

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON AGING

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September 20, 2017

Start: 10:10 a.m.

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HELD AT: Committee Room - City Hall

B E F O R E: MARGARET S. CHIN  
Chairperson

COUNCIL MEMBERS: Karen Koslowitz  
Deborah L. Rose  
Chaim M. Deutsch  
Mark Treyger  
Paul A. Vallone  
Rosie Mendez

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

Caryn Resnick, Deputy Commissioner  
Department for the Aging, DFTA

Sarah Solon, Deputy Director  
Justice Initiatives.  
Mayor's Office of Criminal Justice, MOCJ

Jennifer Scaife, Executive Director  
Prevention Diversion and Reintegration  
Mayor's Office of Criminal Justice, MOCJ

Eli Fresquez, Assistant General Counsel  
NYC Mayor's Office for People with Disabilities

Anna Caffarrelli  
Injury and Violence Prevention Program  
NYC Department of Health and Mental Hygiene

Mario Ferrigno, Assistant Commissioner  
Division of Code Enforcement  
Housing, Preservation and Development

Monica Krakowski, Director  
Legislative Affairs  
Jewish Association for Services for the Aged, JASA

Alex Riley, Director  
Elderly Project, Volunteers of Legal Service

Andrea Cianfrani, Director  
Public Policy, Live On New York

Frances Mc Murray, Formerly Incarcerated

Virgil Cabeer, Formerly Incarcerated

Fernando Martinez  
Osborne Association

Laura Whitehorn, Representative  
Release Aging People in Prison, RAPP

Sophia Bandelli, RAPP Representative  
Retired from Medgar Evers College

James Royall, Reentry Specialist  
Brooklyn Defender Services

2 [sound check, pause] [gavel]

3 CHAIRPERSON CHIN: Good morning.

4 COUNCIL MEMBERS: [in unison] Good  
5 morning.

6 CHAIRPERSON CHIN: I'm Council Member  
7 Margaret Chin, and I'm the Chair of the Committee on  
8 Aging. I would like to thank my fellow committee  
9 members and the Council staff for coming together to  
10 hold this hearing. Today's hearing will provide the  
11 committee with an opportunity to discuss four  
12 legislative items. First, the committee will discuss  
13 Intro No. 189. This bill, sponsored by Council  
14 Member Danny Dromm, would require the Department for  
15 the Aging, also known as DFTA, to implement a program  
16 to aid seniors dealing with bed bugs infestations in  
17 their homes including moving furniture and heavy  
18 equipment. Seniors are particularly vulnerable to  
19 bed bugs infestations, and are often unable to carry  
20 out the physical task necessary to prepare for an  
21 exterminator to rid their home of the infestation.  
22 This bill would enable seniors to receive the help  
23 they need ensure that the exterminator can do their  
24 job properly so that the bed butts are eradicated from  
25 the seniors' homes.

2           Second, the committee will discuss Intro  
3 1185 sponsored by Council Member Deutsch. This bill  
4 would require DFTA to provide information to  
5 households with users of life-sustaining equipment  
6 and individuals with a medical hardship on how to  
7 register with their utility company so that they can  
8 receive information regarding power disruption and be  
9 included in the utility company's system's emergency  
10 plan. Power outages can be life threatening to  
11 people who use life-sustaining equipment, or who have  
12 a medical hardship. This bill would require DFTA to  
13 ensure that registration information are available in  
14 senior centers, Naturally Occurring Retirement  
15 Communities, NORCs, or DFTA's website and the Mayor's  
16 Office of People with Disabilities website, and upon  
17 request. First, the committee will discuss Intro  
18 1616, also sponsored by Council Member Dromm, which  
19 would establish a task force focused on older adults  
20 re-entering civil society after being incarcerated.  
21 The task force would report to the Mayor and the  
22 Speaker on certain data regarding this population,  
23 and also provide recommendations on how to aid  
24 seniors leaving prison, and returning to the city.  
25 Finally, the committee will discuss Intro 1684, a

2 bill that I sponsored, which would require DFTA to  
3 appoint an interagency coordinator to disaggregate  
4 the specific programs that are available to seniors  
5 across all city agencies. DFTA's programs are only a  
6 small portion of city services available to seniors,  
7 and it is important that seniors are aware of all the  
8 city's resources that are available to them. This  
9 bill would help reduce barriers to seniors getting  
10 access to information and services that they need. I  
11 would like to thank the Committee staff, Counsel  
12 Caitlin Fahey; Policy Analyst Emily Rooney and Final-  
13 Finance Analyst Daniel Coop (sp?) for their work in  
14 making this hearing possible. Finally, I would like  
15 to recognize the committee members that have joined  
16 us here: Council Member Rose, Council Member  
17 Deutsch, and Council Member Dromm. We will now hear  
18 a few words from the sponsor of Intro 189 and 1516-  
19 1616, Council Member Dromm, the sponsor of Intro 684,  
20 Council Member Deutsch, and Council Member Dromm has  
21 a meeting next door so we're going to him go first.  
22 Thank you.

23 COUNCIL MEMBER DROMM: Thank you very  
24 much, Chair Chin for taking the lead on aging issues.  
25 And for hearing my two bills today. The first bill

2 is Intro 1616, the Compassion and Assistance for  
3 Reentering Elders or CARE Act, aims to establish a  
4 much needed task force on issues facing older adults  
5 reentering from a period of incarceration. An  
6 increasing number of older adults are facing a  
7 destitute heritage.(sic) These individuals many of  
8 whom have spent significant periods away from the  
9 rest of society must deal with a myriad of issues  
10 associated with aging simultaneously with the  
11 challenges of reentry. Throughout the city, families  
12 and communities must also deal with the increasing  
13 number of older adults who are coming from prison and  
14 jails. All our city's senior services and program  
15 prepared to welcome re-entering individuals. Are re-  
16 entry services adequately equipped to deal with the  
17 older population? This hearing will focus on the  
18 need to address gaps in services. I also hope to  
19 hear about models that are working, and that the city  
20 can tap into.

21 The second bill is Intro 189, which seeks  
22 to address an ever vexing problem: Bed bugs.  
23 Thoroughness is key to successful eradication, but  
24 this often entails moving furniture and heavy  
25 equipment. Without assistance many seniors would

2 never be able to rid their home of stubborn  
3 infestations. I have constituents who have described  
4 how chemical treatments applied in their homes by  
5 landlords and others were effectively useless because  
6 they could not take the other necessary steps. My  
7 bill would require the City to maintain, operate and  
8 control the program to provide effective assistance  
9 and support for senior citizens to successful  
10 eradicate bed bug infestations provided, however,  
11 that such assistance shall include the moving of  
12 furniture and heavy equipment, if necessary. I want  
13 to thank all the advocates for being here today, and  
14 I look forward to hearing your testimony and I joined  
15 the press conference earlier this morning on Intro  
16 1616, something that is really very important and  
17 close to my heart in terms of providing reentry  
18 services for those who are elderly and returning from  
19 prison, and I want to also state that I have an  
20 Education Committee hearing next door, which I chair.  
21 So, I'm going to have to leave, but I'll look at this  
22 later on and, of course, we will be back with each  
23 other, you know, because you're also on that  
24 committee. So, thank you for allowing me to make



2 this statement, and I will—I will be back shortly.

3 Thank you.

4 CHAIRPERSON CHIN: Thank you, Council  
5 Member Dromm. Council Member Deutsch.

6 COUNCIL MEMBER DEUTSCH: Thank you, Madam  
7 Chair. Good morning to everyone. Today we're  
8 hearing Intro 1185—1185, the bill I sponsored  
9 requiring the Department for the Aging to conduct  
10 widespread educational outreach to seniors who rely  
11 on life-sustaining equipment. Department for the  
12 Aging would be mandated to provide easily accessible  
13 information about how to register with the utility  
14 company that provides their electric service. In  
15 case of a power outage, registered individuals are  
16 given top priority for repairs, and emergency and  
17 medical services are alerted to the potential risk  
18 that the resident may face without their life-  
19 sustaining equipment. When the Office of Emergency  
20 Management responds to a lights outage, they are also  
21 provided with a registry so they may respond  
22 appropriately. This is especially relevant in my  
23 district, which is a waterfront community that made  
24 up of more than 30% of services. When telephone  
25 lines were down after Hurricane Sandy, many were

2 trapped in their homes without any means of alerting  
3 first responders to their location. Those who relied  
4 on medical equipment to help them leave when  
5 particular danger. With my bill these seniors will  
6 be made aware of the option to register, thereby  
7 ensuring that first responders are instantly notified  
8 about their status and medical needs. This outreach—  
9 this outreach will be conducted in the ten most  
10 commonly spoken languages in New York City. Yes,  
11 English will be included. To know more—the more you  
12 know, the better off you are, and I urge my  
13 colleagues to support Intro 1185, a bill that can  
14 rely—that can truly save the lives of many. Thank  
15 you.

16 CHAIRPERSON MENCHACA: Thank you, Council  
17 Member Deutsch. We would like to invite up the first  
18 panel. [pause] Caryn Resnick, Deputy Commissioner  
19 from DFTA and Sarah Solon, the Mayor's Office of  
20 Criminal Justice, the Deputy Director of Justice  
21 Initiatives. Welcome.

22 LEGAL COUNSEL: Can you raise your right  
23 hand. Do you affirm to tell the truth, the whole  
24 truth and nothing but the truth in your testimony

2 before this committee and to respond honestly to  
3 council member questions?

4 PANEL MEMBERS: [off mic] I do.

5 LEGAL COUNSEL: Thanks.

6 DEPUTY COMMISSIONER RESNICK: [coughs]

7 Good morning Chairperson Chin and Members of the  
8 Aging Committee. I am Caryn Resnick, Deputy  
9 Commissioner for External Affairs at the New York  
10 City Department for the Aging. On behalf of  
11 Commissioner Donna Corrado, I'd like to thank you for  
12 this opportunity to discuss the following  
13 legislation:

14 Intro No. 189 in relation to providing  
15 assistance to seniors with bed bugs in their homes.

16 Intro No 1185 in relation to requiring  
17 the Department for the Aging to provide certain  
18 information to households with users of life  
19 sustaining equipment and individuals with a medical  
20 hardship and Intro No. 1684 in relation to an  
21 interagency program coordinator for the aging. I am  
22 joined by Sarah Solon from the Mayor's Office of  
23 Criminal Justice, the agency leading the Mayor's  
24 Diversion and Reentry Council who will provide  
25 testimony on Intro No. 1616 in relation to

2 establishing a temporary task force on post-  
3 incarceration re-entry for older adults. DFTA's  
4 mission is to work to eliminate ageism and ensure the  
5 dignity and quality of life of New York City's  
6 diverse older adults, and for the support of their  
7 caregivers, their service, advocacy and education.  
8 DFTA continues its long history of collaborative  
9 partnerships with community based organizations for  
10 the provision of programs and services, which aim to  
11 foster independence, safety, wellness, community  
12 participation and quality of life. Pursuant to the  
13 New York City Charter, DFTA's powers and duties  
14 include: To stimulate community interest in the  
15 problems of the aging; to promote public awareness of  
16 resources available for the aging and to refer the  
17 public to appropriate departments and agencies of the  
18 city, state and federal governments for advice;  
19 assistance and available services in connection with  
20 particular problems; to cooperate with and assist  
21 local neighborhoods in the development of programs;  
22 to disperse available city, state and federal funds  
23 to programs throughout the city and when practical  
24 coordinate such funds with available funding from the  
25 private section; and to maintain, operate and control

2 such programs and facilities as may be necessary, or  
3 required for the proper administration of the  
4 department. DFTA carries out the agency's charter  
5 mandate and mission through the sponsorship of  
6 community based and in-home programs for older New  
7 Yorkers such as senior centers, case management, home  
8 care and home delivered meals. Given that the bills  
9 that are the focus of today's hearing are in relation  
10 to areas outside of DFTA's purview, expertise and  
11 budget, the Administration does not support this  
12 legislation. Intro No. 189, Assistance to Seniors  
13 with bed bugs. Bed bug infestations are burdensome  
14 to New York City residents, property owners and  
15 health and social service providers in both the  
16 public and private sectors. Though bed bugs are not  
17 known to transmit disease, they are a pest of public  
18 health importance. As such, the New York City  
19 Department of Health and Mental Hygiene, DOHMH, has  
20 numerous resources regarding bed bugs focusing on  
21 homeowners and tenants, landlords, and building  
22 managers, visitors and travelers, pest management  
23 professionals, health professional, shelter and group  
24 homes and moving and storage. DOHMH issues a Healthy  
25 Homes Guide on preventing and getting rid of bed bugs

2 safely. The agency also provides information on bed  
3 bug identification, disposal protocol, pest control  
4 company selection and practices, prevention methods  
5 and moving storage, and enforcement protocols for bed  
6 bug complaints. DFTA does not have the expertise nor  
7 the budget to address bed bug infestations. Further,  
8 older adults can be homeowners, tenants, landlords,  
9 building managers, shelter residents, hotel guests,  
10 boarding house dwellers and many other types of  
11 dwelling occupants maintaining, operating and  
12 controlling the program in the city to assist and  
13 support seniors with bed bug infestations who reside  
14 in any and all dwellings and successfully eradicate  
15 such infestations would be cost prohibitive. Should  
16 such a program be a budgetary priority for the  
17 Council, the Administration can explore how to work  
18 with contractors who provide this service and have  
19 the expertise in this area.

20 Intro No. 1185, Information for users of  
21 life-sustaining equipment and individuals with a  
22 medical hardship. Utility providers in the city Con  
23 Edison, PSEG and National Grid maintain information  
24 on those who rely on medical equipment that qualifies  
25 them to be listed as a life-sustaining equipment

customer or an LSE making them eligible to register for a Priority Power Restoration Program. This is an opt in program, and those who want to be registered with a utility provider as an LSE must self-register themselves. They can do so by visiting the utility provider's website or calling their customer service numbers. New York City Emergency Management, NYCEM, also provides information through its website and in its Ready New York materials on where and how to register with utility providers and includes this as an emergency preparedness measure to incorporate when developing individual preparedness plans. Among these resources are recommended steps to prepare for power disruptions for individuals who rely on medical equipment that require electric power. Those recommendations include having an alternate-alternate source of electric power such as battery back-up systems using generators according to manufacturers' instructions' and local reg-regulations, and registering with the associated utility company as a life sustaining equipment customer. DFTA's Office of Emergency Preparedness works closely with NYCEM in disseminating information to older adults, senior center participants, case management clients,

2 Naturally Occurring Retirement Community residents,  
3 caregivers, senior service providers and others. It  
4 is important to note that not all users of life-  
5 sustaining equipment and persons with medical  
6 hardship are older adults and many of these  
7 individuals require a higher level of care and  
8 support in what is provided by the services sponsored  
9 by DFTA.

10 Intro No. 1684, Interagency Program  
11 Coordinator for the Aging. The duty of the  
12 Interagency Program Coordinator provided in the  
13 legislation is currently carried out by the Deputy  
14 Mayor for Strategic Policy Initiatives who oversees  
15 DFTA. On behalf of the Mayor, the Deputy Mayor  
16 helped to martial interagency coordination in the  
17 development of the recent iteration of age-friendly  
18 New York City together with the leadership of the  
19 Council, the New York Academy of Medicine and the  
20 Age-Friendly New York City Commission. The latest  
21 Age-Friendly NYC Report encompasses 86 new  
22 commitments for a city for all ages, which builds  
23 upon the ongoing success of the original initiatives  
24 and includes new citywide endeavors to support older  
25 New Yorkers. The great age-friendly work of sister



2 agencies such as the New York City Department of  
3 Transportation under Vision Zero, the New York City  
4 Department of Housing Preservation and Development  
5 under the Housing New York Plan and DOHMH under  
6 Thrive NYC are all incorporated in the update. Other  
7 commitments include launching an acute care for the  
8 elderly hospital unit at New York City Health and  
9 Hospital Harlem, which is designed to meet the  
10 special needs of older adults. Expanding access to  
11 tenant legal services for individuals facing eviction  
12 with incomes at or below 200% of the poverty level  
13 under the New York City Human Rights. Sorry, Human  
14 Resources Administration. Forty percent of older New  
15 Yorkers meet this income threshold. Establishing  
16 multi-disciplinary team comprised of groups of  
17 professionals in various fields such as district  
18 attorneys, the New York City Police Department, HRA's  
19 Adult Protect Services, and DFTA in all five boroughs  
20 to respond to elder abuse cases, and recruiting  
21 artists to conduct programs in senior centers through  
22 the Su Casa Initiative made possible through a \$2.55  
23 million Council discretionary allocation in FY18, and  
24 a partnership with New York City Department of  
25 Consumer Affairs. DFTA remains committed to carrying

2 out its core mission of ensuring the best possible  
3 deliver of services to older New Yorkers in  
4 partnership with the Council, our sister agencies and  
5 community stakeholders. We look forward to our  
6 continued collaboration with the Council to provide  
7 critical programming and information to older adults.  
8 I thank you again for this opportunity to testify on  
9 this legislation. I will turn it over to the Mayor's  
10 Office of Criminal Justice and I will be pleased to  
11 answer any questions you may have following their  
12 testimony. Thank you.

