 that we have an adequate number of police officers  
7 assigned to each and every precinct. As you know, we  
8 took down our Impact [sic]. There's no longer  
9 Impact. Now, that when you graduate from the  
10 academy, you don't go to an Impact command which was  
11 28 out of the 77 precincts. Now, we send new police  
12 officers to each and every precinct, to each and  
13 every transit district, and to each and every housing  
14 PSA. So, I know we've sent additional people out to  
15 Bill Taylor [sic], out to Captain Santivino [sp?],  
16 out to the 61. So this is something that we're  
17 constantly looking at to make sure that there's the  
18 right level and especially neighborhood policing  
19 commands, we have to make sure we have the right  
20 number of police officers. And I know-- I know it  
21 was a difficult weekend. We also have a Coney Island  
22 detail that we set up every summer, and I think that  
23 each and every time I see Chief Powers, he asks me to  
24 increase that number. So you do have an advocate in  
25 Chief Powers.

2 COUNCIL MEMBER TREYGER: And I will  
3 follow up with your office and Chief Powers.

4 COMMISSIONER O'NEILL: Okay.

5 COUNCIL MEMBER TREYGER: And last thing I  
6 just want to say that in the 60 precinct we pride  
7 ourselves, and I appreciate your office's help, being  
8 number one in crime reduction in the entire City of  
9 New York. It's a significant reduction in shootings  
10 as well, and I commend the work of the officers. I  
11 think that they've done a great job, but I also just  
12 want to give a big shout out to the Anti-Violence  
13 collaborative that we have in Coney Island as well  
14 that's done a phenomenal job of building  
15 police/community relationships, getting to the  
16 granular level in our community to address hotspots  
17 and to intervene before an incident occurs. So it's  
18 been a partnership with NYPD and the Anti-Violence  
19 Taskforce which this Council really has championed.  
20 Thank you.

21 COMMISSIONER O'NEILL: Just to add to  
22 that, and anytime I speak, I speak about keeping New  
23 York safe isn't just about the NYPD. It's not just  
24 about law enforcement, and Council Member Williams  
25 and I have had a discussion about this too, the

2 violence interrupters play a huge part in helping us  
3 reduce the violence all throughout the City.

4 COUNCIL MEMBER TREYGER: Thank you.

5 CHAIRPERSON FERRERAS-COPELAND: Thank  
6 you, Council Member. We will hear from Council  
7 Member Rosenthal followed by Council Member Williams,  
8 followed by Minority Leader Van Bramer. Majority  
9 Leader Van Bramer.

10 CHAIRPERSON VAN BRAMER: Thank you. I'm  
11 still a Democrat.

12 COUNCIL MEMBER ROSENTHAL: Thank you so  
13 much, Chairs. Commissioner, it's always great to see  
14 you, and I think I'm going to see you tonight at the  
15 20.

16 COMMISSIONER O'NEILL: Yes.

17 COUNCIL MEMBER ROSENTHAL: Yeah.

18 COMMISSIONER O'NEILL: I'll be at the  
19 Community Council meeting.

20 COUNCIL MEMBER ROSENTHAL: Oh, that's  
21 great. Then my scheduler doesn't have to follow up  
22 with your office. Thank you. You know, ever since  
23 the unfortunate incident in Council Member Levine's  
24 district where the Captain made some unfortunate  
25 comments about rape, and I know you addressed them

2 immediately. I thank you for that editorial you  
3 wrote in the Daily News. That was firm and clear,  
4 and it sent a very strong message, and I do  
5 appreciate that. The Women's Caucus later met with--  
6 is it Detective Osgood?

7 COMMISSIONER O'NEILL: Chief Osgood.

8 COUNCIL MEMBER ROSENTHAL: Chief Osgood,  
9 thank you.

10 COMMISSIONER O'NEILL: He's the CO of the  
11 Special Victims Unit.

12 COUNCIL MEMBER ROSENTHAL: Right, of the  
13 Special Victims Division, and he actually brought  
14 with him a consultant from I think it was Portland,  
15 Oregon who was talking about retraining the  
16 detectives on the language that's being used with  
17 victims/survivors so that it's much more survivor-  
18 friendly, and that there would be a new move to build  
19 trust among survivors and let them know they're being  
20 heard so that people will feel more comfortable to  
21 come forward, and it just made so much sense, and I'm  
22 wondering if in this budget you've-- what the funding  
23 is for that type of training. Who is it that's  
24 getting retained in this way? What progress have you  
25 made?



2 COMMISSIONER O'NEILL: Okay, Deputy  
3 Commissioner Sue Herman will speak about that.

4 COUNCIL MEMBER ROSENTHAL: Thank you.  
5 It's good to see you, Deputy Commissioner.

6 DEPUTY COMMISSIONER HERMAN: Thank you. I  
7 think you're referring to the FETIY training, which  
8 is Forensic Experiential Trauma Interview Training.  
9 It's actually out of Ashland, Oregon. So, a smaller  
10 town than Portland. And they have put together a  
11 team of national experts from neurobiologists to  
12 military investigators, prosecutors, people who have  
13 understood over time different ways to interview  
14 people who have experienced a significant trauma to  
15 get the most useful information without doing further  
16 harm. And we have money in the budget actually for  
17 training the entire SVD as well as people from the  
18 Trafficking Division. I believe eventually hate  
19 crimes and other investigators will get it, but it  
20 will go first to everyone in the SVD, and the money  
21 is there in the budget.

22 COUNCIL MEMBER ROSENTHAL: And when will  
23 the training begin?

24 DEPUTY COMMISSIONER HERMAN: Training has  
25 started. Many of the SVD have already been trained.

2 More of them will be trained in June. We invite  
3 prosecutors to attend this training as well from each  
4 of the boroughs as well as victim advocates.

5 COUNCIL MEMBER ROSENTHAL: So, how many  
6 people are being trained, and then how many will be  
7 trained next?

8 DEPUTY COMMISSIONER HERMAN: Well, what I  
9 can tell you, I don't have the exact numbers with me,  
10 but I can tell you the entire SVD between this year  
11 and next year will be trained.

12 COUNCIL MEMBER ROSENTHAL: So, the people  
13 I'm thinking-- thank you, and that's great, and thank  
14 you for bringing that expertise.

15 DEPUTY COMMISSIONER HERMAN: Thank you.  
16 You funded it.

17 COUNCIL MEMBER ROSENTHAL: Oh, there you  
18 go. Thank you for bringing that expertise to the PD.  
19 When will all of the front line officers, so people  
20 who are interacting with our residents, when will  
21 they be trained?

22 DEPUTY COMMISSIONER HERMAN: If you're  
23 talking about patrol, it's going to take a long time  
24 to get to patrol. We're going to work through many  
25

2 different kinds of investigators in the Detective  
3 Bureau before we get beyond the Detective Bureau.

4 COUNCIL MEMBER ROSENTHAL: Is the new  
5 training being added to the academy, for example?

6 DEPUTY COMMISSIONER HERMAN: The new  
7 training that you have funded uses these national  
8 experts, and we believe it's very important to use  
9 people who have done the research and have done the  
10 training. Whether aspects of it eventually can be  
11 incorporated into the academy training, that's  
12 probably likely.

13 COUNCIL MEMBER ROSENTHAL: Are you having  
14 the experts train folks to become trainers at the PD?

15 DEPUTY COMMISSIONER HERMAN: Not yet. Not  
16 yet.

17 COUNCIL MEMBER ROSENTHAL: Is that  
18 something you're contemplating?

19 DEPUTY COMMISSIONER HERMAN: That's what  
20 I'm saying, that eventually taking aspects of it and  
21 turning it into recruit level or in-service level  
22 training is probably something that we'll explore,  
23 but right now we're going for the real deal and  
24 rather than modifying it.

2 COUNCIL MEMBER ROSENTHAL: So do you need  
3 additional funding? No, no, I wouldn't say modify,  
4 but do you need additional funding to do that work so  
5 you don't have to depend on the consultant anymore?

6 DEPUTY COMMISSIONER HERMAN: I think we  
7 need an assessment to see what adapting it would look  
8 like. Sometimes having people who are the actual  
9 experts in the field that they're talking about makes  
10 a lot of sense to do the training.

11 COUNCIL MEMBER ROSENTHAL: Okay, I look  
12 forward to hearing from you. Will you have an  
13 official report?

14 DEPUTY COMMISSIONER HERMAN: We will have  
15 an official report of how many people have been  
16 trained?

17 COUNCIL MEMBER ROSENTHAL: No, just how it  
18 went, what you're findings are, and what your plans  
19 are going forward? Was it a success? And I'll stop  
20 there. There are other--

21 COMMISSIONER O'NEILL: We can send that  
22 over.

23 DEPUTY COMMISSIONER HERMAN: Sure.

24 COUNCIL MEMBER ROSENTHAL: Thank you so  
25 much.

2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you, Council Member. We've been joined by Council  
4 Member Lander. We will hear from Council Member  
5 Williams followed by Van Bramer followed by Lander.

6 COUNCIL MEMBER WILLIAMS: Thank you,  
7 Madam Chair, Madam Chair, Commissioner, Deputy  
8 Commissioner, Deputy Commissioner. I appreciate your  
9 testimony. I first want to just follow up on  
10 something Council Member Treyger, which of course,  
11 the efforts of the Crisis Management System, and I  
12 appreciate the support that's given. I know it came  
13 up in the last hearing. I was kind of hoping that  
14 it'd be mentioned in the testimony, particularly when  
15 we're talking about shootings. It wasn't. I  
16 appreciate your support and you just said it, but  
17 it's important to me because as we're talking about  
18 the difference that are being made, and I think they  
19 are very real. I think part of that is how we're  
20 viewing public safety, how we're addressing gun  
21 violence and obviously believe the budget, your  
22 police budget, is about 5.6 billion which is a huge  
23 amount. The Crisis Management System which is also  
24 violence interrupters, but not only is probably less  
25 than half percent of that. I know we spent 170

2 million dollars in your offices a few years ago. My  
3 guess is that's gone up significantly, maybe 200  
4 million, 250, and we're struggling now to get much  
5 less than that for funding for youth jobs for all  
6 young people in the City. So, I want to make sure we  
7 continue to see how important these other efforts  
8 are, and with that, continue to put the dollars onto  
9 it. I don't think we'll ever get up to 5.6 billion.  
10 It'd be great if we did, because I think it would  
11 have significant impact, but we need to put our money  
12 where our mouths are, and I think we're doing that in  
13 a much better way, of course, than the last  
14 Administration, but we have some ways to go. And of  
15 course, shooting's down for the most part with some  
16 spikes. Gun arrests are up and complaints are done  
17 in the Police Department. those are very good  
18 indicators, and I've said before, I think there's  
19 more happening in the Police Department than the  
20 Police Department and the Administration and the  
21 Mayor are getting credit for, and I think that's  
22 because in certain areas we haven't moved the needle.  
23 One is transparency. We've actually gone backwards, I  
24 believe, and accountability, I don't think we've done  
25 a lot there. And also, when it comes to what I

2 believe has been misapplication of Broken Windows,  
3 and I really wanted to get a handle on what the  
4 Department's position is now when it comes to Broken  
5 Windows, because I've heard miscommunication about  
6 it, and I just want to get a better handle on it.

7           COMMISSIONER O'NEILL: So you're speaking  
8 about quality of life policing. In my testimony I  
9 mentioned that I was a Precinct Commander for six and  
10 a half years, first in the park for two years, then  
11 in the 25 which is in East Harlem, and then in the 44  
12 which is in the vicinity of Yankee Stadium in the  
13 South Bronx. And quality of life issues and Council  
14 Member Williams, I know you attend a lot of community  
15 meetings, but it's something that always comes up,  
16 and if I didn't take care of quality of life issues  
17 as a Precinct Commander, I probably wouldn't be  
18 sitting here. It's part in parcel of what we do.  
19 Many of those complaints are not only driven by  
20 community meetings, but also by 311 calls. So, you  
21 know, as we move through this, this is something we  
22 can't walk away from. I was at a community meeting  
23 out in Queens, I think it was about a month and a  
24 half ago, and people were talking about quality of  
25 life policing, some for and some against, and as I

2 was walking out I had a group of homeowners come up  
3 to me and tell me, "Listen, you still have to do  
4 this. This is something that's important to us.  
5 This makes us feel safe." So, we can continue to  
6 talk about this. The number of summonses are going  
7 down. The number of arrests are going down. So, you  
8 know, I think we're heading in the right direction  
9 and crime continues to go down too. I know this is a  
10 major issue for you, and I'd like to continue  
11 discussion about how important it is to us.

12 COUNCIL MEMBER WILLIAMS: Sure. So, I  
13 believe quality of life is significantly important.  
14 I guess the differential for me is when it comes to  
15 Broken Windows I have always said I understand, I  
16 guess, the concept around it. My difference has been  
17 it doesn't have to necessarily be police to deal with  
18 the Broken Windows, and if it is police, any  
19 additional tools, summonses and arrests are not the  
20 only tools that need to be used. So, I'm trying to  
21 get a handle on if-- is it still Broken Windows? Is  
22 it a modification of it? What is the--

23 COMMISSIONER O'NEILL: [interposing] It is  
24 taking care of quality of life issues within each and  
25 every precinct, and we're doing this in by and large



2 in conjunction with the communities we serve,  
3 especially in our neighborhood policing commands. We  
4 have our NCOs holding their sector, sector level  
5 meetings all throughout the City, and these are the  
6 issues that come up. And then in our-- through  
7 CompStat, that weekly crime strategy meeting we have  
8 every Thursday morning, we look at-- we look at the  
9 summary enforcement action that's being taken. We  
10 don't want it to people not connected to the crime  
11 and violence. So, that's why it's here. We've seen  
12 such a reduction in C summonses, Criminal Court  
13 summonses, and arrests. And we understand that this  
14 is a way to build trust. Again in my testimony I  
15 said, who knows better than the people that live and  
16 work on the blocks than people that are involved in a  
17 crime. And we're conducting enforcement against  
18 people not involved in that crime that has serious  
19 repercussions for us.

20 COUNCIL MEMBER WILLIAMS: Just, I guess,  
21 the last question on that point, because it's  
22 critical for a lot of-- myself and a lot of  
23 advocates, and I know I guess we're changing Broken  
24 Windows and quality of life policing. Is it safe to  
25 say that the Broken Windows commonly thought of as

2 where we're arresting and summoning our way out of  
3 the quality of life programs? Is it not something  
4 that the believes in, or is that still what you're  
5 pursuing? Are we pursuing with different tools? I  
6 really want to try to get--

7 COMMISSIONER O'NEILL: [interposing]  
8 Quality of life violations have to be addressed, but  
9 as you said, it doesn't have to be addressed through  
10 some reinforcement. And I think with neighborhood  
11 policing, with steady sectors and NCO's, we know on a  
12 granular level who's involved in the crime and the  
13 violence. So, you know, it's still something that  
14 has to be done, and we will continue to do it, but it  
15 has to be directed at the people involved in the  
16 crime and the violence, and I think that's how we  
17 move forward and that's how we make the City safer.

18 COUNCIL MEMBER WILLIAMS: Alright, I  
19 guess I have to let it go for now. Thank you.

20 CHAIRPERSON FERRERAS-COPELAND: Thank  
21 you, Council Member. Council Member Van Bramer,  
22 Lander, and then Council Member Deutsch.

23 COUNCIL MEMBER VAN BRAMER: Thank you  
24 very much, Madam Chair, Police Commissioner and  
25 Chiefs. I want to thank you. We've always had a

2 very good working relationship and I want to say that  
3 about a month ago we took that to a new level when my  
4 scheduler entered the Police Academy and is not in  
5 College Point. So, you took one of mine, and we're  
6 very, very proud of Xavier Perez who will make a very  
7 fine police officer.

8 COMMISSIONER O'NEILL: In the Bronx?

9 COUNCIL MEMBER VAN BRAMER: One day.

10 COMMISSIONER O'NEILL: In the Bronx?

11 COUNCIL MEMBER VAN BRAMER: Wherever you  
12 choose to send him. We'd love to have him in the  
13 108<sup>th</sup>, but--

14 COMMISSIONER O'NEILL: [interposing] Got  
15 it.

16 COUNCIL MEMBER VAN BRAMER: You all will  
17 send him to the appropriate place. I want to also  
18 thank Captain Forgione of the 108<sup>th</sup> and Deputy  
19 Inspector Fortune at the 114<sup>th</sup> who we work very  
20 closely with. I also want to commend the NCOs.  
21 We've had some great experiences with those folks,  
22 particularly those assigned to the public housing  
23 developments that I represent. They've been doing a  
24 terrific job, and really, really grateful for their  
25 presence in our communities and the relationships

2 that they're building. I wanted to ask you about  
3 Vision Zero and an issue that's come up a lot in my  
4 district which I know the Department takes seriously,  
5 but parking and bike lanes, right? Parking and bike  
6 lanes, double parking and bike lanes, I'm hearing an  
7 awful lot about that, and I know obviously Chief Chan  
8 and others take that very seriously. But maybe you  
9 can talk to me a little bit about enforcement of  
10 those sorts of violations and how seriously the  
11 Department takes that?

12 COMMISSIONER O'NEILL: No, it's something  
13 that we do take very seriously, and Chief Chan will  
14 speak about our enforcement efforts.

15 CHIEF CHAN: Good morning. Thomas Chan,  
16 Chief of Transportation Bureau. We've been taking a  
17 look at that, and when we do enforcement, that's  
18 definitely one of our strategies. We've targeted  
19 vehicles that are parking illegally in those bike  
20 lanes, and when we take a look at last year's  
21 enforcement, we issued 67,000 summonses for that  
22 compared to 66,000 summonses that we issued the  
23 previous year in 2015. And I would venture to say in  
24 2017 we're going to continue in that effort. Keeping  
25 those bike lanes clear so that the motorists can use

2 it, it is certainly sometimes an issue, even police  
3 vehicles parking there. We discourage it. We have  
4 our ICOs, the Integrity Control Officers go out there  
5 and take a look at that, make sure that we are going  
6 to issue either command disciplines or discipline the  
7 officers that are parking in those locations. So,  
8 it's certainly an area that we do keep a close eye  
9 on, and we will continue to do so in 2017.

10 COUNCIL MEMBER VAN BRAMER: I appreciate  
11 that, and I think those numbers should probably go up  
12 even more given what I've seen, and we've been in  
13 close contact with Captain Forgione, and I know the  
14 issue that we have on Vernon Boulevard is one that  
15 our local precinct is taking a look at, but obviously  
16 this is a commitment that we all share from the Mayor  
17 to the Department and to those of us on the ground  
18 making sure that Vision Zero is achieved, and that  
19 enforcement is a critical piece of how we get there.  
20 And I just want to say the work that we've all done  
21 in Queensbridge is been remarkable in terms of  
22 reducing violence. Obviously we had a tragic murder  
23 there last week, but we are going in the right  
24 direction, trending in the right direction, all of us  
25 working together and obviously Cure Violence has a

2 lot to do with that as well. But we have had a  
3 cyclist who was killed on the 108<sup>th</sup> a few weeks ago.  
4 A drunken driver barreling through a stop sign or a  
5 stop light on 43<sup>rd</sup> Avenue and 39<sup>th</sup> Street killed a  
6 cyclist. Are you seeing more arrests when it comes  
7 to drunk driving and killings that take place, cars  
8 crashing into cyclists?

9 COMMISSIONER O'NEILL: Tom, you want to  
10 talk about DWI arrests?

11 CHIEF CHAN: We take a look at for this  
12 year, in terms of our DWI arrests, we're down nine  
13 percent. We have 3,132 arrests for DWI compared to  
14 3,445. The DWI arrest is something we encourage all  
15 our commands to make arrests for that, because  
16 certainly the DWI driver is going to-- could strike  
17 our bicyclist, our pedestrians, things of that  
18 nature. This year, in terms of bicyclist fatalities,  
19 we are-- we have five compared to seven, and again,  
20 one is one too many. So we're currently down 28  
21 percent in terms of bicycle fatalities. We had a  
22 high number last year of 20, and we are working  
23 closely with our bicycle advocates to do education.  
24 We continue toward [sic] our street teams of  
25 enforcement, week of education prior to that. So,

2 we're going to continue to work closely with them,  
3 through again, to hopefully have no fatalities in New  
4 York City.

5 COUNCIL MEMBER VAN BRAMER: Great. And  
6 just to wrap up. I know I'm done. I want to be  
7 clear, there was an arrest made in that case. So, I  
8 want to thank all of the NYPD officers involved in  
9 making sure that that person who was drunk and ran  
10 the light, killed a man, and then sped off, was  
11 actually caught and apprehended a few hours later.  
12 So, thank you very much, Commissioner.

13 CHAIRPERSON FERRERAS-COPELAND: Thank  
14 you, Council Member. Council Member Lander followed  
15 by Council Member Deutsch.

16 COUNCIL MEMBER LANDER: Thank you to the  
17 Chairs. Commissioner, it's good to see you. Chief  
18 Chan, you can stick around if you don't mind. I have  
19 one-- thanks. I'm not going to make you run back and  
20 forth too many times. Thank you. Commissioner, I  
21 want to start just by thanking you for your very  
22 strong leadership on public safety and the connection  
23 to protecting our immigrants and standing up to the  
24 threats that we've seen from other places, and for  
25 your continued role out of the NCO program since last

2 year's budget. We have our first NCOs in my  
3 community. We're eager to see the rest of them, and  
4 I appreciate the new website and the new sentiment  
5 meters, you and I, and Deputy Commissioner Herman and  
6 I have spoken in the past about how we're evaluating  
7 and keeping track of that program, and I appreciate  
8 that the Department is pushing forward in those  
9 areas. So, thank you for that. Question about  
10 Vision Zero education enforcement and then a question  
11 about Crisis Intervention Teams. So, Chief Chan, you  
12 speak in the testimony about kind of trying to blend  
13 the education and enforcement efforts, and as you  
14 know, this is something we've been trying to model in  
15 the reckless driver restoration at the Red Hook  
16 Justice Center. I understand Center for Court  
17 Innovation is trying to do the same thing on Staten  
18 Island. It seems to me, though, that we've got a lot  
19 more to do here. It is good to put up billboards, and  
20 it is good to increase enforcement offences that lead  
21 to people getting killed and injured, but we also  
22 really need to take an approach that uses that  
23 enforcement to help people change their behavior. It  
24 is unfortunately true that many of us speed and fail  
25 to yield and text, and so, yes, turning the dial up



2 on enforcement is good, but we got to use that  
3 enforcement in a way that designed to drive behavior  
4 change, and I just wonder if you guys have been  
5 thinking about how we achieve that, because the goal  
6 is not only to write more summonses. The goal is to  
7 get people to change their behavior, and that's not  
8 simple to do.

9 CHIEF CHAN: We've talked about it, and  
10 through Vision Zero we've always worked through  
11 education, the engineering and the enforcement end of  
12 it. Now, we work with our partners and through the  
13 Mayor's taskforce on Vision Zero, whether it be the  
14 TLC, whether it be the Department of Education, DCAS,  
15 and the various city agencies that are involved. So,  
16 this involves TLC. We've reached out to the drivers  
17 through the Department of Transportation. They've  
18 reached a milestone, they-- over 1,000 schools that  
19 they've gone to and visited and actually gave  
20 presentations. I mentioned that our street teams, we  
21 will go to a specific area with a week of education  
22 handing out fliers, engaging the public, setting up  
23 tables, having a command post at those locations,  
24 putting out sound vehicle out there, putting  
25 announcements there, and then we will follow up with

2 a week of enforcement. So, we are going to continue  
3 to do the education. But, as we are into three and a  
4 half years of Vision Zero, education is a major part  
5 of it, but the enforcement, and of recently we were  
6 just talking to Albany to expand the speed camera  
7 program. So we are--

8 COUNCIL MEMBER LANDER: [interposing]

9 Don't get me wrong. I'm encouraged by the  
10 enforcement, and I'm encouraged by the enforcement  
11 numbers. What I don't think we're yet doing is using  
12 that very expansive enforcement program to think  
13 about consequences in a way that help drive behavior  
14 change. We have thought about restorative justice  
15 and problem-solving models in enforcement and follow  
16 up and a lot of other areas. We're trying a little  
17 piece of that in Red Hook, but it's not that that's  
18 the answer. I just-- I know there's more we can do  
19 here when we're giving tickets to several, you know,  
20 a couple hundred thousand people, let's do more to  
21 use those to help them change their behavior as  
22 opposed to just writing the check. So, I'm glad to  
23 follow up with you on this. A lot of good has been  
24 done, but I know this is an area--

25 CHIEF CHAN: [interposing] We are--

2 COUNCIL MEMBER LANDER: You know, if you  
3 think about what changed on drunk driving, it was a  
4 mix of linking education and enforcement thoughtfully  
5 to behavior change, and we want to do that on  
6 reckless driving more as well.

