

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON MENTAL HEALTH, DISABILITIES AND
ADDICTION JOINTLY WITH COMMITTEE ON PUBLIC SAFETY

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December 3, 2018
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HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: DIANA AYALA
Chairperson

DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel
Fernando Cabrera
Robert F. Holden
James G. Van Bramer
Justin L. Brannan
Andrew Cohen
Chaim M. Deutsch
Vanessa L. Gibson
Rory I. Lancman
Carlos Menchaca
I. Daneek Miller
Keith Powers
Ydanis A. Rodriguez
Paul A. Vallone
Jumaane D. Williams

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

Dr. Hilary Kunins, Assistant Commissioner, Bureau of Alcohol and Drug Use Prevention, Care and Treatment, New York City Department of Health and Mental Hygiene, DOHMH

Susan Herman, Deputy Commissioner of Collaborative Policing, New York City Police Department

William Aubry, Assistant Chief, Detective Bureau New York City Police Department, NYPD

[sound check] [pause]

CHAIRPERSON AYALA: Good afternoon

everyone. I think we're ready to start. Good afternoon, everyone. I'm Council Member Diana Ayala, Chair of the Committee on Mental Health, Disabilities and Addiction. I'd like to thank my colleagues Council Member Donovan Richards, Chair of the Committee on Public Safety for chairing this hearing with me this afternoon. I'd like to also welcome Council Members Holden, Menchaca and Gibson. Hey, Jumaane Williams. Today's hearing will explore holistic approach to addressing the opioid crisis in the Bronx. I use the word crisis because that is exactly what we are dealing with in my district, Council District 8, which includes the Mott Haven, High Bridge Concourse, Longwood and Port Morris neighborhoods in the Bronx. For too long these neighborhoods have had carry the burden that comes with opioid misuse. It has taken a toll on our residents and our local businesses, and our law enforcement agencies and in our communities. In 2017, there were 1,487 unintentional drug overdose deaths in New York City, 82% of which involved an opioid. That means that every six hours someone in

2 New York City dies of a drug overdoses. More New
3 Yorkers die of drug overdoses than homicide, suicide
4 and motor vehicle crashes combined. Fentanyl, a
5 highly potent opioid is involved in about half of
6 these overdose deaths. In the South Bronx
7 specifically Highbridge and Morrisania and Hunts
8 Point and Mott Haven the unintentional overdose rate
9 is more than double the city average. Today's
10 hearing will give the committee an opportunity to
11 hear from the Administration and from advocates about
12 the work that we're doing to address this epidemic.
13 We are already committee—we have already committed
14 resources to ensuring harm reduction for opioid users
15 medicated such as treatment options, peer programs,
16 opioid antagonist training programs for city
17 agencies, cleanup efforts and syringe exchanges and a
18 law enforcement regime that should focus from
19 criminal enforcement to treatment of health—of a
20 health crisis. We in the city are doing a lot of—a
21 lot to address this, but we need to do more so that
22 his not become normalized for our children living the
23 South Bronx. No child should have to grow up seeing
24 struggling people in the streets, and discarded
25 needles in the parks and playgrounds. We need to do

2 better for our communities. I want to thank the
3 Administration for the commitment that they have made
4 to bring more resources into the Bronx, and I look
5 forward to hearing more about all of the work that
6 we're doing, and the role that the City Council can
7 play. I also want to thank committee staff Counsel
8 Sarah Lis; Policy Analyst Christie Dwyer; Finance-
9 Finance Analyst Janette Merryl; my Chief of Staff
10 Miller Bonilla, and my Legislative Director Bianca
11 Madina for making this hearing possible. I now turn
12 it over to Chair Richards for his opening statement.

13 CHAIRPERSON RICHARDS: Good afternoon,
14 and I want to thank Council Member Ayala for
15 convening this hearing, and inviting the Public
16 Safety Committee to join for this important topic.
17 The truth is part of me wishes that I didn't have to
18 be here. I wish the Public Safety Committee didn't
19 have to be here.

20 Drug addiction should be a topic for the
21 Mental Health Committee and I look forward to a day
22 when I or whoever chairs this committee doesn't have
23 to wonder about the NYPD is arresting for having what
24 I believe is a medical illness, and I'm not saying
25 that to be critical of the NYPD for doing exactly

2 what we have asked them to do, what the Penal Law
3 tells them to do. Drug addiction has been a problem
4 since long before the opioid crisis, and the choices
5 made by public officials here in New York City and in
6 the State Legislature over the last four or five
7 decades have required NYPD officers to arrest people
8 for being sick. Decisions made by people with the
9 court system meant that these sick people were sent
10 to Rikers Island to get better until they could
11 pleads out and end up back where they started, and we
12 all know how that works. Today, I'm encouraged that
13 some things have change that drug courts or
14 alternative stay in incarceration, community based
15 solutions have been utilized more and more and jail
16 less and less, but that shift also means that we need
17 to come up with other answers for New Yorkers who
18 live in places like the South Bronx. People who on
19 the way to work see addicts injecting themselves out
20 in the open, people who kids see syringes piling up
21 in their parks and on their street corners, they
22 rightly wonder what we are doing to fix this problem,
23 and our first line of defense. They ask the NYPD to
24 please do something, and I'm sure for the officers
25 who take their mission to clean up the streets to

2 heart, it is hard to see someone they've taken off
3 the street end up right back there the next day. I
4 wish I knew exactly how to get us out of this crisis.
5 Hopefully today we can move forward with a solution
6 and my guess is that the esteemed witnesses who are
7 before us have some good ideas that I'm looking
8 forward to learning more about, but one thing I do
9 know is that we are not going to arrest our way out
10 of this crisis. It has to be a medical solution, a
11 community solution not just a law enforcement
12 solution. Thank you, Chair

13 CHAIRPERSON AYALA: I want to also
14 recognize Council Members Miller, Van Bramer and
15 Council Member Cohen, and we saw him. We will now-
16 Committee Counsel will now administer the
17 affirmation.

18 LEGAL COUNSEL: Do you affirm to tell the
19 truth, the whole truth and nothing but the truth in
20 your testimony before this committee, and to respond
21 honestly to Council Member questions?

22 PANEL MEMBERS: [off mic] I Do.
23 [background comments/pause]

24 DR. HILARY KUNINS: Good morning or Good
25 afternoon Chairs Ayala and Richards, members of the

2 Council and committees. My name is Dr. Hilary
3 Kunins. I am an Assistant Commissioner at the—at the
4 New York City Department of Health and Mental Hygiene
5 heading up the Bureau of Alcohol and Drug Use
6 Prevention, Care and Treatment. I am joined by my
7 colleagues at the NYPD Deputy Commissioner of
8 Collaborative Policing Susan Herman and Assistant
9 Chief William Aubry from the Detective Bureau.

10 Thank you very much for the opportunity
11 to testify on the opioid overdose epidemic with a
12 particular focus on the Bronx, and before I begin, I
13 just want to share my own personal commitment to
14 improving the situation in the Bronx. I'm a
15 physician and practice in the South Bronx at 149th
16 Street and Third Avenue, and then all the way far up
17 north to 161st Street for more than 15 years, and I
18 know first hand from my patients and colleagues about
19 the many challenges and opportunities that we can
20 find there. As Council Member Ayala really very
21 clearly said, we are indeed in the midst of a
22 national drug overdose epidemic being driven by
23 opioids primarily heroin, but also the potent
24 synthetic opioid called Fentanyl. Between 2015 and
25 2016 the rate of overdose deaths increased by 51% in

2 New York City. From 2016 to 2017, the citywide rate
3 of increase did slow to 2%. However, there were
4 still almost 1,500 overdose deaths in 2017, the
5 highest number on record. This works out to one New
6 Yorker dying every six hours of overdose. The vast
7 majority of these overdoses involves an opioid, a
8 total of 82% of these deaths. In 2017, for the first
9 time Fentanyl was the most common substance involved
10 in overdose deaths in New York City constituting 57%
11 involvement in all these overdoses. I know that I
12 indicated there are some signs of progress here in
13 New York City. In 2017, there were fewer overdose deaths
14 among Staten Island and Manhattan residents compared
15 to the year prior, but the rate of overdose deaths
16 among Bronx residents continued to increase with a 9%
17 rise from 2016 to 2017, and in 2017, more than 363 Bronx
18 residents died of overdose, which was the highest
19 among our city's five boroughs. In particular, as
20 you already heard, the South Bronx neighborhoods of
21 Highbridge, Morrisania and Hunts Point, Mott Haven
22 have overdose death rates more than double the New
23 York City average. If the South Bronx were its own
24 state, it would have the fifth highest overdose rate
25 in the country. In response to the city's overdose

2 epidemic, the Administration launched Healing NYC in
3 March of 2017. For a more than \$60 million
4 investment, New York City has led the nation in
5 funding and implementing effective public health
6 strategies to address these preventable deaths.
7 Healing NYC is now a 13 strategy plan aiming to
8 prevent opioid misuse and addiction, increase
9 connections to care, prevent overdose deaths, and
10 reduce the supply of dangerous opioids. Recognizing
11 the Bronx's—the South Bronx's outside burden of fatal
12 drug overdose, last week Mayor de Blasio announced a
13 Bronx Action Plan. Before describing that plan,
14 though, I want to acknowledge the role in particular
15 of inequities in race, in economic opportunity and in
16 others in shaping the severity of the Bronx epidemic.
17 I also want to acknowledge this is not the first drug
18 overdose epidemic the Bronx has seen. There are many
19 root causes of overdose and substance misuse
20 including too frequently prescribed opioid
21 medications and the emergence of Fentanyl and the
22 drug supply, but the root causes of the opioid
23 overdose epidemic in particular for communities of
24 color and in the Bronx also include poverty, lack of
25 economic opportunity, trauma and importantly past

2 drug policies that have not, as you also have heard
3 from Chair Richards, addressed addiction as the
4 health condition it is, and which have led to missed
5 opportunities for people to engage in health
6 services. Now, I would like to summarize the \$8
7 million four-part plan that will enhance and tailor
8 Healing NYC and Thrive NYC strategies for the South
9 Bronx. The first part of the plan will establish and
10 expand programs to connect people who use drugs to
11 care and services. The Health Department recently
12 lost-launched Health Engagement and Assessment Teams
13 or HEAT in a team consisting of a social worker and a
14 peer advocate, HEAT will accept referrals from first
15 responders including NYPD, FDNY and Parks Department
16 staff to engage and connect with people who have
17 substance use disorders and other mental health
18 conditions. There will be two HEAT teams in the
19 Bronx to support first responders in substance use
20 related calls. Additionally, the plan will fund-
21 provide funding to three syringe service programs
22 working in the South Bronx. This funding will enable
23 expanded outreach and engagement of people who use
24 drugs in parks, other public places and connect them
25 to ongoing care and support. The Administration is

2 also expanding programs that focus on reducing risk
3 of overdose and increasing connection to care and
4 treatment in other locations. At Health and
5 Hospitals Lincoln Hospital an Addiction Counsel Team
6 called the CATCH Team will expand the hospital's
7 capacity to provide tailored care to patients with
8 substance use disorders. At Bronx Care the Health
9 Department will expand its Relay Program in the South
10 Bronx bringing the program to a third Bronx hospital.
11 Relay deploys peer wellness advocates to emergency
12 departments 24/7 to provide overdose prevention
13 information, Naloxone and follow-up care to patients
14 following a non-fatal overdose. The Health
15 Department is also expanding access to Buprenorphine
16 treatment in primary care settings through our
17 Buprenorphine Nurse Care Manager Initiative.
18 Buprenorphine and Methadone are the two most
19 effective treatments for opioid addiction and
20 Buprenorphine can be prescribed in primary care
21 settings where many patients prefer to seek care.
22 Under the Bronx Action Plan two newly funded
23 organizations will bring the total number of Bronx
24 nurse care manager sites to eight, which is nearly
25 one-third of the city's 26 sites. Additionally, we