13 SARAH SOLON: Thank you. Good morning  
14 Chair Chin and members of the Committee on Aging. My  
15 name is Sarah Solon, and I am the Deputy Director of  
16 Justice Initiatives for the Mayor's Office of  
17 Criminal Justice. I am joined here today by my  
18 colleague Jennifer Scaife, who is the Executive  
19 Director Prevention, Diversion and Reintegration in  
20 my office. Thank you for the opportunity to testify  
21 today. [door bangs] The Mayor's Office of Criminal  
22 Justice advises the Mayor on public safety strategy,  
23 and together with partners inside and outside of  
24 governments, develops and implements policies aimed  
25 at reducing crime, reducing unnecessary arrests and

2 incarceration, promoting fairness and building strong  
3 and safe neighborhoods. One of the issues we're here  
4 to discuss today, a bill to create a temporary task  
5 force on post-incarceration reentry for older adults,  
6 should be seen in New York City's larger public  
7 safety context. In the last three years in New York  
8 City we have seen an acceleration of the trends have  
9 defined the public safety landscape in the city over  
10 the last three decades. While jail and prison  
11 populations around the country increased, New York  
12 City's jail population has fallen by half since 1990,  
13 and in the last three years alone the jail population  
14 dropped 18%, the largest three-year decline in the  
15 last 20 years. This declining use of jail has  
16 happened alongside record crime lows. Major crime  
17 has fallen by 76% in the last 30 years and by 9% in  
18 the last three. 2016 was the safest year in COMPSTAT  
19 history with homicides down 5%, shootings down 12%,  
20 and burglaries down 15% from 2015. New York City's  
21 experience is continued and unique proof that we can  
22 have both more safety and smaller jails. To drive  
23 down crime, arrests and the unnecessary use of jail  
24 even further, our officer seeks to enhance the  
25 spectrum of criminal justice responses available to

2 effectively match enforcement to risk and need. In  
3 April, 2016, the Mayor's Office of Criminal Justice  
4 announced a strategy to continue safely reducing the  
5 Rikers Island population by connecting eligible  
6 individuals through effective interventions before  
7 and after jail. The strategy involved the creation  
8 of the New York City Diversion and Reentry Council, a  
9 multi-disciplinary council of 54 organizations and  
10 agencies including city government agency  
11 representatives, the courts, district attorneys,  
12 defenders, providers, members of the faith community,  
13 formerly incarcerated individuals and advocates. The  
14 Council reviewed data on populations and available  
15 options, and—and developed solutions to address unmet  
16 needs and improve program effectiveness, two  
17 subcommittees dedicated to the diversion and reentry  
18 were created. Each year roughly 45,000 people return  
19 to New York City from jail and prison. Pre-jail and  
20 post incarceration programs in the city currently  
21 divert roughly 10,000 people from jail. The new  
22 strategy ensures that reentry and diversion resources  
23 are being used as effectively and efficiently as  
24 possible to reduce jail use safely while promoting  
25 public safety. This strategy aims to drive New York

2 City's crime rate even lower by reliably assessing  
3 who poses a risk of recidivism, appropriately  
4 addressing the issues that have brought many into  
5 contact with the Criminal Justice System, and  
6 connecting people with stabilizing services that can  
7 help ensure that they do not return to jail. Since  
8 May, 2016 the Mayor's Office of Criminal Justice has  
9 worked with the Diversion and Reentry Council to  
10 accomplish the following:

11           First, we are comprehensively  
12 understanding the population and need. We are  
13 currently conducting a deep analytic dive to  
14 understand the risk, service needs and  
15 characteristics of the target population in order to  
16 identify opportunities for intervention.  
17 Additionally, we are mapping the available  
18 interventions and identifying gaps. So we are  
19 working to comprehensively map available  
20 interventions across diversion and reentry points by  
21 creating an electronic catalogue of New York City's  
22 justice and service providers. We are identifying  
23 existing gaps, which will help us to determine what  
24 additional resources or partnerships are necessary to  
25 address these gaps while promoting public safety

2 goals, and where we should reinvest resources that my  
3 currently be supporting the most effective  
4 programming, and we further conduct direct outreach  
5 with currently incarcerated individuals to better  
6 understand reentry needs. The Mayor's Office and  
7 partners learn directly about the needs of detainees  
8 to better understand what circumstances one could-  
9 would contribute to their wellbeing, and their  
10 ability to be able to take full advantage of reentry  
11 services. Last year work groups of the Diversion and  
12 Reentry Council identified individuals who were  
13 sentenced to 30 days or less in jail as a target  
14 population for diversion initiatives. We are in the  
15 process of implementing new programs to divert these  
16 individuals, many of whom have 26 and more prior  
17 misdemeanors convictions and are over the age of 40.  
18 Key service interventions include cognitive  
19 behavioral therapy to address thinking areas, trauma  
20 informed services, Medicaid enrollment, linkage to  
21 healthcare including substance use treatment and  
22 connections to transitional employment.

23 Additionally, a high utilizer work group of the  
24 Diversion and Reentry Council was recently formed to  
25 address the needs of people who regularly enter both

2 jail and shelter and also of high use of emergency  
3 departments and Medicaid. Many high utilizers are  
4 older adults who have cycled through public systems  
5 for years. They have significant trauma histories  
6 and longstanding behavioral health needs, and often  
7 have experienced years of housing and stability or  
8 homelessness. We are working closely with various  
9 city-city agencies to better understand their needs,  
10 and help them stay out of public-out of the jail and  
11 shelter system. We will reach out to the Department  
12 of the Aging [bell] to invite them to participate in  
13 these efforts. In October, we will have preliminary  
14 recommendations and by January we will have full  
15 height or other plan. Reentry services are critical  
16 to preventing recidivism and ensuring that people  
17 leaving that the Department of Correction's custody  
18 have opportunities to embark on a productive and  
19 stable path. Last March, the city announced it is  
20 building a spectrum in which every person who enters  
21 city jails will be provided with new tools and  
22 services that will help to promote a stable future.  
23 By addressing vocational, educational therapeutic and  
24 other needs in an individualized way, time inside  
25 jail can be used productively to lay a foundation

2 that can prevent future inter-interaction with the  
3 Criminal Justice System. The Administration's new  
4 system will begin with expanded risk and the  
5 assessment on the first day when someone enters  
6 jails, offer five hours everyday of programming that  
7 addresses an individual's unique needs, and  
8 continuous support including [door bangs] new  
9 employment and educational programs after someone  
10 leaves jail and returns to the community. A 2013  
11 Rand Corporation Study showed that participation  
12 improvement education including both academic and  
13 vocational programming was associated with an over  
14 40% reduction in recidivism, save \$4 to \$5 for each  
15 dollar spent. By the end of 2017, every single  
16 person who enters city jails will be meeting with  
17 counselors starting on day one who will assess their  
18 unique risks and needs. These counselors will work  
19 with detainees to develop and individualized approach  
20 for their time in custody that will include efforts  
21 to identify vocational and educational needs, and  
22 help them connect with the right programs during  
23 their stay. Everyone in city custody will be matched  
24 with five hours per day of vocational, educational,  
25 and therapeutic programming that will help lay a



2 foundation to best support long-term stability after  
3 release. The Administration supports the goals of  
4 Intro 1616. Ensuring individuals are reentering  
5 their communities with stabilizing services and  
6 transitional employment supports to address their  
7 unique needs is a key element of ensuring that they  
8 do not return to jail. As such, the Administration  
9 has already begun examining the unique needs of older  
10 adults who are often the same individuals sentenced  
11 to 30 days and are high utilizers of the city's jail  
12 and shelter systems. Our office has concerns about  
13 any legislation that would duplicate our existing  
14 initiatives and investments. Given this overlap, we  
15 propose that the aims of Intro 1616 be achieved  
16 through non-legislative means. We appreciate the  
17 City Council-Council's interest and look forward to  
18 continuing to work together. Thank you for the  
19 opportunity to testify here today. [door bangs] I  
20 would be happy to answer any questions. [background  
21 comments, pause]

22 CHAIRPERSON CHIN: Thank you. Thank you  
23 for your testimony. Since we have the Education  
24 Committee next door, the council member had to go  
25 there and check in, and so do I, but I'm—I have to

2 chair this committee. Okay, I'm going to start off  
3 with some questions. I'm gong to wait for the  
4 council members to come back to ask their questions.  
5 I'll start with the--the legislation that I sponsored,  
6 Intro 1684. [pause] So Deputy Commissioner, in--in  
7 your testimony [coughs] you were talking about all of  
8 these services that are available, and so everybody  
9 knows, and the seniors know the problems of aging.  
10 So, how do seniors receive this information about  
11 city services or other government services that they  
12 are eligible for? I mean do they have to actually go  
13 and look up every agency, or can they just come to  
14 DFTA, and be able to find all the information that  
15 they need?

16 DEPUTY COMMISSIONER RESNICK: So, I'm not  
17 quite sure exactly the question. If it's services  
18 are you asking about services that are provided by  
19 our agency or services provided by the whole city of  
20 New York?

21 CHAIRPERSON CHIN: The whole city of New  
22 York, but everybody knows DFTA. So why would we be  
23 there?

24 DEPUTY COMMISSIONER RESNICK:  
25 [interposing] Okay, so when people come to--

2 CHAIRPERSON CHIN: I know what I can  
3 qualify for or the [coughing] programs that are  
4 available to help—to help me. The first thing  
5 seniors think about is the Department for the Aging.

6 DEPUTY COMMISSIONER RESNICK: Okay. So,  
7 we are in the process and, in fact, just have our  
8 data and about to launch our new website, which has a  
9 tremendous amount of information on it for seniors,  
10 and links to programs and services that could impact  
11 older people that are provided by other city  
12 agencies. We have a Community Outreach Team, and  
13 Intergovernmental Team that attend all of the  
14 Interagency Council meetings, many of the district  
15 cabinets meetings, local community board meetings. We  
16 go to health fairs. We get to just about everywhere  
17 we're invited, and bring with us materials not only  
18 about our own programs, but of other agencies as  
19 well, and, of course, one can always call 311 or use  
20 Access NYC where you can screen and apply for the  
21 plethora of benefits and entitlements, which one  
22 might be eligible to. So, I think there are a great  
23 many ways that seniors can access services, and if  
24 they are unfamiliar with other ways to reach other  
25 city agencies, they can always come to us and we

2 direct them to the right place. I didn't mention New  
3 York Next, a new program, which also provides a great  
4 deal of information and assistance to older people as  
5 well as in senior centers where we have case  
6 assistance.

7 CHAIRPERSON CHIN: So, do you—when an  
8 agency considers adding new programs, you know, do  
9 they do any analysis on the senior population, or how  
10 this new service can benefit them? Will they consult  
11 with DFTA?

12 DEPUTY COMMISSIONER RESNICK: The  
13 majority o times they do. I would have to say that  
14 our Commissioner Donna Corrado has made it her  
15 business since she became the Commissioner to make  
16 sure that we are on every other agency's agenda. So,  
17 we have spent the last four years doing that, and if  
18 agencies don't reach out to us, then we reach out to  
19 them. So, we try to make sure we always have a seat  
20 at the table.

21 CHAIRPERSON CHIN: Okay, now—so, do you  
22 have any insight on what city services that apply to  
23 seniors are currently underutilized?

24 DEPUTY COMMISSIONER RESNICK: We know  
25 that there is—I didn't bring data with me, but we

2 know that there is underutilization in the SNAP  
3 program. We work very, very closely and  
4 collaboratively with HRA. We're doing data matching,  
5 sharing our data trying to find and locate seniors  
6 who could eligible. The same with SCRIE and the  
7 Department of Finance. We have an extremely close  
8 working relationship with them and again, the same.  
9 We've tried to not only do data matching with our own  
10 agency but linking them up with HRA, working with  
11 Robin Hood and others trying to find ways to do  
12 outreach and target and find seniors that could be  
13 eligible. So those are the--the two big entitlements  
14 I can think of that are underutilized by seniors.

15 CHAIRPERSON CHIN: What about services  
16 that--that apply to seniors that are most utilized  
17 what we are doing on that? Like what services does  
18 the city provide that a lot of seniors use?

19 DEPUTY COMMISSIONER RESNICK: There's, of  
20 course, the federal programs such as Medicare and  
21 Medicaid, which have the--the very high usage by  
22 seniors. [pause] I'm not sure what you're looking  
23 for.

24 CHAIRPERSON CHIN: Well, we do--the senior  
25 now knows that if they are facing--

2 DEPUTY COMMISSIONER RESNICK:

3 [interposing] Eviction?

4 CHAIRPERSON CHIN: --landlord harassment,  
5 eviction that there are legal services available to  
6 them.

7 DEPUTY COMMISSIONER RESNICK: Yes, they  
8 do. We've been also working with HPD and, in fact,  
9 they've come to the Age-Friendly Commission to talk  
10 about their portal and how seniors can apply for low-  
11 income housing, which is, of course, one of the  
12 biggest one of the biggest needs for older adults.  
13 So, by sharing information with our sister agencies,  
14 we try and get the information out to all the seniors  
15 in the city of New York.

16 CHAIRPERSON CHIN: Now, you in your  
17 testimony you were talking about this--the age, new  
18 Age-Friendly NYC Report. I mean you quote a lot of  
19 stuff from there. So, this report is going to be  
20 updated annually and--and also how does the  
21 implementation that's going to take effect?

22 DEPUTY COMMISSIONER RESNICK: We have not  
23 made a commitment to update it annually, but we do  
24 want to update it. It's quite a heavy lift, but in  
25 the process of doing that, we convened basically all

2 of our sister agencies in the human services world,  
3 and that has really helped to strengthen our ties  
4 with those agencies, and it's the work of each of  
5 those agencies to continue on the implementation. We  
6 ourselves will not necessarily implement every  
7 program, but we will be working with our sister and  
8 partner agencies to make sure that these initiatives  
9 are successful.

10 CHAIRPERSON CHIN: So, in your testimony,  
11 you're saying that right now you don't have anybody  
12 in DFTA that serves this role of coordination and  
13 with the inter-with the other agencies in terms of  
14 the services they provide for the senior. But you  
15 said that the Deputy Mayor for Strategic Policy  
16 Initiatives that oversees DFTA is doing this work.

17 DEPUTY COMMISSIONER RESNICK: Yes, the  
18 agencies that report to the Deputy Mayor or  
19 collaborate we have a liaison who is specifically  
20 assigned to our agency who works to make sure that we  
21 are a part of all the other major initiatives going  
22 on in the city and myself and our Director of  
23 Intergovernmental Relations essentially serve in that  
24 role as being the coordinator for our agency.

2 CHAIRPERSON CHIN: Okay, so you're saying  
3 that you are doing that job.

4 DEPUTY COMMISSIONER RESNICK: Yes.

5 CHAIRPERSON CHIN: And those--

6 DEPUTY COMMISSIONER RESNICK: Along with  
7 Ms. Ventura.

8 CHAIRPERSON CHIN: And you think that's  
9 sufficient enough? [laughs]

10 DEPUTY COMMISSIONER RESNICK: I think we  
11 have excellent relationships with our sister  
12 agencies. They know to reach us. We, you know, when  
13 they have issues, complaints so to elected official  
14 offices. I-I think people know how to find us.

15 CHAIRPERSON CHIN: Okay. Oh, Council  
16 Member Deutsch is back. So, I'm going to take a  
17 break and give him a pathway to ask some questions  
18 about his legislation. Council Member Deutsch.

19 COUNCIL MEMBER DEUTSCH: Okay, thank you.  
20 So, I'll--good morning, Commissioner.

21 DEPUTY COMMISSIONER RESNICK: Hi.

22 COUNCIL MEMBER DEUTSCH: So, I was  
23 unclear from your testimony if-if you support--the  
24 Department of Aging Support coordinated by--can you  
25 elaborate on that?



2 DEPUTY COMMISSIONER RESNICK: I think the  
3 answer to that is that we don't particularly because  
4 we don't see it as our role or function as we are  
5 Charter mandated, and I can actually call on some of  
6 my sister agencies to help with the response to that.  
7 [pause] Okay, you want to come up here? Great.

8 ELI FRESQUEZ: Alright, good morning. My  
9 name is Eli Fresquez. I'm from the Mayor's Office  
10 for People with Disabilities. We work closely with  
11 New York City Emergency Management on supporting  
12 public outreach for people with disabilities in  
13 disasters. I-I don't believe Emergency Management is  
14 available today. I think they are busy at work given  
15 the hurricanes that are currently impacting Puerto  
16 Rico, et cetera. So, what we do at the Mayor's  
17 Office for People with Disabilities we link many of  
18 the resources that are available to constituents with  
19 disabilities in emergencies. So, we do have links  
20 currently on our website to Emergency Management that  
21 gives information for LSE customers.

22 COUNCIL MEMBER DEUTSCH: So define to me  
23 people with disabilities. If someone is disabled in  
24 a wheelchair, let's say, they're not on life-  
25 sustaining equipment, but if someone is in the

2 hospital, and they just go discharged with life-  
3 sustaining equipment, so, would you consider that  
4 some people with disability?

5 ELI FRESQUEZ: A person who is using  
6 life-sustaining equipment is a person with  
7 disabilities. Most-most likely--

8 COUNCIL MEMBER DEUTSCH: [interposing]  
9 Most likely, you wouldn't have that person on your  
10 list if that person was not just a person with  
11 disability, but ended up in the hospital and just  
12 came out, got home and is on life-sustaining  
13 equipment. So, it's not something that the person  
14 was disabled, would you know who he or she is?