7 CHIEF CHAN: Certainly. Sharing the  
8 information, and as I mentioned before, the Mayor's  
9 Vision Zero taskforce, so we-- it's multiple agencies  
10 that are working collectively for that particular  
11 purpose. So we are going to look at and certainly  
12 any other programs that are available to us to make  
13 sure that we have outreach to the public.

14 COUNCIL MEMBER LANDER: Thank you, and  
15 thanks for this work on this. My other question goes  
16 in a very different direction. It's about the Crisis  
17 Intervention Teams, where I know there's been a lot  
18 of work and a lot of progress in the agency, but it's  
19 a hard area, and you know, wind up with trying to  
20 prevent, you know, the next tragedy. So, I know the  
21 Inspector General did a report which I think the  
22 department agreed with most of the recommendations  
23 on, and I wonder if you could just give us an update  
24 on what the Department is doing. You can either do  
25 it as how you're-- you know, where you're complying

2 with those recommendations or to the extent you  
3 believe you already have those things in place.

4 Where are we since then, since the death of Deborah  
5 Danner [sp?], and since that report?

6 COMMISSIONER O'NEILL: Sue, want to talk  
7 about it?

8 DEPUTY COMMISSIONER HERMAN: So, our work  
9 in this area is really multifaceted. It starts with  
10 Crisis Intervention training, and as of now, we  
11 trained over 5,700 uniformed members of the service.  
12 It includes co-response teams that we're sending out.  
13 Right now, we have about three or four cars a day  
14 that consist of two cops and a clinician working for  
15 the Department of Health and Mental Hygiene. They  
16 are reaching out to people who have been referred to  
17 us from a number of agencies, and all of the contacts  
18 that they've made at this point, after about six  
19 months they've made one arrest. Almost everybody  
20 else has been connected to services through mobile  
21 health teams or outreach centers, but they are back  
22 on medication or they're connected to the help that  
23 they need. And as you know, in 2018 we'll be  
24 starting two Public Health Diversion Centers, and  
25 those are terrific tools for officers there, an

2 alternative to emergency rooms and an alternative to  
3 the criminal justice system for people who  
4 voluntarily accept those services. So, it's  
5 complicated, but it's a multifaceted--

6 COUNCIL MEMBER LANDER: [interposing] And  
7 the issues like dispatch to make sure that the folks  
8 with that training are able to get to each incident  
9 where they're needed. Those are areas that--

10 DEPUTY COMMISSIONER HERMAN: [interposing]  
11 On a monthly basis--

12 COUNCIL MEMBER LANDER: progress is being  
13 made.

14 DEPUTY COMMISSIONER HERMAN: every  
15 precinct CO is given a list of people in their  
16 command who have been trained by CIT. People move  
17 around the City, but every month they get a new list.  
18 And right now, we're training, actually focusing our  
19 attention on training supervisors, and once we've  
20 completed that we'll go back to more in service  
21 training.

22 CHAIRPERSON FERRERAS-COPELAND: Thank  
23 you, Council Member. Council Member Deutsch followed  
24 by Council Member Miller.

2 COUNCIL MEMBER DEUTSCH: Thank you, Madam  
3 Chair. Good afternoon, Police Commissioner. So,  
4 first of all, I want to commend all the men and women  
5 of New York City Police Department as well as all the  
6 auxiliary volunteers who are out there every day on  
7 their own time putting their lives on the line,  
8 directing traffic, working with the people keeping us  
9 safe, and I'm also proud that I was able to allocate  
10 three auxiliary bands, one for the 60, one for the  
11 61, and one for the 70, and in collaboration with the  
12 Police Commissioner, I'm hoping to dedicate these  
13 three bands in memory of Deputy Chief Tony Cristo who  
14 was a pillar in our community and he was really an  
15 advocate for all auxiliaries throughout the City, and  
16 it's currently at feet services and hopefully by next  
17 week it will be at the local precincts. So, I want  
18 to thank all the auxiliary offices throughout the  
19 City. So, thank you so much. On another note, I  
20 have several initiatives and bills in the City  
21 Council in order to reduce congestion and emergency  
22 response for the Fire Department, EMS and as well as  
23 NYPD, and one of my bills that just passed is to  
24 mandate is the mandate the OT to better inform all  
25 the emergency first responders of any type of street

2 closures. This way, they could better coordinate  
3 their response when they're responding to an  
4 emergency. It doesn't just only benefit the  
5 residents, but it benefits the officers and the Fire  
6 Department and EMTs responding to a call, and it  
7 keeps them safe as well. I also just increased  
8 parking in my district by over 100 spots by working  
9 with Department of Transportation and taking parallel  
10 parking and changing it to angled parking and by  
11 doing that you benefit the congestion in the  
12 neighborhoods, and because people constantly circle  
13 around the blocks looking for parking spots. And I  
14 know recently I went to an event with 500 people, and  
15 I personally drove around the block at least 15  
16 times. So, count that, times it by 500. In addition  
17 to that, this past weekend we had the half-day  
18 marathon in Southern Brooklyn, and Southern Brooklyn  
19 was basically paralyzed. The street closures caused  
20 a safety risk, and being that in my district over 30  
21 percent of the people residing in my district are  
22 senior citizens according to data, and so my question  
23 is, is I know throughout the City you have people  
24 directing traffic, but on one location right outside  
25 my district on Avenue N and East 9<sup>th</sup> Street, there

2 are traffic agents there every single day from 4:30  
3 to 6:00 writing summonses for blocking the box. Now,  
4 no one should block the box, but we need to come up  
5 with a long-term solution. Either it's signaling  
6 issue or they should be out there directing traffic.  
7 So, my question is do you feel that there are enough  
8 traffic agents directing traffic citywide? And in  
9 particular in my district I'd like to see an increase  
10 of traffic agents directing traffic because like I  
11 mentioned, I have a number of streets that are  
12 currently being studied and surveyed by DOT because  
13 of the large amount of senior citizens throughout my  
14 district. So, do you feel you have enough traffic  
15 agents directing traffic throughout the City, or  
16 there's something the council can do? Do you have--  
17 so what do you say?

18 COMMISSIONER O'NEILL: Tom?

19 CHIEF CHAN: Councilman, we certainly can  
20 utilize more traffic agents. Our traffic agents serve  
21 both roles as enforcement and also in traffic  
22 control. As a city there's more construction, more  
23 people, more volume. We do have a need for  
24 additional agents. So, I certainly would say that  
25 the agents are very helpful in movement of traffic,



2 because sometimes the actual traffic light does not--  
3 cannot always respond to all the increase in volume  
4 on persons crossing and things of that nature. So we  
5 can utilize them. The location you mentioned on  
6 Ninth Street, we can certainly take a look at that in  
7 terms of that particular location and touch base with  
8 our counterparts in the Department of Transportation  
9 to see if it is effective. Is the timing correct?  
10 Do they need to add time for pedestrians to cross and  
11 things of that nature? That's certainly something  
12 that we can look at with our local precinct. And we  
13 work closely with our seniors, and we ask our local  
14 precincts to take a look at locations where our  
15 seniors frequent, where they reside, where they shop,  
16 and things of that nature, because what happens is  
17 sometimes they do need more time to cross, and we can  
18 accommodate them through some of the technology and  
19 engineering with DOT, but we will always have the  
20 demand for traffic agents. Police officers are a  
21 limited resource, but again, we certainly try to get  
22 as many as we can.

23 COUNCIL MEMBER DEUTSCH: So, thank you,  
24 Chief. I have a-- I have some locations in my  
25 district I'd like to discuss with you regarding maybe

2 possibly putting some traffic agents to direct  
3 traffic. I currently have a study with DOT at West  
4 Fifth and Neptune Avenue, and I have a meeting  
5 tomorrow morning with the DOT Commissioner at that  
6 corner as well as Coney Island Avenue and Brighton  
7 Beach Avenue. Those two areas are really highly  
8 populated with senior citizens, and it's very--  
9 extremely difficult for them to cross the streets of  
10 those areas. So, I know in Guide [sic] and Coney  
11 when we had a traffic study there you sent out two  
12 traffic agents at that location which was very  
13 helpful. So I'd like to do the same in these two  
14 areas.

15 CHIEF CHAN: We will reach out to your  
16 staff and touch base on all the locations, but I  
17 cannot always promise you traffic agents, because  
18 again, sometimes if we have them directing traffic at  
19 certain locations, if we move them then some place  
20 will probably suffer. So again, we have to  
21 prioritize them, and we will review it and take a  
22 look at it.

23 COUNCIL MEMBER DEUTSCH: So, just oen  
24 more note-- sorry, Chair, just oen more thing real  
25 quick. In Southern Brooklyn we really have no place

2 to go unless you own a boat. So it's important in  
3 Southern Brooklyn if we could get as many people to--  
4 traffic agents to direct traffic, because otherwise  
5 it's almost impossible sometimes at times to leave  
6 Southern Brooklyn. Thank you.

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you, Council Member. Council Member Miller?

9 COUNCIL MEMBER MILLER: Thank you, Madam  
10 Chair and Co-Chairs. Good afternoon, Chief, Chief  
11 and team. So, in the interest of time I'm going to  
12 just see if I can run through a few things here. The  
13 first thing I want to ask is about your Hate Crime  
14 Taskforce. Has that number been increased, or  
15 considering what we've seen in recent times, are we  
16 still working with the same staffing?

17 COMMISSIONER O'NEILL: There was an  
18 increase in Hate Crime Taskforce. Bob, we've  
19 increased by five investigators.

20 CHIEF BOYCE: [off mic] Yes, we did.

21 COMMISSIONER O'NEILL: Yep.

22 CHIEF BOYCE: [off mic] [inaudible]

23 COUNCIL MEMBER MILLER: Oh, okay. That's  
24 good to hear. Hopefully we won't need them, but it's  
25 good to hear.

2 CHAIRPERSON FERRERAS-COPELAND: Can  
3 someone just repeat that because we need to get that  
4 on the record? Thank you.

5 CHIEF BOYCE: Yeah, we've increased the  
6 Hate Crime Taskforce by five investigators.

7 COUNCIL MEMBER MILLER: Okay. 116<sup>th</sup>  
8 Precinct we are in-- about to begin design?

9 DEPUTY COMMISSIONER GRIPPO: Yeah, so we--  
10 we have a site that's DOT-owned, so it's a city-owned  
11 property. We're working on an MOU with the  
12 Department of Transportation and then we're going to  
13 move through the environmental ULURP studies. We've  
14 actually started those. As soon as we finish those,  
15 we'll move into the final-- the design.

16 COUNCIL MEMBER MILLER: And for the  
17 record, that location is?

18 DEPUTY COMMISSIONER GRIPPO: I actually--  
19 I apologize. I can get it to you, the address.

20 COUNCIL MEMBER MILLER: Okay, thank you.  
21 Illegal truck traffic and truck enforcement, I know  
22 we spoke last time about that in Southeast Queens and  
23 throughout the-- in fact, throughout the City, and  
24 there was-- and you were out. We actually had a  
25 conversation about allocating some resources for the

2 booting of those trucks as well. I know that the  
3 Borough President actually purchased a heavy-duty tow  
4 truck as well. So we were wondering an update on  
5 that, and what we-- what the Department is doing to  
6 alleviate that problem? It seems to be really  
7 permeating throughout the City now.

8 COMMISSIONER O'NEILL: We did allocate  
9 more money for the truck boots, but Chief Chan, I  
10 don't know if you have any enforcement for Southeast  
11 Queens?

12 CHIEF CHAN: Commissioner, we do not have  
13 the specific numbers. We can take a look at that.  
14 One of the things, again, when we have illegal truck  
15 traffic, vehicles that are off the truck route and  
16 things of that nature, our local precincts have been  
17 working very closely with your office and things of  
18 that nature, and quite often we will make the boots  
19 available and do initiatives within those particular  
20 precincts, and again, we are available to your local  
21 precinct to do that, and there is no limit on the  
22 number that we can. If the condition exists, we will  
23 work with your local precinct. So, again, these  
24 initiatives that we conduct with the local precincts,  
25 they have to be repetitive. You can't do one and

2 then wait three months because the problem will then  
3 reoccur. So what happen is that we have no problem  
4 where our personnel will touch base with your local  
5 precinct and will set up those initiatives in maybe  
6 three weeks apart, and we'll return to the location  
7 to do follow-up on that. So, if you have any--

8 COUNCIL MEMBER MILLER: [interposing] So,  
9 that's actual truck enforcement and the overnight  
10 traffic enforcement?

11 CHIEF CHAN: Yes, the boots and the  
12 actual enforcement, whether we utilize our highway,  
13 the motor carrier, or our-- the truck unit within our  
14 traffic enforcement district, what actually weighs  
15 the actual trucks if they're oversized vehicles or  
16 things of that nature.

17 COUNCIL MEMBER MILLER: Okay. So, now,  
18 the quality of life summonses, I do want to speak-- I  
19 want to speak about that on, obviously on both sides,  
20 but there is a concern around the marijuana summonses  
21 and the disproportionate way that the summonses are  
22 being served throughout the City. I have a precinct  
23 that we represent that has the highest number in the  
24 entire City, in fact, four times as much as anyone  
25 else. Certainly, that is disproportionate and

2 punitive in many ways. How do we address that? What  
3 are we doing to-- is that-- certainly, I know that  
4 we've had conversations that is not indicative above  
5 policy nor of the Administration in terms of whether  
6 or not we not just subscribe to Broken Windows, but  
7 do we think this is an effective way of policing and  
8 the consensus of the community that is not, and the  
9 1,852 summonses out of one precinct we think is more  
10 than disproportionately and knowing that, and what  
11 are we doing to address that?

12 COMMISSIONER O'NEILL: An effective way  
13 of policing is to make sure that we're doing that in  
14 conjunction with the community, and we have to take a  
15 look, make sure we take a look at where that  
16 enforcement is throughout the City. I think in  
17 neighborhood policing, I think that's going to help  
18 us through this, because we look, every Thursday  
19 morning we look at where the summary enforcement is  
20 occurring and who it's being directed at. And I  
21 want, as does Chief Gomez and Chief Shay, direct it  
22 at people involved in the violence and the crime.  
23 So, I know we've had an initial discussion about  
24 this. I'm going to have to get a better breakdown of

2 that enforcement in the 105, and I think that's what  
3 you're talking about.

4 COUNCIL MEMBER MILLER: Yep. So,  
5 certainly we want to look at it. We want to make  
6 sure that it's proportionate, which I know it's not,  
7 but that being said, and I do want to commend the NCO  
8 program in the two precincts that we have thus far--  
9 phenomenal. So, keep up the good work on that.  
10 Thank you.

11 COMMISSIONER O'NEILL: Okay, thanks.

12 CHAIRPERSON FERRERAS-COPELAND: Thank  
13 you, Council--

14 COUNCIL MEMBER MILLER: [interposing]  
15 Thank you, Madam Chair.

16 CHAIRPERSON FERRERAS-COPELAND: Thank  
17 you, Council Member. I mean, we've been joined by  
18 Council Member Levine. We're just going to very,  
19 very briefly breeze through some second round of  
20 questions as Chairs, and then we have a few other  
21 members that want to come up.

22 COMMISSIONER O'NEILL: Yeah, we have to  
23 take a look at time, also.

24 CHAIRPERSON FERRERAS-COPELAND: Okay, so--  
25



2 COMMISSIONER O'NEILL: [interposing] I  
3 know a lot of my Executive Staff, they have things at  
4 one o'clock, so.

5 CHAIRPERSON FERRERAS-COPELAND: Okay.  
6 Well, we're going to go through it quickly. I wanted  
7 to talk about, I know that you mentioned in your  
8 testimony that we are seeing a 5.5 percent overall  
9 uptick on-- within the F subway system when it comes  
10 to crime. Can you just briefly speed through,  
11 because I know you highlighted felony assaults and  
12 that you're doing this extensive crime prevention.  
13 Does that include at all sexual harassment? Because--  
14 -

15 COMMISSIONER O'NEILL: [interposing] Yeah,  
16 I'm going to have Chief Fox, Chief of Transit come up  
17 and speak about that.

18 CHAIRPERSON FERRERAS-COPELAND: Thank  
19 you.

20 CHIEF FOX: Commissioner. Thank you.  
21 Want me to--

22 CHAIRPERSON FERRERAS-COPELAND:  
23 [interposing] It's okay. We're going to believe you  
24 right now.

2 CHIEF FOX: So, we actually in our subway  
3 system we're dealing about six and a half crimes a  
4 day with close to six million riders, felony crimes,  
5 and that's not including the sexual harassment  
6 crimes. So, the Commissioner opened with the 5.5  
7 reduction which was as of the time the statement was  
8 prepared, but as of like right now in the last hour  
9 we got that down to three percent. So, we're at 33  
10 crimes. We had a very good week last week where we  
11 did 41 crimes, less than six a day. So what we see  
12 in the transit system is half of the crimes, half of  
13 those six and a half crimes are people who don't even  
14 know they're crime victims until sometimes hours or  
15 days later, and those are people who feel comfortable  
16 enough to sleep on the subway, people who leave  
17 unattended property, backpacks, backpacks that are  
18 not attached to them. so that's half of our crimes,  
19 and what happens is we find that people who do that  
20 get pretty active, because it's-- those perpetrators  
21 because it's a good steal for them. So, when we  
22 reallocate our resources, when we start to get these  
23 upticks, we've been very successful with significant  
24 arrests. So that's why we'll see-- we were actually  
25 down for the year up until March and we had a two-

2 week period where we had a couple of very active  
3 perps who were actually collared, arrested where cops  
4 actually observed them committing the crime, which  
5 makes for a strong case, and those are currently  
6 incarcerated now, which is why we're bringing that  
7 modest increase down. Now, as far as sex, sexual  
8 assaults, when we talk about sex crimes in transit,  
9 we're talking about groping, indecent exposure,  
10 taking photographs of women, and that's an initiative  
11 that we're very proud of because we were up until  
12 2015 we were doing about 600 reported crimes per  
13 year. And then we went to a sex crimes in transit  
14 conference in London, and we through that we came up  
15 with a really good approach where we've done a lot,  
16 and the bottom line is that I was very comfortable  
17 that the crime is very underreported, because it's  
18 that same number every year. So we came back and we  
19 did a lot of pieces: officer training, more plain-  
20 clothed operations, more women in the teams, victim  
21 impact statements; MTA has been great with signage  
22 and public announcements, and basically communicating  
23 that we care. So, the result of that is in 2015 that  
24 600 number, we wound up with 738 reported crimes.  
25 Then in-- I'm sorry, 2015. In 2016 when this

2 campaign was full under, we wound up with 934. Now  
3 we have a 10 percent increase, on pace to increase  
4 that. Now, I'm very convinced that there are not  
5 more crimes happening, but there are much more women  
6 who feel comfortable and know that we care to make  
7 the reports. And we've also, Chief Boyce has  
8 dedicated Special Victims Squads that specifically go  
9 after, investigate these cases, and one of them  
10 investigated thoroughly, and that includes follow-up  
11 with the detectives. Victims who report through the  
12 MTA Portal will get an email from me and from my  
13 District COs. So we've done a lot with these crimes,  
14 and more to come.

15 CHAIRPERSON FERRERAS-COPELAND: Thank  
16 you.

17 CHIEF FOX: Thank you.

18 CHAIRPERSON FERRERAS-COPELAND: Thank you  
19 for that update. As, when I was Chair of Women's  
20 Issues, we had a hearing on this very topic, and the  
21 fact that the NYPD had noted great improvement I  
22 think speaks volumes to the commitment that the  
23 Department gave back then and to actually see the  
24 results. I think you're right. The numbers haven't  
25 changed. It's just that women feel much more stronger

2 and safer in reporting, or that even know where to  
3 report or that that's something that you can report.

4 CHIEF FOX: In fact, this is difficult to  
5 quantify, but I'm speaking with some of the teams who  
6 specialize in going out and doing this type of  
7 enforcement. Anecdotally, they've told me that it's  
8 actually harder to find these guys when they go out  
9 and do these operations. So, it's-- that's also a  
10 good sign.

11 CHAIRPERSON FERRERAS-COPELAND: Okay,  
12 great. Thank you very much.

13 CHIEF FOX: Thank you.

14 CHAIRPERSON FERRERAS-COPELAND: And I had  
15 a question on the proposed hiring freeze. I know OMB  
16 sent out a letter, I believe, last week, Friday. Is  
17 there going to be an impact within your department to  
18 the hiring freeze because I know it is  
19 administrative, so potentially could be your  
20 civilians and managing-- management positions?

21 DEPUTY COMMISSIONER GRIPPO: Yeah, we've  
22 had some very preliminary talks with OMB. We  
23 ultimately I think they're just getting the guidance  
24 as well. So, we're going to continue those  
25 conversations with the hope that-- the vast majority

2 of the positions that we have vacant are either very  
3 clearly public safety positions, or they're positions  
4 for programs that have been funded by the Council and  
5 by the Mayor in recent years for very specific  
6 programs that we would view as critical. So, our  
7 assumption is that the impact tot his department,  
8 just looking at what those vacancies are, will be  
9 fairly minimal, but ultimately we intend to have a  
10 further conversation with OMB over the course of this  
11 week to get better, a better understanding of what  
12 their perspective is.

13 CHAIRPERSON FERRERAS-COPELAND: And

14 Commissioner, you, I know that you responded to the  
15 Chair, but I just wanted to follow up as someone who  
16 represents a very large undocumented immigrant  
17 population in Corona, New York, Corona Queens. When  
18 you talk about the DV numbers, it is really alarming  
19 for us in our community because we've done a lot of  
20 work in trying to get victims to report, and it just  
21 seems-- and I see, and I sense it in my office that  
22 people are kind of going underground and not  
23 reporting. So, what is the outreach or what we can we  
24 do as elected officials when it comes to constituents  
25 that come to report but don't necessarily want to go

2 to a precinct or a Family Justice Center which we've  
3 worked so hard to fund, but then a lot of them are in  
4 the-- you know, for Queens it's in the DA's Office.

5 So, it just becomes this kind of a different  
6 enforcement face where constituents might feel safer  
7 reporting to a pastor or a Council Member, or just an  
8 entity that doesn't have that enforcement door>

9 COMMISSIONER O'NEILL: Yeah, but at some  
10 point, you know, we would have to be involved.

11 CHAIRPERSON FERRERAS-COPELAND: Of course.

12 COMMISSIONER O'NEILL: Yeah, of course  
13 with--

14 CHAIRPERSON FERRERAS-COPELAND:  
15 [interposing] I'm just saying what can you advise?

16 COMMISSIONER O'NEILL: Again, with  
17 neighborhood policing, with the NCOs and having the  
18 same cops and the same detectives are in the  
19 precinct, obviously. We have to do a further drill-  
20 down on that precinct by precinct numbers to see  
21 where in fact the reduction is. I think that would  
22 give us a good indication if there is-- if there is  
23 an issue, and you seem to feel that there is. So,  
24 we'll have to get back to you on that.

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2 CHAIRPERSON FERRERAS-COPELAND: Great. We  
3 would-- if you can share those numbers with the  
4 committee--

5 COMMISSIONER O'NEILL: [interposing]  
6 Okay, sure.

7 CHAIRPERSON FERRERAS-COPELAND: so that  
8 we can also figure out how we can be further helpful.  
9 Wanted to ask about Rikers. While the Mayor  
10 announced the closing of Rikers Island would take 10  
11 years, has the Department made any assessment if the  
12 closure of Rikers Island would have a financial or  
13 policy impact on the Department?