2 will nearly double capacity to reverse overdoses due
3 to opioids by distributing 15,000 Naloxone kits to
4 Bronx Opioid Prevention Programs by the end of 2018.
5 Since the launch of Healing NYC, over 20,000 Naloxone
6 kits have been distributed in Bronx neighborhoods,
7 and the Health Department's Rapid Assessment Response
8 Team will initiate a new round of engagement in Bronx
9 neighborhoods with overdose death rates to reach
10 community members at risk who may not already be
11 reached by harm reduction or treatment providers. In
12 the second part of the plan, we seek to expand
13 community partnerships. To engage community members
14 in preventing overdose, reducing stigma and helping
15 connect people to care, we aim to strengthen
16 community partnerships across the many strong
17 community organizations, local leaders including
18 tenant associations, business groups, faith
19 organizations and more. The Administration will use
20 a number of strategies to accomplish this goal. The
21 Health Department is partnering with Radical Health a
22 Latino run South Bronx based organization, which
23 takes a grassroots community organizing approach to
24 improving health. We will also support the newly
25 launched Faith and Harm Reduction Initiative, which

2 will engage faith communities in overdose prevention
3 and build capacity to provide educational resources
4 to their communities. Latinx Thrive will host round
5 tables with local leaders and NYCHA resident leaders
6 and Thrive NYC will sponsor a Bronx Opioid Awareness
7 Day of Action this January. I also want to commend
8 and make you aware of the work of the Bronx Opioid
9 Collective—Collective to which City Council has
10 generously contributed funding. The Bronx Opioid
11 Collective is a consortium of service providers and
12 community organizers—organizations convened by Acacia
13 and the Third Avenue Business Improvement District.
14 The Health Department and the Administration will
15 continue to work with this important group providing
16 technical support and Naloxone as well as staff to
17 aid with weekly street outreach to people who use
18 drugs. [Coughs] During these outreach efforts, we
19 offer a range of services and referrals including
20 harm reduction services and other referrals to health
21 services. The third part of the plan seeks to
22 increase public awareness about the dangers of
23 Fentanyl and the availability of medications to treat
24 addiction. The Health Department will launch a
25 campaign focused on the risk of Fentanyl, which is

2 being mixed into illicit drugs including Heroin,
3 Cocaine and Crack Cocaine. Because Fentanyl is very
4 potent, a person can overdose even after ingesting
5 very small amounts. We will also relaunch our Living
6 Proof Public Awareness Campaign that features real
7 New Yorkers including several Bronx residents. In
8 these ads New Yorkers speak about their own opioid
9 addiction and their treatment with Methadone or
10 Buprenorphine. Together these advertisements provide
11 accurate information, spark open conversations about
12 substance misuse and addiction and decrease stigma
13 associated with its treatment. The final and fourth
14 part of the plan responds to community concerns about
15 public drug use and syringe litter. In response to
16 community concerns about syringe litter and public
17 injecting in parks in the South Bronx in particular,
18 the Health Department joined with the NYPD,
19 Department of Parks and Recreation and Social
20 Services as well as local community based
21 organizations and syringe service programs to
22 implement a multi-prong solution. The Parks
23 Department has installed 44 syringe disposal kiosks
24 in 41 parks with the greatest number of unsafely
25 discarded syringes. These specially designed kiosks

2 include signs that encourage proper syringe disposal
3 and raise awareness about available addiction related
4 services. In this plan, the Administration is also
5 expanding its capacity to clean up syringe litter the
6 Parks Department will dedicate six new staff to
7 routinely canvass and clean high volume litter areas
8 of the South Bronx parks, and the Department of
9 Sanitation will address syringe litter in heavily
10 affected areas outside of Parks. I want to
11 especially thank Chair Ayala and Council Member
12 Salamanca for organizing the walk through of several
13 key blocks in the South Bronx last week. It was
14 helpful for me and the rest of the Administration's
15 team to see these issues first hand, and to discuss
16 possible solutions. I want to also thank the Mayor
17 and First Lady for their unprecedented support for
18 his effort and Speaker Johnson, Chairs Ayala and
19 Richards and the other members who are here today for
20 your partnership and voices. Together I believe we
21 will be able to change the course of the opioid
22 overdose epidemic in New York City. We are happy to
23 take your questions.

24 CHAIRPERSON AYALA: Thank you. So, I
25 think—I think the question everybody wants to know is

2 when did the city know that the Bronx was in crisis,
3 and why would it take us so long to get here?

4 DR. HILARY KUNINS: So, I very much
5 appreciate the question. As you know, we had a city
6 wide plan, and we have already launched a number of
7 services that I'll also just highlight to hear some
8 of which you heard about already. We have Relay, our
9 ED based Non-Fatal Overdose Response Program in two
10 hospitals already. All of the Health and Hospitals
11 programs are advancing Emergency Department based
12 work. We already have launched six Buprenorphine
13 treatment programs. We've already funding—providing
14 funding and expanded funding to syringe services and
15 working with other treatment programs. So that
16 citywide approach has been important, and I think is
17 part of what has slowed the overdose rate down from
18 that very large increase of 50% down to only 9%, but
19 as you know, no—no life should be lost, and I think
20 what we learned by looking rapidly or more rapidly at
21 data we knew that we needed a tailored response that
22 goes beyond the original citywide and Bronx specific
23 plan, and so this is what this represents.

24 CHAIRPERSON AYALA: Do you feel that—is
25 it—is it your opinion that the closing of what was

2 formerly known as the "Hole" in the South Bronx
3 contributed to the rise in opioid related deaths? I
4 mean what was the city's strategy? Because I know
5 there was--there was a lot community concerns about
6 what was happening in the Hole, but I don't remember
7 and I can't seem to find any data that explained to
8 me what the city's response after closing the Hole
9 was and so obviously we're getting a visual effect,
10 right because we're seeing individuals now opening
11 and using on our streets and our playgrounds, but was
12 there a response in 2017 when the Mayor announced
13 that he was going to shut down the Hole?

14 DR. HILARY KUNINS: So, that effort made
15 by the city was really a collaborative effort across
16 the many city agencies as--as--and I know the Mayor
17 feels strongly and--and obviously we--we share that
18 those conditions were unsafe, and this is something
19 we wanted to address. Many of the agencies went in
20 to offer services ahead of time, and following up to
21 engage as many people as possible in ongoing care.
22 So, I think for--and the other thing I'll just mention
23 is we believe that some displacement has taken place,
24 but as we also know that people are being displaced
25 from other parts of the city, and not--it isn't a

2 single issue problem. So, I think we have started
3 outreach, and I mentioned the Bronx Collective as
4 whether-as well as the Bronx Taskforce that has been
5 taking place, and I think what this represents is
6 further enhancement of those efforts and for their
7 resources.

8 CHAIRPERSON AYALA: So-so we don't know
9 really what the root cause was for the uptick in the
10 South Bronx? Is that what you're saying?

11 DR. HILARY KUNINS: For those?

12 CHAIRPERSON AYALA: Yes.

13 DR. HILARY KUNINS: Well, the other thing
14 to call out is the increasing presence of Fentanyl in
15 the drug supply. So, for people who may have been-
16 have a substance use disorder or an addiction who
17 used Heroin without Fentanyl, it may not have been
18 lethal, but the current challenge that the city is
19 facing is with increasing amounts of Fentanyl in the
20 drug supply. Even very small amounts of Fentanyl can
21 be deadly. So, the-the usual image that people give,
22 and if you-you can see this on the web widely is a
23 picture of a penny with very small amount of grains
24 of Fentanyl, and that is something that can cause a
25 fatal-non-fatal or fatal overdose, and so we think

2 that is really a big part of what's driving what
3 we're seeing now.

4 CHAIRPERSON AYALA: Understood but I'm
5 sure that Fentanyl is also being distributed in
6 Brooklyn, and it's being distributed in Queens, it's
7 being distributed in Manhattan. Why the high number
8 in the South Bronx specifically? We're trying to
9 figure out why in that particular part of the
10 district are we seeing it.

11 DR. HILARY KUNINS: [background comments]
12 It's—it's possibly more. It's possibly that we need
13 to work harder to reach more people with information
14 tools such as Naloxone, awareness about the—the
15 presence of Fentanyl. I'll also note that Brooklyn
16 also saw an increase in overdose deaths, and we are
17 continuing to work hard there as well.

18 CHAIRPERSON AYALA: Okay, when the
19 Administration announced the launch of Healing NYC in
20 March of 2017, and the initial \$38 million investment
21 in the initiative it stated a goal of reducing opioid
22 deaths by 35% over five years. However, between 2016
23 and 2017, opioid overdose deaths increased by more
24 than 51% and between 2017 and 2018, they increased by
25 more than 4%. Is there a 35% reduction in overdose

2 deaths by 2022 still a realistic goal, and if so,
3 specifically what actions will be taken to ensure
4 that—that declines?

5 DR. HILARY KUNINS: Yeah, I mean I think
6 so—so Healing NYC was announced, of course, in the
7 third month of 2015–2017, and we are still and I
8 think this is an example—able to grow and tailor
9 programs as we go. I think we are keeping on that
10 goal, and really trying to explore every strategy and
11 be flexible and through collaboration with colleagues
12 across the Administration to try everything that we
13 think could possibly have an impact.

14 CHAIRPERSON AYALA: You mentioned the R
15 collect—the—the Opioid Collective. Were they
16 involved in—in advising in which—in ways in which
17 the—the broader Bronx Action Plan would be
18 implemented or should be implemented?

19 DR. HILARY KUNINS: So, we are—our—my
20 staff as well as staff from other agencies have been
21 working very closely with them. They were part of
22 what raised our awareness, and informed the plan
23 around in particular syringe litter and the in
24 particular around—around public drug use. So, our
25 work with them and their—our general experience with

2 their experience informed some of the approaches
3 we're taking here, and will continue to take with
4 them.

5 CHAIRPERSON AYALA: Can you explain a
6 little bit more about the Syringe Litter Program?
7 Well, the part-part of the initiative?

8 DR. HILARY KUNINS: Sure. So, I think it
9 really consists of a couple of different parts. One
10 is the presence of-of kiosks and that are labeled as
11 safe places to dispose of syringes, and I think what
12 is part of our approach with both outreach and making
13 kiosks available is supporting people to dispose of
14 syringes safely in neighborhoods to care for parks to
15 care for communities. So, it's pay-it's really
16 providing access to safe disposal. The other part is
17 making staff more available, city staff to provide
18 efforts to clean up from the grounds as-as we saw
19 when we walked with you the number, the great number
20 of syringes that are disposed in streets and in the
21 park, and it is really an effort to clean that up and
22 keep that clean. The other part is to have more
23 present and consistent outreach to people who either
24 both themselves at risk of overdose. You might be

2 interested in obtaining access to services as well as
3 supporting their use of the kiosks.

4 CHAIRPERSON AYALA: So is Sanitation
5 going to be taking—is Sanitation going to be out
6 there?

7 DR. HILARY KUNINS: [interposing] So
8 there's a piece both—sorry—I'm—I'm being more
9 abstract than I need to. So, both Parks is getting
10 additional staff who will increase cleanup within the
11 parks and Sanitation will be increasing cleanup
12 around the parks.

13 CHAIRPERSON AYALA: And I'll assume that
14 they'll be trained specifically on how to properly
15 pick up--

16 DR. HILARY KUNINS: [interposing]
17 Absolutely.

18 CHAIRPERSON AYALA: --those.

19 DR. HILARY KUNINS: Absolutely, and Parks
20 staff are already being—were involve with this
21 effort—are already being trained to do this safely
22 and certainly that's a very important part of this.

23 CHAIRPERSON AYALA: [interposing] How
24 frequently?

2 DR. HILARY KUNINS: I don't—they have
3 been trained, and there is I'm sure regular training,
4 but I have to get back to you.