15 ELI FRESQUEZ: No, we would not. That's  
16 the responsibility of the utility company, PSEG and  
17 Con Edison they are the ones that--

18 COUNCIL MEMBER DEUTSCH: [interposing]  
19 Are you saying that--we just had a brownout a few  
20 minutes ago. So, Con Edison is not reliable so, when  
21 it comes to services. We have blackouts and power  
22 outages and brownouts that we just had all the time.  
23 So, if we cannot rely on Con Ed, when there's a storm  
24 if there's high winds, so how can we as a city rely  
25 on Con Edison to do outreach for people who in return

2 give them a lot more work, and for them to register  
3 that their address, their home address has someone  
4 who is on life sustain equipment. So, I-don't you  
5 think it will be the city's responsibility the  
6 Department for the Aging to do an education outreach.  
7 I never heard anyone say that there's too much  
8 education, and when you talk about OEM, they do a  
9 phenomenal job, excellent job, but if you ask anyone  
10 in my waterfront district that if they look at one of  
11 the pamphlets that OEM gives out, which is excellent,  
12 has a lot of resources and everything, but it doesn't  
13 single out when someone on life-sustaining equipment.  
14 They could tell you that you must evacuate. They  
15 could give you information, you know, go find it and  
16 you have to pay yourself and have, you know, in case  
17 something happens. You should go with a family  
18 member, stock up on food, but when it comes to  
19 someone's life if someone on life-sustaining  
20 equipment, and that person is home and many of the  
21 seniors have families that live out of state, out of  
22 the country. Many seniors I know in my district  
23 don't have family, and when you're talking about a  
24 younger—a younger adult who you mentioned in your  
25 testimony that it doesn't have to be a senior, but

2 chances are someone that is younger they're on life-  
3 sustaining equipment, they family members, they have  
4 brothers, they have sisters, they have children, they  
5 have aunts, uncles, and many seniors are just left  
6 alone and they don't know and they can't fend for  
7 themselves, and we as a city must protect them, must  
8 stand up for them. And I think that having an  
9 outreach to seniors and people with disabilities and  
10 to everyone actually, but in particular seniors, that  
11 this what you should do. Very simple. People get  
12 scammed every single day. We have an outreach that  
13 if you receive a phone call that you just kidnapped  
14 your grandchild, right, don't send the money. Call  
15 911, and why do we do it for seniors? Because they  
16 are the ones that lose \$5 billion each year in the  
17 United States of America because they fall for these  
18 scams. We're talking about someone's life. During  
19 Hurricane Sandy, we had a life course (sic). I don't  
20 want to see something like that repeated. So, you're  
21 talking about OEM. Does OEM have this outreach in 10  
22 different languages? Can you answer that?

23 ELI FRESQUEZ: So, I can't—I can't speak  
24 for OEM, but I can speak to what we lead to in our  
25 MOPD website, the Mayor's Office of People with

2 Disabilities and we lead to the access and  
3 functioning web page that also has information on my  
4 emergency plan, and really about community outreach  
5 through Ready New York. So, again, I can't speak for  
6 OEM, but I know that they have a very robust outreach  
7 where they do go out to the community to do these  
8 events for personal preparedness for people with  
9 disabilities. So, what specifically does it mention  
10 in the pamphlet or what you're talking about that  
11 already has this kind of page, and what specifically  
12 is the site?

13                   ELI FRESQUEZ: So, New York City  
14 Emergency Management, and again, I can't speak for  
15 Emergency Management, but from the brochures that  
16 I've seen and what we support on our website at the  
17 Mayor's Office of People with Disabilities is the  
18 non-emergency plan, which gives lots of information  
19 for people, everyone really, but also people with  
20 disabilities on how to prepare for disasters. It has  
21 information about making sure that you have your  
22 medication, that you have a doctor's designation.

23                   COUNCIL MEMBER DEUTSCH: It doesn't  
24 mention that you should register your home address

2 with Con Edison if you're on life-sustaining  
3 equipment?

4 ELI FRESQUEZ: Yes, it does.

5 COUNCIL MEMBER DEUTSCH: It does mention  
6 that.

7 ELI FRESQUEZ: Yes.

8 COUNCIL MEMBER DEUTSCH: And in how many  
9 different languages.

10 ELI FRESQUEZ: I—I don't know, but I know  
11 that they have a very robust language access protocol  
12 Emergency Management. When I've spoken with them, it  
13 seems like they've had every brochure that we've ever  
14 needed here at the Mayor's Office.

15 COUNCIL MEMBER DEUTSCH: How often do you  
16 give out this brochure?

17 ELI FRESQUEZ: Well, we have it in our  
18 office that we give out to everyone whenever they  
19 come by for our constituents.

20 COUNCIL MEMBER DEUTSCH: So-so, first you  
21 mentioned that it's on the web. Many seniors don't  
22 have computers to look on the web. Many seniors in  
23 New York City don't speak English as a first language.  
24 So, you have it in languages. You also said that you  
25 have in the office. So, I know that my office is in

2 my district and that the senior or person with  
3 disability cannot come down to my office, I will have  
4 a staff member visit them because who is going to go  
5 to your office to get this information? How many—do  
6 you have a number of people that you could tell me  
7 like now statistics of how many people actually go to  
8 your office to pick up a pamphlet?

9 ELI FRESQUEZ: So, in addition to people  
10 coming by our office, which, you know, it varies from  
11 day to day, I would say it's—it's within 20 people or  
12 30 people.

13 COUNCIL MEMBER DEUTSCH: How many people  
14 live in the city of New York?

15 ELI FRESQUEZ: And—and so--

16 COUNCIL MEMBER DEUTSCH: [interposing]  
17 How many seniors live in the city of New York?

18 ELI FRESQUEZ: That's a question for  
19 DFTA.

20 COUNCIL MEMBER DEUTSCH: How many people  
21 with disabilities are there in the city of New York?

22 ELI FRESQUEZ: There's roughly 940,000  
23 people.

24 COUNCIL MEMBER DEUTSCH: 940,000 and you  
25 have 20 people that come in a day.

2 ELI FRESQUEZ: They come to our office--

3 COUNCIL MEMBER DEUTSCH: [interposing] In  
4 the day?

5 ELI FRESQUEZ: That's just one--that's  
6 just one way of--of doing outreach, and again, this is  
7 a question for Emergency Management or Ready New  
8 York, people who go out into the community. They do  
9 literally hundreds of events each year.

10 COUNCIL MEMBER DEUTSCH: [interposing]  
11 So--so if someone--it's, you know, it's--when you--when  
12 you give information that someone should prepare  
13 themselves and go out and buy food, that's pretty  
14 common sense, but you need to remind people when you  
15 tell people they should evacuate, right. Now after  
16 Hurricane Sandy people would--people are more  
17 proactive, but you always need to remind them. But,  
18 you know, in many of the things you mentioned in your  
19 past posts, it's like a reminder to them. It's  
20 common sense now, but you need to remind them. It's  
21 always good to remind people. But when you--someone  
22 needs to register with Con Ed, and you don't know  
23 about it, you're not reminding them. You need to do  
24 education outreach and you tell them--



2 DEPUTY COMMISSIONER RESNICK:

3 [interposing] Yeah, I know.

4 DIRECTOR MARTINEZ: DEUTSCH: --that this  
5 is what you do.

6 ELI FRESQUEZ: [interposing] And just--  
7 just--the comment here, though, is, you know, on our  
8 website we current have links that link up to the  
9 utility providers in order to get the--

10 COUNCIL MEMBER DEUTSCH: [interposing]  
11 Many seniors, many people don't have computers.

12 ELI FRESQUEZ: But that's what's in--  
13 that's what's in the bill. So, I'm just saying that  
14 we already currently do that.

15 COUNCIL MEMBER DEUTSCH: So--

16 DEPUTY COMMISSIONER RESNICK:

17 [interposing] May I--may I add to that that DFTA has  
18 an entire unit on emergency management run by  
19 Assistant Commissioner Wendy Whitaker, and we do  
20 hundreds and hundreds of outreaches every year. Right  
21 now if you come into our office, we--that whole  
22 reception area is devoted to Ready New York and that  
23 whole month of preparedness, and we partner with  
24 NYCEM to go to senior centers and we do collaborative  
25 presentations about emergency preparedness.

2 COUNCIL MEMBER DEUTSCH: [interposing]

3 So, I have a question. If you—if you do a poll  
4 today, how many seniors there in the city of New  
5 York?

6 ELI FRESQUEZ: Over the age of 60, 1.4  
7 million.

8 COUNCIL MEMBER DEUTSCH: 1.4 million and  
9 you have about over 900,000 people with disabilities.  
10 So, if you did a poll today to the 1.4 million  
11 seniors, you know, and the 900 people the people with  
12 disabilities asking them about do they know about  
13 registering their home address with Con Ed with the  
14 life-sustaining in case there's a power outage,  
15 Office of Emergency Management should know that they  
16 must have emergency services responding and Con  
17 Edison would then in turn know that this—these are  
18 the areas we need to turn back on the electric, and  
19 make it a priority. How many people do you think  
20 would actually know that?

21 DEPUTY COMMISSIONER RESNICK: I think  
22 people who are on life-sustaining equipment know  
23 that.

24 COUNCIL MEMBER DEUTSCH: People that are  
25 on life-sustaining equipment, but if someone comes

2 out of the hospital, right, and the hospital does not  
3 do the outreach and does not tell people to be on  
4 life-sustaining equipment. So if someone comes out  
5 of the hospital and he's out of the hospital for a  
6 month or two, right, or three months, they may not  
7 know that they should register their home address.  
8 Because I know. I've spoken to people who are on life  
9 -sustaining equipment and they weren't registered  
10 with Con Edison, and this is so important because OEM  
11 already exists. OEM--

12 DEPUTY COMMISSIONER RESNICK: Uh-hm

13 COUNCIL MEMBER DEUTSCH: --currently if  
14 there's a power outage in any neighborhood due to a  
15 wind storm or a hurricane, they already know to call  
16 Con Edison and get this list of all the people that  
17 are on life-sustaining equipment, which already  
18 exists.

19 DEPUTY COMMISSIONER RESNICK: Uh-hm.

20 COUNCIL MEMBER DEUTSCH: Everything is  
21 already in place. I have seen it first hand, and I'm  
22 constantly speaking to Commissioner Esposito, and the  
23 first question that I ask when I call OEM and there  
24 was a power outage or when I call OEM I say how many  
25 people are on life-sustaining equipment, and they

2 have the answers to it. This whole thing already  
3 exists. What doesn't exist is the outreach for the  
4 people. If we need to lose one life because someone  
5 does not know that they should register their home  
6 address with Con Edison then shame on us. I  
7 personally called up Con Ed to see how long it takes  
8 to register, and it took under two minutes just to go  
9 through the process to register someone, and all we  
10 need to do is education outreach. It's going to cost  
11 the city some money, but this is going to a good  
12 cause, and I do think the Department of Aging and  
13 your office should be proactive and be involved in  
14 this educational outreach in ten different languages  
15 because how many people if they don't speak English  
16 as a first language, how many people do you think  
17 know that they should register with Con Ed because  
18 the material that you are sending out, the people you  
19 are sending out in the senior centers, which we  
20 appreciate, do not speak ten languages, and I have a  
21 very diverse district. We have a very diverse city,  
22 and the fact that everyone came here with the mindset  
23 saying I'm not supporting this, and not having the  
24 information because you said OEM is not. We're not  
25 having that information. It's just irresponsible.

2 Because we're talking about lives. We're talking  
3 about our seniors and seniors are living longer. So  
4 chances are that I just want to a birthday party. I  
5 actually went to three, a 100-year-old constituent,  
6 101 and 105. Seniors are living longer. We're  
7 fortunate with that, and chances are as they live  
8 longer, we hope that they don't end up on life-  
9 sustaining equipment. But many of the caretakers  
10 don't speak English as their first language. So, the  
11 caretakers wouldn't even know. So, I really don't  
12 understand how everyone comes here with the mindset  
13 saying I'm not supporting this. This is people's  
14 lives and we have--

15 DEPUTY COMMISSIONER RESNICK:

16 [interposing] I just want to clarify--

17 COUNCIL MEMBER DEUTSCH: --we have--we  
18 have--we have--we have unfortunately now with what's  
19 going on around the world and now in Puerto Rico,  
20 right? This could happen any time here in New York  
21 City. If you walk outside today, it's very windy.  
22 Trees are coming down. You have plenty of--I could o  
23 onto the Con Edison website to see how many power  
24 outages there are. This is a bill that we all need  
25 to support whether you're a senior or whether you're

2 a young adult, we all need to support this. This is--  
3 this is really and favorite lately is unacceptable  
4 for us not to support our seniors and our people with  
5 disabilities who are on life-sustaining equipment.

6 DEPUTY COMMISSIONER RESNICK: So, just to  
7 clarify to the record, we absolutely support doing  
8 outreach and education and making people aware of the  
9 opportunity to register if they're on life-sustaining  
10 equipment.

11 COUNCIL MEMBER DEUTSCH: [interposing]  
12 this is not going--

13 DEPUTY COMMISSIONER RESNICK:  
14 [interposing] We are not supporting legislating that  
15 because we think we're doing a good job, and I'm sure  
16 we can do more and now that you've highlight the  
17 issue, we will make sure that we continue to do more  
18 in this area.

19 COUNCIL MEMBER DEUTSCH: So, again, OEM  
20 has a plan in place. You are doing outreach, and I  
21 thank you for that.

22 DEPUTY COMMISSIONER RESNICK:  
23 [interposing] We work with them, and we do our own  
24 outreach, yes.

2 COUNCIL MEMBER DEUTSCH: But I don't  
3 agree that we have enough outreach. I think that we  
4 do need—we do need to legislate sometimes to make  
5 sure that his outreach is done. We have outreach all  
6 the time. We have voter registration outreach.

7 DEPUTY COMMISSIONER RESNICK: Uh-hm

8 COUNCIL MEMBER DEUTSCH: We have outreach  
9 in different languages for people to go out and vote  
10 and what they need to do. We have outreach all  
11 around the city where it's legislation. We—we do  
12 legislate because the reason why we couldn't vote  
13 because we don't feel that enough is being done, and  
14 this bill is very crucial because of not only what's  
15 going around it—like what's going on around the  
16 world, and we see it happening, and I have personally  
17 been making phone calls to people that I know in  
18 Florida and other areas and other parts of the United  
19 States to see how they're doing and, you know, if  
20 we're—if we're making phone calls it's not just me.  
21 People all over New York City are making phone calls  
22 to relatives, to friends to acquaintances, people  
23 they know. They care about those people. So, we  
24 need to care about the people in the city of New  
25 York, too, and make sure that yes if there's—if we

2 feel there's not enough outreach, and I could tell  
3 you if you do a poll today, right, people don't know  
4 because they'll be surprised. Oh, how come I wasn't  
5 told about this? Why do we have to do outreach so  
6 people should put smoke alarms in their homes, right?  
7 Because you want to prevent a death, and we need to  
8 do outreach. Is the Fire Department doing enough  
9 outreach? They do plenty of outreach, but it's  
10 always not enough. I never heard anyone say that we  
11 have too much outreach, and we need to do more. So,  
12 I-I still don't understand that why the  
13 Administration is not supporting this bill. It's a  
14 common sense bill. It's pretty simple, and I think  
15 our taxpayers will support something like this, and  
16 not spend money on other nonsense, and this is an  
17 important bill and this bill will save lives,  
18 guarantee you. So, I'd like to get the  
19 Administration's support. I think this is totally  
20 unfair for everyone to come in here and not  
21 supporting this bill and have the mindset by saying  
22 no we're not supporting this bill because we do  
23 enough education. Do schools do enough education?  
24 Yes, but they could always do more. Do senior



2 centers do enough education? They could always do  
3 more. Because every-

4 CHAIRPERSON CHIN: Council Member  
5 Deutsch, can I just--?

6 COUNCIL MEMBER DEUTSCH: I'm not going to  
7 stop until I get the commitment.

8 CHAIRPERSON CHIN: [laughs]

9 COUNCIL MEMBER DEUTSCH: I have all day.  
10 It's a holiday tonight. I'm willing to stay all day.

11 CHAIRPERSON CHIN: I know, but I-I wanted  
12 to help you with that.

13 COUNCIL MEMBER DEUTSCH: We're going to  
14 be here 'til sundown.

15 CHAIRPERSON CHIN: I'm going to help you  
16 with that because according to the Mayor's Management  
17 Report, the Department of--for the Aging promotes,  
18 administers, and coordinate the development and  
19 provision of services for older New Yorkers to help  
20 them maintain independence and participation in their  
21 communities. Now, we're not talking about just  
22 emergencies. We have OEM. They do their part, but  
23 there are seniors who as the Council Member said  
24 might have just came out of the hospital or all of a  
25 sudden because of some health reason they have to use

2 some special equipment that relies on electricity or  
3 whatever, and we also have some not go good landlords  
4 who in harassing, you know, residents can do  
5 something to disrupt utilities and things like that  
6 in the building. So, it's so important for seniors  
7 and people with disability to know that they should  
8 register, and I agree with the--the council members.  
9 We can always do more outreach especially for a lot  
10 of the homebound seniors who don't go to the senior  
11 centers, and seniors who don't have computers. So,  
12 there is a lot more that we can do.

13 COUNCIL MEMBER DEUTSCH: Response?

14 DEPUTY COMMISSIONER RESNICK: I agree  
15 that we could--

16 COUNCIL MEMBER DEUTSCH: [interposing]  
17 Thank you.

18 DEPUTY COMMISSIONER RESNICK: --do more  
19 outreach.

20 COUNCIL MEMBER DEUTSCH: Thank you.  
21 Thank you, Commissioner. Thank you for your support.  
22 Now can we get your support?