14 DEPUTY COMMISSIONER TUCKER: I think it's  
15 a little too early to know just what the impact--

16 CHAIRPERSON FERRERAS-COPELAND:  
17 [interposing] Can you just state your name for the  
18 record. I know you, but--

19 DEPUTY COMMISSIONER TUCKER: Ben Tucker,  
20 First Deputy Commissioner.

21 CHAIRPERSON FERRERAS-COPELAND: Thank  
22 you.

23 DEPUTY COMMISSIONER TUCKER: Sorry about  
24 that.

25 CHAIRPERSON FERRERAS-COPELAND: It's okay.



2 DEPUTY COMMISSIONER TUCKER: So, yeah, so  
3 I think it's a little early to know, but I mean,  
4 given some of our policies, certainly we'll be  
5 sending fewer people than we are already. There's, I  
6 think, a drop-off in terms of folks that we've been  
7 prosecuting and that have been sent to Rikers. So,  
8 but I do think we're not there yet in terms of  
9 understanding what the impact will actually be as we  
10 think down the road. So, it's even difficult to  
11 project.

12 CHAIRPERSON FERRERAS-COPELAND: Okay.  
13 And I wanted to talk-- Commissioner, we were just  
14 told that you may have to step out soon.

15 COMMISSIONER O'NEILL: Yeah, I have a one  
16 o'clock, a 13:00, one o'clock.

17 CHAIRPERSON FERRERAS-COPELAND: Okay.  
18 So, I'm sure you'll leave someone behind, but I-- my  
19 next question is a capital question. Do you have  
20 anything specific--

21 CHAIRPERSON GIBSON: Just wanted to know,  
22 could you give us an update with Raise the Age and  
23 what the State Legislature had just done, are there  
24 any preliminary conversations you're having with  
25 Corrections, DCJS and many others, and where do you

2 see the Department working in terms of resources that  
3 you may need right now for implementation?

4 COMMISSIONER O'NEILL: We've been  
5 studying the Raise the Age bill very carefully. It's  
6 a bit complicated. There are different target  
7 deadlines. We're working with MOCJ to come up with  
8 how we'll comply. It may require, but too early to  
9 tell, more juvenile interrogation rooms in some of  
10 our facilities. We'll be giving guidance and  
11 training to all the officers, but we have some time.  
12 I think the first part of the Act doesn't kick in  
13 until this October, so we are working with MOCJ on  
14 it.

15 CHAIRPERSON FERRERAS-COPELAND: Thank  
16 you. I wanted to ask about the precinct renovations.  
17 How many did we complete in this fiscal year and how  
18 are you prioritizing the ones coming forward in for  
19 Fiscal Year 18?

20 DEPUTY COMMISSIONER GRIPPO: So, each year  
21 we are now doing 25 facilities. Five of our oldest  
22 precincts get very significant capital improvements  
23 as well as expense funded improvements, and then 20  
24 additional precincts that are in better condition  
25 than the other five get what are largely expense-

2 funded improvements. There are some select capital  
3 projects funded in those buildings as well. And then  
4 a sub-- of that 25, about 15 are getting new locker  
5 rooms and new bathrooms, and those will continue.  
6 They're on a longer schedule than the improvements  
7 which are 25 per year. So, in three years we'll get  
8 to all of our precincts, in four years all of our  
9 commands. The locker rooms are spread out a little  
10 further, but ultimately we're doing anywhere between  
11 10 and 15 per year.

12 CHAIRPERSON FERRERAS-COPELAND: So, when  
13 will the entire renovation be completed?

14 DEPUTY COMMISSIONER GRIPPO: Every  
15 precinct will be done, will have gone through what we  
16 call the PEP program, the Precinct Enhancement  
17 Program, in three years. So that, and that started  
18 this year. So, it would be two fiscal years from  
19 now. When that fiscal year is complete, every single  
20 precinct will be done. The locker rooms and  
21 bathrooms are on a schedule that's five years out.  
22 So, in five years we'll have completed those two  
23 portions.

24 CHAIRPERSON FERRERAS-COPELAND: Okay.  
25 Thank you. Chair? Council Member Williams followed

2 by Council Member Rosenthal, and then we'll adjourn  
3 the hearing.

4 COUNCIL MEMBER WILLIAMS: Oh, okay.

5 Thank you. Sorry. Just need a second. Alright,  
6 thanks. One, I just in my last-- I had mentioned the  
7 5.6 billion dollars for the budget. I just want to  
8 put on record I challenge the Administration to see  
9 what we could do with a fifth of that in direct  
10 services to some of the communities that feel they  
11 are most over-policed. That would be just over one  
12 billion dollars. I think that will be fantastic.

13 When it comes to the Broken Windows, we had an  
14 excellent back and forth. I'm still not clear what  
15 the answer is, but I'm going to drop it just for now,  
16 because I have a feeling that I won't get any further  
17 if I continue at this point. So, I did want to ask--

18 COMMISSIONER O'NEILL: [interposing] It's  
19 not like I never see you.

20 COUNCIL MEMBER WILLIAMS: Say again. Oh,  
21 yeah.

22 COMMISSIONER O'NEILL: It's not like I  
23 never see you.

24 COUNCIL MEMBER WILLIAMS: What is the  
25 amount being spent on the body cams?

2 DEPUTY COMMISSIONER GRIPPO: The body  
3 camera-- if you just give me one second. Six  
4 million, right?

5 DEPUTY COMMISSIONER TUCKER: So, we're at  
6 six million right now for the current up to 5,000  
7 cameras. So, that's the first wave. That includes  
8 the 1,000 camera that we're currently instituting.  
9 So that's the number, but we have, I think, and  
10 option in the agreement to increase that amount going  
11 forward.

12 DEPUTY COMMISSIONER GRIPPO: So, the  
13 contract itself would allow us to expand up to 40,000  
14 cameras, which is more than we have police officers.  
15 We would ultimately need to add funding. The six  
16 million that the Commissioner referenced is what was  
17 put in the budget originally, and that, while it was  
18 intended to fund 1,500 cameras, looks like it would  
19 fund more, a higher number, somewhere between 5-  
20 10,000 cameras. So, ultimately as we continue to  
21 increase the deployment, we would seek additional  
22 funds if we get to a point at which the current  
23 funding level does not cover the need.

24 COUNCIL MEMBER WILLIAMS: Thank you. And  
25 just a couple comments before I run out of time, and

2 one final question. One, I know we mentioned  
3 transgendered and the hate crimes. I just want to  
4 mention that the biggest spike there are  
5 transgendered women of more color, and I want to make  
6 sure their voice is heard here because across the  
7 country it's really being ignored how much they're  
8 being targeted. The last-- with the traffic, again,  
9 I brought this up at DOT. I believe that a lot of  
10 the work on enforcement, if you look at the numbers  
11 enforcement is up significantly, has done much more  
12 than the drop of the speed limit to 25 miles per  
13 hour. I think it could have been done at 30 in  
14 certain places, and I think the blanket 25 miles per  
15 hour has done better for the budget than it has for  
16 the great strides we've made, and I just wanted to  
17 put that also on the record. the last two, one, I  
18 think Broken Windows discussion is important, because  
19 as you have done a great job in saying how we will  
20 not work with Trump, I think there might be opposing  
21 view in terms of what's happened in Broken Windows,  
22 because some of those people can get caught up. And  
23 lastly, I did have a question that the Chair usually  
24 asks, but I didn't hear, how many SYEP participants  
25 does the NYPD take?

2 COMMISSIONER O'NEILL: You got it?

3 CHAIRPERSON FERRERAS-COPELAND: The  
4 Summer Youth Employment Program, how many young  
5 people? And do you have capacity to take more?

6 CHIEF JAFFE: Chief Joanne Jaffe. That  
7 program, we take after we do a survey to all the  
8 Bureau Chiefs and commanding officers, we do a survey  
9 in February, and then there's no real fine line  
10 number. We identify positions through the  
11 commanders. They submit it to the Community Affairs  
12 Bureau, and then we work in coordination with DYCD.  
13 Right now we're at about 167 or 168, but it's still  
14 open. There's still processing--

15 COUNCIL MEMBER WILLIAMS: [interposing]  
16 One hundred and sixty-eight young people?

17 CHIEF JAFFE: Yes.

18 COUNCIL MEMBER WILLIAMS: I think that's  
19 the best answer we've heard. So, congratulations.

20 CHAIRPERSON FERRERAS-COPELAND: Yeah.

21 CHIEF JAFFE. Thank you.

22 COUNCIL MEMBER WILLIAMS: That is by far  
23 the best answer that we've heard.

24 CHIEF JAFFE: You're talking about the  
25 Summer Youth Employment, right?

2 COUNCIL MEMBER WILLIAMS: Yeah.

3 CHIEF JAFFE: Yeah.

4 CHAIRPERSON FERRERAS-COPELAND: Yes, take  
5 credit. Yes, you're doing great. Thank you--

6 COUNCIL MEMBER WILLIAMS: [interposing]  
7 Thank you very much.

8 CHAIRPERSON FERRERAS-COPELAND: Council  
9 Member. Council Member Rosenthal?

10 COUNCIL MEMBER ROSENTHAL: Hi,  
11 Commissioner. Two quick questions. First, from my  
12 constituents, to follow up on Council Member Lander's  
13 point about quality of life issues. So, particularly  
14 at dusk the electric bicycles going the wrong way on  
15 the bike lanes, we really need more enforcement  
16 there, both to confiscate or send letters to the  
17 restaurants of the electric bicycles and just  
18 ticketing the restaurants themselves. I'm wondering  
19 what the 20 and the 24, how many tickets they've  
20 written on that issue, and what more can be done. In  
21 addition, on the list is enforcement where the  
22 homeless are clearly breaking the law, blocking  
23 subway entrances, pants down around their ankles,  
24 ranting and raving on the street in a menacing way.  
25 And lastly, complaints about officers being on their



2 phones and sitting in their cars. Now, I'm sure, you  
3 know, anyone can walk by and see an officer doing  
4 something and not see them five minutes later  
5 arresting someone. So, I understand--

6 COMMISSIONER O'NEILL: [interposing] I'm  
7 going to work backwards there.

8 COUNCIL MEMBER ROSENTHAL: that question  
9 with a little bit of a grain of salt. And then  
10 lastly, Council Member Jumaane and I have co-  
11 sponsored a bill called Right to Record which would  
12 simply confirm someone's right to take a photo--  
13 sorry, videotape or take a photo of an incident  
14 involving an officer as long as that person was  
15 clearly not getting in the way and was far enough  
16 away. And I have to say, I've heard just too many  
17 incidents where officers have destroyed cameras.

18 COMMISSIONER O'NEILL: We clearly have  
19 guidelines within the Department that say, that state  
20 just that, that people have a right to record you,  
21 and there are numerous incidents where people being--  
22 police officers being disciplined for that. As far  
23 as officers on phones, we gave each and one-- each  
24 and every one of our 36,000 cops at the Department  
25 mobile phones. So, I don't know how you make that

2 distinction. And then, with homeless, we're  
3 targeting behavior. If they're committing  
4 violations, they'll be subjected to summary  
5 enforcement, but by in large our Crisis Outreach and  
6 Support Unit is there to offer people services, and  
7 the electric bike numbers, I'm going to have to get  
8 that specific to the 20 and 24 for you. The electric  
9 bike--

10 COUNCIL MEMBER ROSENTHAL: [interposing]

11 Okay, you keep the data--

12 COMMISSIONER O'NEILL: [interposing] Yeah.

13 COUNCIL MEMBER ROSENTHAL: that way?

14 COMMISSIONER O'NEILL: Yeah.

15 COUNCIL MEMBER ROSENTHAL: Okay, thank you  
16 very much. And lastly, you know, they have the right  
17 to record. The problem is there's no enforcement  
18 when officers-- we want to give the people who are--

19 COMMISSIONER O'NEILL: [interposing] I--

20 COUNCIL MEMBER ROSENTHAL: [interposing]  
21 offended to.

22 COMMISSIONER O'NEILL: beg-- I beg to  
23 differ. There's the civilian complaint. They can  
24 make a complaint with CCRB if they feel that their  
25

2 right to record police actions are impeded, and we do  
3 have numerous disciplinary cases involving that.

4 COUNCIL MEMBER ROSENTHAL: Okay.

5 COMMISSIONER O'NEILL: It is being  
6 addressed.

7 COUNCIL MEMBER ROSENTHAL: Then why not  
8 support the legislation?

9 COMMISSIONER O'NEILL: Excuse me?

10 COUNCIL MEMBER ROSENTHAL: Then why not  
11 support the legislation. It sounds like--

12 COMMISSIONER O'NEILL: [interposing] We  
13 have--

14 COUNCIL MEMBER ROSENTHAL: you already  
15 have your dig [sic]--

16 COMMISSIONER O'NEILL: [interposing] We  
17 have rules and regulations within the Police  
18 Department right now.

19 COUNCIL MEMBER ROSENTHAL: Alright.

20 CHAIRPERSON FERRERAS-COPELAND: Thank  
21 you, Council Member.

22 COUNCIL MEMBER ROSENTHAL: To be  
23 continued. Thank you so much.

24 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
25 Council Member. I just want to-- and you may not

2 have these numbers, but I know within the hate crimes  
3 category, as Council Member Williams mentioned,  
4 transgendered was one of them, and I didn't get the  
5 numbers for transgendered.

6 COMMISSIONER O'NEILL: Bob, do we have  
7 that breakdown, or do we have to get that from Mike?

8 CHAIRPERSON FERRERAS-COPELAND: You can  
9 follow up with the committee.

10 COMMISSIONER O'NEILL: Okay, okay. We'll  
11 follow up on that.

12 CHAIRPERSON FERRERAS-COPELAND: Oh,  
13 great. Thank you. Thank you, Commissioner. We have  
14 additional questions. We're going to mail them-- not  
15 mail them to you. We're going to get them to you.  
16 If you can get back to us, we will be using them--

17 COMMISSIONER O'NEILL: [interposing] Yep.

18 CHAIRPERSON FERRERAS-COPELAND: to adopt  
19 the budget.

20 COMMISSIONER O'NEILL: Absolutely.

21 CHAIRPERSON FERRERAS-COPELAND: Thank  
22 you.

23 CHAIRPERSON GIBSON: Thank you. Thank you  
24 guys.

2 CHAIRPERSON FERRERAS-COPELAND: That  
3 concludes this first part. That concludes this first  
4 part of today's budget hearings. I want to thank  
5 Commissioner O'Neill for testifying. As a reminder,  
6 the public will be invited to testify this Thursday,  
7 May 25<sup>th</sup>, the last day of budget hearings. We will  
8 now take a 10-minute break before we conclude today's  
9 hearings with the City's District Attorneys and  
10 Special Narcotics Prosecutor.

11 [break]

12 CHAIRPERSON FERRERAS-COPELAND: Good  
13 afternoon. My name is Julissa Ferreras-Copeland, and  
14 I am the Chair of the Finance Committee. We will now  
15 conclude the 12<sup>th</sup> day of budget hearings with  
16 testimony from Manhattan DA, Cyrus Vance, Queens DA,  
17 Richard Brown, Brooklyn Acting-DA, Eric Gonzales,  
18 Bronx DA, Darel [sic] Clark,-- Darcel, I'm sorry, and  
19 Staten Island DA, Michael-- excuse me-- McMahon.  
20 Thank you. We will also hear from the Special  
21 Narcotics Prosecutor, Bridget Brennan, and the  
22 Finance Committee is again joined by Chair Gibson and  
23 the Public Safety Committee. In the interest of  
24 time, I will forgo an opening statement and turn it  
25 over to my Co-Chair for her opening remarks.

2 CHAIRPERSON GIBSON: Thank you, Chair  
3 Ferreras-Copeland. Good afternoon, ladies and  
4 gentleman. Welcome again to City Hall. I am Council  
5 Member Vanessa Gibson of the 16<sup>th</sup> District in the  
6 Bronx. I am proud to serve as Chair of the Committee  
7 on Public Safety. I welcome each and every one of you  
8 here to all of our city's prosecutors. Thank you for  
9 joining us today at our Executive Budget hearing,  
10 joint committee with Public Safety and Finance. I'm  
11 grateful for the partnership and for all of the work  
12 that your offices continue to do. In recognizing  
13 that your work is not just about prosecuting cases,  
14 but it's certainly about diversion, intervention.  
15 It's about creative and innovative approaches to  
16 addressing criminal justice overall. The incredible  
17 amount of work that your offices do to keep New  
18 Yorkers safe is remarkable, and your work with the  
19 NYPD and many other stakeholders we are grateful for,  
20 and certainly, before I begin my remarks, I just want  
21 to highlight last year FY 2017 we were very grateful  
22 that this City Council under leadership of our  
23 Speaker, we not only advocated to make sure that  
24 almost 22 million dollars was supported for all of  
25 your offices, but we're grateful that that money was

2 baselined. And so now we come to a new fiscal year  
3 with additional challenges that your offices continue  
4 to have, but certainly it gives us a greater  
5 perspective, because we know that 22 million dollars  
6 is already baselined into your budget. So, we're  
7 grateful for that. Last time, at our Preliminary  
8 Budget hearing a few months ago we had a lengthy  
9 discussion on the budgetary needs of each of your  
10 offices, and each of you discussed at length the  
11 purpose of those requests, the challenges you face,  
12 and the impact that they would have on the  
13 infrastructures of your office. In the City Council's  
14 Preliminary Budget response, we highlighted your  
15 funding needs as a public safety priority. So we have  
16 your back. Although we highlighted that in our  
17 Preliminary Budget response, I'm very disappointed to  
18 find that none of those requests were added in the  
19 Fiscal 2018 Executive Budget. The City Council is  
20 making significant impacts to criminal justice  
21 reform, but none of that will matter if the City does  
22 not support our District Attorneys, because they play  
23 a critical role in public safety. The important role  
24 that your offices play in the criminal justice system  
25 can only be enhanced by providing the funding that

2 your offices have requested. I hope this afternoon  
3 we can get clarity on those requests, and remind the  
4 Administration of the important role that your  
5 offices have in criminal justice reform and public  
6 safety overall. So, once again, I thank you for  
7 being here, and want to thank the staff and all of my  
8 colleagues who are joining us, and we look forward to  
9 having a productive conversation today, but certainly  
10 after today's hearing is over, our offices will work  
11 very closely with all of you, and as we will have an  
12 Adopted Budget next month, we want to make sure that  
13 we can get as much as possible in this final budget  
14 for your offices to continue to do the great work  
15 you're doing. So, I welcome all of you here. Thank  
16 you for your work, and I turn this back over to my  
17 Chair, Chair Ferreras-Copeland. Thank you.

18 CHAIRPERSON FERRERAS-COPELAND: Thank you  
19 very much. You may begin your testimony that you  
20 decided.

21 DISTRICT ATTORNEY VANCE: Good afternoon  
22 Chairs Gibson and Ferreras-Copeland, members of the  
23 Committees. Thank you so much for having us back  
24 again today, and I also want to express my sincere  
25 thanks to you all for the support that you provide to



2 the DAs, and we appreciate your attention and we  
3 believe that like you that we have a critical role to  
4 play in law enforcement and public safety in the  
5 City. When I testified before you last in March, I  
6 outlined several of the criminal justice system  
7 reforms my office is spearheading, including Project  
8 Reset, our pre-arraignment program for 16 and 17 year  
9 olds, which we are expanding to adults county-wide  
10 this fall. In addition, the Summons Initiative,  
11 which has dramatically reduced case intake; our  
12 warrant forgiveness program, Clean Slate, which is  
13 scheduled to occur again on June 17; and the Criminal  
14 Justice Investment Initiative, which is allocating  
15 250 million dollars in forfeiture funds to community-  
16 based programming throughout Manhattan and beyond.  
17 Since then, since March, we have announced an  
18 investment of an additional 12 million dollars to  
19 support victim services in underserved communities.  
20 Ten community-based organizations received funding to  
21 serve survivors of crime who face significant  
22 barriers to accessing services, including immigrants  
23 and non-native English speakers, people of color,  
24 LGBTQ individuals, and individuals who are deaf or  
25 hard of hearing. We know that securing justice for

2 victims doesn't end in the courtroom and this  
3 investment seeks to support individuals as they  
4 continue to heal. We've also recently released 15  
5 million dollars for reentry services, supporting men  
6 and women returning from incarceration. Through  
7 these solicitations we seek to both enhance the  
8 capacity of existing organizations and solicit new  
9 and innovative ideas to break the cycle of recidivism  
10 for New Yorkers transitioning from jail and prison  
11 back into the community. While these forfeiture  
12 funds put my office in a fortunate position to make  
13 investments in criminal justice reform, we are,  
14 however, limited by statute, members of the  
15 committee, as to what we can spend these funds on.  
16 Specifically, these funds are not baselined and may  
17 not be used to fund staff salaries. Therefore, the  
18 District Attorney's Office of New York County must  
19 continue to rely on City tax levy support for our  
20 personnel costs, and we thank you for your support in  
21 the past. As I explained in March, my office is  
22 seeking the additional funds necessary to offer our  
23 most junior ADAs a competitive salary that reflects  
24 the level of responsibility bestowed upon them. The  
25 starting salary of an Assistant District Attorney in

2 my Office is \$62,500, an amount considerably lower as  
3 a starting salary compared to other public service  
4 lawyers. Given the twin burdens of tremendous law  
5 school debt and the cost of living in New York City,  
6 it is extremely challenging for young people to  
7 accept positions at such a low salary. We are, I  
8 believe, perhaps unfortunately heading down a path  
9 whereby the only individuals who can accept an ADA  
10 position within our office are those from privileged  
11 backgrounds, and therefore, the applicant pool is  
12 less likely to reflect the population it is seeking  
13 to serve. We'll continue to work with the Mayor's  
14 Office and OMB to address this critical issue, and I  
15 ask for your support as well. Second, I'd like to  
16 take a moment to provide some early insight into our  
17 experience with the NYPD body-worn camera pilot and  
18 highlight the potential budgetary and technological  
19 challenges the deployment presents to our office. I  
20 have long supported the use of police body cameras,  
21 which increase the civility of interactions with  
22 residents. They reduce false complaints against  
23 officers, and provide potentially vital evidence for  
24 criminal investigations and prosecutions. My office  
25 will meet our legal obligations to provide this

2 material in discovery, as we do with all evidence.

3 We're confident in our ability to effectively utilize

4 and produce body camera evidence and are pleased to

5 participate in the NYPD's pilot which started on

6 April 26th in the 34th precinct. Since the pilot

7 began we have downloaded 140 videos associated with

8 arrests and are learning a great deal about the

9 necessary operational and security protocols that

10 will need to be in place as this program expands. Of

11 particular concern is the storage capacity we will

12 need to properly store this critical evidence. We

13 are currently developing forecasts for additional

14 funds necessary to meet the technological demands of

15 this program, and I ask that the City thoughtfully

16 consider the associated needs of the district

17 attorney's offices as they move forward with the

18 body-worn camera program. Lastly, I'd like to

19 briefly discuss the physical state of the Manhattan

20 Court Complex, an issue that has been under

21 discussion, without any real resolution, for more

22 than 20 years. The Manhattan DA's Office currently

23 occupies over 300,000 square feet of space in 80

24 Centre Street and 100 Centre Street. This space is

25 the work site of over 1,400 professionals and

2 approximately 550 visitors each day, including law  
3 enforcement agencies, victims, witnesses and the  
4 public. In addition, 100 Centre Street and 111  
5 Centre Street are home to Manhattan Criminal and  
6 Supreme Court, which are visited by thousands of  
7 people every day. These buildings have never been  
8 renovated or modernized in any significant way. The  
9 residents of Manhattan and the public service  
10 professionals who serve them, in my opinion, deserve  
11 court facilities that properly reflect the respect  
12 and dignity we hold for the criminal justice system.  
13 We understand that the Mayor's Office is currently  
14 working with an architectural firm to develop a  
15 comprehensive plan for the Manhattan Court Complex,  
16 which will be finalized later this year. However, it  
17 has to be noted that this is the third such plan to  
18 be developed for the Manhattan Court Complex; the  
19 previous two iterations failed due to lack of  
20 stakeholder support and funding. Today, I ask for  
21 your support in ensuring that this plan does not meet  
22 the same fate as its predecessors. I am hopeful that  
23 the City will adhere to its commitment of funding the  
24 necessary capital costs to complete this work within  
25 a reasonable timeframe. And before I complete my

2 remarks, I'd like to remind the City Council of a  
3 critically important issue to law enforcement, the  
4 concealed gun carry legislation being proposed by our  
5 federal lawmakers in Washington, D.C. As I described  
6 in March, this legislation would require each state  
7 to recognize the concealed carry permits of gun  
8 owners of all other states, effectively dismantling  
9 more restrictive, reasonable, local gun-carrying  
10 restrictions that we have developed here in New York.