5 CHAIRPERSON AYALA: Well, how frequently
6 are they going to be—is it—are the pickups scheduled
7 to occur?

8 DR. HILARY KUNINS: I—I'll have to get
9 back to you on that. We'll have to get back to you.

10 CHAIRPERSON AYALA: Interestingly enough
11 this summer I came across the block—one of the blocks
12 that you—you referenced earlier that we had the
13 privilege of walking through to familiarize ourselves
14 with some of the issues that are impacting the—the
15 South Bronx, and in the specific community we have
16 five programs. We have safe haven that is act—is
17 actually occupied by active users, and I was really
18 shocked at the number of people that we're having. I
19 got there at 9:00 in the morning because they are
20 Collect—the Bronx Collective was actually hosting one
21 of their activities at the local playground where
22 they were distributing needles, and there were
23 needles distributed throughout the entire block.
24 There was a daycare program right across the street
25 from the Safe Haven. We knew what we later found out

2 that the city knew that all the occupants in the
3 building were active users, and that we have a
4 problem in the South Bronx. I don't know why—and I'm
5 assuming that that was part of the—the rationale for
6 placing that—that there, but it was right across the
7 street from the public housing development and the
8 playground, and the daycare program, which is half a
9 daycare, half a church, and yet nobody seemed to have
10 picked up on the fact that this was happening, and I
11 got there at 9:00 in the morning. I parked my
12 vehicle and immediately--I was there three minutes
13 when I witnessed several people shooting up, shooting
14 themselves up in the neck. I got out of my vehicle.
15 I'm like horrified because I'm, you know, my place, I
16 really had never witnessed something like that face
17 to face. I've heard it. I've never seen it. I
18 walked the entire block to get to the park where
19 this—the activity was happening, and the entire block
20 seemed to me like they were under the influence of
21 something. There was an evident K2, you know, being
22 used as well, a lot of people shooting up, actively
23 injecting. I want to use the proper language, but
24 needles everywhere, just littered everywhere. Now,
25 why I mention this because I had asked that police

2 presence be placed there because while we do not want
3 to police our way out the situation, there was—
4 there's a local playground that was infested with
5 just needles that have been improperly discarded, and
6 people were actively injecting while there were
7 children playing on the opposite of the fence. This
8 is what—this is what my constituents have to deal
9 with on a daily basis. This is what my children are
10 learning, and so it was—I was just really dumbfounded
11 that no one had every approached me while I was
12 actively trying to resolve this to say, Council
13 Member, the problem is that we are inundate with a
14 gazillion programs. We have a Safe Haven, and I—I
15 walk into the Safe Haven, and they didn't even
16 realize or they would not accept responsibility for
17 their clients not only being in the front of the—the—
18 the building and really taking over the entire block,
19 but the fact that everybody was actively using, and
20 they didn't have any programming. They didn't appear
21 to me they—they had any programming in that site, and
22 so there was—there didn't seem to be very much
23 coordination of—of efforts between the city agency,
24 between the Parks Department between NYPD, between
25 the Department of Health, between DHS, the community

2 board. Nobody knew what was happening, and it just
3 like a big hot mess. So, I wonder what is the
4 coordination and how do I as a representative voice
5 for that community feel comfortable enough that this
6 is not only going to address it, but it's going to do
7 that consistently, and it's going to take into
8 account, you know, my constituents and what they're
9 going through every single day. [background
10 comments]

11 DR. HILARY KUNINS: So, I really
12 appreciate everything you just said.

13 CHAIRPERSON AYALA: Thank you.

14 DR. HILARY KUNINS: And I think you've
15 been—we have some examples of good coordination in
16 other parts of the city that I think really can be
17 strong models. One example is 125th Street Task
18 Force, and I think elected official leadership there
19 has been vital to its success. I think you have our
20 commitment that we want to replicate some of the
21 coordination that has been effective in other parts
22 of the city, and I think with these additional
23 resources we can make that happen and do that well.

24 DEPUTY COMMISSIONER HERMAN: I would just
25 like to add that I think the HEAT Teams and the two

2 hospital based programs are going to be enormously
3 helpful because in addition to arresting people for
4 possession, which we still do, you're going to have a
5 more—a different skill base and a different kind of
6 assessment that's possible with these health only
7 responses, people who will do outreach, conduct
8 outreach in parks. They're going to be responding to
9 requests by local precincts. We're a primary client
10 actually of the HEAT teams. We consider ourselves,
11 the Police Department considers itself a primary
12 client being able to say this corner, that corner,
13 please talk to this person or that person. That's a
14 whole new level of outreach that we haven't access to
15 before.

16 CHAIRPERSON AYALA: So, one of the
17 interesting things that I did witness while I was
18 canvassing the site throughout the summer was that
19 while—and—and again, I want to be very clear that we
20 have no intention of criminalizing anyone chemically
21 dependent in any way, shape or form and needs help,
22 but because this one block happened to be
23 overpopulated with active drug users, it attracted a
24 lot of drug dealers to this community, and so there
25 were active drug sales happening day in and day out.

2 Sometimes all the police were just really like 10 or
3 12 feet away. How are you addressing that?

4 DEPUTY COMMISSIONER HERMAN: So, we have
5 lots of investigations and we are-we are focusing on
6 dealers more than we are on users and that's-that's
7 our commitment and that's what's happening. So-so
8 you might see somebody, but that doesn't mean that
9 there isn't an undercover who's around. It doesn't
10 mean that there isn't a case being built and dealers
11 who are being investigated.

12 CHAIRPERSON AYALA: Anyway that, and I
13 mean I understand that some of this is confidential,
14 but if there is a little bit better coordination with
15 these local elected officials so that at least we
16 know, because it's very difficult when constituents
17 and when you're personally observing and when--

18 DEPUTY COMMISSIONER HERMAN:
19 [interposing] Uh-hm.

20 CHAIRPERSON AYALA: --and when people are
21 coming up to you on a daily basis and saying we're
22 drowning here. Nobody is helping us and then maybe
23 work that's being, that's happening around the scenes
24 that we're not privy to that information. Is there
25 any way-

2 DEPUTY COMMISSIONER HERMAN:

3 [interposing] I think—yeah, I think when you give us
4 information about a particular area or a particular
5 concern, we can't tell you—obviously we can't tell
6 you details of a particular investigation, but we can
7 tell you that we have people in that area or we don't
8 and that's—we'd be happy to increase that
9 communication.

10 CHAIRPERSON AYALA: I don't want to—I
11 don't want to monopolize all of the time, but I
12 wanted recognize Council Members Power—Powers, Samuel
13 Ampry who stepped away and then Council Member
14 Salamanca. I'll hand it over to my Co-Chair.

15 CHAIRPERSON RICHARDS: Thank you and
16 we're also joined by Cabrera, Cohen, Lancman and
17 Williams. So thank you. Thank you Chair for your
18 great questions, and first I wanted to start off by
19 jumping straight into a very interesting question,
20 which some jurisdictions are exploring the idea of
21 safe injection sites for drug use, and I think that's
22 something the Health Department was looking into the
23 last I checked. The idea that drug use would at
24 least not be happening in parks and around kids, and
25 that health professionals could control overdoses,

2 and make sure people are using clean needles. Where
3 are we at with that proposal? Is that something the
4 Police Department would support? Is that—I'm just
5 interested in hearing where the Health Department is
6 at.

7 DR. HILARY KUNINS: Sure. Thank you for
8 that question, and as for—as it sounds like you're
9 aware the Mayor announced—indicated his support of—as
10 we are calling it here Opioid Prevention Center or
11 OPCs pending a few key steps including state
12 authorization by the state Health Department, and
13 that is what is still pending at the moment.

14 CHAIRPERSON RICHARDS: And—and—oh, so,
15 sorry about that.

16 DR. HILARY KUNINS: And should that
17 authorization come, which we are hopeful for, other
18 steps include district attorney support in—in the
19 borough, elected—local elected officials' support and
20 community engagement. So, at this point we are
21 awaiting State Department of Health authorization.

22 CHAIRPERSON RICHARDS: And you're in
23 communication with them? Do you anticipate a
24 specific timeline on when you'll hear back?

2 DR. HILARY KUNINS: I don't have that
3 information.

4 CHAIRPERSON RICHARDS: Okay, and when was
5 the last communication with them? Do you--?

6 DR. HILARY KUNINS: I don't exactly know,
7 probably within the last month or two months.

8 CHAIRPERSON RICHARDS: Okay, and--and if a
9 specific site was to be placed in the community, you-
10 it--I'm assuming you'll follow some sort of ULURP
11 process I would you. So, real robust community
12 engagement. Have you thought that far down the line
13 yet on what that would look like?

14 DR. HILARY KUNINS: I just want to
15 correct--Deputy Commissioner Herman just corrected
16 Overdose Prevention Center, not Opioid Prevention
17 Center or OPC.

18 CHAIRPERSON RICHARDS: [interposing] Got
19 it. I got it. Uh-hm, Uh-hm.

20 DR. HILARY KUNINS: Yeah, we don't--we
21 don't have the--the full plan for community engagement
22 laid out. We are very --we share your--what sounds
23 like a recommendation about a robust process
24 including working with local elected--elected
25 officials.

2 CHAIRPERSON RICHARDS: So, I would hope
3 that in anticipation perhaps that this may happen as
4 we start to look at drafting a plan from now and not
5 waiting until we get an approval. We have seen this
6 happen before in many different areas, and I would
7 hope that the Health Department is really working in
8 advance of an authorization to start that
9 conversation now or at least address that's a process
10 so that we're not waiting last minute. I'm going to
11 shift my—to PD. Do you have any stance on open—?

12 DEPUTY COMMISSIONER HERMAN: I think
13 Commissioner—Commissioner O'Neill has said on many
14 occasions that if they come to New York, that we'll
15 do everything we can to make them work.

16 CHAIRPERSON RICHARDS: Okay, great.
17 Alright, I want to stay with you Ms. Herman,
18 Commissioner Herman for a second. How many officers
19 are currently in the Bronx Opioid Squad?

20 DEPUTY COMMISSIONER HERMAN: [off mic]
21 I'm going to turn to Chief Aubry to answer that.

22 CHIEF AUBRY: Last year the Detective
23 Bureau picked up 95 officers that specifically work
24 in each overdose team, and in the Bronx, they have 19
25 of those 95.

2 CHAIRPERSON RICHARDS: And I know you
3 mentioned that there are some open investigations.
4 How long do investigations normally take?

5 ASSISTANT CHIEF AUBRY: So, we have it
6 depends on what type of investigation. So, there's--
7 there's long-term investigations, which average six
8 to nine months. They could take over a year.
9 Sometimes they could be--they could closed earlier
10 than six months, and then we also have our shorter
11 term investigations, which--which could from 30 days
12 to 3 months, 90 days.

13 CHAIRPERSON RICHARDS: Right, and I know
14 this issue has been going on for around at least two
15 years. I think it's been well documented. So, have
16 there been any large scale take takedowns?

17 ASSISTANT CHIEF AUBRY: Yes. So, right
18 now specifically to Bronx because I could--let me just
19 give you a little overview and I'm going to turn it
20 over to Chief McCormick to--to get into the specifics,
21 but right now citywide we have well over 2,500
22 overdose investigations actively going on, and of
23 those 592 are in the Bronx. So, out those--

24 CHAIRPERSON RICHARDS: [interposing]
25 These are investigations not arrests?

2 ASSISTANT CHIEF AUBRY: These are
3 investigations involving overdoses. So, they can be
4 fatal and non-fatal. So, what we built in last year
5 was whenever there's a death, we take it upon the
6 police officer and emergency personnel, EMS, at the
7 scene to—to determine right up front, to make a
8 decision right up front. This could possibly an
9 overdose, and what we do is we try to preserve that—
10 that scene because there's a lot of valuable evidence
11 that we have that could help us solve that. It's
12 treated like homicide right up front. We err on the
13 side of caution, and we'll preserve it—the packaging
14 that's there. We'll preserve that packaging. We'll
15 send it to the NYPD lab. There's a lot of value in
16 that. There could be markings on there. There could
17 be prints. There could be DNA evidence that could
18 lead us to who provided that, who sold that to the
19 individual as well as media evidence such as—such as
20 a cell phone. A cell phone, we had an incident in
21 Staten Island where a cell phone led to eight other
22 overdose deaths because they used either text
23 messaging, phone calls or these encrypted
24 applications to communicate with these cells. So,
25 there's—there's a lot of work that's done upfront. I

2 could go on if you want, but if you want specifics
3 on—I know Chief McCormick has some specifics on
4 successful investigations that we've had. We could
5 have him come up and discuss that.