23 DEPUTY COMMISSIONER RESNICK: I do not  
24 support the legislation, and we cannot do outreach  
25 and be responsible for all New Yorkers. We are a

2 small agency with a small budget. The legislation  
3 does not specify just outreach to seniors, and  
4 homebound seniors should they be on our case  
5 management program, clearly in emergencies we do  
6 tremendous preparedness tot make sure that all of our  
7 homebound are prioritized that the frailest of those  
8 have whatever supports are in place, and we would  
9 certainly educate about the on online--

10 COUNCIL MEMBER DEUTSCH: [interposing]

11 So, this bill is not to send out a mailer to 1.4  
12 million. It talks about going to senior centers,  
13 doing education outreach in senior centers and NORCS  
14 and the libraries and other areas, but--so it's--it's  
15 not going to be that costly to have this done in ten  
16 languages. You're already doing outreach in senior  
17 centers and everything else--

18 DEPUTY COMMISSIONER RESNICK:

19 [interposing] And in also the languages.

20 COUNCIL MEMBER DEUTSCH: --and this is  
21 just having another piece of paper, another flyer  
22 doing outreach. By bringing in additional  
23 information, which you're already doing, right?

24 DEPUTY COMMISSIONER RESNICK: Yes,

2 COUNCIL MEMBER DEUTSCH: And this is just  
3 bringing additional information to the senior centers  
4 and NORCs and libraries and other areas where you're  
5 already doing outreach at those—at that location.  
6 So, I don't see how this is going to cost—this is  
7 costly because everything is already being done.  
8 This is just giving another piece of information  
9 separate from everything else to let people know that  
10 this is what you should do.

11 DEPUTY COMMISSIONER RESNICK: Alright, I  
12 mean the information, and I can share with you what's  
13 on the Office of Emergency Management's website.

14 COUNCIL MEMBER DEUTSCH: Yeah, but many  
15 seniors don't have—many seniors don't have computers.

16 DEPUTY COMMISSIONER RESNICK: But we  
17 share that information in Ready New York. That is  
18 all read and it's in multiple languages. That is  
19 what we used to distribute to educate people about  
20 the opportunity to--

21 COUNCIL MEMBER DEUTSCH: [interposing]  
22 So, I would ask you if—if it's possible, if—if you  
23 could do a poll and just as you—your people going the  
24 rounds to different things, how many people and how  
25 many seniors would know that this is what they have

2 to do? I mean to me this is very simple, and really  
3 common sense, and everything is being done. OEM is  
4 ready—we're not mandating OEM okay you must work with  
5 Con Ed. They're already doing that.

6 DEPUTY COMMISSIONER RESNICK: Right.

7 COUNCIL MEMBER DEUTSCH: We're not asking  
8 you to do anything special more than—than you're  
9 doing now. You're already doing outreach--

10 DEPUTY COMMISSIONER RESNICK: Yes.

11 COUNCIL MEMBER DEUTSCH: -but this is to  
12 expand on outreach by giving them separate  
13 information that this is what you need to do because  
14 of the many power outages that we have, and all the  
15 storms that's been going on now, and it's—it's  
16 common--

17 DEPUTY COMMISSIONER RESNICK:

18 [interposing] We need to work with you and meet after  
19 this hearing. If-if you feel that we need to develop  
20 a separate outreach piece of material, I'm sure  
21 that's something we could work on with Emergency  
22 Management.

23 COUNCIL MEMBER DEUTSCH: This is  
24 something that I would like to see that will continue  
25 that once this bill passes, I'm hoping it passes, and

2 I'm hoping this comes into, you know, I'm hoping to  
3 get the Administration to support this bill. I think  
4 it's really--it's really unfair that, you know, this  
5 is not going to be costly unless you have numbers  
6 right now telling you how much--how much it could  
7 cost. I'm sure you don't have that, but if this bill  
8 passes do you have any numbers or how much this bill  
9 would cost--

10 DEPUTY COMMISSIONER RESNICK: No.

11 COUNCIL MEMBER DEUTSCH: --it if does  
12 pass? If it should pass? So, we're in the hearing  
13 here. We don't have information about the OEM stuff  
14 that we spoke about. We don't have information of  
15 how much this would cost if it should pass, right.  
16 So, how could we just throw things out saying this is  
17 costly. Were they doing this? We do have this  
18 information in some book that has 50 other things in  
19 there that are mostly common sense that you're  
20 reminding people about. You know, we don't have all  
21 that information so how could we even have a hearing  
22 on this bill today if we don't have that information,  
23 and by everyone telling me they're not supporting  
24 this? [pause] Anyone?

2           ELI FRESQUEZ: You know, I can only  
3 really speak towards what the Mayor's Office of  
4 People with Disabilities do and we work very closely  
5 with New York City Emergency Management in all facets  
6 of Emergency Management particularly the community  
7 outreach. We do fairs. We do symposiums. We do  
8 working group. We work with them on a myriad of  
9 different approaches and each--

10           COUNCIL MEMBER DEUTSCH: [interposing]  
11 When was the last time you had a fair in my district?

12           ELI FRESQUEZ: I-I-I don't know.

13           COUNCIL MEMBER DEUTSCH: You don't have  
14 that so you don't have any information today at a  
15 hearing when we're hearing my bill. So, if you're  
16 going to say--

17           ELI FRESQUEZ: [interposing] That's a  
18 question for Emergency Management.

19           COUNCIL MEMBER DEUTSCH: --if-if-if  
20 you're going to say something, you need to back it  
21 up.

22           ELI FRESQUEZ: I would say--well, let me.

23           COUNCIL MEMBER DEUTSCH: [interposing]  
24 So, so if you tell me had--

2 ELI FRESQUEZ: [interposing] That I mean  
3 I--

4 COUNCIL MEMBER DEUTSCH: --50 fairs--

5 ELI FRESQUEZ: [interposing] I-I just want  
6 to--

7 COUNCIL MEMBER DEUTSCH: --health fairs  
8 throughout the city at this and this time--

9 ELI FRESQUEZ: [interposing] All the work  
10 that we did for the Mayor's Office.

11 COUNCIL MEMBER DEUTSCH: --and you reach  
12 out to thousands, tens of thousand of people. If you  
13 don't have any good stats, you don't have any, it's  
14 all-it's all talk. You don't have anything to back  
15 it up.

16 ELI FRESQUEZ: And I can only speak to  
17 what-what the Mayor's Office does, and we do do a  
18 number of community outreach events with New York  
19 City Emergency Management. We're committed to it.  
20 We believe in what's called whole community planning.

21 COUNCIL MEMBER DEUTSCH: Okay, I'm going  
22 to ask you again when was the last time you did an  
23 outreach?

24 ELI FRESQUEZ: And I'm going to tell you  
25 again, I-I don't know your particular district.



2 COUNCIL MEMBER DEUTSCH: Alright.

3 ELI FRESQUEZ: I will say that literally  
4 two weeks ago we had a community--

5 COUNCIL MEMBER DEUTSCH: [interposing] Do  
6 you have the number of how many outreach, and how  
7 many--like what--?

8 ELI FRESQUEZ: We were at a community  
9 event in Staten Island two weeks ago. I speak with  
10 the Emergency Management daily on community outreach.

11 COUNCIL MEMBER DEUTSCH: [interposing] So  
12 you went to Stat--you went to Staten Island, you were  
13 speaking to people in the surrounding areas? So, but  
14 I still don't think you do enough outreach because  
15 you can't answer the question in my district, and  
16 that's why we need to legislate that there should be  
17 more outreach and participation.

18 ELI FRESQUEZ: [interposing] That's not  
19 part of the leg--that's not part of the legislation.  
20 The legislation here asks for us to put information  
21 about LSE to the utility companies on our website,  
22 which we already do.

23 COUNCIL MEMBER DEUTSCH: And to do  
24 outreach to people in neighborhood NORCS?

2 ELI FRESQUEZ: That's a question for  
3 DFTA, not for—that's not what's in the legislation.

4 CHAIRPERSON CHIN: Council Member  
5 Deutsch, we have a few more panels. They don't have  
6 the information that you need.

7 COUNCIL MEMBER DEUTSCH: I—I would like  
8 to—I would like to--

9 CHAIRPERSON CHIN: [interposing] I think  
10 that we're asking the Mayor's Office who is here  
11 today to set up a meeting with Council Member  
12 Deutsch. Because as with every legislation, there's  
13 got be discussions right? So, you know that he--

14 DEPUTY COMMISSIONER RESNICK:  
15 [interposing] We're happy to meet with you. Happy to  
16 talk about what we're doing and—and identify for you  
17 where we're at.

18 COUNCIL MEMBER DEUTSCH: So, okay. I  
19 would like to know—I would like to discuss offline  
20 then how we could this legislation, how we could make  
21 it work, and since you don't have the numbers, well  
22 maybe we could have another hearing on this bill.

23 DEPUTY COMMISSIONER RESNICK: Uh-hm, yes.

24 COUNCIL MEMBER DEUTSCH: Thank you.

2 CHAIRPERSON CHIN: Thank you. We've been  
3 joined by Council Member Vallone. Do you have any  
4 questions before I--? Okay. Alright, I'm going to  
5 talk about bed bugs since Council Member Dromm is not  
6 here. So, if there's a senior who has a bed bug  
7 problem if they call DFTA what kind of help would the  
8 senior get? I mean it seemed like from our testimony  
9 you kept focusing on the Department of Health.

10 DEPUTY COMMISSIONER RESNICK: Yes.

11 CHAIRPERSON CHIN: So—

12 DEPUTY COMMISSIONER RESNICK: And I have  
13 colleagues with me today from the Department of  
14 Health who might want to come up and join me. [door  
15 bangs] [background comments] Department of Health is  
16 the go-to place. As a matter of fact, we have  
17 unfortunately had to package up our own little bed  
18 bugs and bring them over there to have them  
19 identified so we know first hand how-how that works.  
20 So, maybe you could walk through a little bit of the  
21 protocol and what DOHMH does in terms of bed bugs and  
22 have them really the aid to day. (sic)

23 CHAIRPERSON CHIN: And also maybe—do you  
24 have any example of seniors calling DFTA when they

2 have a bed bug infestation, and how DFTA help them  
3 resolve that?

4 DEPUTY COMMISSIONER RESNICK: We, of  
5 course, line to the Department of Health and Mental  
6 Hygiene's information. WE have our own information.  
7 We do outreach about what to do if you have bed bugs.  
8 We do get some calls, not many. Often times it's our  
9 most vulnerable seniors and they may become or  
10 already are part of Protective Services, and I know  
11 that they have helped in very-very special cases  
12 particularly of quarters. So, they tend to be unique  
13 and really sort of the most impaired or lacking in-in  
14 competency, and I do know that APS and our assigned  
15 Council project has gone into physically help or pay  
16 for remediation in extreme circumstances.

17 CHAIRPERSON CHIN: So, if a-a senior is  
18 under or has Adult Protective Services, then you're  
19 saying that they would have all the assistance that  
20 we talked about in the legislation? That they would  
21 have people who help them--

22 DEPUTY COMMISSIONER RESNICK: Yes.

23 CHAIRPERSON CHIN: --clean up and move  
24 the furniture and make sure exterminators--but if they  
25 don't have Adult Protective Service, if they still

2 need assistance, how does DFTA coordinate with the  
3 Department of Health to provide that assistance if a  
4 senior calls you. ?

5 DEPUTY COMMISSIONER RESNICK: We have  
6 only had the resources to help in really exigent  
7 cases that are, you know, really emergencies, and  
8 other than that, people have to use their own  
9 resources, friends, neighbors, the for-profit  
10 companies that do the remediation who will do the  
11 moving and the lifting and whatever, you know, it  
12 takes in order to clean up an apartment.

13 CHAIRPERSON CHIN: I mean what about--

14 DEPUTY COMMISSIONER RESNICK:  
15 [interposing] It depends on what type of dwelling  
16 they're in. That's what makes this more complicated.  
17 If--if it's a NYCHA, if it's in, you know, a nursing  
18 home, and there are different regulations around  
19 different types of housing, supportive housing, et  
20 cetera. If it's in a hotel, if it's a tourist, if,  
21 you know, it's--to say every senior residing in the  
22 city of New York in any type of dwelling is, you  
23 know, above and beyond anything that we could manage  
24 and regardless of income.

25 CHAIRPERSON CHIN: Well, what about--?

2 DEPUTY COMMISSIONER RESNICK:

3 [interposing] I think it might helpful if we hear  
4 from DOHMH--

5 CHAIRPERSON CHIN: [interposing] Yes.

6 DEPUTY COMMISSIONER RESNICK: --what  
7 exactly one does if they think they have a bed bug  
8 situation.

9 CHAIRPERSON CHIN: That's right.

10 ANNA CAFFARELLI: Thank you very much for  
11 the opportunity to be here. My name is Anna  
12 Caffarrelli. I work with the Injury and Violence  
13 Prevention Program at the New York City Department of  
14 Health and Mental Hygiene, and I can give you an  
15 overview of how we handle this--this great concern, of  
16 course, about--about bed bugs in New York City. As--as  
17 Deputy Commissioner Resnick referred to in her  
18 testimony, our rule is mainly educational at the  
19 Department of Health and Mental Hygiene. We have a  
20 number of educational materials that describe myths  
21 and facts related to bed bugs and prevention  
22 strategies and mitigation strategy. Well, we do have  
23 a small enforcement role there if we need it with  
24 respect to some past management plan. We do not have  
25 a role in bed bug abatement, and--and I will also, you

2 know, for our city team, of course, and I'll mention  
3 that we have colleagues here from—from HPD, from  
4 Housing, Preservation and Development. It was  
5 mentioned that HPD handles complaints due to bed bugs  
6 and also distributes educational material, and that  
7 HPD also does not have a role in bed bug abatements  
8 specifically. What I would like to offer, of course,  
9 is that we can connect you to my colleagues at the  
10 Health Department who are experts in the —the bed bug  
11 realm, but that's not my particular background, but I  
12 did want to give you that—that overview of the Health  
13 Department role.

14 CHAIRPERSON CHIN: Well, that's why this  
15 legislation is so important. Nobody took care of  
16 the—the abatement part. It's sort of like if a  
17 senior or a person with disability needs help, where  
18 do they go?

19 DEPUTY COMMISSIONER RESNICK: Well, maybe  
20 now is good opportunity to call up HPD to talk about  
21 what the landlord responsibility is and the role that  
22 they play in enforcement. Thank you, Ed. Thank you.  
23 This is how we work together collaboratively as an  
24 interagency partnership.

25 Good morning.

2 CHAIRPERSON CHIN: I'm not convinced.

3 [laughs]

4 MARIO FERRIGNO: Hi. I'm—I'm Mario  
5 Ferrigno and I'm the Assistant Commissioner for HPD's  
6 Division of Code Enforcement, and HPD is the agency  
7 charged with responding to 311 complaints and  
8 enforcing the Housing Maintenance Code with respect  
9 to maintenance conditions in resident, tenant  
10 occupied residential dwellings, and if we do receive  
11 a call regarding the bed bug point, we dispatch an  
12 inspector after first notifying the owner of the  
13 condition. If the owner does not correct the  
14 condition or if the tenant does not confirm to us  
15 that the owner has taken some steps to correct the  
16 condition, we will dispatch an inspector who if  
17 confirms the bed bug condition, who issued the  
18 violation. The violation is sent to the registered  
19 managing agent who is, in fact, responsible for the  
20 remediation of the condition. As you probably  
21 already know, we have—all of our inspectors are  
22 trained to identify and issue violations for bed  
23 bugs, and we also have K-9 Unit with two beagles who  
24 identify and they're teamed with an inspector to  
25 identify bed bugs.



2 COUNCIL MEMBER VALLONE: Madam Chair, if  
3 I may.

4 CHAIRPERSON CHIN: Yes.

5 COUNCIL MEMBER VALLONE: Mario, just on  
6 what you were saying I think underlying this  
7 legislation is always a cry to see if there is a  
8 senior in need. So, this is where I'm concerned that  
9 this bill and everything is how can you get services  
10 to seniors who are plagued with 17 different agencies  
11 to try to find out what to do. So, had said when you  
12 dispatch the inspector, and if they find the  
13 condition, what's the next step?

14 MARIO FERRIGNO: A notice of violation is  
15 issued to the owner. The owner is provided with a  
16 Class B violation with a notification to correct the  
17 violation by a certain date and to certify correction  
18 to HPD.

19 COUNCIL MEMBER VALLONE: So, the owner is  
20 served with notice. The senior or if the person who  
21 still has bed bugs on the bed, how do we get to the  
22 step of getting that correct?

23 MARIO FERRIGNO: Right. So, HPD is—is  
24 the enforcement piece. We do not remediate bed bugs.  
25 However, once violations are issued and owners do not

2 correct conditions as they're required to, they face  
3 potential litigation. They face potential civil  
4 penalties.

5 COUNCIL MEMBER VALLONE: Is there a step  
6 involved there where the tenant or the person who is  
7 suffering can be given some type of steps or  
8 procedures on how to get relief in the situation  
9 instead of just seeing a ticket being issued to the  
10 landlord? Should we send out a guide given to the  
11 senior saying these are the different services that  
12 are provided by the city. This is where you can find  
13 help. This is where--

14 MARIO FERRIGNO: [interposing] Our-our  
15 inspectors are also equipped with the Department of  
16 Health's Bed Bug Guide, which they do provide to  
17 tenants upon completion of their inspection for bed  
18 bugs. So that information is-is handed to the  
19 tenant.