11 This means that tourists and visitors from other  
12 states could bring their guns while visiting Times  
13 Square, the plaza at Rockefeller Center and other  
14 heavily trafficked New York City locations. Police  
15 Commissioner O'Neill and I have made it clear that  
16 we, along with other police chiefs throughout the  
17 country and other DAs on this panel, oppose this  
18 legislation because it would put the lives of  
19 officers and residents at risk. Law enforcement has  
20 no way to verify that someone presenting an out-of-  
21 state permit is in fact a law-abiding visitor to  
22 their state, thus turning routine interactions with  
23 out-of-state visitors into potentially dangerous  
24 situations for officers and civilians alike.

25 According to a recent Wall Street Journal article,

2 and I'm quoting, "The National Rifle Association  
3 calls the reciprocity bills its highest priority"  
4 right as we speak. I strongly urge you from your  
5 positions of authority to support local law  
6 enforcement in speaking out against this proposed  
7 legislation, ensuring that New York City continues to  
8 be the country's safest big city. And I thank you  
9 for the opportunity to speak today, and for your  
10 continued support of my Office.

11 DISTRICT ATTORNEY CLARK: Good afternoon,  
12 Councilwoman Gibson and Councilwoman Ferreras-  
13 Copeland and members of the committees. It is my  
14 honor to appear before you again to reiterate the  
15 needs of the Bronx District Attorney's Office, and I  
16 thank you for the continued support that we have  
17 received from you so far. I can't stress enough the  
18 importance of salary parity for our Assistant  
19 District Attorneys as well as the crucial need for  
20 OTPS requests that we've submitted. When I last  
21 appeared in this chamber on March 30<sup>th</sup>, I told you  
22 how we are experiencing attrition at a level that  
23 concerns us. Assistant DAs who love their jobs are  
24 performing good work, are leaving to go to other DA's  
25 offices and city agencies such as DOC, DOI, MOCJ, and

2 the Law Department that pay more than my office can.

3 Many of them have substantial debt from student loans

4 and from living expenses. On average, our ADAs are

5 among the lowest paid in the City, and we lag behind

6 other agencies. The average ADA salary in the Bronx

7 is nearly 8,600 dollars less than the estimated

8 average salaries of all the City's District

9 Attorney's Office and the Special Narcotics

10 Prosecutor's Office. I need to bring the average

11 salary of an ADA in the Bronx up to the other

12 agencies' average salary so I can retain people who

13 have been trained and have garnered valuable

14 experience. Having seasoned assistants have never

15 been more crucial as the office confronts problems

16 that DA's offices didn't have 10 years ago or even

17 five years ago. I'm sure you all saw the disturbing

18 detailed Daily News report on Sunday about the

19 intractable heroin addiction in the South Bronx

20 illustrated by a place called, "The Hole." I am

21 quote in the piece as saying that heroin may be

22 devastating people in communities where it never has

23 before, but it has never eased up in the South Bronx.

24 As a law enforcement agency, my office pursues the

25 dealers, and we can divert some of these people into



2 treatment programs, but those in the Daily News have  
3 been addicted for decades, and short term programs  
4 just haven't worked. I'm putting together a  
5 comprehensive strategy with NYPD, EMS, local  
6 hospitals, health officials, and treatment providers  
7 to try to address this problem head on. We don't  
8 want the people in "The Hole" to just move somewhere  
9 else. Some horrendous places cannot be allowed to  
10 exist in the Bronx. This type of initiative takes  
11 experienced Assistant District Attorneys. Just as  
12 they came through for me last year, I know they will  
13 help me tackle this scourge. We estimate that it  
14 would require 3.7 million dollars to pay our ADA's  
15 equivalent to the average salaries of ADA's in the  
16 other DA's offices, and if the Council sees fit to  
17 approve funds for raises for the other DA's offices,  
18 which I hope that you do, I believe that we should  
19 also be considered for that increase as well so that  
20 we can remain comparable. The parody issue has to be  
21 addressed so we can continue all the initiatives that  
22 have been cemented in place over the last 17 months  
23 by the dedicated diligent assistants in the Bronx  
24 District Attorney Office, and so that we can launch  
25 new ones. They deserve it. I am also here to remind

2 you that with all the new hires we made since last  
3 year, we ask for funds for OTPS expenses to create  
4 offices and cubicles and furnish those spaces, and  
5 train the people we have hired. Now, you remember  
6 when I testified, I've said I've hired 125 new  
7 Assistant DA's that are going to be starting this  
8 fall. So, we are requesting an increase in our OTPS  
9 budget beginning in Fiscal Year 2018. Out of this,  
10 375,000 will go to the aforementioned spaces for  
11 employees and another 125,000 to solve our storage  
12 problems. Since its high point of 2.18 million  
13 dollars in Fiscal Year 2002, this office, my office's  
14 OTPS allocation has fallen by 19 percent to 1.77  
15 million for Fiscal Year 18. To keep pace with  
16 inflation, we need a total of 1.1 million dollars.  
17 Since I last appeared in this chamber, we have begun  
18 moving towards some of the OTPS areas, such as moving  
19 into new offices, retaining an IT consultant to  
20 upgrade our case tracking system and relocating old  
21 case records. Furniture alone will take a huge bite  
22 out of our current level of OTPS funding. So we  
23 really need more money to pay those bills. I humbly  
24 and respectfully, but emphatically ask that you help  
25 us to provide the people of the Bronx with the

2 experienced, skilled, compassionate prosecutors and  
3 an efficient upgraded office to serve them better.  
4 Again, I thank you for all the support that you've  
5 shown to the Bronx. Thank you.

6 DISTRICT ATTORNEY MCMAHON: Good  
7 afternoon, Chairwoman Ferreras-Copeland and Gibson  
8 and to your staff, Council Member Gentile as well.  
9 It's a privilege and an honor for me to be here  
10 again, both remembering what the view as like from  
11 that dais, but also-- and it's an honor to be in your  
12 presence, but also to be with these titans and law  
13 enforcement and prosecution in the City of New York.  
14 It's indeed an honor to be here this afternoon, and  
15 thank you for the opportunity to talk about the  
16 budget needs for the Staten Island District  
17 Attorney's Office. As you know, with your help,  
18 about a year and a half ago we set out to modernize  
19 the Staten Island DA's Office and to turn it into a  
20 21<sup>st</sup> century prosecutorial agency, and of course,  
21 that includes both preventing and prosecuting crime,  
22 and we needed to do that-- and to do that effectively  
23 in the changing environment of Staten Island which  
24 was no longer sort of that bucolic little hamlet off  
25 in the midst that Brigadoon across the water that

2 people thought of, the challenges that we face when  
3 it comes to crime is-- are equal to those of more  
4 urban like cities, and therefore we had a lot of work  
5 to do. So we set about it with your help. We  
6 increased the personnel size of the office by 50  
7 percent, and we went from 45 ADAs to 66. We got six  
8 new Detective Investigators, and we were able to  
9 develop a real crime strategy approach to the  
10 problems we face. We implemented a new case  
11 management system, so no longer were we tracking  
12 cases with Excel spreadsheets and stubby pencils, but  
13 with a modern system which is now being looked to by  
14 other council's across the state, that they would  
15 implement as well. We got new technology such as  
16 mapping systems and Cellebrite to download cell  
17 phones, new computers, and we're going towards  
18 paperless in the near future. In terms of what that  
19 meant in productivity, just in terms of trials alone,  
20 in the year before we took office in 2015, the Office  
21 tried eight cases to verdict before juries, and last  
22 year, we tripled that number to 24 cases, which for  
23 an office our size is a very meaningful, and these  
24 cases last three to four weeks each. So, it's pretty  
25 good productivity, and it means we're able to clean

2 out the backload of-- backlog of old cases, because  
3 as we all know, justice delayed is justice denied,  
4 and so we're trying to move things along overall both  
5 in our criminal and Supreme Court Bureaus. Now, as  
6 you know, the challenges we faced in particular and  
7 that we set out to address, the first and foremost is  
8 the heroin and opioid crisis that we now know ranges  
9 across the City. Staten Island was because of its  
10 demographic certainly in the forefront of that, but  
11 we all face significant challenges. So, we set out  
12 to start the overdose response initiative is where we  
13 investigate each overdose death as a crime scene.  
14 We've now expanded that to overdose deaths and  
15 overdose saves with Narcan and naloxone, and it's  
16 done a couple of things, because it's given us the  
17 ability to know real-time how bad the problem is. If  
18 you wait for the official data to come sometime  
19 that's a year and a half old, and right now we know  
20 real-time that this year in 2017 we've already had 36  
21 deaths from opioid overdoses on Staten Island, and  
22 75-plus saves. The good news is is that last year  
23 there were 44 deaths at this time. The bad news is  
24 is that the overall number of overdoses increases,  
25 but because of the implementation of Narcan, naloxone

2 and better education we're getting people the help  
3 they need when they are in the overdose. It's also  
4 allowed us to better investigate the drug dealers,  
5 because in my opinion we have to go after the supply,  
6 the dealers, and the demand by helping those who  
7 suffer from addiction illness. And with the  
8 investigations we opened over 90 cases of  
9 investigations; 13 cases have been closed; three have  
10 led to major take downs were we've brought 75 dealers  
11 to justice and taken them off the street. These were  
12 Operation Blue Angel, Operation Trusted Source,  
13 Operation Broken Boulevard. Some included the first  
14 major trafficker charges ever brought by a Staten  
15 Island District Attorney against those who were  
16 selling in such a volume that the financial numbers  
17 were over 75,000 dollars over six months. We're  
18 prosecuting those cases as well. We got OCA to give  
19 us a Special Narcotics part for the first time so  
20 that we can bring these cases more expeditiously to  
21 justice, and this has helped the court system overall  
22 on Staten Island. But we also wanted to help those  
23 who are addicted, and so we implemented the HOPE  
24 program after months of consultation with different  
25 partners. We kicked off on January 17<sup>th</sup>. This

2 program, which is an early diversion program,  
3 specifically upon arrest if someone is charged with a  
4 specific charge, which is 22003 of the penal law,  
5 which is misdemeanor possession, and they are  
6 eligible for a desk appearance ticket, they are, as  
7 they are given that desk appearance ticket, they are  
8 met by a peer counselor at the precinct who explains  
9 the program to them more fully, as the police have  
10 done as well, and advises them that if they agree to  
11 sign up for the program, their desk appearance ticket  
12 will be 30 days instead of seven days. And during  
13 those seven days, they have an opportunity to go to  
14 two centers that have been opened now in Staten  
15 Island for an assessment, and if they do that, on the  
16 seventh day their case will be kicked for another 30  
17 days, during which they have to meaningfully [sic]  
18 engage in some sort of treatment, rehabilitation,  
19 counseling, whatever works for them, and if the  
20 provider tell us that they have meaningfully engaged,  
21 the case will not be prosecuted or we will decline to  
22 prosecute it. Now, we started that, as I said, a  
23 little over four months ago; 165 individuals have  
24 been offered the program. 90.5 percent of those who  
25 have been offered the program chose to enter it, and

2 of those, 95 percent have been meaningfully engaged.

3 So, that-- what that means is 162 people were met by

4 a peer counselor at the precinct. Nine went directly

5 to recovery center for assessment; 149 individuals

6 received naloxone training; 140 kits have been

7 distributed; and over 120 people have meaningfully

8 engaged and graduated, if you will, from the program;

9 have had their cases not prosecuted and their arrest

10 record sealed. So, so far so good. The results are

11 positive, and we continue to hope to grow on that

12 program. We also speak-- the other major issues that

13 we face is a rise in domestic violence on Staten

14 Island. We had the largest increase in the number of

15 domestic violence victims over the last 10 years, and

16 so we set out to do a couple things. We created a

17 separate domestic violence bureau and added seven new

18 DAs to it. We got-- we created a Victim Advocates

19 Unit within our office to focus to make sure that

20 every victim has an advocate. And thanks to your

21 help as well, Chairwoman Gibson, we opened our Family

22 Justice Center in June, the last borough to do so,

23 but it's running very strongly, powerfully and is

24 making a real difference. And so we're hoping to

25 impact that area as well. I can't understate how



2 domestic violence-- and I'll talk about that in our  
3 budget request-- is an issue in and of itself, but we  
4 also see it connected in violence cases and drug  
5 cases. So there's a confluence of issues there.  
6 Some of the other accomplishments we've done with  
7 your help is we created the Anti-Violence Firearms  
8 Unit as the other offices have done as well. We  
9 started Shot Spotter this month in the 120 precinct,  
10 and we'll expand to the 121. We've already had five  
11 cases where there hits, and in one case there was  
12 actually a gun recovered on the street. So, we're  
13 having success there. We're building bridges with  
14 the community. We created our inaugural Community  
15 Partnerships Unit in Staten Island DAs Office. We  
16 opened the Veterans Court. We created an Animal  
17 Abuse Unit, which is important for those of us who  
18 love animals, but it's also a gateway crime for those  
19 who-- someone who abuses an animal today is likely to  
20 abuse a human tomorrow. And we created an Economic  
21 Crimes Unit Asset Forfeiture Unit. So, those are the  
22 things that you've allowed us to do, but obviously  
23 much more needs to be done, and so we have some  
24 budget requests. As you might imagine, we came today  
25 to ask for a little more funding. And I have to

2 agree with DAs Vance and Clark when it comes to  
3 overall funding for our staff and parody. It has to  
4 be looked at because if-- we have a terrible brain  
5 drain in all of our offices, and if we don't address  
6 that, we're going to reach crisis level. But  
7 specifically to our office, we have a request to help  
8 us fund the Peer Counselors who work on the HOPE  
9 program. When someone is arrested, as I described,  
10 and is deemed eligible for the program, a HOPE, a  
11 Peer Counselor is dispatched to the precinct, and so  
12 we need to have people on-call 24/7, and so we have a  
13 funding request to fund that out through the year of  
14 330,000 dollars, a small amount to pay I think when  
15 you think about just alone 120 people have  
16 successfully completed, completely avoided the  
17 criminal justice system. So there's no arraignment.  
18 There's no hearings. There's no load on the court  
19 system itself, and who knows where those cases would  
20 have gone, and so it's a big money savings, and I  
21 think it makes a lot of sense. In terms of domestic  
22 violence, DA Clark started this year, and it's  
23 something that we want to duplicate what the other  
24 offices do, which is a Domestic Violence Complaint  
25 Room. Right now, all of our complaints are drawn up

2 in one big room. We don't even have a separate E-Cab  
3 [sic] as it's called. We're sort of all together  
4 with the Criminal Court Bureau, and we can only take  
5 cases from nine to five, because we're in the  
6 courthouse and we're closed down. By having a  
7 separate facility to draw up the domestic violence  
8 complaints, it means that we can also undertake the  
9 practice to have the victim come in and meet with the  
10 DA right at the time of inception to create that  
11 relationship, to get-- to have immediately  
12 convertible complaints but also to allow us to better  
13 prosecute those cases, because without the victim's  
14 cooperation it's very difficult. We try. But it's  
15 much more meaningful, and so to have that early  
16 interview we think would be very meaningful, and I  
17 know from our colleagues, that's a very valuable tool  
18 that we would like to have. And so to have the extra  
19 staff and the extra hours we have a budget request of  
20 325,000 dollars. In 2016, we had 100 percent increase  
21 in homicides in Staten Island, and almost all of that  
22 increase was domestic violence-related. In our  
23 precincts, the numbers of index crimes that are  
24 domestic violence-related are close to 20 percent in  
25 the 120 and then relatively the same in the others,

2 and that's true of index crimes and felonious  
3 assault. And so we see-- and then also in the area  
4 of the drug crisis, 45 percent of the people who  
5 overdosed and died were either domestic violence  
6 victims or defendants, and 40 percent of the naloxone  
7 saves are the same. And so that intersection, that  
8 confluence if you will, is very, very strong. So to  
9 go after the drug problem, we have to go after the  
10 domestic violence problem and vice versa. And so by  
11 having that early intervention through that-- in  
12 person separate complaint draw-up room would be very,  
13 very meaningful. And then we have another request of  
14 250,000 dollars to develop a program to deal with  
15 that intersection of domestic violence and drug  
16 abuse. Another request we have is for a study to  
17 help us develop a Community Court on Staten Island  
18 like the Red Hook model, like the Midtown Manhattan  
19 model, like the soon-to-be-opened hopefully in  
20 Brownsville model-- I won't go there otherwise.  
21 Because we know that we want to bring down the number  
22 of people who are being held in Rikers Island. The  
23 best way to do that, especially for the low-level  
24 charges is to have a problem-solving court like  
25 Community Court, and Staten Island we have a perfect

2 location and the perfect partners to do that, and CCI  
3 who sponsors the programs in the other boroughs for  
4 the most part has looked-- has met with us and had  
5 many people out to their program in Brooklyn, and we  
6 think it would be a perfect place to do that.

7 Another request we have is we know that right now the  
8 issue of immigrants' rights and the intersection of  
9 Immigration Law and Criminal Law is obviously a very  
10 hot topic. Immigration Law is a very specified area,  
11 a specific area of the law. I am no expert in it at  
12 all, and we don't have anyone in our office who  
13 really knows the ins and outs of Immigration Law.

14 The other offices have pretty much Immigration Units,  
15 Immigration Issue Units, and so we have a request for  
16 someone to create an Immigrant Affairs Unit in our  
17 office of 115,000 dollars. We also ask for 160,000  
18 dollars for someone in the Economic Crimes Unit.

19 That is a very good investment, because that will  
20 allow us to go more aggressively after the asset  
21 forfeiture money, and then just two other requests.

22 And this is sort of in consultation with the Speaker.

23 We are very interested and very eager to set up a  
24 Conviction Integrity Review Unit in the office, and  
25 so we have a funding request for staff in both legal

2 and supportive of 425,000 dollars. And then lastly,  
3 in IT, OTPS type of-- or actually a staff  
4 infrastructure of 150,000 dollars. These are very,  
5 very important issues. These are very, very cost-  
6 efficient requests that we make. We think the money  
7 invested will show great return, as what you have  
8 shown what we've been able to with what you've given  
9 us so far, and so we hope that you'll look at these  
10 requests and make it part of your package as you go  
11 back to the Mayor and negotiate on the last round of  
12 the budget. Again, on behalf of the people of Staten  
13 Island and the whole city, we thank this committee,  
14 both the Finance and the Public Safety for taking  
15 these issues on. Not the most-- I will say this as  
16 someone who's been on that side, not, you know, the  
17 fact that it comes from you is so meaningful. I'll  
18 just say it that way, and so we appreciate it very,  
19 very much. Thank you.

20 DISTRICT ATTORNEY GONZALEZ: Good  
21 afternoon. Thank you. Thank you, Chairwoman Gibson  
22 and Chairwoman Ferreras-Copeland, and the entire  
23 Public Safety Committee for the opportunity to  
24 address you on the Mayor's Executive Budget and the  
25 impact on my office. During the Fiscal Year 18

2 Executive Budget Plan, my office saw a slight  
3 increase from the January budget attributable to  
4 additional collective bargaining, and as mentioned in  
5 our prior testimony, the starting salary of an ADA in  
6 Brooklyn continues to be among the greatest staffing  
7 challenges for my office. The fiscal constraint of  
8 the budget provided by the City limits the starting  
9 salary of an ADA in Brooklyn to 60,000 dollars.

10 While we've made tremendous strides from where we  
11 were as an office in 2013 under the prior  
12 Administration when the ADA's were starting at 50,000  
13 dollars, we have not been able to offer the starting  
14 salary that is competitive with our fellow District  
15 Attorney offices as Brooklyn remains the lowest  
16 starting salary in the City. This starting salary  
17 does not allow our office to recruit those coming out  
18 of law school in the same way as the other District  
19 Attorney's Offices, nor does it allow our office to  
20 compete with the other city agencies that are hiring  
21 attorneys at a much higher rate. The greatest  
22 demonstration of this salary issue is the record  
23 attrition that we are experiencing this fiscal year,  
24 the ability to retain the attorneys that we are  
25 losing or to replace them once they are gone is

2 severely restricted by the low starting salaries, and  
3 inability to provide meaningful growth as attorneys  
4 gain additional years of experience. After five  
5 years of service in our office, ADA's are still  
6 earning less than the starting salary in most other  
7 DA's offices. We've begun conversations with the  
8 City on this proposal, and I am again asking the City  
9 Council to support us as we make the case to the City  
10 to increase our budget by approximately 1.8 million  
11 dollars in order to begin next September with a  
12 starting salary for ADAs of 68,000 dollars. In Fiscal  
13 Year 18 my office will see the end of two significant  
14 federal grants that run critical programs within the  
15 office. The federal funding for the Smart  
16 Prosecution Grant, which we use to start the Young  
17 Adult Court, is ending in December 2017. We are  
18 unable to apply for additional funding from the  
19 Federal Government to cover this valuable initiative,  
20 and therefore we ask the Council to support our  
21 request to OMB to maintain the funding for this court  
22 with baseline funding of 425,000 dollars. In  
23 addition, the federal funding for the Human  
24 Trafficking program in Brooklyn will end in 2017.  
25 This funding of 500,000 dollars has been part of the



2 office's budget since 2013. We have a robust and  
3 nationally recognized Human Trafficking Division  
4 within our office that has been sustained by this  
5 funding from the Federal Government. It is my belief  
6 that trafficking rings that seek to target the most  
7 vulnerable members of our society and exploit them  
8 must remain a priority for the office. The loss of  
9 this funding puts that in jeopardy. To that end, we  
10 ask the support of the Council to secure continued  
11 funding from the City for both of these programs  
12 which are crucial to public safety for those people  
13 that lived in Brooklyn. Since June of 2015 we have  
14 hosted Begin Again warrant clearing events. Most  
15 recently, we hosted a two-day Begin Again on April  
16 14<sup>th</sup> and April 15<sup>th</sup> in Brooklyn at Mount Pisgah  
17 Baptist Church. The event had more than 600  
18 attendees and we work collaboratively with Office of  
19 Court Administration, the Legal Aid Society and other  
20 defenders to clear approximately 450 outstanding  
21 warrants for those in Brooklyn. This event is  
22 crucial to helping Brooklyn residents move on from  
23 minor infractions that can hold them back from  
24 gaining employment or finding housing. Most  
25 importantly, an open warrant forces and individuals

2 to live with fear. With these events, infractions can  
3 be resolved and give a fresh start to those who wish  
4 to begin again. I would like to thank the City  
5 Council for the funding of 35,000 dollars provided in  
6 Fiscal Year 17 to help the cost-- to cover the costs  
7 of these events. It is my hope that the City Council  
8 will continue to fund this in Fiscal Year 18 so this  
9 event can continue and can expand throughout  
10 Brooklyn. Throughout the City, we are all seeing the  
11 rise in drug use and its impact on those entering the  
12 criminal justice system, and I would like to thank  
13 the Speaker Melissa Mark-Viverito for her commitment  
14 to providing funding to my office to develop a pilot  
15 law enforcement assisted diversion program which is a  
16 pre-booking diversion program to address low-level  
17 drug addiction. This program will serve to redirect  
18 offenders engaged in drug activity to selected  
19 community-based services instead of jail or  
20 traditional prosecution. We look forward to working  
21 with the entire City Council to get this program up  
22 and running next year in Brooklyn. Fiscal challenges  
23 are forever present and in Brooklyn we will continue  
24 the long journey to bring the fiscal condition of my  
25 office to the highest level of integrity and the

2 responsibility that the people of Brooklyn expect and  
3 deserve. This is a responsibility I take seriously  
4 and will continue the legacy started by the late DA  
5 Thompson of being a responsible steward of the public  
6 funding allocated to my office. I once again thank  
7 Chairwoman Gibson and all the members of the Public  
8 Safety Committee and the entire City Council for your  
9 tireless support of my office as we make the case for  
10 these additional resources. With your support, it is  
11 my hope that this funding will provide-- will be  
12 provided by OMB in the next budget so that we can  
13 continue to ensure safe neighborhoods and peace of  
14 mind to the great people of Brooklyn. Thank you.