6 CHAIRPERSON RICHARDS: Sure and you said
7 there are 2,500 active investigations?

8 ASSISTANT CHIEF AUBRY: Yes so--

9 CHAIRPERSON RICHARDS: [interposing]
10 Investigations citywide.

11 ASSISTANT CHIEF AUBRY: So, so--

12 CHAIRPERSON RICHARDS: 592 in the Bronx.
13 How many have been closed out total thus far?

14 ASSISTANT CHIEF AUBRY: So, right. So,
15 so--

16 CHAIRPERSON RICHARDS: [interposing] But
17 these are all active?

18 ASSISTANT CHIEF AUBRY: --so these--

19 DEPUTY COMMISSIONER HERMAN: [interposing]
20 None of them closed out

21 ASSISTANT CHIEF AUBRY: No, no they--no
22 this year--

23 CHAIRPERSON RICHARDS: Okay.

24 ASSISTANT CHIEF AUBRY: --we took over
25 2,500 investigations. There's over 200 arrests on--on

2 investigations, overdose investigations. Now we
3 have—the -the issue—these are complex cases so the
4 issue with overdose and especially when you have a
5 death with prosecution. So there's a federal charge.
6 It's conspiracy to distribute a controlled substance,
7 which results in a death. It's a minimum of 20
8 years. It's a federal charge that we work with the
9 DAUSA. That is our hope to bring every overdose
10 death to that. We've had a dozen arrests this year
11 just with that, and we're learning. Last year we
12 realized the importance of this charge and how to
13 work with the USA and each borough and each overdose
14 team is working aggressively with the DAUSAs to
15 continue on with these type of arrests, and then
16 there's also another federal charge, which is
17 conspiracy to distribute a controlled substance, and
18 there's two levels there. If it's 500 grams that's a
19 minimum of five years, and if it's one Kilo, then
20 it's ten years. That's another federal charge and—
21 and then we also have the state laws, buy again, if
22 we have to prove that I provided either sold or
23 distributed that narcotic, that specific narcotic
24 evidence that caused your death to charge that, on
25 the state level a lot of times we've been successful

2 with the conspiracy charges, which you're selling a
3 controlled substance and then we'll—we'll arrest you
4 for that, but Chief McCormack Could tell you about
5 some specifics on that.

6 CHAIRPERSON RICHARDS: Yeah and let me go
7 back for a second because this conversation sounds
8 very familiar leaning back to the 80s and early 90s
9 and showed crack of the minute, and I'm interested in
10 knowing who are the people selling on the streets?
11 Are these the same ones who perhaps are adding the
12 Fentanyl or is this happening at a higher level? So,
13 I want to hear a little bit more who are these
14 individuals who are—who are selling and being busted.

15 DEPUTY COMMISSIONER HERMAN: Okay.

16 CHAIRPERSON RICHARDS: Street dealers or
17 are these the individuals—

18 DR. HILARY KUNINS: You're asking just
19 selling Fentanyl?

20 CHAIRPERSON RICHARDS: Yes.

21 DR. HILARY KUNINS: What you're asking?

22 CHAIRPERSON RICHARDS: Yes, I'm trying to
23 get—

24 DR. HILARY KUNINS: Okay.

2 ASSISTANT CHIEF AUBRY: Chair, just as it
3 relates to two cases I could speak about in the Bronx
4 one where 10 subjects were arrested. About—just
5 about 4,000 glassines of Heroin over—over \$200,000
6 worth of cash that has been recovered. These people
7 are not low-level people. They're high level people
8 that we're prosecuting. There's another case in the
9 Bronx where we arrested 18 people, seized over four
10 kilos of Heroin, and these are all high level people.

11 DR. HILARY KUNINS: Where are they
12 getting it from is the question?

13 ASSISTANT CHIEF AUBRY: Very—we-when we
14 conduct an investigation, the idea is always work up
15 the chain, up the ladder so to speak. So, we want to
16 get the people that are pushing this product onto the
17 street and killing our children. That's what we're
18 looking to do.

19 CHAIRPERSON RICHARDS: And does this
20 work—I'm assuming you work with the Special Narcotics
21 Prosecutor?

22 ASSISTANT CHIEF AUBRY: Yes.

23 CHAIRPERSON RICHARDS: I guess it's so-so
24 we could we think about coordination here so we
25 vendor cases on them.

2 ASSISTANT CHIEF AUBRY: For the Bronx. I
3 have the benefit of working with the Bronx DA, with
4 the Special Narcotics Board here in Manhattan with
5 the Assistant U.S. Attorney in Manhattan and also
6 with the Assistant U.S. Attorney in Brooklyn. So, I
7 have the availability here. It is very difficult.
8 It's very complex. We have these compounds that are
9 coming into our country from Mexico, from China, and
10 we work on not only the street level where we have
11 the user, but, you know, as we move up, we're—we're
12 moving internationally also.

13 CHAIRPERSON RICHARDS: And you said 10
14 subjects arrested. So these were all local
15 individuals or--

16 ASSISTANT CHIEF AUBRY: The—I—because
17 these investigations are active, and I—I—I'd rather
18 not say who they are, but they're significant people
19 who are preying upon our loved ones on the city—in
20 the city and particularly the Bronx for me.

21 CHAIRPERSON RICHARDS: And how old are
22 these individuals normally?

23 ASSISTANT CHIEF AUBRY: I'm not—I don't
24 want to get into demographics of them, but—but I
25 assure you the—the object here is I do acknowledge

2 that some users will sell product to support their
3 own habit. I think we have a way of dealing with
4 that through the court system, and that's not what my
5 objective in the Bronx is to do. My objective is-is
6 to get high level people.

7 CHAIRPERSON RICHARDS: And just go back
8 to how many arrests were specifically made in the
9 Bronx.

10 ASSISTANT CHIEF AUBRY: For--just for me
11 for my overdose team this year have made 35 arrests,
12 25 of those arrests are related to fatal deaths and
13 10 are related to non-fatal deaths.

14 DEPUTY COMMISSIONER HERMAN: I just want
15 to be clear you're talking about the overdose
16 investigations not everything? Okay.

17 CHAIRPERSON RICHARDS: Let's go into non-
18 fatal for a second now. So, what agencies other than
19 the Police Department come to the scene in the event
20 of a non-fatal?

21 ASSISTANT CHIEF AUBRY: We have that come
22 here, the 911 call comes in. You have FDNY, EMS that
23 responds. You have NYPD that responds. You have the
24 OCME would respond whether it's--

25 CHAIRPERSON RICHARDS: OCME?

2 DEPUTY COMMISSIONER HERMAN: Medical
3 Examiner.

4 CHAIRPERSON RICHARDS: Is that medical?

5 ASSISTANT CHIEF AUBRY: Office of The
6 Medical Examiner.

7 CHAIRPERSON RICHARDS: Uh-hm.

8 ASSISTANT CHIEF AUBRY: Generally a med-
9 medical legal investigator will show up.

10 DEPUTY COMMISSIONER HERMAN: Not in a
11 non-fatal. Only in a fatal.

12 CHAIRPERSON RICHARDS: Only in a fatal-in
13 a fatal. So a non-fatal I want to hear that

14 DEPUTY COMMISSIONER HERMAN: With that-
15 that's an NYPD and-and sometimes. I mean many-many
16 of the non-fatal overdoses because we-the city has
17 been so good that most of the Health Department is
18 also good about getting Naloxone to all kinds of
19 people. A lot of the non-fatal overdoses are getting
20 Naloxone at a community health center and families
21 are administering Naloxone and then call 911. So we
22 are-if 911 is called, it's police and EMS.

23 CHAIRPERSON RICHARDS: So the Health
24 Department so these HEAT teams can just speak
25 specifically-

2 DEPUTY COMMISSIONER HERMAN:

3 [interposing] The HEAT teams are not responding to
4 911 calls?

5 CHAIRPERSON RICHARDS: They're not?

6 DEPUTY COMMISSIONER HERMAN: No.

7 CHAIRPERSON RICHARDS: Okay. So Health
8 Department no one shows up, just EMS specifically?

9 DEPUTY COMMISSIONER HERMAN: So, so, the
10 Health Department and Dr. Kunins can respond to this,
11 but the Health Department would get involved in that
12 case if the person is taken to the ER--

13 CHAIRPERSON RICHARDS: [interposing] Okay.

14 DEPUTY COMMISSIONER HERMAN: --and the
15 Relay Program is in the hospital there, they would
16 engage that person--

17 CHAIRPERSON RICHARDS: Okay.

18 DEPUTY COMMISSIONER HERMAN: --and offer
19 ongoing assistance, treatment--

20 CHAIRPERSON RICHARDS: [interposing] So
21 no arrest would be made at the hospital. Are arrests
22 made?

23 DEPUTY COMMISSIONER HERMAN: No arrests
24 are made there at the home or at the hospital.
25 That's--that's the Good Samaritan Law.

2 CHAIRPERSON RICHARDS: Okay. I know the
3 department has largely been focused on dealers
4 instead of addicts. It is ever difficult to
5 distinguish between the two and how do you handle
6 that? So, I know you went into it a little bit about
7 the focus not necessarily being on arresting the
8 dealers.

9 DEPUTY COMMISSIONER HERMAN: So, I think
10 the—we are still--

11 CHAIRPERSON RICHARDS: [interposing]
12 Which criteria is used.

13 DEPUTY COMMISSIONER HERMAN: -arresting
14 people who possess controlled substances and in Bronx
15 soon but in all the other boroughs except for Queens.
16 So Brooklyn, Manhattan and Staten Island we have---

17 CHAIRPERSON RICHARDS: [interposing] The
18 post?

19 DEPUTY COMMISSIONER HERMAN: --post-
20 arrest, pre-arraignment, diversion programs either
21 Hope or in Brooklyn it's called Clear. In the Bronx
22 it's going to start within the next couple of months.
23 We'll have a Hope program there, but the Bronx and
24 Manhattan also have post-arraignment diversion. So,
25 once you get to court they have the OR Program that

2 is diverting people, and there--there are assessments
3 done as to what would be the next most helpful way to
4 reduce harm. They are all harm reduction focused.
5 So, it's not a cookie cutter approach. Everybody is
6 assessed and, you know, Staten Island has been up for
7 two years in January. I think they've had a great
8 deal of success. Brooklyn is doing very well.
9 Manhattan is only in Manhattan North at this point,
10 but these programs are I think helping a lot of
11 people get back on track, and then if they
12 meaningfully engage, that's the word, whatever that
13 means is different for each person. Their--their case
14 is dropped by the prosecutor and the arrest is
15 sealed.

16 CHAIRPERSON RICHARDS: Hm. Let's just--I
17 just want to delve in a little bit before I turn to
18 my colleagues, just on the Local. So, obviously,
19 this has been quality of life issue that I don't
20 think would be tolerated in all parts of New York
21 City, and I certainly believe that, you know, anyway
22 I--I will try not to go there, but I just find it
23 horrible that our children have to watch people
24 shooting up next to them in a playground as they
25 play, and I find it hard to believe that this would

2 be acceptable in other parts of the city. What
3 options does the NYPD have for dealing with the
4 neighborhood that is frequently overrun with users
5 this way? So can you just go through your--

6 DEPUTY COMMISSIONER HERMAN: Well--

7 CHAIRPERSON RICHARDS: [interposing] So,
8 obviously every day they're experiencing people
9 shooting up in public, which has enforcement, and
10 like I said, I know there's that delicate balance.
11 We don't want to lock people up, but what are we
12 doing to ensure they can have a better quality of
13 life.

14 DEPUTY COMMISSIONER HERMAN: Well, we are
15 arresting people. We are also now looking forward to
16 particularly in the Bronx really using these HEAT
17 teams a lot because that's exactly what they can do
18 is intervene. We are working with community
19 partners, you know, syringe exchange programs,
20 everybody that the Health Department is talking
21 about, we are trying maximize the outreach that's
22 possible so that people know that help is available
23 to them. That'd-the-the police role is really
24 enforcement and diversion.

2 CHAIRPERSON RICHARDS: Okay. So, if you
3 arrest somebody at a spot today, what does the spot
4 look like tomorrow?

5 DEPUTY COMMISSIONER HERMAN: Well, if we
6 arrest somebody at the spot today, if that person-
7 just in terms of our interaction with person?

8 COUNCIL MEMBER RICHARDS: Uh-hm, um-hm.
9 Well, now I'm just saying with the community. So,
10 you went in and you showed a level of engagement, you
11 arrested, took somebody off the street. Are those
12 individuals back there the next day? Are people
13 still utilizing at the same spot? What does that
14 look like?