20 COUNCIL MEMBER VALLONE: And where I'm  
21 going with this is my more important question is what  
22 if they determine is a condition beyond bed bugs that  
23 there's a dire living condition going on in the  
24 apartments and it's beyond the scope of the inspector  
25 to address. At what point with all this wonderful

2 collaboration and coordination of agencies do we now  
3 start to focus on there's a larger problem for this  
4 person for the senior. They might have started with  
5 the bed bugs, but once you get entry doing  
6 guardianship work for my entire life, the minute you  
7 get access to an apartment of a home there's a clear  
8 concern that either the person can't take care of  
9 themselves, there's other health concerns in the  
10 problem. What's the next step between your office  
11 and now notifying DFTA, ASP, the Department of  
12 Health, Department of Buildings?

13 MARIO FERRIGNO: Our agency works with  
14 Adult Protective Services, and if our inspectors come  
15 across a situation as you described they would make a  
16 referral to Adult Protective Services.

17 COUNCIL MEMBER VALLONE: And how do we  
18 get—again, that's emphasized. So, from the moment  
19 that happens, how does the coordination begin between  
20 APS and DFTA, and the Department of Health? One  
21 stays a condition underlying that's more important  
22 than the bed bugs.

23 DEPUTY COMMISSIONER RESNICK: If it's a—  
24 if it's a referral to APS we—they don't necessarily  
25 refer back to us. We make referrals to them. I am

2 aware and—and HRA is not here today, but they do help  
3 with mediation, and do what's necessary in order to  
4 eradicate the situation, and I mentioned earlier that  
5 if we have case management clients that have very  
6 serious situations, you know, we have some access to  
7 emergency funds or we've had private funding where we  
8 can help. So, really, you know--

9 COUNCIL MEMBER VALLONE: [interposing]  
10 Perfect. So, that's what I said. So, you have that  
11 case management system in place?

12 DEPUTY COMMISSIONER RESNICK: Yes.

13 COUNCIL MEMBER VALLONE: Right, and now  
14 all of a sudden something is flagged and someone has  
15 an existing case within DFTA, and now there's been an  
16 inspection through Department of Health, the  
17 Department of Buildings. Does any of that  
18 information get included into the existing case  
19 management or is it a separate incident and they  
20 don't get related?

21 DEPUTY COMMISSIONER RESNICK: I honestly  
22 don't know if we would know if you've issued a  
23 violation. I doubt it. We would know if there was a  
24 bed bug situation in—in the client's apartment, and a  
25 lot of that work is working with the landlord to make

2 sure they get in and--and remediate the problem. I  
3 mean it is at their expense and the responsibility to  
4 do that.

5 COUNCIL MEMBER VALLONE: No, I'm with  
6 you. I'm just trying to dig deeper onto the next  
7 step on how we can coordinate. We've done it with  
8 Rikers, with detainees and inmates coming forward.  
9 We keep their health record for whether it's  
10 recidivism what's coming through so that the medical  
11 department--there's always a file ongoing with a  
12 particular person. So, if we were to open a case  
13 file for someone it might be--I don't know if it's a  
14 simple as bed bugs, but that's the tip of the iceberg  
15 and now all of a sudden it turns out we have to open  
16 an entire fire for that senior that we could now  
17 coordinate and contain that person's records so, we  
18 can coordinate visitations whether it's APS, whether  
19 it's DFTA, whether is the Department of Health  
20 following up on the--

21 DEPUTY COMMISSIONER RESNICK:

22 [interposing] I think we learned in preparing for  
23 this that when HPD issues a violation that they don't  
24 keep that data based on age. So, there's no way of

2 them being able to say a senior has been, you know,  
3 infected.

4 COUNCIL MEMBER VALLONE: Yes, so maybe-  
5 maybe we can do something.

6 MARIO FERRIGNO: [interposing] Yeah, well  
7 we—we don't—we don't know the age of these calls to  
8 311 and we don't inquire with two exceptions, which  
9 are treated by the law, which is the child protection  
10 laws for the paint hazards and window guards. Other  
11 than in those two instances, we don't inquire about  
12 the age of the tenant.

13 COUNCIL MEMBER VALLONE: Well, I mean, the  
14 hardest part for us as—as legislators is often  
15 getting access to an apartment or a house or a  
16 building and here we have access. So, I'm wondering  
17 how to just utilize that opportunity if there's a  
18 person in need, or some type of future plan we can  
19 put together if something is witnessed. Obviously  
20 training. You know, the—the health inspector is  
21 coming for a different reason that the Building  
22 Department is going to address. I understand that,  
23 but the idea is to provide assistance to the senior  
24 or a person on a disability or a person in need, or  
25 often it's a parent taking care of an older child or

2 visa versa, and this very fear in letting people into  
3 that, that yours. It's something that we can talk  
4 about at a future hearing with our chair, the  
5 coordination of that data to provide really a global  
6 plan when someone actually calls the city for  
7 services and it might start with bed bugs. That's  
8 the reason why something as simple as bed bug call,  
9 but now all of a sudden we're getting into the heart  
10 of what maybe it was the landlord completely just  
11 blowing the situation having a bed go from tenant to  
12 tenant to tenant. However, it might be something  
13 else going on. So, maybe we can talk about.

14 DEPUTY COMMISSIONER RESNICK: I'm sure we  
15 could.

16 COUNCIL MEMBER VALLONE: Thank you,  
17 Chair.

18 CHAIRPERSON CHIN: I guess if the—if the  
19 call came into DFTA, most likely, I mean you would  
20 know whether it's a senior or not and then you could  
21 also like follow-up whether it's a case management  
22 agency, because one of the concerns that we've heard  
23 is that that's where homebound unit. Right, if they  
24 have attendants, how do you make sure that the DFTA  
25 contractors or the homecare worker enters the home of

2 a client who has bed bugs. You know, if they don't  
3 then all of a sudden this homebound senior with a bed  
4 bug situation will not get any kind of help. So,  
5 that's—that's something that we—we want to make sure  
6 that there is serve there to help these seniors in  
7 need because all I hear about is enforcement and, you  
8 know, and then the Department of Health with all the  
9 guidelines where there's no real assistance to a  
10 senior who is going through that situation. There's  
11 a lot to do right? You have to clean all the  
12 laundry, and you've got put everything together and  
13 the furniture. I mean the senior in that situation  
14 is not going to be able to handle it, and that's when  
15 they cry out for help. I mean I'm not sure if Adult  
16 Protective Service is the only way to get them  
17 assistance. Is that what it is right now?

18 DEPUTY COMMISSIONER RESNICK: I'm not  
19 aware of other city services besides protective  
20 services, and a few cases that we've had either in  
21 case management or through our Assigned Counsel  
22 programs. You know, sometimes eviction is bed bug  
23 infestation becomes part of that whole process.

24 CHAIRPERSON CHIN: Well, that's something  
25 that—information that's a follow-up. We wanted to



2 get some HRA in terms of like in case of the  
3 situation with seniors and bed bugs, you know, how  
4 does APS come in and do they provide the help and  
5 assistance, and so we should get some information on  
6 that. Is this for that? I think what we'll do is  
7 since we have other panels of advocacy we wanted to  
8 hear from the. So, I wanted to thank you all for  
9 testifying, and we are going to send you all the  
10 follow-up questions that we didn't get answers to,  
11 and I hope that we will--

12 DEPUTY COMMISSIONER RESNICK: A follow-up  
13 meeting?

14 CHAIRPERSON CHIN: Yeah, continue to  
15 follow up and then discuss how we can get the  
16 administration on board to support this legislation.

17 DEPUTY COMMISSIONER RESNICK: Thank you.

18 CHAIRPERSON CHIN: Thank you

19 DEPUTY COMMISSIONER RESNICK: Thank you.

20 [background comments, pause] The next panel Alexander  
21 Riley, Volunteers of Legal Services Elderly Project.  
22 Andrea Ciofani, Live on New York; Monica Krakowski  
23 from JASA; [pause]

24 MONICA KRAKOWSKI: Yes, it's okay. Good  
25 morning. My name is Monica Krakowski. I'm the

2 Director of Legislative Affairs with JASA and I'd  
3 like to thank Council Member Chin and members of the  
4 Aging Committee for the opportunity to testify today.  
5 JASA's mission is sustain and enrich the lives of  
6 aging New Yorkers in their communities enabling them  
7 to connect with people and places that give them  
8 meaning. JASA's programming promotes independence,  
9 safety, wellness, community participation and  
10 enhanced quality of life for New York's older adults.  
11 Our varied programs provide continuum of care to over  
12 40,000 clients annually. I'll start with Intro 1185.  
13 In the aftermath of recent hurricanes and power  
14 outages across Houston, much of Florida and  
15 surrounding area, and obviously what's going on  
16 today, there's a heightened awareness of potentially  
17 devastating impacts of the most vulnerable members of  
18 our communities. JASA commends the Council for  
19 introducing 1185, which will require the New York  
20 City Department for the Aging to provide information  
21 to households with uses of licensing and equipment in  
22 individuals with a medical hardship on how to  
23 register with the utility providing electrical  
24 service. Providing information to older adults at  
25 senior centers and NORCs as well as having easily

2 accessible information on the website, a New York  
3 City website will expand the reach of the city and  
4 hopefully help connect individuals with the  
5 appropriate providers. Previous hearings on  
6 emergency response and resiliency have address the  
7 concerns of advocates as well as city agencies in  
8 maintaining lists of individuals utilizing licensing  
9 and equipment in case of emergency. Of significant  
10 concern is how to keep such a database up to date and  
11 accurate so not to leave the precious time and safety  
12 of emergency responders.

13           1185 supports individuals in advocating  
14 for themselves by educating them on the steps to take  
15 in order to notify their utility companies while  
16 avoiding potential disclosure of private health  
17 related information to landlords. The responsibility  
18 of notifying the utility company rests with the  
19 individual in need of services, and I'll just-not as  
20 part of this but just the response to Council Member  
21 Deutsch, I agree that although we have plenty of  
22 information on Get Ready New York and all of those  
23 booklets that we give out and have them all the time  
24 and people have their go bags (sic) I don't see any  
25 reason not to have a standalone flyer information

2 that highlights the need for people to registers.  
3 It's just a-it's just easily-easily done.

4 Intro 189. As bed bugs have made their  
5 way back into the spotlight in New York City, JASA  
6 has worked closely with staff and clients in trying  
7 to prevent and respond to outbreaks. Bed bug  
8 infestations can happen anywhere and people may  
9 unknowingly transfer them from place to place in  
10 their closed luggage and other things. Infestation  
11 can be small and isolated or more extensive and  
12 complex. Bed bugs cause a variety of negative  
13 physical health, mental health and economic  
14 consequences including various physical reactions to  
15 bites, and mental health implications for people  
16 living in infested homes, and time consuming and  
17 expensive control measures. JASA thinks that through  
18 Intro 189 the City Council makes clear the  
19 understanding of the particularly negative toll that  
20 bug infestations have on older adults, and aims to  
21 assist older adults in managing outbreaks in their  
22 home. JASA seeks to prevent mitigating and contain  
23 bed bugs and similar infestations in our offices,  
24 program sites and apartments. We've invested  
25 significantly in trainings and protective processes

2 for staff. Prevention is the most cost-effective  
3 approach to managing bed bugs and can work in a wide  
4 range of settings. Trainings include focus on being  
5 respectful and sensitive to clients when asking about  
6 their home, and being vigilant in observation of any  
7 risk. We also maintain resources online and access  
8 for all staff. Despite preventative measures,  
9 outbreaks are inevitable with a client base of over  
10 40,000 and approximately 1,000 staff members. JASA  
11 workers closely with a pest control company with  
12 action plans including deployment of bed bugs,  
13 missing dogs (sic) at JASA housing, center centers'  
14 central offices and customized treatment plans  
15 sometimes including removal of furniture, thermal  
16 heating and primate flash freeze treatments.  
17 Unfortunately, bed bugs pose a significant challenge  
18 for older adults, and treatment is costly, and to  
19 that end, JASA welcomes any assistance the city is  
20 able to provide, and that may mean as-as the Deputy  
21 Commissioner mentioned, working with contractors.  
22 Obviously, we're not the experts in moving furniture  
23 and-and doing the actual getting rid of bed butts.  
24 But moving furniture and dealing with the intense  
25 nature of actually readying apartments for

2 extermination is—is very intense, and very  
3 challenging for an adult Int 1684, JASA supports this  
4 intro, which requires the Department for the Aging to  
5 establish an interagency program coordinator position  
6 to advise the commissioner on all city programs  
7 relevant to aging. The Interagency Program  
8 Coordinator would also be responsible for an annual  
9 report to the New York City Council on aging program—  
10 programs citywide. There are often programs and  
11 services impacting older adults, which are  
12 administered by city agencies other than the  
13 Department for the Aging. Whether it's Human  
14 Resources Administration, Department of Health and  
15 Mental—Mental Health, the Department of Homeless  
16 Services, Parks and Recreation, et cetera, it's  
17 important to note that in a city as large as New York  
18 City there's adequate coordination and reporting of  
19 existing services. Int 1684 will complement the  
20 already existing age-friendly NYC Partnership of the  
21 Mayor's Office, New York City Council and New York  
22 Academy of Medicine. And annual reports to the Mayor  
23 and City Council will provide a clear picture of the  
24 ways in which older adults are considered in city  
25 planning and service coordination, and it will serve

2 as a mechanism by which the city can measure its  
3 effectiveness in addressing the needs of older  
4 adults. Such a position may also result in the added  
5 benefit of education other city agencies about the  
6 needs of older adults in the areas for the city  
7 improve service delivery, and I'll just add one note,  
8 which is that the Age-Friendly NYC resources are  
9 incredible and vast, but I don't know how many people  
10 know about them. So, often we, you know, about all  
11 these great and wonderful programs and—and options  
12 for people to get educated and hire education and,  
13 you know, utilize city services, but they don't  
14 necessarily know about it unless they're already  
15 connected. So, I thank you, and that's all my  
16 testimony. [pause]

17 ALEX RILEY: Okay, good morning. It's  
18 still in the morning. Good morning, Chairwoman Chin  
19 and Council Member Vallone, and thank you very much  
20 for the opportunity to speak this morning. So, I'm  
21 Alex Riley. I'm the Director of the Elderly Project  
22 with an organization called Volunteers of Legal  
23 Service. We're located down on Ward Street, walking  
24 distance from here. Just briefly, we run a series of  
25 small legal projects in a variety of areas of legal

2 practice. The Elderly Project does two things: I run  
3 legal clinics offering advice and referrals in a  
4 various—a variety of subject matters throughout  
5 Manhattan and including one walking distance from  
6 here at—down on Gold Street, and I also work with  
7 volunteer lawyers at partner law firms to obtain  
8 wills, powers of attorney, and advanced directives for  
9 our clients. Prior to running this project, I was  
10 the staff attorney and the Legal Aid Society's  
11 Brooklyn Office for the Aging for several years where  
12 I worked with a lot of clients with bed bug problems  
13 and litigated cases involving this issue. So, I'm  
14 very pleased that the committee is proposing this  
15 legislation. First of all, I think that the—the  
16 problem with bed bugs for seniors is—is a problem for  
17 reasons other than simply that they are not able to  
18 move large furniture as has been discussed before  
19 remediation and eradication requires a lot of  
20 additional steps from removing curtains to bagging  
21 things and people with even insubstantial  
22 disabilities or lack of ability to do various things  
23 and will be challenged in this regard. In addition,  
24 many of the—the seniors who have this problem of—of  
25 bed bugs infestation are quite isolated. Earlier the



2 Deputy Commissioner of DFTA mentioned the prospect of  
3 friends and neighbors helping. Well, as we know,  
4 there are many isolated seniors in this city who have  
5 no friends and neighbors at all. So, that's—for many  
6 people that's not an option.