15 BRIDGET BRENNAN: Good afternoon. I  
16 thank the City Council and especially the Chairs of  
17 the Public Safety and Finance Committees, Vanessa  
18 Gibson and Julissa Ferreras-Copeland, for your  
19 continued support of my office, and I particularly  
20 thank Chairwoman Gibson for the time you have spent  
21 when issues have come up to sit down and talk to us,  
22 to take a phone call, and your staff for making your  
23 staff so available to us. It is tremendously  
24 productive, and it helps us do the job that we're  
25 pegged to do. Thank you so much for that kind of

2 support. I'd also like to recognize today the vision  
3 and leadership of the elected District Attorneys and  
4 their thoughtful initiatives to address the opioid  
5 crisis, which affects each of their boroughs  
6 differently. Our office is tasked with looking at  
7 citywide issues and supporting each office as each  
8 office wishes to be supported, but we couldn't do  
9 that without the leadership that we have from these  
10 five District Attorneys' Offices, and I thank them  
11 publicly today for their vision and their leadership.  
12 Each one of them assigns Assistant District Attorneys  
13 to our office and we work collaboratively. Recently,  
14 the District Attorney updated the agreement  
15 overseeing our office and renewed their commitment to  
16 the collaborative approach which has served us so  
17 well for the past 45 years. Each DA has  
18 extraordinary vision, talent, and commitment to the  
19 people he or she serves, and no one outside their  
20 office sees that as clearly as I do, because we work  
21 as a part of their office every single day. I thank  
22 them for their support. And it is ironic that this  
23 year following a record year of overdose deaths in  
24 New York City, I am again asking for no additional  
25 funding. Why is that? It is because what you have

2 heard from each of these DAs. It is not because we  
3 have a shortage of work. Rather, it is because there  
4 is a shortage of Assistant District Attorney to take  
5 on that work that desperately needs to get done. As  
6 you know, the low starting salaries for Assistant  
7 District Attorneys and high debt load that many young  
8 lawyers carry make it hard for the DAs to recruit  
9 enough qualified applicants to fully staff their own  
10 offices, let alone assign attorneys that are needed  
11 in the Office of the Special Narcotics Prosecutor.

12 They have to take care of their own obligations  
13 before they can take care of their obligations to my  
14 office. So, I do not have enough staff to do the job  
15 before me, and address this ever-expanding opioid  
16 crisis. So I can only amplify their request. I urge  
17 the City Council to push for adequate funding  
18 starting salaries and adequate raises. For all of  
19 the Assistant District Attorneys in our City we  
20 cannot make headway on the most critical criminal  
21 justice and public health issue facing our city  
22 unless we have the staff to get the job done. But  
23 despite these challenges, we are inspired by the  
24 creative approaches found in every DA's office, by  
25 the Police Department and the City Health Department,

2 and of course, exemplified by the Mayor's recently  
3 announced initiatives. We all recognize, and it's  
4 become a cliché, we can't arrest ourselves out of  
5 this problem, but we know that we can't dose  
6 ourselves out of it either. Obviously, Narcan and  
7 substitute opioid medications are not the solution.  
8 It won't turn it around. We have to decrease the  
9 supply of drugs out there. We have to apply all of  
10 the resources we have, all of the tools in our  
11 toolbox in order to turn this around, and you've  
12 heard about some of the wide range of responses. The  
13 Bronx DA has had some very successful prosecutions of  
14 drug trafficking organizations who try to capitalize  
15 on that borough's ease of access to major interstate  
16 thoroughfares. We've heard about the HOPE program in  
17 Staten Island. We've also worked with Staten Island  
18 on a program to assess whether all those treatment  
19 programs are truly meeting the needs of that county.  
20 With the Queens DA, we continue to work on large  
21 scale trafficking organizations, bringing in  
22 substantial amounts of narcotics, and unfortunately  
23 we've seen an uptick in the amount of cocaine coming  
24 in. Cocaine organizations have historically been  
25 headquartered, many of them in Queens, and we expect

2 to see more work with the Queens DAs office. And I'm  
3 very excited by a new project that we've taken on.  
4 We're currently working side by side with the  
5 Manhattan DA's Office on strategic initiatives there,  
6 on applying DA Vance's 21<sup>st</sup> century multi-pronged  
7 approach, combining it with our citywide narcotics  
8 expertise to develop a model for solving or  
9 addressing all the nuances of this opioid overdose  
10 problem. I predict that you will soon see from DA  
11 Vance an innovative model with wide applicability for  
12 other communities, both in this city and beyond. I  
13 would like to focus finally on a couple of recent  
14 investigations that we've done with Eric Gonzalez and  
15 with the Brooklyn DA's Office that demonstrate how  
16 this collaborative approach can make a big dent in  
17 reducing the street supply of drugs. Just last  
18 month, my office worked with the Brooklyn DA's  
19 Office, the DEA, Health + Hospitals Corporation, and  
20 the Department of Investigation, and many other  
21 agencies on the arrest of 13 individuals including  
22 two doctors who ran three Brooklyn clinics, and those  
23 two doctors were among the state's top 10 Medicaid  
24 billers. We believe these clinics flooded the  
25 metropolitan area black market with 6.3 million

2 addictive narcotic pills unnecessarily prescribed,  
3 and at the same time billed millions of dollars in  
4 fraudulent Medicare and Medicaid expenses. A former  
5 State Assembly Member Alec Brook-Krasny, was among  
6 those charged. The indictment charges Doctor Lazar  
7 Feygin as the chief architect of the schemes and the  
8 owner of two of the clinics and one of his former  
9 employees, Doctor Paul McClung, was charged with  
10 running a third clinic. This unfolded when the DEA  
11 Long Island office approached my office to start  
12 investigating these clinics, because they had tracked  
13 black market addictive pills just like breadcrumbs  
14 leading right back to the doors of these clinics. At  
15 the same time, we discovered irregularities in  
16 Medicaid billing and relied on the expert guidance  
17 from the attorneys in the Kings County DA's Office to  
18 build that kind of a case, and we combined the two.  
19 Because as we saw the clinics were creating profit,  
20 illegal profit, by convincing the patients to come  
21 back month after month for unnecessary tests, and the  
22 way they convinced those patients to come back was to  
23 give them an unnecessary prescription for addictive  
24 opioid medication at the end of each visit. Most of  
25 that medication was finding its way to the black



2 market and being resold on the street. So the public  
3 was losing the Medicaid reimbursement funding and  
4 losing because it was escalating the rate of  
5 addiction. The investigation took three years, but  
6 eventually we were able to cut off a significant  
7 source of addictive pills, which are often the  
8 gateway to addiction. And I'd like to also highlight  
9 another of our recent collaborations with the  
10 Brooklyn DA's Office because it highlights for you  
11 one of our biggest-- one of the things that's really  
12 driving the overdose death rate. We were looking at  
13 a car delivery service which was selling supersized  
14 packets of fentanyl. The source of that drug was in  
15 Pennsylvania. Now, when I'm talking about fentanyl,  
16 I'm talking about not medical grade fentanyl, but  
17 something that's produced either in Asia and maybe  
18 obtained through the internet, or more often as we  
19 see here in the City, it is-- the chemicals are  
20 obtained and the Mexican cartels manufacture it and  
21 ship it up here alongside kilograms of heroin and  
22 cocaine, and then it's fully integrated into our  
23 black market drug supply so that we are finding  
24 fentanyl as in this case sold all by itself with  
25 doses. They advertise that it had five times the

2 normal dose, but fentanyl is already 50 times more  
3 powerful than heroin. So you can imagine the damage  
4 that those jumbo package could do. But we are  
5 finding it not just sold by itself or mixed into  
6 heroin, which is another opioid. We are also finding  
7 it mixed into cocaine and pressed into counterfeit  
8 Xanax pills, and again sold on the black market. And  
9 why? Because it's a synthetic drug. It isn't  
10 reliant on the harvesting of the poppy plant and the  
11 refinement into heroin. It's much cheaper. A kilo  
12 of fentanyl wholesale goes for about five or ten  
13 thousand dollars, whereas a kilo of heroin is around  
14 55,000 dollars. So, it's much, much cheaper and much  
15 more lethal, and often dealers don't know that  
16 they're selling it, and certainly buyers don't know  
17 that they're buying it. Sadly, New York City health  
18 officials have found that fentanyl has contributed to  
19 a staggering 30 percent rise in overdose fatalities  
20 last year. We can't isolate and chase down all of  
21 the dealers selling fentanyl as we did in the case  
22 where DA-- Acting DA Gonzalez signed all the wiretap  
23 orders. It's too thoroughly mixed in with the drug  
24 supply, and it's found mixed into every kind of drug  
25 you can imagine in the black market. It's sometimes

2 sold alone. There is one piece of good news, though,  
3 in all the bad news I'm delivering, and that is that  
4 we have started to see the actual prescriptions for  
5 the addictive pills leveling off, and we know that 80  
6 percent of heroin users are introduced to that drug  
7 through prescription pills. And so if we can close  
8 the door on the gateway, we will see this epidemic  
9 turn around, and I attribute the decline in  
10 prescription writing to I-Stop [sic], and to  
11 educating doctors through the City and State Health  
12 Departments about what they call "judicious  
13 prescribing." In addition, I do believe that dozens  
14 of prosecutions that have been brought against  
15 doctors who have basically sold their medical license  
16 and have supplied unlawfully prescriptions for these  
17 drugs have had a significant deterrent effect. Now,  
18 one year ago I appeared before you and asked for  
19 support for a large scale drug prevention initiative,  
20 and the Mayor is to be commended for his recently  
21 announced HealingNYC program. It's a thoughtful,  
22 wide-ranging initiative targeting those most at risk  
23 for overdose deaths. Part of what you see are the  
24 banners talking about Narcan and the widespread  
25 Narcan distribution, and Narcan, as you know, is

2 something that can reverse an overdose. But there is  
3 more to be done and we all must do our share. We  
4 must reach out broadly, not just to those at risk of  
5 dying, although they should be our top priority, but  
6 to those at risk beginning drug use, to those  
7 dabbling in the drug market. We need to make sure  
8 potential are informed of the lethal property of  
9 fentanyl, which might well be mixed in with cocaine  
10 or sold in the form of a pill, a Xanax pill. We need  
11 to make sure that people know that using pain pills  
12 even for legitimate reasons can lead to addiction,  
13 and that those pills are dangerous and must be  
14 properly secured. We need people to know how quickly  
15 people can become addicted to opioids, how quickly  
16 and devastating that addiction is. We need to make  
17 sure that that information is broadly available here  
18 in the City, and every City Council Member has the  
19 opportunity to share that information with  
20 constituents at all the events you attend, and I urge  
21 you to contact any one of us here if you'd like  
22 additional information, if you'd like someone to  
23 supply you or your staff, if you'd like us to do-- if  
24 you'd like some help in getting this word out,  
25 because I think it's critically important. I still

2 think the most effective public health campaign we  
3 ever had was the smoking campaign, and that was  
4 constant relentless information sharing, really,  
5 about just straightforward information. We don't  
6 have to point fingers. We don't have to call names.  
7 All we have to do is share information, and I urge  
8 you to do that and rely on all of us for help. In  
9 sum, I'm going to do it. You'll be seeing as much  
10 information as I can get out in whatever form I can  
11 get it out there about this problem. The Mayor's  
12 plan calls for reducing overdose deaths by 35 percent  
13 over five years, but think about it, we increased  
14 overdoses by 35 percent 2016, over 2015. So that  
15 just puts us back to where we were in 2015, and 2015  
16 saw about a 15 percent increase in overdose deaths  
17 over 2014. So, I think we can do better, and I think  
18 we can do it quicker if we all join in. we can  
19 amplify the Mayor's initiative and accomplish much,  
20 much more and in a much shorter period. I mean, day  
21 after day, just like all of you, I speak to parents  
22 who have lost loved ones to addiction and overdose.  
23 I speak to parents whose children still survive, and  
24 when I say survive, I really mean survive. They are  
25 going from overdose to overdose, nod to nod. Each of

2 their days is dedicated to figuring out where they're  
3 going to get the opioid that they're so dependent on  
4 and how they're going to pay for it. Our city really  
5 can't bear that kind of suffering and the loss of  
6 valuable, potentially productive lives. We all have  
7 to do more, and my hope is next year I will come to  
8 you with news that's far better than the news I have  
9 to offer today, but please remember we all need the  
10 staff to accomplish this. I need the staff to meet my  
11 responsibilities, and the City needs all of us to  
12 make drug abuse prevention a priority. Thank you  
13 very much.

14 UNIDENTIFIED: Thank you. On behalf of  
15 District Attorney Brown, first let me express his  
16 regrets that he could not be here today. He  
17 unfortunately had a scheduling conflict, but he did  
18 ask me to say that he looks forward to seeing many of  
19 you this coming Friday at our upcoming Far Rockaway  
20 youth event at the US Tennis Center, and in the  
21 meantime he asked me to pinch hit for me today and to  
22 make myself available for any questions you may have.  
23 He also asked that I thank you all on his behalf for  
24 your continuing support and for the significant  
25 progress that we have been able to make in recent

2 years with your help. We have provided you all a  
3 booklet today that provides some detail on how this  
4 year we have been able to use the FY17 monies you  
5 have provided to us, an update on where we are with  
6 our longstanding office space and facilities issues,  
7 which I can go into in more detail later, and an  
8 overview of our FY18 new needs requests, which  
9 include a request for capital funding to upgrade  
10 outdated computer network infrastructure, and a  
11 request for new personal services monies to help  
12 address a growing salary parity and retention issue  
13 we, like our colleague offices, are facing in Queens  
14 amongst our Assistant DA staff. The bottom line is  
15 that while much progress has indeed been made, we  
16 still need your support in these important areas this  
17 year. A little background, if I may, on our 1.2  
18 million dollar personal services request. Like our  
19 fellow offices, as the economy has improved, our ADA  
20 attrition rates have been on an upward climb with  
21 this year rates projected to be nearly double that of  
22 our five-year average. This is largely due as our  
23 colleagues have testified to already to our inability  
24 to stay competitive with salaries as our DA's face  
25 personal financial realities. These staff losses we

2 are facing pose real problems for us as we lose the  
3 background in training levels we need to most  
4 effectively carry out our mission. So we hope to  
5 gain your support for this request for the coming  
6 year to enable us to begin the process of targeted  
7 salary adjustments for the levels of attorneys most  
8 affected. Overall, we very much look forward to  
9 working with you as we do always in addressing these  
10 new needs, and I am at your pleasure for any  
11 questions you may have. Again, the District Attorney  
12 is very grateful for all of your efforts on our  
13 behalf, and we thank you for the opportunity to be  
14 here today. Thank you.

15 CHAIRPERSON GIBSON: Great. Thank you so  
16 much to all of you. We really appreciate your work,  
17 your commitment, certainly your dedication and really  
18 making sure that you're playing an integral role in  
19 public safety. I want to acknowledge Council Member  
20 Vincent Gentile, as well, and I just have a few  
21 questions, because each of you in your testimony and  
22 all this paper I have in front of me have really  
23 talked a lot about some of the unique needs of your  
24 office. Obviously, one thing you guys all share is  
25 salary parody, and I certainly understand the



2 dynamics. In certain parts of our city it costs more  
3 than the starting salary of an ADA, and if you're  
4 talking about, you know, senior ADAs and not only  
5 attracting new staff, but keeping them. You know,  
6 that's a concern that I believe this council shares  
7 with you, and we will do what is necessary as we have  
8 further conversations to really make that a priority.

9 Just like last year, your priorities were our  
10 priority, and I don't think that everyone really  
11 understands the challenges, and maybe it's because  
12 you're doing such great work, and we just don't  
13 understand that a lot of the starting salaries for  
14 ADAs are very, very low compared to other agencies.

15 I learned through working with all of you and through  
16 our meetings that, you know, your average, you know,  
17 attrition rate that you have is almost double or in  
18 some cases a lot higher than what it is before. So,  
19 it just says that the City is costing more to live  
20 in, and the new opportunities that are taking away  
21 our ADAs is a major issue, and for many of the very  
22 challenging cases that your offices deal with, you  
23 need that senior experience. You know, it's-- you  
24 can't just, you know, find that from any place. It  
25 takes a long time to build that seniority. So, I

2 appreciate that all of you have raised that issue.

3 We have heard you loud and clear, and I just want to

4 just highlight that from the Council's perspective,

5 many of you talked about the priorities that your

6 offices have, and when the City Council did its

7 budget response, we were asking for 2.9 million

8 dollars to be included in the Executive, and that

9 would be the Neighborhood Adjudication Program in

10 Bronx County, the Young Adult Court in Brooklyn, the

11 Pre-arraignment Diversion program in Brooklyn, the

12 HOPE program on Staten Island, as well as the

13 Conviction Integrity Unit on Staten Island as well.

14 And then I have a list of all of the other specific

15 budget needs that each of you has described. So, let

16 me turn it over to my Chair, and then I'll come back

17 with questions.

18 CHAIRPERSON FERRERAS-COPELAND: Thank you

19 so much, Chair. I appreciate it. Sorry, I had to

20 run out. So, I wanted to talk about Raise the Age.

21 In the previous hearing with the Police Department I

22 proposed a question how the recent Raise the Age

23 legislation would affect the Department's operations.

24 Now that Raise the Age has passed, have your office

25 determined how it will impact operations at your

2 office, and how many cases in your office will be  
3 impacted due to this new legislation?

4 DISTRICT ATTORNEY VANCE: Madam Chair,  
5 this is something we're still looking at to get more  
6 final-- finality in terms of the impact on process  
7 and numbers. My expectation is about 2,000 cases.  
8 That's kind of a guestimate, but I will get back to  
9 you with a more precise number. And obviously, it  
10 will affect the processing of cases, felonies and  
11 misdemeanors going forward. That said, that's not a  
12 negative. I support Raise the Age. I think we'll  
13 make this work and I think it's overdue, and I'm glad  
14 that the state has moved forward on it.

15 CHAIRPERSON FERRERAS-COPELAND: And you  
16 know, you'll all answer, but I just wanted to make  
17 sure that you can look at the budget impacts that it  
18 will have moving forward as you do your analysis.

19 DISTRICT ATTORNEY VANCE: Thank you.

20 DISTRICT ATTORNEY CLARK: I echo what DA  
21 Vance has said. We're also looking at it as well. I  
22 supported Raise the Age as well. We'll be able to  
23 work it out. I will look at the budgetary  
24 ramifications of switching over to Raise the Age. I  
25 just hope that now that Raise the Age is here that

2 for all our counties that the resources are put in  
3 place in the Family Court now to make sure it's going  
4 to work, because if not I'll be coming back to us and  
5 we won't have the funding that we need to handle the  
6 cases that we did originally, so.

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you.

9 DISTRICT ATTORNEY MCMAHON: I'll just say  
10 ditto in terms of getting the numbers back. We're in  
11 the process of analyzing that and trying to figure  
12 out the budget impact to our office, and we'll make  
13 it work as well, but I really want to underscore what  
14 my two colleagues have said before, and what the  
15 others I'm sure will say. If this law is implemented  
16 without other changes coming into effect in  
17 particular, looking at Family Courts, I know of no  
18 court that is in more need of an overhaul and  
19 resources than the Staten Island Family Court. It's  
20 really an abomination, and to think now that they're  
21 going to have this extra role to play without having,  
22 you know, the appropriate space and resources from  
23 cell space when appropriate to be able to keep people  
24 separated from each other, to have the victim support  
25 that's necessary that we provide in the different

2 levels of court, whether that would be there. There  
3 are a lot of implementation problems that I worry  
4 about, and even in the Criminal Court where there'll  
5 be extra work in adjudicating motions and  
6 applications and an extra part where there are no  
7 rooms-- there is no rooms for extra parts. There are  
8 no extra judges. There are no court offices to run  
9 extra parts. It's really going to be a very  
10 difficult thing to implement unless the state  
11 provides the resources to do it, and I haven't seen  
12 anything yet that said that they did. They didn't  
13 create extra Family Court judges. So, implementation  
14 is going to be very, very difficult. You know, we  
15 support it. We'll make it work on our end, but the  
16 place-- the judicial arena needs a lot of help.

17 DISTRICT ATTORNEY GONZALEZ: I think we  
18 estimate in Brooklyn about losing approximately the  
19 same number of cases, around 2,000 16 or 17 year  
20 olds. It impacts us in our reset program that we  
21 will do with the Police Department that focuses on 16  
22 and 17 year olds in Brooklyn. So, we'll have to see  
23 whether or not that program will continue. If we can  
24 get the funding maybe to expand that to an older  
25 population like, you know, Manhattan DA's Office is

2 going to do. In the Young Adult Court, obviously it  
3 impacts us because we go from 16 to 24, but  
4 optimistically we think that that allows us to really  
5 provide the social services to the older populations  
6 where a lot of recidivism is really driven at the  
7 end. The Young Adult Court is about crime prevention  
8 and king sure young people can survive their first  
9 encounter with the criminal justice system without a  
10 conviction on their record. So we're looking forward  
11 to supporting this Raising the Age and moving the 16  
12 and 17 year olds outside of-- out of Criminal Court  
13 and focusing in now on the 18 to 24 year age  
14 population, and we'll figure out the income how it  
15 effects the budget, but we're going to continue doing  
16 that work.

17 CHAIRPERSON FERRERAS-COPELAND: Thank  
18 you.

19 BRIDGET BRENNAN: Historically, we have  
20 not had very many defendants who fall into this  
21 category.

22 UNIDENTIFIED: And for Queens, let me  
23 just echo what my colleague offices have said. It's  
24 a work in progress. One of our concerns continues to  
25 be the resources that will be available for the

2 juveniles who are affected by the statutory changes,  
3 and we look forward to working on transitioning some  
4 of the programs that we have available for youthful  
5 offenders now to incorporate them in what will now be  
6 the Family Court setting.

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you. I know that you all individually testified to  
9 your budget item needs, and this is going to be  
10 really hard, and I'm almost questioning whether I  
11 should ask this on the record or off the record, but  
12 I just need a prior-- like, it prioritize. I know  
13 that everyone agrees on the parody and the pay issues  
14 and increasing pay, but is there kind of-- you know  
15 what, I want to do this off the record. I'm not  
16 going to do that to you, no. We're going to follow  
17 up. Just think about the priorities in all the  
18 requests that you have. Of course, we're going to  
19 push for all of them, but I'd like to know, you know,  
20 your top three. Not for the record, so nobody say  
21 anything. I wanted to talk about-- I know that we  
22 had very informative testimony on the opioid  
23 epidemic, and the Police Department actually also  
24 spoke in great detail about their participation with  
25 HealingNYC. One of the things that jumped out at us

2 is that a lot of the headcount really is on the NYPD  
3 side, and I know that it's a collaboration and an  
4 agency effort with multiple agencies. Does-- I  
5 guess, I know that you're not asking for additional  
6 support, but do you see kind of down the road if  
7 numbers haven't changed what other supports you may  
8 need as DAs in confronting this opioid epidemic  
9 specifically?