15 DEPUTY COMMISSIONER HERMAN: They may be
16 back there the next day because the individuals that
17 are all eligible for all the diversion programs are
18 all DAT eligible. The ones that are going online may
19 not be back there the next day. They ones that are
20 DAT eligible are being offered services. Many of
21 them are being accompanied immediately from the
22 precinct to an assessment center, and many of them
23 starting treatment right away. That's what's
24 happening. That will happen in the Bronx as soon as
25 HOPE starts, and every precinct will peer navigators

2 coming directly to the precinct, training them in how
3 to use Naloxone, giving them Naloxone and talking to
4 them about services, and in many cases if it happens
5 the same way--and I have no reason to believe it
6 won't--as it is in Staten Island, Manhattan, and
7 Brooklyn, it will right then to an assessment center
8 who will help someone think through what's the next
9 best step for you, and that's--that's where we're
10 hoping they won't be back in the park the next day.

11 COUNCIL MEMBER RICHARDS: Uh-hm.

12 Alrighty. I-I come back, but I-I just want to make
13 two point, one that I really hope are focusing on the
14 individuals who are bringing the stuff in by the
15 boatloads. You know, the last I checked we don't
16 have manufacturing hubs in our communities for these
17 things, and I'm hoping that the-the investigations
18 that are happening are really focused on the
19 individuals bringing this stuff in by-by the
20 boatload. Second, I'll add that in terms of
21 enforcement, I believe that the NYPD can do more.
22 I'm not saying you're not doing anything, but I find
23 it hard to believe that if the department is
24 specifically aware of locations and if they are
25 specifically focusing on these locations, that even

2 as investigations that are ongoing that we can
3 improve the quality of life for residents who are
4 just trying to get home or paying their rent. These
5 children have to walk by this, and I don't think in
6 New York City that this should be tolerated. I
7 understand it's a big problem, but I do believe based
8 on what I've read, based on what I've heard from my
9 colleagues that there's a bit more that we can do.
10 Do you acknowledge there's more that we can do until
11 these programs are specifically rolled out, and
12 lastly what impact do you really think these programs
13 will have that are being rolled out by Health?

14 DR. HILARY KUNINS: [off mic] I think
15 HEAT-[on mic] I think HEAT will have a tremendous
16 impact. We've been talking about HEAT for a long
17 time, and I think the Police Department being able to
18 call and mobilize HEAT for these parks or other
19 locations I think will be very helpful.

20 CHAIRPERSON RICHARDS: So, we're going to
21 turn the heat up and-

22 DR. HILARY KUNINS: Yes.

23 COUNCIL MEMBER RICHARDS: Okay.

24 DR. HILARY KUNINS: Yes.
25

2 CHAIRPERSON RICHARDS: So, can you just
3 speak to—so these programs are going to take just as
4 most city programs a little bit of time to roll out.
5 What can we do in the time being until these programs
6 are fully implement to make sure that residents have
7 a better quality of life?

8 ASSISTANT CHIEF AUBRY: We can—we still
9 encourage our citizens to report their complaint. We
10 can take that in and investigate each one of those
11 complaints, come up with some comment, and our mayor
12 is in them, and investigate those persons that are
13 preying upon us that are dealing it.

14 CHAIRPERSON RICHARDS: And are you
15 working with local non—I'm sure there are some local
16 non—I think you mentioned non-profits. What can they
17 do in the meantime specifically?

18 DR. HILARY KUNINS: Outreach.

19 CHAIRPERSON RICHARDS: Okay.

20 DR. HILARY KUNINS: I mean—

21 CHAIRPERSON RICHARDS: [interposing] So
22 you're working with them and providing them funding
23 to do outreach?

24 DR. HILARY KUNINS: We are not, you are.
25

2 CHAIRPERSON RICHARDS: Okay, I know we
3 are, but--

4 DR. HILARY KUNINS: Yeah.

5 CHAIRPERSON RICHARDS: Okay.

6 DR. HILARY KUNINS: Yeah, yeah, but I
7 mean if--if we are--if we're looking at this as a
8 multi-prong approach, right, it's trying to get
9 people into treatment, trying to find the people who
10 are really flooding the community with Fentanyl, and
11 other horrible poisons, we've got to have as much
12 outreach as possible. We have to find other ways to
13 get people into treatment than the Criminal Justice
14 System--

15 CHAIRPERSON RICHARDS: [interposing]
16 Right.

17 DR. HILARY KUNINS: --but that doesn't
18 mean that we're stopping our part of it, but it
19 requires everything that you're talking about: The
20 HEAT Teams, the hospital based programs--

21 CHAIRPERSON RICHARDS: [interposing] Uh-
22 hm.

23 DR. HILARY KUNINS: --and they've all
24 been ramped up over the last few months, but none of
25 them have been in for a long time.

2 CHAIRPERSON RICHARDS: Uh-hm.

3 ASSISTANT CHIEF AUBRY: [interposing] And
4 Council Member, I'll add that, you know-

5 CHAIRPERSON RICHARDS: [interposing] do
6 you need more resources is the questions. Now is the
7 time you understand in front Oleg and Susan, could
8 your precinct use a little bit more resources in the
9 meantime, and I don't mean to come down on you.

10 ASSISTANT CHIEF AUBRY: [interposing] If
11 you put it out there, I'll always ask for more.
12 There you go.

13 CHAIRPERSON RICHARDS: [laughs] So, over
14 the course of the next six months, so can the police
15 Commissioner, can you Susan agree to ensure that they
16 have a tad bit more resources so that the residents
17 could have a better quality of life?

18 ASSISTANT CHIEF AUBRY: So, built into
19 our investigation the ground-the boots on the ground
20 that we truly need to speak with are our neighborhood
21 coordinating officers, our steady sectors. They're
22 built into my investigations. Where we see fit, they
23 provide us with intelligence, we do investigations.
24 Where we have people that are in desperate need of
25 help that are using, we have them as our microphone

2 to NYC Well to HEAT that they can--that they can
3 suggest--suggest to them that listen, you truly need
4 to get help--

5 CHAIRPERSON RICHARDS: Uh-hm.

6 ASSISTANT CHIEF AUBRY: --while we still
7 conduct our investigations. Unfortunately they will
8 probably still use, but we'll encourage them to the
9 best of our ability while we are still conducting
10 investigations.

11 CHAIRPERSON RICHARDS: Aright, so Susan,
12 can we get them a tab bit few more officers to--to
13 work with them?

14 DEPUTY COMMISSIONER HERMAN: I think you
15 know, it's not my decision--

16 CHAIRPERSON RICHARDS: Okay.

17 DEPUTY COMMISSIONER HERMAN: --but I will
18 relay your request.

19 CHAIRPERSON RICHARDS: [interposing]
20 Okay. So, you'll let the Police Commissioner know
21 about it.

22 DEPUTY COMMISSIONER HERMAN: I will relay
23 your concern.

24 CHAIRPERSON RICHARDS: Okay.
25

2 DEPUTY COMMISSIONER HERMAN: I already
3 have it done.

4 CHAIRPERSON RICHARDS: Alright, great.
5 Okay. Thank you.

6 DEPUTY COMMISSIONER HERMAN: Yes.

7 CHAIRPERSON AYALA: I mean I think the
8 Council—Council Member Richards has a point. We're
9 dealing with unusual circumstances that require more
10 hands on deck. Just out of curiosity, does this
11 extend—do these resources—do the NYPD also extend to
12 PSA5—PSA7 because I know that public housing has
13 been, you know, impacted more and more in the last
14 year than, you know, than ever before and there
15 really hasn't been—I've been hearing some of this
16 from some of my resident leaders, but I haven't
17 really hearing anything from the city around how is
18 it addressing the improper needle dis-disposals at
19 the public housing development. Specifically I'm
20 seeing it at Patterson Houses for obvious reasons,
21 but I have, you know, received complains. I'm also
22 seeing it at Mill Brook, which is a little bit
23 further south, and I'm not—I'm not sure. I wanted to
24 make sure that the PSAs were a part of this
25 conversation.

2 DEPUTY COMMISSIONER HERMAN: I can speak
3 to Patterson Houses. Yes, we—the Parks Task Force has
4 been meeting with tenants there as well as Patterson
5 Playground and I'll check about Mill Brook, and any
6 other sites that you let us know about, we'll—we're
7 happy to follow up. Thank you. I wanted to
8 recognize—acknowledge Council Members Rodriguez,
9 Brannan and Deutsch, and I want to turn it over to
10 Council Member Menchaca who has a few questions.

11 COUNCIL MEMBER MENCHACA: Thank you to the
12 Chairs, and to the NYPD and DOHMH. Thank you so much
13 for being here. I—I just want to offer an
14 opportunity to talk a little bit about some
15 discrepancy that we're seeing on the ground. In
16 Sunset Park I represent a few different precincts.
17 So, I'll keep it general to protect identities on the
18 ground, but—but what's really true and honest is the
19 fact that you have community members that are really
20 engaged on the ground that have been living, owning
21 property for a long time have seen some changes, and
22 the NYPD data that's coming down they're saying that
23 there's no real in crime, no real increase in the
24 stats, and specifically for kind of opioid crisis,
25 and so you're people on the ground seeing changes,

2 seeing needles on the ground, and then the NYPD data
3 is a little bit different. So, I don't know if
4 that's a citywide issue, but I-I just wanted to let-
5 let you know that that's-that's happening, and we'd
6 like to maybe work with you to figure out what-what
7 the discrepancy is all about. Second, I'm thinking
8 about the-the focus for South Bronx is real, and how
9 do we get in front of it in other neighborhoods where
10 we're just seeing the beginning stages of some of
11 this, and the Disposal Programs, for example, is an-
12 is an opportunity for us to kind of think about our
13 parks and other locations, and that are ready and
14 able and willing and is-is-is it but for the funding
15 issue? And so how do we-how do we take a very active
16 community right now like in Sunset Park that I'm
17 seeing that wants to do something proactive, that
18 wants-that-that has seen both the kind of immigration
19 issues come up, and they're there is a very kind of
20 great coalition, and shelters, hotel shelters and-and
21 then they're kind of overlaying this-this crisis the
22 opioid crisis on top of it, and wanting to so
23 something. How do we-how do we bring the resources
24 to this community and work together to do that?

2 DR. HILARY KUNINS: We're happy-we're-I
3 mean I'm speaking for many agencies. This is not
4 just the Health Department work, but we're happy to
5 talk more and think more with you. I'll just add
6 that, you know, in-in the case of the kiosks when we
7 were first talking about it, I think there were some
8 real community concerns also, and I think one thing
9 that's happened since they've gone is that it's
10 earned the endorsement of community members.
11 Initially it was I think seen as a negative flag for
12 their community or potentially a way to draw problem
13 or draw challenges. I think now already just after
14 implementing for short time, we've very glad to see
15 community support, and we're glad after meetings and
16 speaking with people to see that they feel that it's
17 an asset. So, if you are aware of other communities
18 that would welcome it, we should-we're happy to speak
19 more.

20 COUNCIL MEMBER MENCHACA: Great. I'll
21 follow up on that, and we'll make sure to bring that-
22 that effort. The last thing is-is how many of-of the
23 impacted or impacted neighbors, users, English
24 Language Learners, non-English speaking people, New
25 Yorkers? Do we have a sense of that?

2 DR. HILARY KUNINS: So-so we have-let me-
3 I'll-I'll share with you what we do know. We don't-
4 we don't-there are some limits to our data so the
5 folks who-who die of overdose deaths, we don't always
6 know what their primary language is. I think what we
7 know about the Bronx is that the highest number of
8 people who have died of overdose in the Bronx are
9 Latino. We know Latino communities in the South
10 Bronx in particular are predominantly Puerto Rican.
11 We know that many of those folks in those communities
12 have been here for many years and, in fact, are
13 bilingual, monolingual English, and then some
14 monolingual Spanish speakers. I can share with you
15 that in the Bronx all of our outreach and material is
16 always in at least English and Spanish, and in other
17 parts of the city we are also conscious of producing
18 materials and hiring staff or working with community
19 based organizations that have staff that can deliver
20 services in languages specific to the population in
21 that area. So, for example, in another part of
22 Brooklyn and Coney Island we are attentive to large
23 numbers of Russian speaking folks and try to
24 certainly make all of our print materials as well as

2 services available in Russian and English by way of
3 example.