7 COUNCIL MEMBER VALLONE: [interposing] We  
8 all have friends and neighbors until we need a  
9 mattress moved and nobody picks up the phone.  
10 [laughs] Not being there. (sic)

11 ALEX RILEY: It's—that's an excellent  
12 point. Also, seniors and many people are often  
13 reluctant even to report the existence of bed bugs  
14 because there's a lot of misperception about whose  
15 responsibility it is to eradicate. Earlier the—the  
16 HPD representative pointed out correctly that it's  
17 the landlord's responsibility, but many seniors  
18 believe that it's their problem. They have to  
19 eradicate and they don't know how to do it so they  
20 don't tell anybody. This causes further problems,  
21 and the bed—the infestation gets worse, and in some  
22 cases the landlord will actually bring a holdover  
23 eviction action on the grounds that the—that the  
24 tenant deliberately omitted to—to alert anyone about  
25 this problem. So this thereby exage—exacerbates the

2 problem, and finally, as was mentioned before, and  
3 may studies have show that clutter does increase the  
4 proclivity to clutter one's home. One's apartment  
5 does increase as one ages. So, the older the senior  
6 potentially the bigger the problem if there—if there  
7 is a bed bug infestation. So, we certain support  
8 this bill. I agree with DFTA, though, that perhaps  
9 the—the idea of having this apply to every  
10 conceivable home no matter how one defines that might  
11 be challenging, but certainly the—the majority of  
12 people I deal with they live in rental apartments,  
13 co-ops that sort of thing. Those people absolutely  
14 need help and that must I would say fall within the  
15 umbrella of senior's homes, and the—as the  
16 legislation describes it. A couple of other points I  
17 just—I wanted to make about the—the legislation—the  
18 way the legislation was drafted. The legislation  
19 says specifically that DFTA will assist with the  
20 movement of heavy objects, but as we know the problem  
21 families extends well beyond that. I mean, if an  
22 impaired senior needs help beyond just moving the  
23 dresser. I mean they have—there's lots of things  
24 that need to be done, and generally in my experience  
25 when APS gets involved, it's, you know, they're in

2 they're in there to do more than just sort of helping  
3 to bag things. They'll—they'll do much more  
4 substantial work, which often involves what they call  
5 heavy duty cleaning, just getting rid of a lot of  
6 stuff, and that's what's not—that's not what's needed  
7 in any of these instances is a somewhat more careful  
8 approach. Also to the—to the discussion earlier  
9 about HPD's role in making authorities aware of this  
10 problem in individual instances, certainly when HPD  
11 is, it does show up in the apartment and inspects,  
12 finds a violation and place a violation for bed bugs,  
13 they can, DFTA and whoever else that many bed bug  
14 infestations are never reported to HPD or if they are  
15 reported to HPD, HPD there's telling how long it's  
16 going to take for an inspector to get there, if  
17 they're going to get into the apartment. So, I don't  
18 think that it's wise to rely solely on HPD to—to  
19 contact DFTA if, in fact, DFTA or whatever authority  
20 is going—going to be assisting. So, it—it occurs to  
21 me that there are other potential informers, so to  
22 speak, who could be mandated along the lines of a  
23 landlord's duty to inform a marshal of the presence  
24 of a—of an elderly person in an apartment prior to—to  
25 an eviction. Then the marshal is supposed to notify

2 APS. Perhaps it would be required that if a landlord  
3 or an exterminator is aware of a bed bug infestation  
4 in an apartment with an elderly impaired person, then  
5 the landlord or the exterminator should make a  
6 referral to DFTA or whatever authority is going to  
7 handling the situation. And in terms of outreach, I  
8 mean there's been a lot of discussion of the  
9 importance of outreach and education. Clearly this  
10 is critical in this case, and it occurred to me that  
11 perhaps the Department of Finance with all of its  
12 mailings and outreach to SCRIE and SCHE beneficiaries  
13 could coordinate with DFTA in this regard, and so the  
14 last thing I wanted to say is that something I  
15 learned in—in my litigation practice at Legal Aid was  
16 that this issue is—this is a broader problem than  
17 just with respect to bed bugs. I saw a lot of cases  
18 where elderly people had housing code violations in  
19 their apartment, but in order for those violations  
20 to be corrected, large furniture needs to be moved  
21 and these violations may have had absolutely nothing  
22 to do with bed bugs. For example, repairing damaged  
23 flooring, which posed a trip risk, a fall risk to  
24 the—to the seniors and typically landlords would say  
25 well, you've got to move that furniture and the

2 senior would say I can't and the landlord would say  
3 oh, well, it's too much of a liability for my people.  
4 We're not going to move it, and absolutely nothing  
5 would happen, and this--this is an issues that came up  
6 very frequently and there was no clear resolution to  
7 it. You--you really couldn't force the landlord to--to  
8 move these heavy objects, and there was no one else  
9 who was willing to do it. So, it would be great if  
10 at some point the committee could--could consider  
11 legislation that would offer this kind of service  
12 with respect specifically to heavy objects for any  
13 kind of housing violation--Housing Code violation that  
14 was impacted by this inability to move furniture.  
15 Thank you.

16 Good morning.

17 COUNCIL MEMBER VALLONE: Good morning.

18 ANDREA CIAFRANI: I'm Andrea Cianfrani.

19 I'm the Director of Public Policy at Live On New  
20 York. We would like to publicly thank Mayor de Blasio  
21 and the Administration as well as the DFTA  
22 Commissioner Donna Corrado for recognizing the value  
23 of investing in senior services in the FY18 Senior--  
24 Year of the Senior budget, which added a historic \$23  
25 million in baselined funding to community based

2 services that serve older adults as well as funding  
3 for the Council, and we would also very especially  
4 like to recognize the efforts of Councilwoman Chin and  
5 Council Member Vallone and the Aging Committee as  
6 well as all senior or all the City Council for your  
7 strong and very vocal and sustained leadership  
8 throughout this year of the senior, which we look  
9 forward to continuing to do. I'm just going to  
10 commend briefly on two of the bills being considered  
11 here today. So, I'll just jump right into that,  
12 Intro 1684. Live On New York supports this  
13 legislation. As we age, we build an incredible  
14 amount of momentum and older New Yorkers across the  
15 five boroughs are using this momentum to power up the  
16 economy, the political system and our communities.  
17 Many older New Yorkers remain the anchors in their  
18 neighborhoods and families providing invaluable  
19 volunteerism, caregiving and activism recognizing and  
20 bringing this momentum of older New Yorkers to the  
21 forefront will continue to take a very coordinated  
22 effort by all agencies in all parts of the city. By  
23 doing so, New York City will gain this energy of  
24 older adults going forward, and truly make this a  
25 city for all. Core to our mission to make New York a

2 better place to age, Live On New York advocates that  
3 when policy and community development ideas are being  
4 discussed, when policy decisions are being made,  
5 whether it be about a neighborhood rezoning, the  
6 development of a new community space, neighborhood  
7 safety, service delivery for benefits or business  
8 development, stakeholders and decision makers must  
9 take in the perspective of how those relate to older  
10 adults. We recognize the leader-~~leadership~~ at the-at  
11 DFTA under Commissioner Corrado as a strong voice for  
12 aging services and older adults. In addition, we  
13 support the ideas to the agencies being accountable  
14 and reporting on how they are also meaningfully  
15 serving the needs of older adults through their  
16 programs, resources and services. This could be  
17 anything to ensuring that they understand basic-basic  
18 things like that agencies might need to consider when  
19 they're holding public forums that seniors might be  
20 more apt to attend if it was during the day versus  
21 later in the evening. And also, another example is  
22 with-with neighborhood rezonings ensuring that  
23 discussion also focuses on the needs and supports in  
24 that proposed rezoning as it relates to seniors and  
25 in addition to schools and business development and

2 job opportunities. So, these are some—some areas  
3 that we think are really useful to be addressed  
4 through this legislation because it's not only the  
5 services that agencies are offering, but it's also  
6 how those agencies look at how they offered their  
7 services to older adults and making sure they're—  
8 they're taking in the perspective of those—those  
9 offerings. We also strongly advocate that the city  
10 makes continued investments in DFTA's overall  
11 infrastructure so the agency will have increased  
12 resources to serve the New York City's growing older  
13 adult population as we move forward. We also believe  
14 that this legislation and understanding the work of  
15 these agencies and how they—they are doing assistance  
16 delivery will help us understand as a city how, if  
17 there's any needs and gaps and help us plan through  
18 the budget for those needs going forward. 1684 would  
19 also strongly bolter the important work currently  
20 underway by the New York Academy of Medicine through  
21 the Age Friendly Commission, specifically those  
22 initiatives that were outlined in the recently report  
23 that was released in August. For these reasons, Live  
24 On New York strongly supports 1684. I'll also just  
25 briefly comment on 189, the bed bug legislation.



2 We're not taking a position at this time, but as both  
3 Molly and Alex mentioned as well as other testimony  
4 that was presented here today, it's a very  
5 complicated issue and—and we do believe that it's  
6 important to address the needs of seniors and taking  
7 into account all the complexities that happen with  
8 these situations. We are also in all of our work  
9 constantly focusing on the needs of the isolated and  
10 those who do not have community supports, and that do  
11 rely on the services of the city, for example through  
12 the Case Management system we can help serve older  
13 adults. Concern again with this legislation is that  
14 it is not, it does not come with funding attached to  
15 it in the legislation. So, we would want to make  
16 sure again, echoing Molly's comments, it's an  
17 expensive and complicated process that there be  
18 funding that would be considered if—if this is  
19 something—an idea that's looked at because it's a  
20 very complicated situation, and again, we don't want  
21 that responsibility to fall on community based  
22 agencies when they're not equipped to do so both  
23 financially and in other ways. The other, I will add  
24 again, to the 1684, the previous legislation that we  
25 would say the same thing is that because of the

2 complexity and the needs of addressing seniors in the  
3 city, we would want to make sure that that position  
4 is crated through this legislation would be fully and  
5 strongly supported financially by the city so that  
6 that position can do the incredible lot of work that  
7 will be asked, and will be needed. So, again, we  
8 thank you for the opportunity and also wanted to  
9 recognize that at the senior center has been the  
10 incredible work that member agencies such as JASA and  
11 many other do on a daily basis to serve older-older  
12 New Yorkers. So, thank you.

13 CHAIRPERSON CHIN: Thank you very much  
14 for your testimony and for some of your suggestions.  
15 So, this way we will have, you know, more backup as  
16 we negotiate with the administration on this  
17 legislation. So, thank you for being here today.  
18 Than you.

19 COUNCIL MEMBER VALLONE: And just real  
20 quick, I think what we determine when we have  
21 hearings like this is that there isn't a clear plan  
22 in place, and that's one of the ways to get to all of  
23 us and the advocates because as we all are concerned.  
24 So, something as simple as a bed bug question turns  
25 into a larger question, and then agencies will bring

2 in other people up to the table and saying I think  
3 it's this person, I think it's that person, and  
4 that's not a plan. So, legislation gets the question  
5 on the table. Funding will come the more we get  
6 advocates and more council members, and that adds the  
7 stream roll until June comes, but if we don't start  
8 it now and have our great Chair advocate the things  
9 like this, we won't get there. So, I—I clearly see  
10 the need for a coordinated effort to start this  
11 process to make sure we don't lose seniors in the  
12 world when we have an inspector come and three's no  
13 follow up. When you have a landlord who says I can't  
14 do it, and you have a tenant or a senior who says I  
15 don't know who to call, and we have all these great  
16 city agencies saying maybe it's this one, maybe it's  
17 that one. So, we need to come up with a better plan.  
18 So thank you.

19 CHAIRPERSON CHIN: Thank you. [pause]  
20 Okay, I apologize if I pronounce your name wrong but  
21 I can't read that handwriting that well. Sophia  
22 Randall from Medgar Evers College. [background  
23 comments] Oh, okay. Frances Mc Murray from Our—our  
24 Children. Louisa Cabrillo (sp?) from Fortune  
25

2 Society, and Fernando Martinez from Osborne  
3 Associates. [pause]

4 CHAIRPERSON CHIN: Please identify  
5 yourself for the record before you speak.

6 COUNCIL MEMBER VALLONE: Just make sure  
7 your microphone is on. You'll see a little red light  
8 there if it's not.

9 FERNANDO MARTINEZ: Okay. [off mic] I'm  
10 Fernando Martinez from the Osborne Associates.

11 CHAIRPERSON CHIN: Turn it up.

12 COUNCIL MEMBER VALLONE: I don't think  
13 it's on. Can you push the silver button? There you  
14 go.

15 ROSALIE CULLING: Okay. Rosalie Culling  
16 (sic) from Black Veterans for Social Justice. [pause]

17 CHAIRPERSON CHIN: Did you start—excuse  
18 me. Did you fill out a form?

19 ROSALIE CULLING: [off mic] Yes, I did  
20 and there was a lot going and here's draft on the  
21 senior citizens. [pause] Right here.

22 CHAIRPERSON CHIN: Oh, okay, we—we  
23 haven't called you yet. [background comments] Oh,  
24 the person from Medgar Evers College, Sophia. [pause]  
25 Okay. [background comments, pause] Laurel Layton.

2 Is—is that your name? No. [background comments] Oh,  
3 you're over there. Okay. [pause] You're going to be  
4 on the—you're going to be on the next panel.

5 [background comments, pause] Are you going to start?

6 FEMALE SPEAKER: I'm not going to start.

7 CHAIRPERSON CHIN: Oh, okay who's going  
8 to start?

9 MALE SPEAKER: Ladies first. [laughter]

10 FRANCES MC MURRAY: My name is Frances  
11 McMurray.

12 CHAIRPERSON CHIN: Please press the mic  
13 and make sure the button is on.

14 FRANCES MC MURRAY: It's on.

15 CHAIRPERSON CHIN: Okay.

16 FRANCES MC MURRAY: My name is France  
17 McMurray, and I'm formerly incarcerated being  
18 released only last year at the age of 62. There  
19 isn't anybody in the world that has never asked for a  
20 second chance. No one, and never more important than  
21 somebody that is being released. However, coupled  
22 with being released, is the fear of reentering  
23 society being unable to navigate without the proper  
24 resources, housing, employment, education anything  
25 that is needed for the reentry into society, and we

2 just need more help in that area. I work with our  
3 children. I was very fortunate that I obtained with  
4 our children and employment with our children.  
5 However, I do witness a lot of people especially  
6 older people they're having the difficulty in  
7 getting-getting the skills, or they don't have the  
8 skills needed to obtain employment. They can't find  
9 housing. They don't have family or friends that can  
10 help them. They've been ostracized or disowned by  
11 their families because of shame on you, mom, how dare  
12 you get into trouble. So, we can't house everybody.  
13 We can't help everybody, but somebody has got to help  
14 with that change and to-and to provide help. It's-  
15 it's-it's scary. There's terror on behalf of the  
16 person coming out of prison because if you don't have  
17 a plan before you reach that gate, it's too late.  
18 You're going to run around like a chicken without  
19 your head because you're so busy trying to find  
20 housing. You're terrified you're never going to find  
21 a job because you have the stigma of having a  
22 conviction next to your name or state ID number, and  
23 you end up returning to old familiar people, places  
24 and things, which helps keep the recidivism rate high  
25 because you had no other choices, and I see a lot of

2 people that never had the choice growing up so they  
3 know any differently, and I'd lie to see that change.

4 CHAIRPERSON CHIN: [off mic] Definitely.

5 VIRGIL CABEER: Good morning. My name is  
6 Virgil Cabeer, and I was released June 16, 2016 after  
7 doing five--

8 CHAIRPERSON CHIN: [interposing] Can you  
9 put the mic closer.

10 VIRGIL CABEER: Yes. I was release June  
11 16, 2016 after doing 507 months, which comes out to  
12 42 years and 3 months, and I have almost tripled my  
13 sentence. I started out at 15 to life, and most  
14 individuals who do long prison sentences no matter  
15 what people think, they have no idea what they're  
16 going out into the world to experience. Due to the  
17 fact that certain prison rules and restrictions don't  
18 let you deal with a computer. You don't have  
19 Bluetooth. You don't have certain electronic  
20 surveillance equipment. You don't have certain  
21 Medicare and Medicare practices. So, when you go  
22 out, the first thing I experienced was seeing people  
23 talking to theirselves in the street, which made me  
24 think everybody was crazy because we don't have  
25 Bluetooth in jail. And upon seeing that, I aid what

2 have I been sentenced to, and when you see new  
3 technology, or you see buildings where your house  
4 used to be, and you see new money(sic) going into the  
5 bathroom and the sinks come on by theirself. All the  
6 electronics, all the musical equipment and stuff like  
7 that. It's overwhelming. When you have people who  
8 have spent a great deal of time in the penitentiary,  
9 educating themselves to be released to a society  
10 that won't accept them, what do you do? Well, a lot  
11 of the seniors we automatically start looking after  
12 youth because if you don't protect the youth, you  
13 will have no future. Myself and others like me we  
14 have dedicated our lives to wanting try to save some  
15 of the kids now, to save them. I tell people that I  
16 helped destroy the community that I was in 40  
17 something years ago, and I no longer am the same  
18 person. When I went to jail, I was 33. I'm 76 now  
19 and whatever I did I can't change that, but I want to  
20 be-remembered as well as many other seniors for the  
21 good that we do now. If-if-if the society doesn't  
22 utilize us to help straighten out the conditions,  
23 then society is going on a path of failure. The same  
24 manner in which you advertise for people down on Wall  
25 Street who are retired executives and utilize their



2 experience. You should utilize the seniors who come  
3 out of jail for the same reason. We know what to do.  
4 We have lived it. One of the mistakes that society  
5 makes is I nickname it the West Point Syndrome. We—  
6 you send a person to college to go and come out a  
7 second lieutenant to go and fight a war where they  
8 have never been as opposed that soldier who became a  
9 sergeant who was in the trenches for years. You  
10 can't keep making the same mistake and thinking that  
11 you're going to solve the solution. Utilize those  
12 people who have spent their time in jail that have  
13 tried to save your youth to try to ensure that you  
14 have a better future because if you don't save the  
15 kids, you got no future. You don't have it. We in  
16 turn want to help, but we can't give all the time.  
17 We never filled out any paperwork before. We don't  
18 know it's about HRA or SSI or anything else like that  
19 because we weren't exposed to it until we were  
20 instantly put on the street. When we are put on the  
21 street, what do we see? A whole new world, a world  
22 which didn't exist when we were incarcerated. The  
23 only thing that closely resembles being in touch with  
24 reality is looking on the television, and that's  
25 fantasy. The reality of it is the most hurtful thing

2 that I've seen since I've been home is seeing  
3 individuals meaning anyone that's sleeping in the  
4 streets. Because when I look at them, I say that  
5 could be me, and I'm thankful that the Fortune  
6 Society and many others like them accepted us and  
7 helped us because we're here, but don't waste our  
8 talent. We can help you clear up this mess because  
9 it's a mess. You might not see it, but if you've  
10 never been to jail, you don't know what it's like to  
11 be in there. You have no idea other than what  
12 somebody told you. Live it for—for a year, and see  
13 what it's like. One of thing I advocated many years  
14 ago, I said you send every kid that's reached a  
15 certain age use the scare straight tactic. Let them  
16 go to jail for a year not on the real side but as a  
17 training, you would save a lot of going back to jail.  
18 But without that the gang, the peer pressure, the  
19 drugs, the things that attract people, they're going  
20 to fall into that spot as well, and they're going to  
21 get sucked up, and if you don't save the kids like I  
22 said, you're not saving the future. You're making  
23 your job harder because right now, you, yeah but you—  
24 you're not going to enjoy seeing your grandchildren  
25 or your great grandchildren being sentenced to a time

2 when you won't even be around to visit in the future  
3 because you're going to be dead. I had three  
4 children. I lost one, but I saved two. I saved two.  
5 My daughter became a CO and my son he—he made it. I  
6 lost one child and I got a grandchild, and she came  
7 to see me and she's alright, but I would love to help  
8 all mothers and fathers not see their kids going to  
9 jail to be sentenced. The north is much better than  
10 the south because they execute them down south. They  
11 execute them. They don't—they don't take no—they  
12 don't take no—no sharks, as we say, and I think you  
13 for letting me talk, and I appreciate it.