10 BRIDGET BRENNAN: You mean additional  
11 resources we may need?

12 CHAIRPERSON FERRERAS-COPELAND: Yes.

13 BRIDGET BRENNAN: Yeah, I mean, I think  
14 if we're not able to turn it around. It's just it's  
15 escalated and sort of exponentially as the Police  
16 Department testified. I think Commissioner O'Neill  
17 may have said that 14-- 2014 to 15 it was up by 19  
18 percent, and then last year it was up by 36 percent  
19 at least, maybe more. And so it poses just a cascade  
20 of problems from the, you know, the-- you know,  
21 traditional drug investigations and trying to take  
22 supply chain out to assisting the PD on their  
23 initiatives to target those who are supplying the  
24 drugs that prove deadly for the users, and then  
25 everything else that kind of clusters around it. You



2 know, property crimes escalate. Robberies escalate,  
3 and there's just-- historically there are lots of  
4 other issues that affect criminal justice with  
5 overdoses, high overdose rates I should say, and high  
6 rates of abuse.

7 CHAIRPERSON FERRERAS-COPELAND: So, we  
8 got some numbers from the NYPD. I'm just trying to  
9 confirm if I read this right, but it seemed that  
10 Manhattan North had a higher number of-- and I  
11 believe these are deaths we're trying to confirm.

12 BRIDGET BRENNAN: [inaudible]

13 CHAIRPERSON FERRERAS-COPELAND: I'm  
14 sorry?

15 BRIDGET BRENNAN: Higher number of  
16 deaths? The highest precinct--

17 CHAIRPERSON FERRERAS-COPELAND:  
18 [interposing] Of overdose deaths.

19 BRIDGET BRENNAN: Overdose deaths, I  
20 don't think that's--

21 CHAIRPERSON FERRERAS-COPELAND:  
22 [interposing] Well, that's what was interesting, and  
23 we're going to confirm the numbers.

24 BRIDGET BRENNAN: Yeah.  
25

2 CHAIRPERSON FERRERAS-COPELAND: But it  
3 just seems that, you know, one would think-- we hear  
4 a lot of attention on Staten Island, but the numbers  
5 were 56 in the Bronx, Bronx North, and then Queens  
6 and Staten Island were actually towards the bottom,  
7 but is that reflective of the people that you're  
8 catching, or how does that go with kind of the--

9 BRIDGET BRENNAN: [interposing] Well, I  
10 believe those are overdose deaths, and what you have  
11 to keep in mind the re-- Staten Island has a  
12 relatively small population, smallest population.

13 CHAIRPERSON FERRERAS-COPELAND: Of  
14 course.

15 BRIDGET BRENNAN: So, its overdose rate  
16 is among the highest. The other--

17 CHAIRPERSON FERRERAS-COPELAND:  
18 [interposing] Well, that's what I wanted to know--

19 BRIDGET BRENNAN: rate that's very high is  
20 the South Bronx.

21 CHAIRPERSON FERRERAS-COPELAND: if you  
22 have those numbers as opposed to just the deaths,  
23 because I don't think it's reflective of the issue as  
24 you just alluded to.

25 BRIDGET BRENNAN: Yeah, no, the deaths--

2 CHAIRPERSON FERRERAS-COPELAND:

3 [interposing] But the rate--

4 BRIDGET BRENNAN: tend to be somewhat  
5 random.

6 CHAIRPERSON FERRERAS-COPELAND: DO you  
7 have the rate?

8 BRIDGET BRENNAN: The number of overdose,  
9 just overdoses?

10 CHAIRPERSON FERRERAS-COPELAND: Right.

11 BRIDGET BRENNAN: I don't have that. The  
12 Police Department is-- they do their best to collect  
13 that data. Their data on that is more reliable than  
14 anybody else's. It's hard to accumulate all that  
15 information because it doesn't come from just one  
16 source, and there are many overdoses that aren't  
17 reported to any official source.

18 DISTRICT ATTORNEY CLARK: If I may, I was  
19 just discussing this in my office, and I think part  
20 of the problem-- you're right. Ms. Brennan is  
21 correct in that it does come from different sources.  
22 So, NYPD will have their numbers, but then when you  
23 look at the health side of it, you're dealing with  
24 EMS and the hospitals, and they have records, but  
25 then you have to worry-- you run into the HIPAA

2 problem-- not problem, but the HIPAA issue. So that  
3 sometimes we may not have all the data because  
4 they're not allowed to release it because of the  
5 HIPAA laws. There are some exceptions, I think,  
6 some, you know, some law enforcement exceptions. My  
7 office is looking into that now so we could have  
8 better numbers, but I think that's why there's a  
9 disparity in the numbers because it depends on how  
10 they get it. NYPD doesn't encounter all of the  
11 overdoses or all the deaths because they're not  
12 necessarily criminal investigations.

13 CHAIRPERSON FERRERAS-COPELAND: Right,  
14 and that's something that I wanted to clear on the  
15 record, so I thank you. In particular, because I  
16 know that the Health Department actually is  
17 incentivizing people that if you need the--

18 BRIDGET BRENNAN: [interposing] Narcan?

19 CHAIRPERSON FERRERAS-COPELAND: Yes.

20 BRIDGET BRENNAN: Naloxone?

21 CHAIRPERSON FERRERAS-COPELAND: If you  
22 need the naloxone kits, you can actually call 311 and  
23 get one for your family if it's needed. So, you  
24 know, that prevention might be reported differently  
25 as you state, so it might not necessarily be focused

2 in on the NYPD in particular. It would go directly  
3 to H+H, if they don't go to a private hospital,  
4 right? So, then it would be a little bit more. Does  
5 anyone else have anything to add on? Yes?

6 DISTRICT ATTORNEY MCMAHON: If I could,  
7 Council Member. So, our experience in Staten Island I  
8 think is very illustrative to this issue, and when we  
9 started, as I said, a little over a year ago tracking  
10 the overdose deaths, one of the reasons we-- we did  
11 it because we wanted to have investigations open, but  
12 we also realized that no one was saying on real time  
13 how bad the problem was. We were hearing anecdotally  
14 of families, a couple a week, and you look in the  
15 newspaper and you're always seeing young people in  
16 the obituaries, 23 years old, or people dying  
17 suddenly in their home, it didn't make sense. And so  
18 we started to track the overdose deaths, and of  
19 course the police would be reported to almost all of  
20 those-- would be called to all of those, and they  
21 were capturing that data, or they would be called to  
22 the hospital if someone went in privately. So we  
23 were getting most of it, but as Council Member Clark  
24 said, even then with the HIPAA problems we had, we  
25 weren't getting it. The NYPD realized that they

2 would-- it would be to their benefit as well to start  
3 capturing the data real-time, and so they started to  
4 look at not only the deaths, but also the saves. And  
5 so now in Staten Island we are capturing all of that  
6 data as well, but still if someone is taken privately  
7 to the hospital and saved there and released, we  
8 don't capture it. So we've partnered with the PPS,  
9 which is the performing prover system, which is the  
10 collaborative created on-- and everywhere to deal  
11 with Medicaid dollars, but they're working with us on  
12 this issue, and they've even created a dashboard,  
13 they call it online, that will send you the  
14 information of. So, we're working with them, with  
15 the hospitals, with the PD; now, with the EMS we're  
16 getting the records as well. So, we're starting to  
17 get some real time data as to what is going on in  
18 terms of overdoses overall, deaths and saves, and as  
19 we did that, as we collected the data, we realized  
20 that the Health Department, as I said in my  
21 testimony, they're like a year and a half behind.  
22 That's just the way they operate. And you need to  
23 have real-time data. That's the whole CompStat  
24 model, right? We need to know what's going on to  
25 provide resources to the situation. And so what we

2 found, and the reason people look at Staten Island's  
3 numbers as so shocking is it's not the overall  
4 numbers. Clearly, whatever it is borough to borough,  
5 we're always less, but the rate per population per  
6 100,000, if you think about it, and Ms. Brennan  
7 talked about this the last time, the death rate for  
8 the heroin and crack epidemic from the 80s and 90s  
9 was about two per hundred-thousand. During the AIDS  
10 epidemic of the 90s it was four per hundred-thousand  
11 in New York City, and right now, the death rate per  
12 hundred-thousand in Staten Island from these  
13 overdoses is somewhere between 25 and 30 per hundred-  
14 thousand. So, that's on par with some of the worst  
15 places. That's more than New Hampshire. It's just  
16 shy of West Virginia, these places we hear about, and  
17 that's why the numbers are so shocking. But overall,  
18 1,300 to 1,400 last year, that is-- it's not an  
19 epidemic anymore; it's a plague, and that's why  
20 having this real-time data gets everybody to say,  
21 "Wait a minute, what the heck is going on?" and we  
22 need to get involved in this. Having the extra  
23 resources to the Police Department I think is  
24 appropriate, because they're on the front lines.  
25 They're not only with going after the source and

2 cracking down on the dealers, and the crackdown is

3 much more difficult than the past because the

4 delivery system now, it's concierge service. No

5 longer are these locations, this geographic battle

6 where we take that street corner back or we take that

7 crack house back. Now, if you want the drugs, you

8 call up on the phone and somebody delivers it to you.

9 So, it's much more diffuse, much more disparate.

10 There are many more people involved in it, so they

11 need more resources there, but they are also on the--

12 you know, now with all these programs like the HOPE

13 program or the lead [sic] program, what everyone else

14 is doing, they need more people power to do that as

15 well, because they're the ones who are doing the

16 counseling, the diversion and direction. And then

17 I'll just say this back to the original point that

18 everyone's making here. If you give the Police

19 Department more resources to do something that means

20 that there are going to more cases that are generated

21 that are going to be delivered to us for prosecution,

22 diversion, treatment, whatever. So we need the more

23 resources as well. So, as the Mayor puts tens of

24 hundreds of millions of dollars into this issue,

25 rightfully so, people can't forget and you guys can't



2 forget and they can't forget that wait a minute, the  
3 prosecutors need the resources to partner with these  
4 cases.

5 CHAIRPERSON FERRERAS-COPELAND: And I  
6 agree, and that is exactly, you know,-- what would  
7 that support look like? What would that expansion  
8 look like? Is it an opportunity to hire more District  
9 Attorney-- like, is there something specific to  
10 combat this type of epidemic or, you know, crisis  
11 that we as Council Members we don't have the  
12 expertise to necessarily know, okay, we need to  
13 support you in this way, because the Mayor helped the  
14 NYPD and other agencies in that way; now you need  
15 this.

16 DISTRICT ATTORNEY CLARK: I think what  
17 you say, first and foremost is more Assistant  
18 District Attorneys. We definitely need that. As far  
19 as funding, dealing with the battling the supply end.  
20 You know, I signed wiretap applications every day.  
21 That costs money to fund those types of  
22 investigations where you have to do the electronic  
23 surveillance, costs a lot of money. I don't have the  
24 figures with me right now, and Ms. Brennan might be  
25 able to tell you more, but that costs not only man

2 power but money to do that. You need interpreters.  
3 You need all kinds of people and money in order to  
4 fund these wiretaps. I mean, I would love to sign  
5 more, but we don't have the people, and we need the  
6 Police Department. We need our investigators. You  
7 need so many people involved in those, and we could  
8 really get to the supply if we could-- we have more  
9 resources to stop, you know, do electronic  
10 surveillance.

11 BRIDGET BRENNAN: And I can follow up  
12 with you on that. The other thing I think which will  
13 be required more of us would be in the technological  
14 area. We need analysts who-- number one, we're  
15 actually seizing a lot more cell phones, and there's  
16 a lot more requests for cell phone search warrants  
17 and analysis of the information from the cell phone,  
18 and that is very labor intensive, because many of the  
19 cell phones are hard to crack, hard to get into,  
20 takes a lot time, and then the actual downloading of  
21 the information and analyzing the information, those  
22 are non-legal people. It vary-- very good tech  
23 people, but they cost a lot of money, too. That kind  
24 of support is very hard to come by and hard to hang  
25 on to. Almost as soon as we train them, they're off

2 again. They-- you know, and often it's to another  
3 agency and not necessarily another City agency, a  
4 Federal agency or another county outside the City.  
5 So that kind of support is desperately needed as  
6 well. It might make sense for us to have a more  
7 extended--

8 CHAIRPERSON FERRERAS-COPELAND:

9 [interposing] Yes.

10 BRIDGET BRENNAN: conversation, be able to  
11 give a little more thought to it.

12 DISTRICT ATTORNEY MCMAHON: And I just  
13 want to add one more thing. The diversionary  
14 programs and those that partner with the treatment  
15 providers. So, as part of what we did in our budget  
16 ask is we hired two co-coordinators of that HOPE  
17 program who are in the office. They're not lawyers.  
18 They're social workers. Well, one's a lawyer and a  
19 social worker and one has a psychological--  
20 psychology degree, you know, a Masters in Psychology.  
21 They're running that program and they're doing the  
22 outreach and doing the coordination. So you need  
23 that support in the office as well, which the-- you  
24 know, actually the other offices have been  
25 forerunners in that idea of partnering. This is very

2 new in Staten Island. So, everybody in Staten Island  
3 is like, "Wait a minute, somebody's working in the  
4 office here who's not lawyer. What's going on?" But  
5 again, 21<sup>st</sup> century prosecution, that's what we have  
6 to do and that's what you need. You have to build  
7 out the things that are needed to do these types of  
8 early diversion program which are very good about not  
9 only with these narcotic cases, the opioid cases, but  
10 could al-- And as the other officers are expanding to  
11 recidivist misdemeanor cases as well, which would go  
12 a long way to bring down the prison population. So  
13 it all goes hand in hand, but the Administration--  
14 believe me, I remember from my time there-- would put  
15 half the piece and not the other piece, which is  
16 working with the prosecutor's side.

17 CHAIRPERSON FERRERAS-COPELAND: That's  
18 exactly what I've been trying to get on the record  
19 here so that we can better understand, but I also  
20 need you guys to kind of huddle up and figure out  
21 what that number looks like so that we know. In  
22 addition to everything else that you're asking for,  
23 we want to just put this kind of on another track,  
24 because the worse thing we can do now is support  
25 NYPD, all the agencies that do the work, and then

2 when they get to you we've added an additional  
3 burden, you know, to what already is-- you are  
4 already stretched. So, to be able to really catch up  
5 and get to the bottom of all this, we want to support  
6 you. Great. I have just a domestic violence  
7 question, and then we'll open it up to the Chair. I  
8 know we've been joined by Council Member Rodriguez,  
9 and we will hear from Council Member Gentile and  
10 Rodriguez after the Chair. So, it was brought-- we  
11 also question Commissioner O'Neill on some  
12 significant drop in reporting, and we've seen-- that  
13 has-- and he wasn't able to get exactly to the number  
14 per precinct and per council district, but I guess we  
15 can surmise that it's because of the immigration, the  
16 federal immigration stance that the President has  
17 taken where we-- there's been kind of a drop in  
18 reporting of domestic violence amongst communities,  
19 immigrant communities in particular. Have you seen  
20 any of that on your end where you've seen some slow  
21 down when it comes to domestic violence? And I say  
22 this because we all very much focused on domestic  
23 violence and supporting the reporting, and wanted to  
24 know separate and apart of that what are the current

2 caseloads that you have when it comes to your  
3 domestic violence numbers?

4 UNIDENTIFIED: Thank you. Bridget is my  
5 microphone person today. For Queens, we're-- it's  
6 too early to say what the impact is on the  
7 immigration policies federally, what impact it will  
8 have in terms of reporting. We are concerned.  
9 Queens being the most ethnically diverse county in  
10 the nation and having had a program that we've worked  
11 on with incremental changes and improvements over  
12 many years. Since 1995 we've been working on  
13 incremental changes in our domestic violence program.  
14 We know how important it is to have outreach to the  
15 immigrant communities and to make sure that they know  
16 that we are a resource that they can reach out for  
17 help without fear of retaliation. So, we are looking  
18 at that, and it is an ongoing discussion with our  
19 not-for-profit providers and the City through our  
20 Queens Family Justice Center. In terms of the number  
21 of cases, it can fluctuate from year to year, as you  
22 know, but we have anywhere between 5,000 to 7,500  
23 prosecutions a year in terms of domestic violence  
24 prosecutions. So we are tracking to see whether or  
25 not there's a change.

2 CHAIRPERSON FERRERAS-COPELAND: Okay,  
3 thank you.

4 DISTRICT ATTORNEY GONZALEZ: So, as the  
5 Council is probably aware, I've been very on the  
6 forefront of this immigration issue. My office  
7 expanded the-- we had an Immigrant Fraud Unit. We've  
8 rebranded it as an Immigrant Affairs Unit. I've  
9 hired two attorneys who specialize in immigration  
10 law, and one of the purposes was to make sure that  
11 Assistant District Attorney were aware of the plea  
12 bargaining stances we were taking or sentencing  
13 recommendation on immigrant communities. I've hosted  
14 five or six immigration forums throughout the County.  
15 We have one on June 10<sup>th</sup>, specializing in dealing  
16 with these issues surrounding, making sure that  
17 immigrants understood that it doesn't matter how they  
18 got to Brooklyn, that they would be treated with  
19 respect and dignity and fairness. And I've extended  
20 that publicly by saying those who have been accused  
21 of low-level crimes deserve to have that kind of  
22 fairness in the system, and hence the immigration  
23 attorneys to discuss collateral consequences, and  
24 when appropriate and we can do it, continue public  
25 safety. I've directed the Assistant District Attorney

2 to come up with immigration-neutral plea bargaining  
3 policies. So, that's what we're doing. The  
4 immigration forums are very well attended. We  
5 continue to reach that. In Brooklyn, we have  
6 anywhere from year to year over 10,000 misdemeanor  
7 prosecutions of domestic violence. We've done some  
8 work recently to strengthen our outreach in domestic  
9 violence. We have seen a slight decrease in  
10 reporting. I can't prove that it's related to  
11 immigration fears, but it would make a lot of sense.  
12 As we know that a lot of people who report domestic  
13 violence looking for help, and they're looking for  
14 the abuse to stop and not necessary to see someone  
15 incarcerated and clearly not being deported. And so  
16 we think that these policies are disruptive and  
17 that's why we're going out into the communities and  
18 doing that. We've also strengthened our Domestic  
19 Violence Bureau by putting a senior supervisor into  
20 our complaint room to kind of flush out some of these  
21 details and we've done something remarkable. We've  
22 had about 1,000 cases in the past of what we would  
23 call cross-complaint arrests. We've gone from 1,000  
24 cases to-- and so it would be 500 cases total where  
25 the police responded and both parties were arrested.



2 We've reduced that to 100 cases, because we've had  
3 the supervisor in the complaint room making sure that  
4 we're taking advantage of and really looking at who  
5 the initial aggressor was in the arrest and  
6 preventing two people from getting arrested and  
7 obviously ending that prosecution, as in those cases  
8 almost entirely both sides become uncooperative. So  
9 we're doing work to continue and we are following  
10 something that was started in Queens that I'll be  
11 rolling out in the very near future which is we're  
12 going to have an app that gets the complaint and the  
13 crob [sic] to the victim at the time of the arrest  
14 and we will also then be able to give them back a  
15 copy of the Order of Protection to make sure that  
16 they have that at all times. With the advancement in  
17 cell phone technology, we feel that we should be able  
18 to roll that out in the very near future. So, we're  
19 going to continue doing that work with the  
20 immigration population. We have to continue  
21 spreading the message that we're there to protect the  
22 entire community, and I'll get back to you on actual  
23 numbers, but there has been a noticeful [sic] decline  
24 in certain immigrant communities. So, it was  
25 something that we were very mindful of.

2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you.

4 DISTRICT ATTORNEY VANCE: Council Member,  
5 our experience is the same. We're also happy to get  
6 back with real numbers to you, but we've also made  
7 the decision that we need to affirmatively fund our  
8 work in the immigrant communities beyond that which  
9 we already have done in the past. And so the 12  
10 million dollars that I referenced at the beginning of  
11 my testimony to support victim services in  
12 underserved communities is specifically pointed to  
13 immigrant communities, and we definitely believe that  
14 the current policies, federal policies, are impacting  
15 the degree to which immigrants are comfortable  
16 certainly reporting to law enforcement but many other  
17 basic things that people do, like going to school,  
18 going to work.

19 CHAIRPERSON FERRERAS-COPELAND: Right,  
20 thank you.

21 DISTRICT ATTORNEY CLARK: As far as the  
22 Bronx is concerned, again, I'd also have to get back  
23 to you with the numbers, but I know with our setting  
24 up the DV Complaint Room, we're very busy with  
25 domestic violence complaints coming in, both during

2 the day with the Domestic Violence Complaint Room is  
3 open only nine to five, and we're looking to expand  
4 that time working with the City, but even nights and  
5 weekends, the numbers are rising. How many of them  
6 are immigrants, you know, we can't really determine  
7 that. We're not really sure. So we don't know if  
8 there's a decrease. I just know that the numbers of  
9 cases for domestic violence are growing. So, to  
10 counter the possibility that the reporting may be  
11 going down, we have a new Immigrant Affairs Unit that  
12 has been going out to all the town halls in the  
13 borough. We're making ourselves available. We have  
14 pamphlets. We have a hotline, and you know, we're  
15 dealing with the Community Boards in any way we can  
16 to spread the message that we are here to help and to  
17 process them. As far as the collateral consequences  
18 of those cases we have, we're in-- we are in constant  
19 contact with the defense bar on the cases that are  
20 now presently happening, and my approach has been to  
21 basically deal with them on a case by case basis the  
22 way I do with all of my cases, because you know,  
23 everybody has a special circumstance, so I'm not, you  
24 know, necessarily doing one policy for one and one  
25 policy for other. So, I keep an open mind and listen

2 to all of them. And when there could be collateral  
3 consequence that we can still make sure that we abide  
4 by protecting the public and public safety, then  
5 we'll do it. So it's a case by case basis.

6 CHAIRPERSON FERRERAS-COPELAND: Okay,  
7 thank you.

8 DISTRICT ATTORNEY MCMAHON: And Council  
9 Member, I would be remiss if I didn't use this  
10 opportunity to restate my request--

11 CHAIRPERSON FERRERAS-COPELAND:  
12 [interposing] I heard you.

13 DISTRICT ATTORNEY MCMAHON: for a  
14 domestic violence complaint room--

15 CHAIRPERSON FERRERAS-COPELAND:  
16 [interposing] Yes.

17 DISTRICT ATTORNEY MCMAHON: separate and  
18 apart to focus and bring that focus on these cases  
19 that both-- that all of my colleagues here focus on  
20 as well as--

21 CHAIRPERSON FERRERAS-COPELAND:  
22 [interposing] Now, you're starting to sound like a  
23 Council Member.

24 DISTRICT ATTORNEY MCMAHON: As well as--  
25 well, recovering Council Member. As well as an

2 Immigrant Affairs Bureau, because you can see the  
3 intersection here, and Staten Island as I said is a  
4 changing borough, a changing population. It's a very  
5 positive thing, but a very pronounced growth in the  
6 immigrant community. Overall, because we've  
7 strengthened our Domestic Violence Bureau and our  
8 victim advocates within our office and with the work  
9 that the FJC is doing now, we think that there has  
10 been a little bit of an uptick overall in complaints  
11 field because people understand that they can do it  
12 and they feel more comfortable and more people re  
13 coming forward, and we're more aggressively reaching  
14 out and trying to get people into continue with their  
15 complaints. We do hear anecdotally from the police  
16 that they see some decline. We don't have those  
17 numbers yet, but as we get them we will certainly  
18 provide them. But having those tools that we  
19 described, that were described here so well and  
20 eloquently on Staten Island would help us address  
21 these issues there as well.

22 CHAIRPERSON FERRERAS-COPELAND: Great.

23 Dually noted, and also, I just wanted to kind of put  
24 on your radar that the FJCs are the other point where  
25 some of the immigrant population are a little more

2 apprehensive to attend, and we are 100 percent  
3 supportive of FJC here in the Council, but it is kind  
4 of awakening our interest in figuring out what other  
5 ways or where else immigrant families can feel that  
6 they can get this information or report the  
7 information to in a safe way, because unfortunately,  
8 you know, the FJCs for many reasons you have to kind  
9 of go through security and there's officers and  
10 people feel a little bit more apprehensive. But  
11 having worked with the undocumented population, one  
12 of the points that I have been able to use for safety  
13 is also kind of U-Visas, right? Like to talk about  
14 the path of civility and that there is a path and an  
15 opportunity that once you do cooperate you may be  
16 able to also qualify for status. So that's something  
17 that we've been able to also express to a lot of the  
18 victims. So now we will hear from Chair Gibson  
19 followed by Council Member Gentile.