4 COUNCIL MEMBER MENCHACA: I just want to
5 note that I think when—when a question was asked
6 earlier about what can—what can we all do and
7 outreach, outreach, outreach was the answer. This is
8 one of those things that I think we wait until we get
9 to the problem that we realize we didn't put in a—a
10 robust understanding, and so I hope the Mayor's
11 Office of Immigrant Affairs is working with you on
12 this, and if they're not, they should be, and really
13 thinking about how they—they—they bring their
14 knowledge, understanding and ability to communicate
15 to everyone. So, that—that is not a barrier.

16 DR. HILARY KUNINS: Thank you for that.

17 COUNCIL MEMBER MENCHACA: Thank you.

18 CHAIRPERSON AYALA: Council Member
19 Salamanca.

20 COUNCIL MEMBER SALAMANCA: Thank you,
21 Chair. [coughs] Good afternoon everyone. I want to
22 get to—first I want to do some fact checking here
23 just to point out that the—the Bronx Opioid
24 Collective was created by my office and Acacia to
25 address the—the opioid issue on 100—on 149th Street

2 and to bring attention to it, and it was my office
3 working in conjunction with Diana Ayala and the—the
4 rest of the Council especially the BNT to ensure that
5 we got them the funding necessary so that they can
6 kick this program off. In 2014, the Mayor went and
7 visited the Hole with then Commissioner Gilbert
8 Taylor, and the community knew that there was an
9 issues with opioid use, Heroin use in that Hole. But
10 the Mayor, in my opinion, went there, held a press
11 conference, took some pictures, cleared the area up,
12 but never created a plan to address the issue of
13 opioid in that area. And what happened was that the
14 users now decided to go onto the streets and start
15 using with what I call in your face where they were
16 injecting in the streets on 151st Street, and by
17 immaculate conception they were injecting in Saint
18 Mary's—Saint Mary's Park. They were—they were out
19 there. What was the Administration's plan to address
20 that issue back 2014, and why did it take to the end
21 of 2018 for DOH to actually do something about it?

22 DR. HILARY KUNINS: So, I—so first of all,
23 Bronx Opioid Collective I know that your office was—
24 was key to that work, and I—we really acknowledge
25 that had—what a—it's a—it's strengthened the South

2 Bronx. So, I-I-I-to bot Council Member Ayala and to
3 you. I just-so that-the work around the Hole let me-
4 let me also just point out to DOHMH and sort of the
5 changes that have been undertaken with Healing NYC.

6 COUNCIL MEMBER SALAMANCA: No, if you can
7 just add to that specifically because I want to-I
8 don't have much time, and I want to get to my other
9 questions.

10 DR. HILARY KUNINS: So, it's-it's-it's
11 relevant because the city for a long period of time
12 had very little capacity to address substance use as
13 a city. Most of the funding was in treatment
14 programs and so in 2014, for example, we had a staff
15 at the Health Department of 30 people addressing
16 substance use. So, one of the very large transitions
17 that's taken place is of the may programs you've
18 heard about including the ones that are newly coming
19 online as an enhanced capacity to do engagement
20 oriented work that isn't about waiting for people to
21 come in for care. It's about going to find people.
22 So, what I'm aware of with the Hole and the-and the
23 issues both coming prior to closing the Hole was that
24 a lot of efforts were made to go in before hand to
25 reach people who were there to offer them care, and

2 this was done across city agencies, colleagues at
3 Department of Social Services, Police. This was not
4 at that time a primary role of the Health Department.
5 It—what I think I will share with you is that we have
6 been doing work, you've been doing work for the Bronx
7 Opioid Collective. We've been adding on new care
8 since 2017, and will continue to enhance that work
9 going forward, but I very much hear what you're
10 saying, and we want to go forward, and continue fix
11 this problem.

12 COUNCIL MEMBER SALAMANCA: On 149th Street
13 and Third Avenue, 148th Street and closed by-by Diana
14 Ayala's District. See, this is—this is very personal
15 to Diana and I because we—that's our border, and this
16 is what I called Ground Zero for opioid use, and in
17 the city of New York. In that immediate area, even
18 going up to 153rd Street there are 30, okay 30 opioid
19 related healthcare facilities, methadone clinics-
20 clinics, needle exchange programs and on and on and
21 on and on. That is why there is a high concentration
22 of opioid use in that are area. How can the city
23 have allowed all these programs to be concentrated in
24 that area? Now, and—and then my second part is:
25 Does the city coordinate with OASAS, the New York

2 City Office of Alcoholism and Substance Abuse
3 Services. Do you coordinate when we're talking about
4 siting for these areas? Because it's easy for the
5 city to say oh, we have no control over those
6 licenses. That's the state and the state then
7 approves the, but is there coordination? Does the
8 city and the state talk and say: There are too many
9 of these programs in this area. Let's spread them
10 out?

11 DR. HILARY KUNINS: So, in answer to-to
12 two questions: One is to my knowledge there have not
13 been new physical substance use disorder treatment
14 programs in that area since in the time period we're
15 talking about. So, the majority--these programs
16 predated this time period. So, that's one--one issue,
17 on--

18 COUNCIL MEMBER SALAMANCA: [interposing]
19 Which--which time period?

20 DR. HILARY KUNINS: Well, certainly since
21 2014 and even before since to my knowledge. So we do
22 coordinate. The--the process is as follows: We
23 coordinate with OASAS. When a new treatment program
24 desires to open a new location part of the
25 certification process, which is a state process they

2 are required to have what's called a consultation
3 with the city and we as a city make a recommendation
4 about whether—about the location and about the
5 content of the services. So, we very much do
6 coordinate.

7 COUNCIL MEMBER SALAMANCA: You know right
8 now I just got wind that on 152nd Street and Elton,
9 there's an organization that's trying to open up a
10 substance abuse in-patient facility. I wonder if
11 you're—DOHMH was aware of that, and I'm just asking
12 because I want to know if this coordination with
13 OASAS and DOH actually exists.

14 DR. HILARY KUNINS: Let me—let me get
15 back. We will get back to you, Council Member.

16 COUNCIL MEMBER SALAMANCA: Yeah, okay.
17 Alright, thank you. My other question is safe
18 havens. Do you—do you know how a safe haven operates
19 or does—does DOHMH know what a safe haven actually is
20 other than it just being a shelter?

21 DR. HILARY KUNINS: We—we are aware of
22 them, and we do work the Department of Social
23 Services in terms of the harm reduction approach or
24 access and linkage to care and services, and it
25 sounds like, as you know, they are run out of DSS.

2 COUNCIL MEMBER SALAMANCA: Alright, so
3 if--so does DOH and DHS speak to each other before
4 they are opening up a Safe Haven in a certain
5 community? You know Safe Havens are for those
6 individuals that are homeless that are chronically
7 homeless, which 95% if them have substance abuse
8 problems--substance abuse problems, and they're living
9 in, you know, inhabitable conditions. Most of them
10 underneath bridges, stairways, and so to convince
11 them, to get them off the street, they say hey we'll
12 give you a bed with no restrictions. So, you can
13 come in and out as you please, but the goal here is
14 to take them off the streets, and my, you know. And
15 so that's what I want to know. Does DOHMH and DHS
16 actually speak to each other? Because in my opinion
17 putting a safe haven where there is a high
18 concentration of Methadone clinics and Heroin use and
19 drug use is a recipe for disaster. I think the city
20 is, you know, creating a monster and, you know, the
21 city--making the situation worse than improving that
22 situation.

23 DR. HILARY KUNINS: Well--

24 COUNCIL MEMBER SALAMANCA: [interposing]

25 So does DOH and DHS coordinate before--

2 DR. HILARY KUNINS: [interposing] So, we
3 do coordinate services. We typically don't directly
4 get involved with siting before that happens, but
5 from the content programming side of things we do.

6 COUNCIL MEMBER SALAMANCA: Alright, well,
7 I question that. The—the \$8 million, and by the way,
8 you know, I—I—I am a big supporter of—of getting
9 individuals who are addicted to opioid the help that
10 they need. When the Mayor announce a safe injection
11 site, one of them was in my location and I accepted
12 it with open arms. My only concern was the siting of
13 the location, which is something that the
14 Administration said we can work with. So, to hear
15 that, you know, the—the Bronx Action Plan will
16 dedicate \$8 million solely to the Bronx so
17 programming and advertising, it's extremely exciting
18 to me, and—and I thank you for that, but I have yet
19 to see the Bronx Action Plan on paper. When can we
20 get that? I mean it's good to sit in a press
21 conference and say I came up with plan. I haven't
22 read it. When do I—when can I get access to this
23 plan?

24 DR. HILARY KUNINS: We will get it to you
25 soon.

2 COUNCIL MEMBER SALAMANCA: Thank you.

3 Now, is there money dedicated to help NYPD with
4 enforcement as part of this plan to address the—the
5 drug dealing that's happening, and I'll explain why?
6 Diana and I—I'm sorry Council—Chair Ayala and I we
7 share the 40 Precinct, and—and we're constantly
8 having conversations with Inspector Hennessy, and I
9 think he's a very competent and well spoken. I
10 really like him, but I want to make sure that he has
11 the resources necessary. Does the 40 Precinct have
12 the manpower to number 1 patrol 149th Street and
13 Third Avenue, which after Times Square has the most
14 foot traffic in the city of New York, has one of the
15 highest concentrations of NYCHA developments in the
16 city of New York. Okay, has one of the highest crime
17 districts in the city of New York and also has to
18 address and has to patrol these areas where there's
19 high concentration of drug dealing and homeless
20 shelters.

21 DEPUTY INSPECTOR VAN: I'm Deputy

22 Inspector Ronnie Van (sic) from Patrol Bureau Bronx.

23 Thank you for inviting me. The 40 is actually going

24 to fit on the job like you said under Inspector

25 Hennessy. Right now he's experiencing a dip in crime

2 year to date. He's also worked with the BID and
3 yourself about putting extra resources into the
4 district especially 149 and Third. So, right now,
5 the overall belief is that he has enough resources to
6 address the conditions he's facing.

7 COUNCIL MEMBER SALAMANCA: I would have
8 to respectfully disagree. I think that Inspector
9 Hennessy and the 40 Precinct need more resources.
10 They need more officers to help them again. Number
11 1, you know, with the—with NYCHA developments, with
12 149th Street yes you added a task force to deal with
13 that corridor, but they need more resources, and I
14 don't think that they have enough manpower to really,
15 you know, have a presence in that community to serve
16 as a deterrent for those drug dealers. And then my
17 last question in speaking to some higher-ups in NYPD,
18 some of their frustrations were that the judges when
19 you're arresting these low-level drug dealers the—the
20 and they go to the Criminal Court, the judges are
21 either not giving them, you know, enough sentence—an
22 adequate sentence or they're putting them in programs
23 opposed to actually giving them jail time for selling
24 illegal drugs. Is NYPD having a good conversation or
25 coordinating or in discussions with the District

2 Attorney and the judges, and asking them for help and
3 again, I don't think that—I don't think that
4 arresting individuals is a solution for this opioid
5 problem. I think programming and getting into
6 programs the right way, but those—that's for the
7 users. The dealers we need to address them in a
8 separate way.

9 DR. HILARY KUNINS: We're in
10 conversations with all of the district attorneys'
11 offices talking about when diversion is appropriate
12 and when it's not appropriate, and those are ongoing
13 conversations. I think the HEAT teams will be pre-
14 arrest trying to reach everybody including people are
15 low-level dealers who are users, but we are in
16 constant conversations with the dealers.

17 COUNCIL MEMBER SALAMANCA: Alright, thank
18 you. It is a message that we're getting out of here.
19 We have to get the 40 Precinct more resources, and we
20 need to get a copy of this Bronx Action Plan. Thank
21 you, Chairs.

22 CHAIRPERSON AYALA: Thank you. Council
23 Member Powers.

24 COUNCIL MEMBER POWERS: Thank you. I
25 want to just taking some of the lessons here and

2 making them more citywide, I also want to talk about,
3 and it's in your testimony, too, that frequently
4 prescribed opioid medications and the role of that
5 of-of prescriptions and the access. Can you-can you
6 tell us any efforts that the city is taking to ensure
7 that we're not overprescribing and that we are
8 limiting access where we can, and it's, of course,
9 related to not solve-we're trying to solve the
10 problem. At the end of it, we're trying to prevent
11 access on the first hand, and is there-is there a
12 role for the city in that? What is the role? What
13 limitations do we have versus state and federal in
14 terms of limiting and-and being preventative in
15 access?