14 CHAIRPERSON CHIN: Thank you for being  
15 here. Thank you.

16 FERNANDO MARTINEZ: I want to also thank  
17 my colleague for sharing his story. It's a story  
18 that we often hear at the Osborne Association. My  
19 name is Fernando Martinez and I am the Fulton Project  
20 Director, and I'm speaking on behalf of Laura Rone  
21 (sic) who is the Program Manager for the Elder  
22 Reentry Initiative at the Osborne Association. The  
23 testimony that I'm about to provide is our testimony  
24 as the Program Manager. For two years the Elder  
25 Reentry Initiative with support from the Osborne and

2 City Council HA (sic) funding and Council Member  
3 Gibson's fund for Senior Services along with several  
4 foundations that has provided geriatric assessment  
5 and discharger planning services to incarcerated  
6 older adults prior to their release. And then  
7 comprehensive case management services post release  
8 in New York City. These services are for returning  
9 citizens individualize age appropriate care to ensure  
10 a successful reintegration into our communities. As  
11 you all have heard from other speakers such as my  
12 colleague next to me or my two colleagues, and in the  
13 testimony submitted by Tanya Krupat, who is here  
14 today, Director of Osborne's Center for Justice, the  
15 questions she raised older adults are the fast  
16 growing demographic in prison. Yet, to our knowledge  
17 we're operating perhaps the only program in the  
18 nation that serves the transitional needs of aging  
19 people in both jail and prison setting, and provides  
20 a continuity of care from pre-release to one year  
21 post-release. The programs operates in Rikers  
22 Island—Rikers Island jail and three New York City --  
23 New York State prisons as well as five—as well as in  
24 the five boroughs of New York City, as you may be  
25 aware, that due to Osborne's request to the City

2 Council for the past two years to fund this work.

3 Since many others before me today have spoken on the  
4 challenges associated with incarcerated older adults,

5 I am going to speak to Osborne's unique experience on  
6 the front lines of working with this older

7 incarcerated population. Osborne's Elder Reentry

8 Initiative initially focused on seniors released from

9 incarceration after 10 or more years in New York

10 State prisons. That has since expanded to include

11 older people being released from Rikers Island jails.

12 The populations are quite dissimilar as Rikers Island

13 participants often have chronic substance abuse

14 issues and they address mental health concerns and

15 extensive periods of homelessness. They find

16 themselves mired in cycles of detention, homelessness

17 drug related crime and re-arrest. Our participants

18 with ten or more years of incarceration, however,

19 face distinctly different challenges. In both cases,

20 we begin with a geriatric assessment that is

21 especially modified for the incarcerated. Their

22 struggles with crime and sobriety lie decades behind

23 them but their age creates a new barrier. They face

24 the world that has changed dramatically since their

25 arrest: Cell phones, WiFi, touch screens, Metro

2 Cards. They answer their apps. All of these are  
3 foreign to them. Key family members have died or  
4 moved away and their aging bodies often cannot work  
5 in a job sector they left behind decades ago.  
6 Because it is hard to image what entry—what reentry  
7 looks like for someone incarcerated 20, 30 or 40  
8 years, I would like to share the story of one of our  
9 participants, Tyson, who we met at the prison gate  
10 and escorted home on the day of his release. The  
11 story begins months prior to his release when I met  
12 with Tyson to begin finalizing his release plans. He  
13 had been granted release after his sixth Parole Board  
14 hearing, and after 35 years of incarceration. Tyson  
15 was awash with emotion. When I approach Tyson in the  
16 prison waiting area, he had been crying for 20–24  
17 hours since he'd been notified about his parole  
18 decision leaving him with red swollen eyes. In our  
19 prior sessions, he had expressed what he had—that he  
20 had—was depressed, anxious and lonely, and was so  
21 grateful that he would soon be released living with  
22 his mother in freedom. His mother's health was  
23 declining and he was thrilled to be able to go home  
24 to her and to care for her and spend time with her.  
25 Release day was overwhelming for Tyson at 61 years

2 old and 35 incarcerated, he didn't know how to buckle  
3 a seat belt, how to turn on a cell phone or how to  
4 operate a touch screen. When he held money in his  
5 hands for the first time in 35 years, he asked me if  
6 it was real money because the colors and type face,  
7 pictures, textures had all changed. He said the only  
8 thing he recognized about it was the small. He said  
9 he'll get used to using Monopoly money. Several times  
10 in initial hours of freedom, Tyson broke down in  
11 tears overcome with emotion. Tyson brought almost  
12 nothing with him when he left prison. He had give  
13 most of his things away to his incarcerated peers.  
14 He wanted to shed everything about prison life as  
15 quickly as possible, the prison ID, the release  
16 clothes, the soap smell. So we took him to a store  
17 to get a few essentials like a razor and socks, and  
18 you we experience people with extensive time behind  
19 bars make so few decisions for many years that their  
20 decision making muscles atrophy, and shopping can be  
21 overwhelming for many of them. Tyson was no  
22 different. When it came time to pick out new boxer  
23 shorts, Tyson was completely flamuxed.(sic) He felt  
24 paralyzed and unable to make a decision though the  
25 choices were limited to just two options: Plaid or

2 solid. [coughing] When he couldn't decide after  
3 several minutes of thinking, we flipped a coin,  
4 grabbed the associated pack of underwear and kept  
5 shopping. Minutes later he took me aside, Miss Laura,  
6 can I please get the other boxers. In prison we're—  
7 we aren't allowed to wear stripes. So, I'd like to  
8 get the plaid instead. Of course, we went straight  
9 back and exchanged the solids for the plaid, but the  
10 moment struck solidly. Tyson's recovery and reentry  
11 were going to be grueling for him if the plaid/solid  
12 decision was so paralyzing. Beyond that, he was  
13 going to have to figure out who he was a human  
14 without the yoke of incarceration on his shoulders.  
15 Was he stripes or was he a solid man? Would he  
16 always pick up the not-prison choice or would he be  
17 able to recover, reestablish his own identify and  
18 truly be free? I'm happy to report that at the four—  
19 almost four months being released, Tyson was—has  
20 recovered his ability to make decisions and he's  
21 living a purposeful, pro-social life. He helps his  
22 mother with her daily living needs. He is actively  
23 looking for work. He's still working on mastering  
24 technology while he embraces the challenge. He found  
25 his laugh again and his anxiety, depression and



2 loneliness seem obliterated. Tyson' success is  
3 typical of our-of our participants. We have-we have  
4 had only on participant rearrested. Our  
5 comprehensive adaptive care management means that  
6 each participant receives compassion assistance  
7 tailored to her or his needs. However, Osborne's  
8 Elder Reentry Initiative serves only a small fraction  
9 of the seniors released from New York City jails and  
10 New York State prisons every year. So, most  
11 reentering seniors do not have someone to help them  
12 learn how to use a Metro Card, a seat belt or a touch  
13 screen. They do not have transitional housing,  
14 medical appointments or relapse prevention services  
15 in place prior to release. Instead, they often are  
16 lost and alone. Released back to the homelessness,  
17 mental-mental illness and substance use that led to  
18 them-that led to them to incarceration in the first  
19 place. Almost as-although Osborne is currently  
20 redeveloping the Fulton Correctional Facility in the  
21 Bronx to provide transitional housing that will  
22 prioritize older adults, the demand is far greater  
23 than the question as we were able to go after what  
24 remains. I would like-reentering adults are  
25 prioritized for senior and supportive permanent

2 housing. For all these reasons and more, we endorse  
3 Council Member Dromm's proposal to create a temporary  
4 task force to address post-incarceration reentry for  
5 older adults. Thank you for the opportunity to speak  
6 today.

7 CHAIRPERSON CHIN: [off mic] Thank you.

8 LAURA WHITEHORN: Okay. Good afternoon.  
9 I think now it is. My name is Laura Whitehorn. I am  
10 representing the Release Aging People in Prison,  
11 RAPP, and I am formerly incarcerated. I had the good  
12 fortune largely because of my privilege in the  
13 society. So, I was a person who had family and friends  
14 who were able to take care of me when I got out of  
15 prison, and I want to take us for a minute out of  
16 this hearing room. We had a press conference this  
17 morning, which was a lot of people, and a lot of  
18 formerly incarcerated people and their families and  
19 lot of support for 1616 and we really appreciate that  
20 it's being brought up. And we appreciate that it's  
21 coming out of the Aging Committee because just to—a  
22 little show and tell. So, one of our submissions  
23 today is the book: *Aging in Prison and Reducing*  
24 *Elder Incarceration and Promoting Public Safety*. That  
25 began I don't know 2012 or '13. We can never

2 remember because we were planning it because we saw  
3 the exponential rise of the number of elders in  
4 prison across the country and the statistic in-in New  
5 York is that since 2000 the overall prison population  
6 in New York fell by about 27% whereas the population  
7 of people 50 and older went up by 98%, and this is  
8 largely something that is not the concern of the City  
9 Council. It's because our state agencies, the parole  
10 boards they're not letting people go, and because of  
11 the massive rise of the thinking that you have to  
12 keep people in prison, people don't get a second  
13 change. So, that also, though, creates a context to  
14 this hearing because if there are 2.3 million in  
15 prison in the United States and all of those people  
16 have families, then anything that affects the  
17 incarcerated and formerly incarcerated population,  
18 affects everyone in the community as well. So, this  
19 booklet began when started to work on RAPP, we were  
20 asked by people where are people going to go? So, we  
21 contacted the Department for the Aging to discuss  
22 this, and they had never thought about incarcerated  
23 elders as part of their population, and immediately  
24 they saw how important that was, and with DFTA and  
25 the Osborne Association, and RAPP and some other

2 groups, we set up the Aging Reentry Task Force, which  
3 worked for about a year and a half to do a study of  
4 the issues facing elders coming back into the  
5 community, and created a case management plan, which  
6 is in the back of this book, which is part of what  
7 Fernando was talking about, about the Elderly Reentry  
8 Initiative is being practiced, and it is the only one  
9 or maybe there is one other there, but I'm not sure.  
10 I think it's the only one in the country that is  
11 dealing with reentry needs of older people. That  
12 tells us that this task force is needed here. I—we  
13 also have in our submission a report from the State  
14 Comptroller, Thomas DiNapoli about the crisis  
15 emerging in prison, which also talks about the need  
16 for looking at release, more release mechanisms for  
17 older people, and that means that we need more  
18 reentry. I would also just point out when I got out  
19 of prison, because I was in prison during the height  
20 of the AIDS epidemic, I did and Farid Mujahid, I had  
21 Farid, my co-founder of RAPP. He did, too, AIDS  
22 education and counseling in prison. We used to speak  
23 for opioid inhibitors. It's before any of the good  
24 medication, and so when I came out I worked for about  
25 12 years at Paz Magazine, a magazine for people with

2 HIV, and we studied the issue of people with HIV  
3 getting out of prison, and how over the years  
4 programs were developed to institute continuity of  
5 care and how those programs that were designed solely  
6 for people with HIV then influenced how reentry was  
7 done for other populations. And so we feel that the  
8 1616 is so important because whatever we figure out  
9 among us, and it is people who've been there who have  
10 to be very much part of leading this process, will  
11 then affect issues of homelessness for people who  
12 aren't formerly incarcerated and it will affect how  
13 housing programs are set up for all kinds of  
14 vulnerable populations. So, we think that's really  
15 important. I wanted to say something about—which I  
16 couldn't hear totally, but I think the Mayor's Office  
17 was—was saying that they are doing all kind of  
18 reentry work, and that this is not necessary, but I  
19 think that I don't want to use the word ridiculous,  
20 but I think that what we've heard, and what we will  
21 hear from other people is that there is not—it's not  
22 just that we could always do more. Like what's being  
23 talked about with DFTA. So, it's that there is just  
24 not enough, and that it hasn't been modeled with the  
25 expertise of the formerly incarcerated. So, RAPP

2 which is contacted all the time. We were a tiny  
3 bunch of people, but were contacted from all over the  
4 country and around the world because we're people who  
5 said this is a problem, and the solution is to let  
6 people out and create good reentry, and the Mayor's  
7 Office did not reach out to us. I don't know if they  
8 reached out to any of the other groups doing this  
9 work. So, I just want to end by saying that this  
10 issue of elder reentry is one which we appreciate the  
11 City Council getting behind. We do think that  
12 there's one change that we need to make or a few, but  
13 the one I'm going to talk about to the—the  
14 legislation as it's written is that I think there's  
15 room, and it's mandated to have one formerly  
16 incarcerated person. We think there should be at  
17 least three if not more, and that's partly because we  
18 don't want to a token. We want—like when talk if we  
19 talk about what it's like for you to get out of the  
20 state and me to get out of the feds, we'll come up  
21 with a different—we'll end up with something  
22 different than we started with. If we talk as a  
23 woman and a man getting out, we'll talk about things  
24 that are—we'll end up with different answers than we  
25 started out with. So we would urge that—that the

2 City Council recognize that the expertise of the  
3 people who have been there, not just because we have  
4 the experience, but because we understand what the  
5 problems are. We understand what the emotional  
6 effect are because we've lived—not just because we've  
7 lived through them, but because we've conquered them,  
8 and that's what this—what I think is so important  
9 that 1616 is that we'll recognize that not only are  
10 the people closest to the problem closest to the  
11 solution, but that those of us who have survived this  
12 and have overcome it have some really good ideas and  
13 spirit to put into this problem that we have to  
14 solve. So, thank you very much. [applause]

15 CHAIRPERSON CHIN: Thank you. Thank you.  
16 Thank you. Thank you so much for your testimony, and  
17 we will, you know, push for us on this legislation  
18 for all the things that you have testified. It's  
19 such a great need. I mean the—one question that I  
20 have I mean from the—the Mayor's Office of Criminal  
21 Justice, you know, their testimony that they have  
22 this strategy it involves the creation of the New  
23 York City Diversion and Reentry Council. Were any one  
24 of your organizations contacted for that? [pause]

2 FERNANDO MARTINEZ: We were not. I had  
3 to turn back to my colleague Tanya Krupat, but were--  
4 were not from the Osborne Association.

5 CHAIRPERSON CHIN: Okay, because they  
6 mention all these, you know, safe communities,  
7 formerly incarcerated, individual advocates, but they  
8 didn't invite any one of you?

9 FERNANDO MARTINEZ: Right.

10 CHAIRPERSON CHIN: Okay, well thank you.

11 FERNANDO MARTINEZ: Thank you.

12 CHAIRPERSON CHIN: Well, thank you for  
13 your testimony and we will continue to work with  
14 Council Member Dromm on this legislation. We're  
15 going to call up the next panel. [pause] Rosalie  
16 Cutting, also from RAPP; Sovini-Sophia.