20 CHAIRPERSON GIBSON: Thank you so much,  
21 Chair, and once again, good afternoon. I just have a  
22 few questions. A couple of weeks ago I was with the  
23 Mayor and Schools Chancellor Carmen Farina, and we  
24 made an announcement to embark on an effort to ensure  
25 that non-local law enforcement authorities did not

2 enter public school grounds, and that was obviously  
3 our efforts to continue to emphasize and stand firm  
4 on the City's Sanctuary City position and where we  
5 are. I also wanted to ask, a lot of the immigrant  
6 communities that we work with all the time are  
7 greatly concerned about this same level of activity  
8 happening in side of the court room, inside of the  
9 courthouses. So, I wanted to find out, do you have  
10 any thoughts? And obviously, NYPD was here earlier  
11 today and they talked about the number of federal  
12 inquiries doubling from 2016 to now, and we're only  
13 in the month of May. So, we know that this is  
14 constantly going to be on our radar where we have to  
15 respond. Obviously, we have systems in place to  
16 respond to any legitimate court order that we're  
17 served with, but how can your offices work with us,  
18 and what are your thoughts on making sure that we  
19 protect residents that go to court to have their day  
20 in court and make sure that they would not be subject  
21 to this activity while they're in the courthouses?

22 DISTRICT ATTORNEY VANCE: Madam Chair,  
23 may I--

24 CHAIRPERSON GIBSON: [interposing] Yeah,  
25 sure, of course.

2 DISTRICT ATTORNEY VANCE: I-- first of  
3 all, we, at this point, can't direct federal law  
4 officers not to enter the court building, and so I  
5 think we need to look to OCA, the Office of Court  
6 Administration, to really be firm in defining who  
7 gets to come into the courtroom for what purposes,  
8 but our approach to this is slightly different. We  
9 have radically increased the numbers of cases we are  
10 diverting from prosecution for low-level offenders  
11 and low-level offenses. We've gone from 86,000 four  
12 years ago to 63,000 today, and I think we can drop  
13 that by another 15 or 20,000 possibly over the next  
14 two or three years. Those are the cases. These low-  
15 level cases are often the ones that--

16 CHAIRPERSON GIBSON: [interposing] Right.

17 DISTRICT ATTORNEY VANCE: end up being  
18 cases where undocumented individuals are put into  
19 court. So, I would just-- I think we are-- we are  
20 doing this, I think, without any adverse impact on  
21 public safety, and I believe achieving good results,  
22 and we can continue to, without putting the  
23 undocumented individuals at risk by bringing them to  
24 court when it's absolutely not necessary to do so.

25 CHAIRPERSON GIBSON: Okay.



2 DISTRICT ATTORNEY CLARK: I'd like to say  
3 also that, as you know, the Bronx is looking to bring  
4 the neighborhood Justice Panels to the Bronx which  
5 would be a diversion measure also to keep these low-  
6 level cases out of the system. You know, I'm looking  
7 at every chance we get as we don't have to write up  
8 something we won't.

9 CHAIRPERSON GIBSON: Right.

10 DISTRICT ATTORNEY CLARK: You know, the  
11 City Council, you've been very helpful in  
12 decriminalizing a lot of things, and as we-- so,  
13 right now, the police are arresting on some of those  
14 things still which we know are in the process of  
15 being decriminalized. So, when it comes to our  
16 complaint room we're making a decision as to whether  
17 or not we go forward criminally or, you know, we  
18 choose not to prosecute. You know, there's various  
19 approaches to that. So, you know, we're trying to do  
20 the same thing as well, because of course the case  
21 that came to light in the papers, of course, was in  
22 the Bronx court when ICE came to the Bronx Court and  
23 a defendant who was, you know, returning to court  
24 they were there to pick up that person, and the Legal

2 Aid attorney was forced to ask the judge to put the  
3 person in jail.

4 CHAIRPERSON GIBSON: Yep.

5 DISTRICT ATTORNEY CLARK: And the judge  
6 did.

7 CHAIRPERSON GIBSON: I'm aware.

8 DISTRICT ATTORNEY CLARK: So, you know,  
9 we, again, you know, we can't tell the Feds not to  
10 come in, but we can do what we can to make sure that  
11 they're not these, you know, insurmountable  
12 consequences to people who are there for the low-  
13 level nonviolent cases. We have some who are there  
14 for very bad things, and again it's a case by case  
15 basis as to how those things are approached.

16 CHAIRPERSON GIBSON: Okay. Anyone else  
17 have anything else to add? Okay. Thank you. I  
18 wanted to just quickly ask about the announcement the  
19 Mayor and the Speaker and many of the advocates are  
20 talking about with closing Rikers Island down, and  
21 former Chief Justice Lippman and all of the work that  
22 obviously will come from the Commission's  
23 recommendations. One of the several recommendations  
24 is looking at borough-based facilities which will  
25 have an impact on everyone. Whether there's one in

2 Staten Island or not, but the still the cases, you  
3 know, will have an impact on your office. So, number  
4 one, I wanted to understand are your offices involved  
5 in any of the preliminary conversations with the  
6 Mayor's Office and other stakeholders, and do you  
7 have any thoughts on that? Because of course, you  
8 know, hearing the broad announcements, the devil is  
9 always in the details, and obviously we are a part  
10 of, you know, making sure that this plan obviously  
11 works, but it works in a way that we address the  
12 public safety issues, the myriad of services that are  
13 right now available for detainees on Rikers Island,  
14 mental health, civil legal services, etcetera. So, I  
15 just wanted to know where you are with this plan, and  
16 do you have any thoughts to add?

17 DISTRICT ATTORNEY VANCE: We have been in  
18 touch with the Mayor's Office of Criminal Justice.  
19 They are convening meetings now on this. We have yet  
20 to, I think, as a group--

21 DISTRICT ATTORNEY CLARK: [interposing]  
22 Yeah.

23 DISTRICT ATTORNEY VANCE: get to one of  
24 those meetings.

25 CHAIRPERSON GIBSON: Okay.

2 DISTRICT ATTORNEY VANCE: But I was at  
3 the announcement of the Commission, and I support the  
4 recommendation of the Commission to the degree you're  
5 asking that question. I think what the trick is  
6 going to be how do we reduce our population of  
7 individuals in Rikers Island, and I think we can  
8 reduce it to the degree to which then we could  
9 maintain folks in Manhattan. But I-- but, again, for  
10 this to succeed, there has to be enough funding so  
11 that alternatives to incarceration are available,  
12 because here's the problem: of the Manhattan  
13 population of misdemeanor defendants, they have on  
14 average 11 convictions and a series of bench  
15 warrants. So, the challenge is what do you do with  
16 someone like that? Clearly, jailing them isn't  
17 stopping the problem. So we're going to have to find  
18 a different way to reduce that population, which is  
19 going to require more money and a real devotion of  
20 resources and a commitment to supervised release and  
21 the kind of intervention that is necessary for people  
22 with significant mental health or medical problems.

23 CHAIRPERSON GIBSON: Right.

24 DISTRICT ATTORNEY VANCE: And until you  
25 have that commitment, you're not going to-- you're

2 going to keep having the man or woman with multiple  
3 convictions, and the judges are going to have to put  
4 them in jail, because there's no other place where  
5 you can safely account for them.

6 CHAIRPERSON GIBSON: Agreed.

7 DISTRICT ATTORNEY CLARK: Yeah, I agree  
8 with that, and I think that, again, as we're waiting  
9 for MOCJ, they are convening meetings about this on  
10 how to reduce the population at Rikers Island so--

11 CHAIRPERSON GIBSON: [interposing] Right.

12 DISTRICT ATTORNEY CLARK: it can get to  
13 the point where it can be closed. You know, so bail  
14 reform is one of them. You know, you have to look at  
15 way, you know, a different way for people to make  
16 bail if the judges see fit to set bail on someone and  
17 then they have to go to jail. So we have to look at  
18 different approaches, you know, to that.

19 Alternatives to incarceration, clearly, you know, we  
20 need to have that as well. And then just the  
21 diversion measures, you know, dealing with it in the  
22 community for these low-level things, I think that's  
23 the only way. And also, part of it is the summons  
24 forgiveness programs that we're all having is a part  
25 of it too because some people are just coming back

2 just on warrants, you know, and I know that we've  
3 talked about it earlier in the year about dismissing,  
4 summarily dismissing a lot of those warrants. I'm  
5 ready to do it. I, you know, I don't know it's  
6 gotten stalled or whatever, but I'm about to do it.  
7 So,--

8 CHAIRPERSON GIBSON: [interposing] Yeah,  
9 we're ready, too.

10 DISTRICT ATTORNEY CLARK: because I think  
11 it needs to happen.

12 CHAIRPERSON GIBSON: Yeah.

13 DISTRICT ATTORNEY CLARK: Alright, let's  
14 do it.

15 CHAIRPERSON GIBSON: Okay.

16 DISTRICT ATTORNEY MCMAHON: I would just  
17 add that as you know the Mayor has said that there  
18 would not be a jail sited on Staten Island, and I  
19 mentioned that only because I agree with,  
20 wholeheartedly, with what my colleagues have said and  
21 their sentiments. We have been asked by MOCJ to be  
22 part of a group to look at Rikers Island to see what  
23 we can do now to deal with the issues that are there  
24 no, and I agree with that wholeheartedly, and also as  
25 said, if we don't-- you know, you can talk about what

2 we're going to do to depopulate and close Rikers  
3 Island 10 years from now, but that doesn't address  
4 the total lack of funding for the mental health  
5 support services, for the housing that's needed, for  
6 the counseling that's needed for the-- for all the  
7 people who are in the criminal justice system now,  
8 and I fear that it allows people to push the can down  
9 the road by saying, "Oh, well, we're going to close  
10 Rikers in 10 years, so we don't have to deal with  
11 these issues now." So, I'm glad that this panel has  
12 been convened by MOCJ, and I look forward to being  
13 part of that. I just want to add to it, and as  
14 Chairwoman Ferreras-Copeland said, sometimes I sound  
15 like a Council Member, and very proud of that, but I  
16 was very familiar with the siting issues and the  
17 siting laws and the land use, and I was part of the  
18 Land Use Committee. I, you know, worked for Council  
19 Members and Assembly Members when Mayor Koch was  
20 trying to site jails in the 80s and garbage  
21 incinerators in the 80s, which those plans never came  
22 to fruition, and it wasn't until 25 years later that  
23 we dealt with the garbage issue, the sanitation issue  
24 when we-- some of us were here together and as you  
25 guys came in and continued to clean up that mess that

2 we created with the MTSSs, but it took that long, and  
3 in the meantime the people of Staten Island and the  
4 people in certain communities throughout the City  
5 suffered from that environmental injustice, because  
6 we didn't deal with the problem then, and so I just  
7 worry that we're talking about this in sort of these  
8 illusory terms, "Oh, we'll shut it down and build  
9 these jails in all the boroughs," but in the meantime  
10 so much work has to be done, and we shouldn't lose  
11 sight of that important task because otherwise, 10  
12 years from now there'll be marches and rallies and  
13 nothing will have been done, and Rikers will continue  
14 to languish. Let's solve this systematic inherent  
15 problems that exist there, because if you're just  
16 transporting them to five boroughs, four boroughs,  
17 then you're not solving the problem.

18 DISTRICT ATTORNEY GONZALEZ: So, I toured  
19 the Brooklyn House of Detention with Judge Lippman  
20 and the Commission to see what the space looked like  
21 and what could be done there, and while there's  
22 capacity to house people in the current facility, it  
23 doesn't have the necessary tools at its disposal. It  
24 doesn't have places for rehabilitative services and  
25 drug counselling and all the kind of services you



2 want a modern-day jail to have even in that thing.

3 So there has to be real thought and real planning

4 with the community to see if that's the location of

5 the current, you know, a new jail or there's going to

6 be some other place in Brooklyn. Obviously, Brooklyn

7 with the soaring real estate market will have some

8 issues in finding another location. But I think

9 there's some work to be done. But I-- obviously, I

10 support closing of Rikers and many of the initiatives

11 that have come out of Brooklyn are meant to, you

12 know, reduce our reliance on jails as a primary

13 response in detention. So we've recently reformed

14 our bail policies in Brooklyn, and we continue to

15 work with organization like supervised release and

16 the bail fund to make sure that we can reduce our

17 population in Rikers, and we've done a tremendous job

18 in Brooklyn from years ago in working with the Police

19 Department and the numbers, fewer arrests, but really

20 done an incredible job in getting people off the

21 island.

22 UNIDENTIFIED: I'd be remiss, for Queens,

23 if I didn't say that the District Attorney had

24 expressed some concerns about the initial plans to

25 close Rikers and to move them to community-based

2 locations. If I can reiterate what Mr. Vance said,  
3 it really becomes a question of resources and  
4 services for the populations that will remain in  
5 correctional facilities, not a question of location.  
6 And so we are concerned about that and hope to  
7 participate in that planning process as well with  
8 MOCJ to focus on those issues, and I promise that  
9 it's not related to any prior testimony regarding the  
10 Queens House of Detention and resolution of our space  
11 issues, which we can go into later, too.

12 CHAIRPERSON GIBSON: Yes. That's an  
13 entire hearing in itself.

14 UNIDENTIFIED: Yes.

15 CHAIRPERSON GIBSON: I'm well aware, and  
16 because I work with all of you, I know all of your  
17 space needs and some of the challenges we still have  
18 with document retention as well. Someone mentioned,  
19 I think it was DA McMahon-- no, DA Gonzalez, we love  
20 supervised release, and that is one of the components  
21 that we believe is a great measure of keeping  
22 individuals out of the system. So, we've talked to  
23 MOCJ, and I know they are-- they also love it, and  
24 there's talk of obviously continuing to operate it,  
25 but also look at, you know, making sure that it

2 expands as well. So, does anyone have any thoughts  
3 on supervised release, and-- nothing? Everyone likes  
4 it? Thumbs up?

5 DISTRICT ATTORNEY VANCE: It's costly.  
6 We're-- our office is--

7 CHAIRPERSON GIBSON: [interposing] Costly,  
8 but is it valuable?

9 DISTRICT ATTORNEY VANCE: It is valuable,  
10 and I support it. Our office actually is funding, I  
11 think, citywide supervised release to the tune of 14  
12 million dollars. We support it, but again, this is a  
13 resource issue, and the Manhattan DA's Office can't  
14 continue to pay for that, but if you want to keep  
15 kids out of jail who are arrested on felony charges  
16 and who have-- who courts might be inclined to put in  
17 jail, you are going to have to have the mechanism to  
18 pay for modern highly sophisticated and practically  
19 useful technology tools, and if you don't do that  
20 it's going to fail because they're going to get in  
21 trouble, and then something bad is going to happen--

22 CHAIRPERSON GIBSON: [interposing] Right.

23 DISTRICT ATTORNEY VANCE: and it'll be  
24 done. So, it's the City who has the right heart, but  
25 it's the City coming up with the funding to really

2 make this work. But that's a population. I'll just  
3 say I totally agree. If you can keep a young man out  
4 of jail and in high school, if he's arrested on a  
5 violent crime, and the judge is able to use the  
6 carrot and the stick and say, "You get out of-- you  
7 graduate from high school and I'll give you YO," I  
8 mean, there-- this can work. But it's roll up your  
9 sleeves type work.

10 CHAIRPERSON GIBSON: Okay. And DA Vance,  
11 you in your testimony talked a little bit about, and  
12 your office is working with the NYPD on the body  
13 camera implementation. It started in the 34, and the  
14 Department is looking obviously to expand with the  
15 new contract they have with Viewu. I, myself, did  
16 not realize some of the immediate costs and the  
17 challenges that the DA's Office would face with body-  
18 worn cameras. So, can you just expand on that a  
19 little bit, because obviously your colleagues as  
20 well.

21 DISTRICT ATTORNEY VANCE: I think the--  
22 it's one thing for the police to make these  
23 recordings and to manage the heavy burden of loading  
24 data, but this--

25 CHAIRPERSON GIBSON: [interposing] Right.

2 DISTRICT ATTORNEY VANCE: also then comes  
3 to our office. So then we have, you know, we have  
4 the responsibility of our own storage, our own data  
5 production to defense counsel, our own review of the  
6 tapes for relevancy or brady [sic] or brady material  
7 which is exculpatory material. So, I think-- no, I  
8 don't think, I believe it's a very good thing to go  
9 to body-worn cameras, but there are costs to every  
10 agency who touches them, and certainly ours which  
11 will have a primary responsibility for understanding  
12 them.

13 CHAIRPERSON GIBSON: Right.

14 DISTRICT ATTORNEY VANCE: Understanding  
15 them in the context of whether they're relevant to a  
16 particular case and charge, and to have viewed them  
17 all. So, it's big. It's is a-- it's going to be a  
18 big lift.

19 CHAIRPERSON GIBSON: Okay, and it just--

20 DISTRICT ATTORNEY VANCE: [interposing]  
21 That doesn't mean we shouldn't do it.

22 CHAIRPERSON GIBSON: And it just rolled  
23 out almost a month ago, and your office has already  
24 looked at 140 different video footages.

2 DISTRICT ATTORNEY VANCE: That's  
3 apparently true.

4 CHAIRPERSON GIBSON: So, when an incident  
5 happens and your office retrieves the body camera  
6 footage, do you maintain a copy at your office in  
7 terms of-- so, the PD has their own storage, right?  
8 It's on the cloud system. So you would have to have  
9 a similar storage capacity like the police precincts  
10 have.

11 DISTRICT ATTORNEY VANCE: I believe  
12 that's true.

13 CHAIRPERSON GIBSON: In some fashion.

14 DISTRICT ATTORNEY VANCE: I'm a little bit  
15 over my-- out of my depth on exactly--

16 CHAIRPERSON GIBSON: [interposing] Okay.

17 DISTRICT ATTORNEY VANCE: where this  
18 stuff is being stored--

19 CHAIRPERSON GIBSON: [interposing] Okay.

20 DISTRICT ATTORNEY VANCE: now for these  
21 140 cases, but at the end of the day--

22 CHAIRPERSON GIBSON: [interposing] It's  
23 still something.

24 DISTRICT ATTORNEY VANCE: It's another  
25 important body of evidence that needs to be preserved

2 and reviewed and disseminated to the court and  
3 counsel, and that burden is going to fall on us.

4 CHAIRPERSON GIBSON: Okay.

5 DISTRICT ATTORNEY VANCE: And that  
6 burden's going to require more manpower of both  
7 prosecutors and support staff.

8 CHAIRPERSON GIBSON: Okay. I thank you for  
9 raising that.

10 DISTRICT ATTORNEY CLARK: Yeah, no, I  
11 know that there's a citywide meeting tomorrow that my  
12 office is going to be attending about the body-worn  
13 cameras.

14 CHAIRPERSON GIBSON: Okay.

15 DISTRICT ATTORNEY CLARK: So, we're  
16 looking at it. We don't-- I don't think we have it  
17 in the Bronx just yet.

18 CHAIRPERSON GIBSON: No, not yet.

19 DISTRICT ATTORNEY CLARK: [inaudible]  
20 precinct.

21 CHAIRPERSON GIBSON: But the fact that  
22 it's expanding throughout the entire Department--

23 DISTRICT ATTORNEY CLARK: [interposing]  
24 Right, it's going to happen. Right.

2 CHAIRPERSON GIBSON: it's going to get to  
3 every borough. So--

4 DISTRICT ATTORNEY CLARK: [interposing]  
5 But we're getting ready for it.

6 CHAIRPERSON GIBSON: it's important to  
7 talk about this now to find out what the costs are,  
8 staffing, capacity, etcetera.

9 DISTRICT ATTORNEY GONZALEZ: And can I  
10 just add-- sorry.

11 CHAIRPERSON GIBSON: Sure.

12 DISTRICT ATTORNEY GONZALEZ: And as it's  
13 expanded to every officer as every officers respond  
14 to the scene, it won't just be the primary video of  
15 the arresting officers. You'll need to view. You'll  
16 need to get the tapes from all the officers that came  
17 to the scene. So you're talking about hours and  
18 hours of reviewing video in storage. We expect that  
19 in, you know, Fiscal Year 19 for sure in the Brooklyn  
20 DA's Office we'll need additional money for storage  
21 capacity.

22 CHAIRPERSON GIBSON: Okay.

23 UNIDENTIFIED: And we've already started  
24 having those discussion in our office as well and are  
25 concerned. I think that our preference would be for



2 something of a centralized solution, perhaps in the  
3 cloud, but we are looking at what the secure-- the  
4 security aspects of those are and eth authentication  
5 aspects of the evidence that we would have to  
6 maintain, but it's certainly something that, you  
7 know, we will be raising as well at the meeting with  
8 MOCJ, but it's definitely a big expense we've already  
9 had discussions that in anticipation of a roll-out in  
10 September in Queens, that we already need to buy an  
11 additional server and more storage until there is a  
12 permanent solution that's struck.

13 CHAIRPERSON GIBSON: Okay.

14 DISTRICT ATTORNEY CLARK: I could say that  
15 the Bronx, we've already purchased a system that  
16 allows us to do some storage and redaction and we got  
17 that from a capital request in the past. So, we have  
18 something available already, but we still don't know  
19 how it's going to play out, the logistics.

20 CHAIRPERSON GIBSON: Okay. Well, no, I'm  
21 glad that it's coming up even during this fiscal  
22 year, this budget, because this is something that we  
23 are definitely going to need to deal with very  
24 quickly, because as we expand and we talk about  
25 universal body-worn cameras in the entire Department

2 in two years, that's a lot of time to make sure that  
3 your offices are given the support and the resources  
4 and the capacity. I think a lot of times when we  
5 make these announcements and these budget  
6 allocations, you know, we don't always remember  
7 everybody that's in the conversation. So even with  
8 Raise the Age, I've been saying to the Governor and  
9 all of my state colleagues, please do not forget  
10 about Family Court. Please do not forget about  
11 judges and court staff because we cannot have young  
12 people languish in Family Court. I don't want them  
13 on Rikers Island, but I don't want them to languish  
14 in Family Court either, and so I feel like a lot of  
15 times, you know, it gets lost in the midst of all of  
16 these conversations. So, I'm grateful that it was  
17 raised and it's being brought up because we  
18 definitely want to be a part of the conversations and  
19 help as we can. Okay? Now, we're going to call  
20 Council Member Gentile for questions.

21 COUNCIL MEMBER GENTILE: Thank you, Madam  
22 Chair, and thank you all for being here and spending  
23 the afternoon with us, right? Let me start, first of  
24 all, with DA Vance. In the FY17 Adopted Budget you  
25 were given, your office was baselined 600,000 to

2 create an alternative to incarceration unit to assist  
3 prosecutors in making decisions about the use of  
4 diversion programs. Can you just tell us how that's  
5 progressing?

6 DISTRICT ATTORNEY VANCE: I can when I  
7 find it in my report. I'm just going to channel what  
8 my friend behind me is-- we paneled a direct-- we've  
9 hired a director, and I think it is-- there we go,  
10 great. It will have four lawyers to be case  
11 coordinators, two paralegals. We've apparently hired  
12 a director and the referrals to this program as of  
13 April 2017 is 116 cases. So, I think it's new-- it's  
14 relatively new still, but I see nothing to suggest  
15 it's not a good investment, and I think the rationale  
16 for it is that we really do need a coordinated sort  
17 of uniform approach to those alternatives to  
18 incarceration to make sure that we are referring to  
19 the right place, for the right needs, and to an  
20 organization that's been vetted as being excellent.  
21 So, that's-- our office is trying to manage that  
22 multilayered process of referring thousands of cases  
23 to ATIs.

24 COUNCIL MEMBER GENTILE: And so that  
25 happens on an individual case basis?

2 DISTRICT ATTORNEY VANCE: Yes.

3 COUNCIL MEMBER GENTILE: Okay. And I read  
4 somewhere that you have as an alternative to  
5 incarceration an innovative meditation program. Is  
6 that correct?