16 DR. HILARY KUNINS: Sure. Thank you for
17 that question. So, the-the city Health Department is
18 involved in a number of ways. One is we have issued
19 guidance for what we call judicious opioid
20 prescribing that is less risky forms of prescribing.
21 We issued those guidelines first in the prior
22 administration and just recently released them in
23 order to ensure that prescribers know about them. We
24 disseminate them widely using what we call a detail-a
25 public health detail and strategy. We go door-to-

2 door visiting practices to make sure that prescribers
3 know about what we recommend, and urge them to adhere
4 to those guidelines. We have visited more than 3,000
5 prescribers over the last couple of years to do that,
6 and we've evaluated our efforts that show decreases
7 in high dose or the—the riskiest form of prescribing
8 in two of those three efforts. We also as a city
9 have sued the manufacturers and distributors of
10 opioid prescription or prescription painkillers based
11 on the fact of marketing and—and distribution that
12 far exceeded what was sort of best practices or known
13 scientifically. We—the state maintains a
14 prescription monitoring program database. Because of
15 state law prescribers are mandated to check that
16 database before prescribing any controlled substance,
17 and that has been part of what together with what we
18 believe are city efforts have led to decreased
19 patients from seeking multiple prescriptions from
20 multiple providers through multiple pharmacies. We
21 also use that database so that we don't have
22 identified information as an overall evaluation of
23 the amount of prescribing that's happening in the
24 city, and we know from that database that prescribing
25 has gone down on a per capita basis.

2 COUNCIL MEMBER POWERS: And can you tell
3 us how much it's gone down and what time period?

4 DR. HILARY KUNINS: I need—I need to look
5 for specific numbers. We can get that to back to
6 you. It's since when we first had the data come
7 available in 2012 through our last available data is
8 through 2017, and I can get you that exact number.

9 COUNCIL MEMBER POWERS: Okay. Appreciate
10 that and—and as we follow this issue nationwide, one
11 of the—one of the cities that has been I would say
12 devastated, but recovering is Dayton, Ohio. That's
13 where I went to college, a city I follow very well.
14 Dateline and the New York Times have actually re—have
15 done a lot of coverage around their efforts to—to
16 economically distressed area, high usage. There's
17 been—the New York Times has a coverage that there is
18 54% reduction in fatal overdoses over one year, which
19 seems like one place to—to—even though there's a high
20 usage to look at in terms of how do we—how do we
21 learn from other cities that have been doing this
22 maybe as long or longer. The New York Times created
23 mitigated expansion and funding of Naloxone as major
24 factors in decline. I'm wondering New York City,
25 which has a robust Medicaid program has \$60 million

2 invested in opioid treatment and prevention whether
3 we are expecting to achieve similar declines when and
4 if there are other efforts in other cities that we
5 should be taking and, of course, if those need
6 legislative support whether we should be looking at
7 them.

8 DR. HILARY KUNINS: So, a couple—a couple
9 of things I just want to mention about Dayton and
10 other jurisdictions. One thing to just be aware of,
11 the way in which our epidemic is different from other
12 epidemics, which are occurring in the Midwest is that
13 for the entire period of our epidemic we've had lower
14 proportion of overdoses involving prescription
15 opioids than almost other—every other jurisdiction
16 across the country. Our problem throughout this
17 whole period has been dominated by Heroin, and more
18 recently Fentanyl. So, just for context. Not to say
19 we're not—we're letting up on prescription opioids.
20 I think Dayton saw some quick wins because of
21 medicated expansion, and because there was real pent
22 up demand for treatment. I think it is possible that
23 we would have had a worse epidemic had we not had
24 treatment as available as it is. So, we have more to
25 do. We have the largest Naloxone distribution in

2 the country, and I am confident and—and we get
3 together and with Deputy Commissioner Herman and
4 representatives from other city agencies and we were
5 just doing this this morning to think about best
6 strategies to distribute that Naloxone. I'll just
7 also add to the Dayton, Ohio experience. That was
8 also mentioned in the same article is that they saw a
9 brief uptick in carfentanyl, which is for those of
10 you who are aware an even more potent form of
11 Fentanyl, that carfentanyl appeared, and then seemed
12 to disappear. The article didn't attribute to what
13 reason it disappeared, but the Health Department
14 there and other—and colleagues felt that he
15 disappearance of carfentanyl was also contributing to
16 the decrease in fatal overdoses. The last thing I'll
17 say is to really sort of call out the—the work of our
18 administration as we are all in conversation with
19 jurisdictions around the country borrowing from—
20 stealing from what other people have found to work,
21 and, in fact, our Relay program, which is the 24/7
22 post-non-fatal overdose program was based on an
23 earlier pilot in another state. We adapted it for
24 the New York City context. We would like to think we

2 improved upon it, and this is what allowed us to both
3 pilot and now scale that up.

4 COUNCIL MEMBER POWERS: Thank you and I-
5 I-I appreciate that distinction between the
6 jurisdictions, but also the usage and, but I-but just
7 on the opioid side, one-and just-just in general, the
8 DOH I think this was probably two or three years ago
9 had partnered with folks around a drug take-back
10 program. Can you just tell us any-any metrics or
11 level of success in terms of-or how do we measure our
12 success in terms of the Drug Take-Back Program?

13 DR. HILARY KUNINS: So, Drug Take-Back
14 programs it was-it was not actually the city Health
15 Department that those Take-Back programs have often
16 been conducted by DEA sponsoring local offense. I
17 think NYPD has sponsored some events. We think they
18 are good strategies to raise awareness. Often the
19 result is tracked in pounds or times of total
20 medications. We don't know how much are actually
21 opioids often unfortunately. We think that we have
22 also messaged to patients to dispose of medications
23 by mixing them with noxious substances, kitty litter,
24 coffee grounds and so forth, and in the city we have
25 also after much discussion with our environmental

2 folks as the FDA does recommended flushing or other
3 means of disposal are not necessary. Increasingly
4 pharmacies are also having boxes to take back
5 medication, and so we want to make it part of
6 everybody's daily routines to take unused medicines
7 out of medicine cabinets.

8 COUNCIL MEMBER POWERS: Thank you.

9 CHAIRPERSON AYALA: Council Member
10 Gibson.

11 COUNCIL MEMBER GIBSON: Thank you so
12 much. Thank you Chair Ayala and Chair Richards.
13 Good afternoon everyone. It's good to see you here.
14 First and foremost, certainly appreciate all of the
15 work that's being done by DOHMH, NYPD and really a
16 lot of the other agencies. I think, you know,
17 today's topic is very relevant when it relates to the
18 opioid crisis in Bronx County, but I do appreciate
19 Assistant Commissioner, the acknowledgement that a
20 lot of the addictions that we have suffered in the
21 Bronx have been well before this Administration, and
22 so I—I really want to appreciate a lot of the work
23 that's being done. Chair Ayala and Council Member
24 Salamanca representing the South Bronx, but I share
25 Morrisania with Council Member Salamanca, and I share

2 Highbridge with Council Member Ayala. So, this is
3 very, very important to me, and the numbers. I mean
4 we know the numbers, we know the data, certainly the
5 faces of, you know, behind the numbers are community
6 members and residents and family members, and I don't
7 for a lot of New Yorkers the recognition of the real
8 crisis that we have. And even before Healing NYC
9 before Thrive, we still faced challenges in the
10 Bronx, and I'm grateful that there has been a very
11 aggressive approach to going after, you know, the
12 abusers, those who are using, but really making sure
13 that we develop a real plan from a holistic
14 perspective, and not just a law enforcement
15 perspective. Law Enforcement has its work to do, but
16 Law Enforcement are not social workers. We work with
17 them, but this to me is really a public health
18 crisis, and because of that, it leads to a public
19 safety crisis as well. So, I just had a few
20 questions specific ally about the announcement that
21 was made last week with the Mayor when he was in the
22 Bronx, and I wanted to understand a little bit
23 further of what we're doing in the borough that I
24 represent. So, I wanted to first ask in terms of
25 the—the Naloxone distribution, we have already given

2 out 20,000 Naloxone kits in the Bronx. By the end of
3 this year we are adding an additional 15,000. So, of
4 that 15,000 we've already started to distribute
5 correct? Or is that all in the 20,000?

6 DR. HILARY KUNINS: So, I will check my
7 number--

8 COUNCIL MEMBER GIBSON: [interposing]
9 Okay.

10 DR. HILARY KUNINS: --but we will reach
11 15,000 just in this calendar year.

12 COUNCIL MEMBER GIBSON: Okay.

13 DR. HILARY KUNINS: The 20,000 represents
14 since the start of the Healing NYC--

15 COUNCIL MEMBER GIBSON: [interposing]
16 This is right, right. [interposing] Okay.

17 DR. HILARY KUNINS: --in March of 2017.

18 COUNCIL MEMBER GIBSON: So, it is--okay,
19 and initially when we started distributing Naloxone
20 kits, they were all given to all of the members of
21 service in the NYPD, new recruits that are graduating
22 from the Academy, and then we started to expand. So,
23 who are the stakeholders that are now getting these
24 Naloxone kits?

25 DR. HILARY KUNINS: Besides the number--

2 COUNCIL MEMBER GIBSON: [interposing]

3 Besides PD?

4 DR. HILARY KUNINS: --the place that we
5 actually started Naloxone distribution were with
6 people who themselves were at risk for overdose,
7 people who use drugs--

8 COUNCIL MEMBER GIBSON: Uh-hm.

9 DR. HILARY KUNINS: --and their social
10 networks and I want to call out in particular the
11 syringe service programs, the Syringe Exchange
12 Programs who are really early adopters of this
13 practice really counseling and working with our
14 clients around risk reduction, safety planning and
15 Naloxone kit distribution. As we continue down this
16 path we expanded Naloxone kit distribution to many
17 different kinds of organizations who could sign up to
18 be opioid overdose prevention programs and give kits
19 out to clients. This includes treatment-Substance
20 Use Disorder Treatment Programs, shelters, and they
21 were also-those two constituents were also sort of
22 early to this work. I would say that we're very
23 fortunate that PD also became interested and willing
24 to carry Naloxone kits, and that is certainly
25 happening. One new program I'll just mention since

2 you're asking is a program that started in September
3 of this year and that is FDNY EMS our—have started a
4 Naloxone Leave Behind Program. If they respond to a
5 suspected overdose, they will offer a Naloxone kit to
6 the person who experienced an overdose. If they're
7 awake and able to—to get some information as well
8 anyone else on the scene, friends or a family member.
9 So we are looking for every opportunity to get
10 Naloxone and information into the hands of people who
11 could be at risk or in a position to witness an
12 overdose.

13 COUNCIL MEMBER GIBSON: Okay, so in the
14 Bronx, there are a number of community based
15 organizations that have really started at the—even
16 well before this administration called Not62
17 Campaign, which is our borough wide effort to really
18 focus on health disparities like heart disease,
19 diabetes and childhood obesity. It involves a number
20 of CBOs, local hospitals, school based health centers
21 and others like Bronx Health Reach, Institute for
22 Family Health, and many, many others. The list is
23 very long, but what I appreciate about this
24 collaborative—collaborative effort is that it
25 involves not traditional stakeholders so clergy.

2 Faith based organizations are involved. So, with the
3 work that you're talking about the Public Service
4 Campaign, and really expanding into areas where, you
5 know, we normally may not necessarily have a
6 relationship with them. What is the work that you're
7 doing in consort with the Bronx District Public
8 Health Office with Dr. Jane Bedell, who I love. Her
9 office does great work, but are we looking at
10 expanding on these opportunities the Local Community
11 Boards and all the other outlets that already exist
12 where we have an audience of people to talk to?