17 SOPHIA BANDELLI: Yes.

18 CHAIRPERSON CHIN: Okay, you're back.

19 [background comments] Your last name is Bag--

20 SOPHIA BANDELLI: Bandelli.

21 CHAIRPERSON CHIN: Oh, Bandelli, okay.

22 SOPHIA BANDELLI: Yeah.

23

24 CHAIRPERSON CHIN: From Medgar Evers  
25 College. James Royale from Brooklyn Defenders



2 Service and Theresa Montini from the Brookdale Center  
3 on Hunter—in Hunter College. [pause] You may begin.  
4 Sarah, do you want to start? [pause]

5 ROSALIE CUTTING: Is this on? Oh, okay.  
6 Good morning, Madam Chair and distinguished panel.  
7 I'm sorry for the confusion. I must have filled out  
8 my form wrong. [laughs] It's nothing unusual. I'm a  
9 formerly incarcerated woman who as you know—

10 CHAIRPERSON CHIN: [interposing] Can you  
11 identify yourself first, you name?

12 ROSALIE CUTTING: Oh, my name is Rosalie  
13 Cutting. I served 27 years in the State facility and  
14 I was released at the age of 70. I was released on a  
15 de novo hearing. I was representing by Morningside  
16 Heights Legal Services and two Columbia students  
17 represented me and won the argument with the Supreme  
18 Court Justice who honored all the points, and it set  
19 a precedent for those that follow me. It was—I  
20 really am passionate about the reintegration process  
21 for the formerly incarcerated and those to be  
22 release. I think one human right is to have a safe  
23 appropriate place to lay one's head when one is  
24 returned from prison into the community. It's not  
25 asking a lot. It's nothing luxurious. It's just

2 that safe place. I'm responsible for the crime I  
3 committed. I would never try to justify it and each  
4 step I take I think about my victim and my victim's  
5 family. Those of us that have been incarcerated for  
6 a number of years, we have learned a lot about  
7 ourselves and our potential, and we pick up the  
8 responsibility and step forward and stand for the  
9 responsibility for what one has done. I made bad  
10 choices and that's how I ended up there. So, I'm not  
11 blaming anyone but myself. I want to make that  
12 perfectly. I think when—when I was release, when I  
13 first got from the Parole Board after that special  
14 dinner with a hearing, you know, almost three years  
15 ago now, I was just elated that instead of being  
16 denied parole, I was granted parole. So, in  
17 preparation for that, all my—my plans for release  
18 kind of fell apart, which is not unusual, but friends  
19 of mine for almost four years stepped up to the plate  
20 and welcomed me into their home. So, they were the  
21 ones that welcomed me at the gate. Upon leaving the  
22 facility I remember all the women cheering, and I  
23 went—walked through the gates after 27 years with  
24 officer that had kind of done time with all of us,  
25 and I remember turning around and hearing those

2 voices and then looking down the hill at my friends  
3 picking me up blinking Oh, my gosh, what do I do now?  
4 Inside I could navigate. I developed programs with  
5 the college, mentored women who were searching for  
6 their own potential and searching for themselves who  
7 they are and where they are going. They're just and  
8 burned, and for the women, and I know for the men  
9 it's—it's totally different from us and our needs,  
10 but for women it was bonding with their families. I  
11 work for the Family Reunion and DMV and the Puppy  
12 Program, and everything that was possible it positive  
13 inside me encouraged my sisters inside to move ahead  
14 because they had permission now to do it. While that  
15 seems a little bit strange, it is for women who have  
16 been beaten down most of their lives. That's not a  
17 justification in anyway as to why they were  
18 incarcerated, but they just felt that way because of  
19 choices they made and what they were faced with. So,  
20 during the time and then and—and being released after  
21 27 years I ended up at Costco. That was overwhelming  
22 for me. The technology, the web didn't come in until  
23 1994 was my understanding and we have done computers  
24 inside and I worked on those computers. It was  
25 nothing what I was prepared for coming out. The

2 prices on milk when I went into the system was 98  
3 cents a gallon, and coming out what is it, \$5 or \$6 a  
4 gallon. So, I was faced with handling money. I was  
5 also faced with housing, which is a big thing for  
6 those who were formerly incarcerated coming back into  
7 their communities because no one wanted to rent to me  
8 because of my past. Employment was the same way. We  
9 have block the box, but they can look, they can pull  
10 you up in a computer and while they won't state that  
11 that is the reason they will not hire you, you don't  
12 get employment. I was blessed with friends that step  
13 forward and I did volunteer work for an architect in  
14 Queens. So, I kind of started learning about all  
15 those necessities with the computer and locking the  
16 grid in New York City. I'm from upstate so I had to  
17 master the subway. I also-this sounds kind of crazy.  
18 After 27 years going into a public lavatory and-and  
19 panicking because there was nothing to flush the  
20 toilet, somebody screamed out "walk away". So, I  
21 walked away and kept walking like for 10 minutes  
22 because I couldn't believe it would flush itself, but  
23 those are part of the ridiculous things from some  
24 people, but for me it was a big thing and at 70 years  
25 old I was facing 71, and then-and then it was what am

2 I going to do. I'm not—I'm tenacious so I thought  
3 well, you know, I'm—I'm not going to feel bad about  
4 all this. I'm going to stand back up like my dad  
5 always told me, who was a veteran.(sic) Get on your  
6 feet and move ahead. So, that's what I did. I went  
7 to Fortune Society. While there's many agencies out  
8 that are helpful, Fortune Society assisted me all the  
9 way to my employment at Black Veterans. I learned my  
10 computer skills. I picked it up, and Ms. Wendy  
11 McClinton, who was a former veteran herself and CEO  
12 of Black Veterans was a homeless person, totally  
13 understood those needs and gave me that second  
14 chance, and that's all we're asking for is second  
15 chance. So, I totally stand behind the whole  
16 movement especially RAPP because they are positive  
17 force and I believe, I would hope anyway with the  
18 respect I have for our Mayor and the Council Members  
19 that they would step up and support the release of  
20 elderly people in prison to be released and for those  
21 formerly incarcerated the support they need when they  
22 are release because it was a real struggle without  
23 friends and family. I can't imagine being out all by  
24 myself at my age and being successful. It—it's just—  
25 it's really difficult and I'm not saying feel sorry

2 for me because that is not the way it is. I'm not a  
3 victim and I'm a real strong woman who stood up, and  
4 I'm standing up for the rights of those that are  
5 still waiting to be released. Thank you so much for  
6 allowing me to speak.

7 CHAIRPERSON CHIN: Thank you.

8 SOPHIA BANDELLI: Hello. My name is  
9 Sophia Bandelli. I work with the RAPP organization.  
10 I'm very pleased and proud to be involved with RAPP,  
11 which I think is high or near the leader of this  
12 movement. I'm also retired from Medgar Evers  
13 College, CUNY and my testimony references my 34 years  
14 of experience at Medgar Evers College where I served  
15 not only as a classroom instructor in the humanities,  
16 but also Director of the college's pioneering campus  
17 base Center for Women's Development. The center  
18 earned the reputation as a social justice  
19 organization promoting not only gender equity, but  
20 informally providing a space for peopled released for  
21 New York State prisons to visit or support and  
22 information. Because my loved one Evan Quinada (sp?)  
23 was and still is incarcerated, I have deep knowledge  
24 of incarceration issues as well as higher education.  
25 Thus, the returning formerly incarcerated found a

2 welcoming and knowledgeable person—persons in our  
3 center. Four of these people who returned: Marvin  
4 Calvin, Melvin Thompson, Chris Brunson and Freddy  
5 Sutton, each had been sentenced early in their lives.  
6 Each had done long bids over 20 years, each had  
7 exemplary institutional records when they were  
8 paroled to the community, the Brooklyn community.  
9 Each of these men had experienced health issues as  
10 they grew older in prison. Upon their release, the  
11 substandard prison medical—medical care exacerbated  
12 these illnesses. Each of these four men spent hours  
13 in my office as we discussed life outside and their  
14 options and the collateral consequences of  
15 incarceration. Each of these four men died shortly  
16 after release. Two had had housing problems  
17 including stints in shelter. The others had not.  
18 Research has estimated the years that prison adds to  
19 one's chronological age. Thus, my friends were in the  
20 older adult category, and because we live in a youth  
21 focused society, the issues facing older persons are  
22 usually marginalized. This is one reason 1616, the  
23 Care Act is so very important. Just establishing  
24 this task force to examine issues related to post-  
25 incarceration sends a powerful message that this

2 cohort the marginalized within the marginalized  
3 should be recognized. The absence of the older  
4 formerly incarcerated individual on civic and  
5 community based and city organizations is frankly  
6 deplorable. How the lives of all citizens matter  
7 when this group is so overlooked legislatively  
8 including the community boards. Medgar Eves College  
9 and RAPP hosted a symposium several months ago on  
10 this issue. To Medgar's credit, the Administration  
11 expressed interest in becoming more and involved  
12 through research and direct action. Specifically the  
13 nursing and social work departments are ready to  
14 contribute to the work of that and the Care task  
15 force when it's established. Medgar Evers has a  
16 history of compassion and assistance with the  
17 formerly incarcerated, and cleaning out my files I  
18 found this record from March 1993. We had a forum on  
19 the great Fanny Lou Hamer and at that time we  
20 advertised for a community based coalition to discuss  
21 criminal justice issues entitled *Changing the*  
22 *Criminal Justice System Through Community*  
23 *Empowerment*. The forum was held Saturday, April 3,  
24 1993. I was a speaker along with the formerly  
25 incarcerated brother Asala Gibson. That's almost a



2 quarter of a century ago. We are still—I mean just  
3 to establish this task force is major and so we thank  
4 you, Commissioner—Commissioner, you should be  
5 Commissioner. We thank you Councilperson [laughs]  
6 for your leadership as well as Dromm. So this is  
7 the—my friends who are now ancestors: Freddy, Chris,  
8 Melvin and Marvin, you know, they would applaud  
9 today's events and they would talk about this is one  
10 of the positive collateral consequences that here a  
11 city agency is taking notice. More of the City  
12 Council people should get on board with this, and  
13 that is our job at RAPP to make sure that that  
14 happens, but at least this is the beginning and to  
15 have the task force dedicated to older returning  
16 people from prison, is a really, really great leap  
17 forward. Thank you very much.

18 CHAIRPERSON CHIN: Thank you. [applause]

19 JAMES ROYALL: You definitely deserve  
20 some applause. Hello, hello, do you hear me? Good  
21 afternoon. Thank you Sophia and that was very nice.

22 SOPHIA BANDELLI: Thanks for that.

23 JAMES ROYALL: Yes. Good afternoon. My  
24 name is James Royall and I'm Reentry Specialist BDS,  
25 Brooklyn Defender Services, and before I begin, I

2 just want to thank the City Council. I'd like to  
3 thank Chairperson Chin and—and the Committee on  
4 Aging, and I would like to particularly thank,  
5 although he stepped out, Council Member Dromm, the  
6 bill's sponsor for giving me the opportunity to  
7 testify on Intro No. 1616. At the Brooklyn Defender  
8 Services, we strongly support the establishment of a  
9 task force for older adults. Those are investors  
10 returned to society and offers—and we also offer that  
11 application to strengthen this task force and this  
12 legislation. More than 10,000 people age 50 or older  
13 are currently incarcerated in New York according to  
14 the latest available data and excusably this number  
15 is rising. Advocates are pushing and influencing  
16 Governor Cuomo and Legislature to adopt reforms that  
17 would allow for many incarcerated older adults who  
18 have the lowest recidivism rates to be released. Led  
19 by this proposed task force, New York City can be an  
20 alley in the parole reform, with resources in place  
21 to help individuals successfully return. Currently,  
22 there's legislative programs that actually address  
23 these problems, and services for older New Yorkers  
24 across the city and a growing network of financial  
25 resources, but very little overlap between those two.

2 One organization that truly gets it right we heard  
3 from today was the Fortune Society. We know the  
4 Osborne Association is on board with the new facility  
5 that they are establishing in Fulton, and however  
6 the—the issues and the providers is—is far more than  
7 what we know. We need more than just one or two  
8 providers to address this particular issue of older  
9 adults returning to our society as citizens. We at  
10 BDS we have four recommendations to strengthen this  
11 legislation, and one additional recommendation from  
12 the advanced—that's in advance, excuse me. We had  
13 one additional recommendation to offer in advance for  
14 the task force.

15 First the task force should remain in  
16 place for at least five years to be able to monitor  
17 the implementation of the recommendations that they  
18 made in its forthcoming report and hold policymakers  
19 accountable with additional progress reports.

20 Second, BDS believes that at least half  
21 of its members should have close personal experience  
22 with incarceration either through their own  
23 incarceration or that of a family member. The agency  
24 officials and academics sought to the task force in  
25 the current bill languish had a variety of valuable

2 expertise and they should make—and make any and all  
3 data and information available to the task force as  
4 the bill requires for them to do so, but those who  
5 have lived through the challenges of reentry should  
6 be on the front lines of identifying the solutions  
7 We heard from a couple of individuals tonight that  
8 spoke that—that some—or many individuals that's older  
9 adults that's older 50 years old they have the  
10 tendency of educating themselves or rehabilitating  
11 themselves once they are incarcerated. Of course,  
12 the state prisons does have basic programs for  
13 rehabilitation, but that's what they are. They are  
14 basic. Beyond that, the first two or three years of  
15 incarceration those programs are no longer available  
16 to older adults, everybody that has basically  
17 resolved that issue. There's more rehabilitation to  
18 be done, and most people do it themselves. These are  
19 the individuals, though, that have the ability to  
20 help with the recidivism rate. These are the—these  
21 are the individuals that have the ability to help  
22 with the—with the juvenile and the youth and the  
23 recidivism rate that is so high among that group.

24           Such—the third, the third recommendation  
25 that we would have to attach was to also include at

2 least one provider of affordable housing and one  
3 provider by-provider of supportive housing. Our  
4 clients' experiences affirm the reality that stable  
5 housing is the key to successful reentry. Yet, 58%  
6 of older adults, which is about 1,600 of them were  
7 homeless upon release and really 1,200 went directly  
8 to a homeless shelter, and as we heard from releasing  
9 aging people in prison, those statistics came from  
10 them. They have done the research. Such unstable  
11 housing can disrupt medication, the therapy resumes  
12 and hearings. It would impose additional unnecessary  
13 restrictions like curfews and add to the overall  
14 volatility and stress of being poor in New York City  
15 and subject to widespread discrimination in  
16 employment and in elsewhere. Lastly, the bill should  
17 be-should require that the task force is flirting  
18 unique challenges of reentry for people because they  
19 get a sex offense especially older adults, and made  
20 recommendations to the state regarding the movement  
21 and residency restrictions for this population.  
22 While there are substantial political challenges  
23 associated with the system, this population with  
24 reentry public safety, reforms and fairness demands  
25 be consideration of years of policy that ultimately

2 is no linked with positive outcomes or increased  
3 public safety. The restrictions should include the  
4 seller and the server generally prohibits—the  
5 restriction included in the Section Reform Act (SIRA)  
6 and Essentially Funded Restoration Act generally  
7 prohibits defendants from knowingly answering any  
8 areas within a thousand feet of schools or facilities  
9 primarily used by people under the age of 18. In  
10 short, they do nothing to prevent sex offenses from  
11 occurring and, in fact, it can increase risk of  
12 reoffending by preventing effective individuals from  
13 obtaining stable housing, employment access and  
14 treatment and even Mandatory Parole Office  
15 appointments. This has a direct impact on New York  
16 City government, which is required by court order to  
17 provide shelter and often fail to do so while  
18 complying with these restrictions. Likewise, the  
19 state prison system requires a home address to  
20 release an individual to parole, but often fails to  
21 identify a viable and compliant one. The shocking  
22 thing, though, is that people in state prisons are  
23 sometimes held beyond the end of their sentence until  
24 a solid (sic) compliance residence is found. BDS has  
25 successfully litigated to remove some sort of

2 restrictions for--[background comments]. Well,  
3 excuse me. New York City--so, the shocking thing,  
4 though, is that people in state prisons are sometimes  
5 held beyond their sentence until solid (sic)  
6 compliance residence is found. BDS has successfully  
7 litigated--has successfully litigated to remove these  
8 sort of restrictions for one client, but broader  
9 reform is still urgently needed. Reentry is not about  
10 the crime of prediction, which is the one thing that  
11 cannot be changed, but rather the rehabilitation and  
12 reintegration are the individual. Reentry is a  
13 process of leaving the correctional facility, and the  
14 state locale of custody and return to society. Once  
15 this task force has been established, BDS will have  
16 additional recommendations for members. One area in  
17 need of urgent reform that we will highlight and that  
18 is critical to our clients and their families is  
19 prison visiting. Maintaining tight support networks  
20 while incarcerated can be both very difficult and  
21 extremely beneficial for people on both sides of the  
22 prison walls. The biggest challenge to maintaining  
23 these that much is a direct result of choices made by  
24 policymakers. They need the placement of prisons in  
25 the region of the state [pause]. New York State used

2 to mitigate this problem by offering free visiting  
3 buses to families and they should be installed as  
4 soon as possible. Legislation to do just that is  
5 pending in Albany and the Council should-owes  
6 Governor Cuomo legislation to include it in the State  
7 Budget this coming session. Substantial resource has  
8 shown that the system visitation is one of the  
9 primary drivers of rehabilitation and protection  
10 against recidivism. It is well worth the investment.  
11 So, I thank you for considering comments. I look  
12 forward to working with the Council to support the  
13 creating of this task force and to ensure that it is  
14 effective. Thank you.

15 CHAIRPERSON CHIN: Thank you very much  
16 for your testimony, your personal experience and your  
17 support for this legislation in terms of setting up  
18 this task force. We will look forward to continue to  
19 work with you to make sure this happens because right  
20 now we heard from the Administration. The support is  
21 not there yet, but by working together and navigating  
22 together and working together with the bill's sponsor  
23 Council Member Dromm he will-will make sure that he  
24 gets all the information from the testimony today  
25 because he's chairing the-the committee hearing next



2 door, and we will work with you to make sure that the  
3 legislation is past, and thank you so much for your  
4 recommendations and that's the negotiation, you know,  
5 process that will go on within legislation.

6 SOPHIA BANDELLI: Thank you.

7 CHAIRPERSON CHIN: And thank you for  
8 being here today.

9 SOPHIA BANDELLI: Thank you so much.

10 JAMES ROYALL: Oh, you're welcome.

11 CHAIRPERSON CHIN: Is there anyone else  
12 that would like to testify that had not filled out a  
13 form. No. Well, once again I want to thank everyone  
14 who testified today, and we look forward to working  
15 with you to get all this legislation passed.

16 SOPHIA BANDELLI: Thank you.

17 CHAIRPERSON CHIN: Thank you.

18 [background comments] [gavel] The hearing is  
19 adjourned.

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1 COMMITTEE ON AGING

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C E R T I F I C A T E

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



Date September 28, 2017