7 DISTRICT ATTORNEY VANCE: No, I don't  
8 think that's correct. I think we are, in fact,-- we  
9 put in our RFP for meditation to support-- to be  
10 supportive of our-- we're creating five youth hubs in  
11 Manhattan in various jurisdictions. It's about a 58  
12 million dollar investment. Each of those hubs is a  
13 like a hub and then spokes. The spokes are the  
14 various community programming not-for-profits that  
15 will serve that hub. And interestingly, meditation  
16 is a very efficient and effective way to deal with  
17 stress ranging from folks who work in white collar  
18 jobs to kids who are in grade school, our kids  
19 dealing with trauma. So, this has actually been done  
20 at a lot of other places, and we just have decided  
21 that it ought to be looked at by our office, and as  
22 someone who meditates, I think it's a great idea.

23 COUNCIL MEMBER GENTILE: Yeah. So, you  
24 actually haven't started the program.

2 DISTRICT ATTORNEY VANCE: Well, we have a  
3 meditation room in our Family Justice Center.

4 COUNCIL MEMBER GENTILE: Oh, you do?

5 DISTRICT ATTORNEY VANCE: Which is used  
6 all the time. It's always occupied.

7 COUNCIL MEMBER GENTILE: Great. Okay.

8 We'll all take note of that. Now, DA Vance had  
9 mentioned in his testimony some of the uses of the  
10 forfeiture money that he has received over the last  
11 number of years. I'm curious with the other DAs what  
12 that forfeiture money that you have received has been  
13 used for. Now, I understand that in the case of the  
14 Bronx and the case of the Special Narcotics  
15 Prosecutor you don't participate in the forfeiture,  
16 is that true?

17 DISTRICT ATTORNEY VANCE: No.

18 COUNCIL MEMBER GENTILE: Okay. So, if  
19 you aren't-- then if you have something to add, then  
20 I'd like to ask what it is that each of you are using  
21 the forfeiture money for.

22 BRIDGET BRENNAN: Well, it's-- our  
23 forfeiture money is used very broadly, and probably  
24 be best if I'd follow up with you, but let me just  
25 give you-- obviously, the federal forfeiture as well

2 as state forfeiture have guidelines as to what you  
3 can use it for. Much of our money is used to fund  
4 both case expenses and things related to  
5 investigations, permissible costs, including in many  
6 of our large scale investigations we have to pay for  
7 expert witnesses now, the medical doctors who review  
8 files, etcetera, etcetera. So there's a certain  
9 chunk of it that goes to that. We've also used that  
10 money to support recreational opportunities in  
11 places. We often-- under the federal forfeiture rules  
12 that we're operating under, it has to be-- there has  
13 to be some either drug education component to it, or  
14 some kind of link to some specified restrictions.  
15 But what we have done in many locations is link it to  
16 maybe a big drug takedown that we've done, and we  
17 have either put in a recreational center. We've put  
18 in a new basketball floor, sponsored a cops and kids  
19 basketball game. We sponsor play streets. We do  
20 those kinds of things as well.

21 COUNCIL MEMBER GENTILE: At the locations  
22 where you--

23 BRIDGET BRENNAN: [interposing] In general  
24 locations where we've-- the concept being, the thing  
25 we try to communicate to the community is that we're

2 not just taking out; we're putting back in and we're  
3 using the funds that were generated by these  
4 destructive drug organizations in order to put  
5 something positive in.

6 COUNCIL MEMBER GENTILE: I didn't know we  
7 were on a clock, I'm sorry.

8 BRIDGET BRENNAN: It's okay.

9 COUNCIL MEMBER GENTILE: I have a couple--

10 BRIDGET BRENNAN: [interposing] It was on  
11 me, or was it on you?

12 COUNCIL MEMBER GENTILE: I--

13 DISTRICT ATTORNEY CLARK: [interposing]

14 Do you want me to also--

15 COUNCIL MEMBER GENTILE: [interposing]

16 Yes, yes, and also--

17 DISTRICT ATTORNEY CLARK: [interposing]

18 okay.

19 COUNCIL MEMBER GENTILE: Brooklyn, too.

20 DISTRICT ATTORNEY CLARK: Well, thank you  
21 for DA Vance has helped the Bronx in that area with  
22 some of the asset forfeiture money he has. We set up  
23 a forensic crime lab that we're still building, and  
24 also we use some of the money for technology in the  
25 courtroom to help our assistants when we're doing

2 trials to be able to present the evidence. And we're  
3 working with OCA on that, because as usual, you get a  
4 lot of back and forth from the courts when you want  
5 to do something in their courtrooms. And then also  
6 we use some of the money for gun buy-backs.

7 COUNCIL MEMBER GENTILE: The gun buy-back?

8 DISTRICT ATTORNEY CLARK: Uh-hm.

9 DISTRICT ATTORNEY GONZALEZ: So, in  
10 Brook--

11 DISTRICT ATTORNEY CLARK: [interposing]  
12 And training.

13 DISTRICT ATTORNEY GONZALEZ: Sorry. In  
14 Brooklyn, a lot of the money is spent to further  
15 investigations. We do a lot of-- we've been doing a  
16 lot of wiretapping, electronic surveillance. As we  
17 already discussed, it's very expensive. Doing a lot  
18 of that on gun trafficking and trying to hit the  
19 supply on narcotics, and the-- you know, we've also  
20 spent money to build up our forensics unit. We  
21 created a cold case unit. We hired some-- we had to  
22 get some equipment that we needed to purchase. So  
23 we've done some work to enhance our enforcement, but  
24 a lot of the money also goes back to the community.  
25 So, in Red Hook, for example, we have-- we



2 participate and we fund Friday night basketball  
3 program with the Police Athletic League. We work  
4 with young children both at the elementary and middle  
5 school level with the world renowned chess program  
6 that we're doing that. We're doing continuous work in  
7 supporting, you know, diversion programs such as  
8 Begin Again to-- with our forfeiture money, and  
9 additionally, we have an RFP that's coming out that  
10 we're going to extend to some of the community-based  
11 organizations who do work in driving down crime  
12 prevention type work.

13 COUNCIL MEMBER GENTILE: I'm curious,  
14 because you're asking for money to replace the  
15 funding for the human trafficking program and for the  
16 Young Adult Court. I'm curious if some of that  
17 forfeiture money can go to those programs,--

18 DISTRICT ATTORNEY GONZALEZ: [interposing]  
19 It can't.

20 COUNCIL MEMBER GENTILE: since we're  
21 losing--

22 DISTRICT ATTORNEY GONZALEZ: Can't use it  
23 for salaries.

2 COUNCIL MEMBER GENTILE: Oh, these are--  
3 the money you're losing in these programs are for  
4 salaries?

5 DISTRICT ATTORNEY GONZALEZ: Yes.

6 COUNCIL MEMBER GENTILE: Okay. So, it  
7 wasn't clear from the testimony that the federal  
8 funding went directly to salaries.

9 DISTRICT ATTORNEY GONZALEZ: Yes. We-- a  
10 place like Young Adult Court has coordinators, has  
11 social workers and counselors. It also pays for some  
12 ADA salaries. We cover most of the ADA salaries, but  
13 it's a lot of the support services around the  
14 program.

15 DISTRICT ATTORNEY MCMAHON: And we're  
16 sort of in the similar vein. We use it for law  
17 enforcement related activities, certainly, case  
18 investigations, also witness relocation initiatives,  
19 which is a large cost to us. And then some-- we're  
20 about to kick off a pill drop-off box in some of the  
21 pharmacies and a program for anti-bullying, if you  
22 will, and also just to mention that the thanks the  
23 Manhattan DA, Mr. Vance, we got a grant that helped  
24 us build out our crime strategies unit and actually  
25 was a grant from his office that kicked off every

2 officer having a Narcan can on Staten Island as a  
3 pilot program. So, we've benefited from that. We do  
4 as much as we can with it. We'd like to do more.  
5 That's why I have a request in my budget--

6 CHAIRPERSON FERRERAS-COPELAND:

7 [interposing] I know.

8 COUNCIL MEMBER GENTILE: She knows.

9 DISTRICT ATTORNEY MCMAHON: to get more  
10 money.

11 CHAIRPERSON FERRERAS-COPELAND: We heard  
12 you.

13 COUNCIL MEMBER GENTILE: She knows.

14 DISTRICT ATTORNEY MCMAHON: But I will say  
15 this to the Council Members. So, I think people  
16 think, because community groups approach us all  
17 times, think that it's a pool of funds that can be  
18 allotted. It's not that-- it's not like that anymore.  
19 The rules have been tightened dramatically to a large  
20 extent by the state authorities and the federal  
21 authorities. So it's a very limited area that it can  
22 be used, and rightfully so.

23 CHAIRPERSON FERRERAS-COPELAND: Thank

24 you.

2 UNIDENTIFIED: If I may for Queens? You  
3 know, much like our other offices, we follow very  
4 strict guidelines on the federal side, both Justice  
5 and Treasury, that have a Bible, if you will, of  
6 rules that must be followed on what the money can be  
7 used for and how it has to be administered, and also  
8 on the state side where there's somewhat leeway, it  
9 cannot be used for salaries and cannot supplant  
10 regular city funding. We have used it for much of  
11 the same categories, investigative expenses, buy  
12 money in undercover operations, interpreter services,  
13 expert witnesses, and so on and so on related to the  
14 ongoing cases that we have. We did receive a large  
15 treasury winful [sic] award of asset forfeiture a  
16 number of years ago, and Mr. Vance I think is an  
17 expert in managing the winful forfeiture award, but  
18 we just shared 21 million dollars with NYPD so that  
19 they could get the equipment they need to get  
20 community policing up and running in all of the  
21 precincts throughout Queens, and also to purchase new  
22 equipment for the Police Academy which is based in  
23 College Point which is really a citywide benefit for  
24 all of the recruits because they had outdated  
25 equipment and we felt that training was a

2 particularly important issue to support as well. So,  
3 those are the general types of categories that we've  
4 used it for.

5 COUNCIL MEMBER GENTILE: Over the years.

6 UNIDENTIFIED: Yes.

7 CHAIRPERSON FERRERAS-COPELAND: Thank  
8 you.

9 COUNCIL MEMBER GENTILE: Yes. Well,  
10 Madam Chairs, I do have other questions, so I'll wait  
11 for another round.

12 CHAIRPERSON FERRERAS-COPELAND: So, we  
13 are-- we have to actually leave this space.

14 COUNCIL MEMBER GENTILE: You have to exit.

15 CHAIRPERSON FERRERAS-COPELAND: But what  
16 we can do is get all of your questions. We are going  
17 to be forwarding all the questions from both  
18 committees so that we can get answers before the  
19 adoption of the budget, so you'll have the answers to  
20 your questions before we shake the hands. Okay?

21 COUNCIL MEMBER GENTILE: Grand [sic].

22 CHAIRPERSON FERRERAS-COPELAND: Alright.

23 Council Member Rodriguez?

24 COUNCIL MEMBER RODRIGUEZ: Thank you,  
25 Chairs. First of all, thank you to my Manhattan DA

2 for investing millions of dollars on our youth  
3 fighting against domestic violence and doing more on  
4 preventions. You know, like, it should be like a  
5 tough place to be where you are, because all of you  
6 are sitting, you know, in a place fighting the  
7 devils, you know, like-- it's like it calls on-- we  
8 try to do the best we can, but I know this is a cause  
9 that it's difficult to predict that we can win,  
10 because as you are investing in fighting to keep our  
11 streets safe, and the other side, the other people,  
12 they don't care. They also are working 24/7 to  
13 recruit youth, you know, to move tons of cocaine to  
14 our nation, and unfortunately, until we also deal  
15 with the consumption of drugs in our society, a place  
16 where we are one of those nations leading the number  
17 of resident using it, and addressing the reason or  
18 the cause of why, why we are leading those numbers.  
19 You know, the having [inaudible] supply and demand,  
20 they will always, you know, attract those people to  
21 do whatever they can to the ocean, to the border,  
22 through airplane. So, you know, thank you for  
23 everything that you try to do to control that, you  
24 know, that big problem that our society face. We  
25 have another-- I want to move to another epidemic

2 which is not opium, but it's hit-and-run. You know,  
3 like, with drugs we can say that there's certain  
4 level of thing that we don't control, but as  
5 President Biden, he came to La Guardia and he say we  
6 are looking at the airports as a third-world nation  
7 airport. Why our city is having 40,000 hit-and-run  
8 every year? Most of them damage, but whoever damage  
9 another car and leave the scene could be the next  
10 person also who will hit an individual, and they will  
11 not care if it will make a difference by making a  
12 stop and calling 911. So, and I know that you try to  
13 do the best you can, but recently we had two more  
14 hit-and-run in the last few days. First, I would  
15 like to know, one, how much resources are we  
16 investing on hit-and-run? What difference would we  
17 make if we get some red tape removed from Albany so  
18 that you can have more tools to prosecute those case  
19 of hit-and-run, because when we were dealing with a  
20 Bronx case, the case was a young person in his 20s,  
21 Joseph Rivera [sp?], who was hit-- a big thing of  
22 hit-and-run was Shuler [sic] Parkway. And a few  
23 hours after that driver did a hit-and-run, he put his  
24 car on fire, and all the proof of pudding on the  
25 table. however, in the previous Bronx DA, they tried

2 to the best they could, but it took like two years  
3 for the former Bronx DA to do the deal with that  
4 driver who I think is only doing-- he only did like  
5 two years in jail, and that day when he was going to  
6 be sentenced, his mother asked-- the mother of the  
7 young person asked, "I would like to know if you knew  
8 that you killed a person?" And he said, "I know that  
9 I hit something, but I didn't know it was a human  
10 being." But a few after he put the car on fire, and  
11 image is there in Fox Five [sic]. So, that question  
12 is, again, are you-- are we investing any special  
13 unit for securing hit-and-run? What's going on in  
14 Albany? What changes you would like to see in Albany  
15 in order for you as a DA to have better tools to  
16 prosecute those cases of hit-and-run?

17 DISTRICT ATTORNEY VANCE: We believe that  
18 vehicular crimes are crimes where the penalties are  
19 not necessarily commensurate with the acts that are  
20 committed, and so I think we need to look at  
21 elevating the punishments for vehicular manslaughter  
22 and those types of crimes which turn out to be  
23 nonviolent crimes in many instances. So, Council  
24 Member, we-- I think the DA's Association and I know  
25 our office has, has a sort of specific set of



2 requests of Albany to focus on enhancing vehicular  
3 crimes-- punishment for vehicular crimes to treat  
4 them more seriously, as we think they should be  
5 treated.

6 DISTRICT ATTORNEY CLARK: I would say in  
7 the Bronx, as well, that we take it very seriously as  
8 well. I have a Vehicular Crimes Unit and a Chief who  
9 oversees all of these cases. We have Assistant DAs  
10 who are assigned these cases that specialize in the  
11 vehicular cases, but DA Vance is correct, the  
12 sentences are too low. The punishment doesn't  
13 measure up to the damage that happens to people that  
14 suffer or the victims of these vehicular crimes. So,  
15 you know, we would-- I would think that there has to  
16 be a movement towards changing, you know, the  
17 legislation to do that. Also, another problem that we  
18 have is that these cases don't get tried because  
19 there's not enough judges. A lot of them start out  
20 as misdemean-- we have so many of them that are DWIs  
21 or reckless driving, things like that. Those cases  
22 have low priority in the courts, and we-- I have at  
23 least 2,000 open vehicular cases where there's  
24 suspended license, DWI, reckless driving, as well as

2 the felonies, and we can't get them tried in the  
3 Bronx.

4 DISTRICT ATTORNEY MCMAHON: I would just  
5 second those sentiments. We actively work with the  
6 State DAs to try to up the charges, because in my  
7 mind, if someone gets behind the wheel of a vehicle,  
8 and certainly someone who may be intoxicated and then  
9 causes an accident and kills one person or two  
10 people. we just a case where a police officer from  
11 New Jersey came to Staten Island and consumed a lot  
12 of alcohol and got behind the wheel of the vehicle  
13 and sped off with three passengers in the middle of  
14 the night, and actually turned up the wrong way on  
15 the entrance-way. He got onto an exit and crashed  
16 into a truck. That, to me, is a heinous crime, and  
17 the ultimate penalty that he will face for that is  
18 not high as it should be. I think it's eight to 25  
19 years. It should be higher, and that's what we want  
20 to implement, because to me those are very vicious  
21 crimes. And someone who also then hits someone and  
22 leaves the scene, you know, leaving the scene of an  
23 accident is not as high of a felony as it should be,  
24 and that's something that we would support as well.  
25 These are violent crimes. They are vicious crimes,

2 and they ruin people's lives forever, and those  
3 people don't have the support. You know, if you're a  
4 victim of a hit-and-run, there's no no-fault  
5 insurance for you unless you own a vehicle. There's  
6 no financial support for you, maybe somebody from  
7 Victim Services. So, people are left very much as  
8 victims, and so we as a society and we as a city  
9 should be doing a lot more on those cases.

10 DISTRICT ATTORNEY GONZALEZ: In Brooklyn  
11 we also have a Vehicular Crimes Unit. We-- I  
12 completely agree that the penalties are insufficient.  
13 If a person is driving drunk, gets into an accident,  
14 they understand that under the DWI laws they're  
15 facing a lot of trouble, and what happens is they  
16 take off on a lot of these cases even when there's no  
17 fatality involved, because they are afraid of being  
18 arrested as a drunk driver. We have to make sure  
19 that the laws for people who leave the scene of an  
20 accident are at least equivalent of the DWI laws,  
21 because as long as it pays for someone to flee, then  
22 more people will continue to do it, and these are  
23 really complex investigations. Normally, what  
24 happens at the scene, you could try to get a  
25 description of the car. The police look for video.

2 They get a video plate surveillance of a license  
3 plate, but that's insufficient to actually prosecute  
4 the driver. You have to know who's behind the wheel,  
5 and so then it's a long case. And some of the cases,  
6 as you know, you know, we've gone in Brooklyn. We've  
7 gone and dusted the inside of the car for  
8 fingerprints and had it tested for DNA evidence to  
9 see who was behind the wheel of the car. Sometimes  
10 it's conclusive. Sometimes it's inconclusive. But I  
11 agree that this is important work. It's one of the  
12 cruelest things that another person can do is hit  
13 someone and then take off on them. So, we need to  
14 enhance enforcement.

15 UNIDENTIFIED: And just briefly in Queens,  
16 we too have a specialized Vehicular Crimes Unit. Our  
17 ADAs are on-call 24/7 and go out to the scenes. Our  
18 hotline is available 24 hours/7, as well, to make  
19 sure that they get the information that they need,  
20 and the efforts work in conjunction with our  
21 specialized DWI effort, as well.

22 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
23 and we'll be following up. I know that we've gotten  
24 different recommendations, so both committees will  
25 follow up to see how we can be additionally

2 supported. Council Member Rodriguez, thank you for  
3 that. So, we had a second round of questions, but we  
4 are not going to pose them to you. I'm sure you'd  
5 love to get some lunch. We do, actually. But we are  
6 going to get questions to you. We ask that you  
7 respond to us expeditiously because we'd like to have  
8 them and use them for adoption before the adoption of  
9 this year's budget. And I just wanted to follow up  
10 on Council Member Gentiles, one of those questions  
11 will be on the non-legal pay, because oftentimes  
12 they're the ones that only get a two percent or a  
13 three percent increase, and I know that you have  
14 advocated for parity on the ADA sides, but you also  
15 have support and administrative support staff that  
16 would also greatly benefit, so that was very specific  
17 to his question. So, if you could start to think  
18 about that response so that we can get it back to the  
19 committee it would be greatly appreciated. Chair, I  
20 know you may have a closing statement?

21 CHAIRPERSON GIBSON: Nope. Just really  
22 quickly, I really want to thank all of you, not just  
23 for your presence but for all of the work that you're  
24 continuously doing, the warrant amnesty, gun buy-back  
25 programs, all of the asset forfeiture dollars for

2 NYCHA, security measures across the city. I'm  
3 thankful what Queens is doing for the NYPD.  
4 Commissioner O'Neill talked about that earlier today,  
5 but you know, we just continuously have to keep  
6 looking at the work we're doing and making sure that  
7 we're efficient, and obviously every dollar counts,  
8 every resource that we get. I'm particularly  
9 concerned, and you know, that's a follow-up question  
10 that I'll raise to all of you, is with the NYPD and a  
11 lot of the work we're doing with some of the takedown  
12 and major cases where we're arresting, you know,  
13 dozens of individuals. Asset forfeiture dollars came  
14 in and gave-- in my community we had a PAL that we  
15 implemented right in the middle school in the 44  
16 precinct that was great that Ms. Brennan knows about,  
17 and you know, it was only for a time. And so I  
18 always say, and I've said to the NYPD, and Edna Wells  
19 Handy and her team are looking at post-takedown  
20 responses. SO, we're going in and we're doing job  
21 fairs and career fairs, and we're working with young  
22 people because we not only want to stop that  
23 hierarchy that we know what ultimately happened with  
24 some of the takedowns, but we also want to offer  
25 something to the community. I think for many times

2 they're used to hearing, you know, 50 and 80 people  
3 are arrested, but we don't know, number one, what  
4 happens to these individuals, and then there's never  
5 really been a dialogue with the community. So your  
6 offices are very heavily involved with the NYPD, not  
7 only after we make the announcement, but also now  
8 that we're doing the post-takedown de-briefings. And  
9 the reason why I know so much about it is because my  
10 district has had it several times, and I've been at  
11 every single one with DA Clark talking about the work  
12 we're doing, but we don't just leave the communities  
13 behind, and that's important for me and all of you.

14 We want to make sure that our response to the  
15 community is yes, these takedowns have to happen, but  
16 we care about the residents. We care about the  
17 siblings and the friends, and the parents that are  
18 affected by this, and here's our response, offering  
19 jobs and services and other measures. So, that's an  
20 important, you know, conversation that I want to  
21 continue to have with all of you because it is a lot  
22 of work. MOCJ is also very involved in this, which  
23 I'm very grateful for, but all of the work you're  
24 doing is really about achieving equity in the  
25 criminal justice system, saying that many of these

2 offenses, individuals, do not belong in jail where  
3 they're more costly, and we know that mental health  
4 is something that we really have to deal with. I  
5 think in light of so many recent cases that have hit  
6 the media, mental health is real, and ThriveNYC and  
7 HealingNYC and all of the efforts that your offices  
8 are a part of, we really want to make a difference  
9 and not just say that we're going after the bad  
10 apple, but we're going after the, you know, the user  
11 in terms of assistance and help that they need. So,  
12 I thank you. I thank you. I thank you. Continue to  
13 be champions for your office. We need you. We need  
14 your leadership, and we need your partnership, and we  
15 certainly thank you for your presence today. We look  
16 forward to having further conversations with you to  
17 make sure that your budget priorities are reflected  
18 in the final budget. So, thank you once again, and  
19 thank you, Madam Chair.

20 CHAIRPERSON FERRERAS-COPELAND: Okay.

21 Don't shift anyone. I have to read a closing  
22 statement, so relax. One second. One second. I know  
23 the Chair wished you away, but we got to get some  
24 things on the record. That concludes today's  
25 hearing. Thank you again to our District Attorneys



2 and Special Narcotics Prosecutor for being with us  
3 today. I'd also like to once again thank my Co-Chair  
4 for today's hearing, Council Member Gibson, and the  
5 members of the committee. Again, a reminder that the  
6 public will be invited to testify on Thursday, May  
7 25<sup>th</sup>, the last day of Budget hearings, at  
8 approximately 1:00 p.m. The Finance Committee will  
9 conclude our Fiscal 2018 Executive Budget hearings on  
10 Thursday in this room at 10:00 a.m. with the Office  
11 of Management and Budget followed by the Comptroller  
12 Scott Stringer and the Independent Budget Office, and  
13 then the public testimony. With that said, this  
14 hearing is now adjourned.

15 [gavel]

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1 COMMITTEE ON FINANCE WITH COMMITTEE ON PUBLIC SAFETY 266

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1 COMMITTEE ON FINANCE WITH COMMITTEE ON PUBLIC SAFETY 267

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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 June 30, 2017