13 DR. HILARY KUNINS: So, thanks for that
14 question and I want to particularly mention Dr.
15 Bedell and the Bronx Action Center who is already
16 distributing the Naloxone. They are active
17 participants in the coalition that you mentioned, and
18 we are as well as a couple of other organizations
19 that are already distributing Naloxone and doing much
20 of—much of the work that we're describing. So,
21 that's exactly the approach we want to expand upon is
22 thinking about non-traditional partners, engaging
23 with organizations and coalitions that already exist
24 who are working on other health issues, other
25 economic issues, other issues that are pertinent to

2 the Bronx to continue to expand our messaging
3 Naloxone access to care, engagement and building upon
4 work—the good work that’s already happening.

5 COUNCIL MEMBER GIBSON: Okay. Can you
6 just explain a little bit about the Relay Program
7 because you are expanding to a third hospital in the
8 Bronx, and it happens to be my hospital--

9 DR. HILARY KUNINS: [interposing] Okay.

10 COUNCIL MEMBER GIBSON: --Bronx Care
11 formerly Bronx Lebanon, and they have two large
12 sites, one on the Concourse, one on Fulton, a
13 tremendous amount of work with, you know, local
14 stakeholders on the ground. So, what would that
15 program look like to an average constituent to one of
16 my residents?

17 DR. HILARY KUNINS: So, I think to the
18 average constituent it may actually end up being
19 invisible because it is a very--

20 COUNCIL MEMBER GIBSON: [interposing]
21 Right.

22 DR. HILARY KUNINS: --because it is a
23 very targeted program. What the Health Department is
24 doing is deploying peer coaches. We call the
25 Wellness Advocates to the Emergency Department when

2 we are called 24/7 to work with somebody after they
3 come into the Emergency Department after a non-fatal
4 overdose. The hospital, the partner hospital just
5 calls a single line and we dispatch the peer worker.
6 So, we're up and running at Saint Barnabas. We've
7 been very—they've been great partners. We'll—we're
8 very excited to be working with them, and we're
9 really looking forward to working with Bronx Care as
10 well. In terms of the specifics about the sites, we
11 are based in the Emergency Department so that's our—
12 that's our primary site, and as programs rolled out—
13 roll out, we've learned that we start in one site
14 typically. As things are up and running and going
15 well we're able to expand if they have a secondary
16 emergency department site nearby as in the case.

17 COUNCIL MEMBER GIBSON: Okay. So, in the
18 network of stakeholders that we're actively working
19 with as well as expanding on, what is the
20 relationship with the medical professional sector in
21 terms of doctors, nurse practitioners because in many
22 of the cases that I personally know of with an opioid
23 addiction, or misuse, it usually starts at the very
24 beginning from a pain management, from an injury, and
25 that patient is prescribed medication and then for

2 whatever reason the pain medication stops and then
3 that patient has to find, you know, meds somewhere,
4 the Black Market, et cetera. So, what are the
5 conversations we're having with the medical
6 professionals because they play a crucial role in
7 this process, and all the great work we're doing we
8 certainly don't want their work to counter what we're
9 doing. So, have there been active conversations?
10 Are we looping them in on all of these efforts and
11 initiatives that we're embarking on?

12 DR. HILARY KUNINS: A lot of looping.

13 [laughs]

14 COUNCIL MEMBER GIBSON: Okay, I can
15 imagine and arm twisting.

16 DR. HILARY KUNINS: You know, I think
17 health professionals want to do the right thing and
18 they need the accurate information and resources just
19 like we're talking about community members. Just
20 like we're talking about law enforcement. So, we're
21 actively working with the health professions
22 community not only around promoting judicious opioid
23 prescribing that is shorter duration, lower doses
24 only when needed and as I think you were in the room
25 when I was speaking with Council Member Salamanca or

2 some—someone else about our Public Health Detailing
3 Campaign where we go door to door. We've reached
4 more than 3,000 prescribers in New York City around
5 various guidance that we issued around the opioid
6 epidemic and we will continue to do that.

7 Additionally, we are really working hard to engage
8 health professionals in—in getting the training and
9 then starting to prescribe the medication called
10 Buprenorphine, which is one of the most effective
11 treatments for opioid addiction. We are hosting
12 trainings in which they get information about
13 addiction generally as well as prescribing the
14 medication Buprenorphine and then we are providing
15 help technical assistance to those practices to help
16 them get going, and begin to offer treatment to
17 patients in primary care and other settings.

18 COUNCIL MEMBER GIBSON: Okay, great. So,
19 I had one final question, but before I get to it, I
20 did want to also echo the sentiments of Council
21 Member Salamanca in terms of the partnership with
22 OASAS. As a former State Legislator, I cannot tell
23 you how important that is, and then in January, it's
24 going to be even more important when things change,
25 but it's really essential because of the ongoing work

2 that OASAS is doing, and I know why you indicated
3 that you're not involved in terms of siting locations
4 of Methadone clinics and drug treatment programs,
5 but, you know, that work again we don't want it to be
6 counter to what we're doing. And so, if you look at
7 the borough of the Bronx, and you look at where many
8 of these facilities are located, they're all in the
9 same communities, the same distressed communities of
10 color where you have the most addictions and the most
11 people using drugs. So, as we have future
12 conversations, it's really important that our
13 partners in Albany understand that they have to work
14 with us in terms of new contracts, siting these
15 facilities because until that dynamic changes, we're
16 going to have the same challenges over and over and
17 over again. And with a lot of the success we have,
18 all of the money we're expending we certainly don't
19 want Albany to do things that's not in line with what
20 we're doing. So that's my one plug. My second plug
21 is on the Syringe Expansion Program, and I know this
22 is really Parks and Sanitation, but even with the
23 initial announcement, most of the locations are the
24 largest parks we have particularly St. Mary's Park in
25 the Bronx. But I want to encourage you as you talk

2 to Commissioner Silver and Commissioner Garcia that
3 the playgrounds are very important, too, and people
4 are complaining to us about, you know, the syringe
5 use, needles everywhere in the smaller playgrounds as
6 well. So, yes the big parks need attention, but
7 please don't forget the small playgrounds. My final
8 question is about the Public Health Diversion
9 Centers. I think I've been having this conversation
10 for a while when I chaired Public Safety, and we were
11 talking about alternatives to arrests, and allowing
12 officers an option on taking individuals who were
13 using drugs into a safe space, a safe location
14 because in many instances when they go to the
15 emergency room, they stay there for hours and they're
16 discharged, and who know where they go. So, the \$90
17 million commitment we have the two providers I
18 believe the last time we talked, Deputy Commissioner
19 we were talking about a site in East Harlem. So, I
20 wanted to know if you had an update for us on our
21 Diversion Centers.

22 DR. HILARY KUNINS: I—I think we will
23 have an update very soon. I know it's been a
24 longstanding conversation.

2 COUNCIL MEMBER GIBSON: [interposing] I
3 know those aspirations soon and very soon, the hurry
4 up and wait approach. [laughs] Not ready end of the
5 year probably early next year?

6 DR. HILARY KUNINS: Early. I think next
7 year, but I think things are—we're very optimistic
8 that things are moving forward, and I know we've
9 been—I've been talking with you, and Council Member
10 Ayala for—for a while about that.

11 COUNCIL MEMBER GIBSON: Okay. Thank you
12 very much. I appreciate it, and thank you, Chair
13 Ayala for all the work you've done. You know, this
14 is not just a profession for us, but we take this
15 very, very personal as we all do, and so I appreciate
16 the work of, you know, the department, the agencies
17 and encourage us to continue to talk and make sure we
18 are talking to people on the ground. There's nothing
19 like advocates and stakeholders and people who are
20 affected who can really be the powerful voices at the
21 table. So, I appreciate it and thank you, Chair.

22 CHAIRPERSON AYALA: Thank you. Council
23 Member Holden.

24 COUNCIL MEMBER HOLDEN: Well, thank you,
25 Chairs for holding this important hearing. No

2 neighborhood is exempt for the opioid crisis as we
3 know. My neighborhood has been—in Queens has been
4 hit hard. I'd like to focus on the Public Awareness
5 Campaign, the Living Proof, which we all see. We
6 can't turn on a TV without seeing a pharmaceutical
7 commercial, and we're seeing hundreds of them. Yet,
8 we don't see as many on the—on the opioid crisis, and
9 I don't remember a campaign. It should be a national
10 campaign put out there, but certainly a city should
11 be doing this round-the-clock on—on my stations. I
12 know it's expensive, but it's really hard. I don't—I
13 don't know who to target on this because it runs the
14 gamut, the ages, the demographics, and how do you
15 reach them with a public service campaign. It's a—
16 it's a tough, you know, it's really tough, but it
17 really should go out there. It should be on bus
18 shelters. Anything that the city owns or the city
19 contracts out we should have the message out there.
20 Again, it's hitting everyone. It's hitting everyone
21 hard, and we need to involve the drug companies
22 obviously. I guess we're trying. We're—we're suing
23 them, but how do you plan to deliver the Living Proof
24 Campaign? Because that's—it's a good testimonial on
25 people's, you know, lives. It's a very, very

2 important way to reach everyone, but how do you
3 deliver it?

4 DR. HILARY KUNINS: So, thank you for the
5 question, and I think that's something that we think
6 awfully hard about when we launch a new campaign or
7 we run an additional campaign. As you point out,
8 running things on television is expensive, and it
9 doesn't always reach people who may be more on social
10 media and other ways of consuming information. So,
11 we increasingly in addition to television, the Living
12 Proof during its last run also ran on social media
13 including Facebook, including Twitter. We also use
14 print campaigns and as you point out, we do use bus
15 shelters and buses as well as subways to disseminate
16 a variety of Health Department messages. In our
17 campaigns, we also use our data around non-fatal
18 and fatal overdose to target areas of the city in
19 particular using through our media contracts ways to
20 target messaging to people both age and geographical
21 who we want to reach. And then finally, we have used
22 the testimonial style ads, and in that way we can
23 include a range of New Yorkers, a range of both ages,
24 race, experiences in an effort—in an effort to reach
25 people as—as effectively as we can.

2 COUNCIL MEMBER HOLDEN: Alright thank
3 you. Just one other questions. I love the fact that
4 we can go over-go after the drug dealers, the big
5 drug dealers, and hold them responsible for the
6 overdoses, the deaths. Have the—and—and I might ask,
7 might ask the Chief this, but have there been some
8 high profile convictions on this that have—you know,
9 have—do we have that we—we can put out, we can
10 actually advertise that you do this, you kill people,
11 you'll be going to jail. You're held responsible for
12 murder or whatever the charge would be that you're
13 going a way for a long time. I mean I'd love to see
14 that, you know, as—to go out there to the masses to
15 the media, and this person was convicted and he
16 killed five people or he killed three or whatever.

17 ASSISTANT CHIEF AUBRY: Yeah, we—we do do
18 that. As I previously have said, we pick up case on
19 every overdose, and particularly to deaths, and we've
20 had our success with the federal charge of
21 distributing a controlled substance resulting in a
22 death. It's a minimum of 20 years, which is
23 impactful considering what we were dealing with prior
24 to this trying to figure out how we're going to
25 tackle this problem. We do—many times we do do press

2 conferences announcing these take-downs and these
3 charges. You'll see them. We just--

4 COUNCIL MEMBER HOLDEN: [interposing]

5 Can--can you give me a case where somebody, you know,
6 killed three people or four people, they were charged
7 with that?

8 ASSISTANT CHIEF AUBRY: You want to talk
9 about strategic?

10 COUNCIL MEMBER HOLDEN: Yeah, and-and
11 they were convicted, not just charged, but they were
12 convicted.

13 ASSISTANT CHIEF AUBRY: Most recently we--
14 earlier this year in 2018 we arrested the person who
15 personally delivered the product that killed our
16 public school teacher up in the Bronx. The public
17 school I think was 811. So that is one case from
18 early this year. I cannot get into it further
19 because I don't know where in the invest--in the
20 prosecution that case is right now. I don't know if
21 it's been finished, but that would--that's one high
22 case that we have.

23 COUNCIL MEMBER HOLDEN: No, but is there
24 any case that you can say this person was convicted.
25 He's--he's doing time now for three deaths or four

2 deaths that was last year or the year before? Do we
3 have any of those?

4 ASSISTANT CHIEF AUBRY: Not-not that I
5 can give you off the top of my head.

6 COUNCIL MEMBER HOLDEN: Alright, but
7 that's what we need to get. That's-that's-we need to
8 put these guys away.

9 DEPUTY COMMISSIONER HERMAN: They exist.
10 We know that.

11 COUNCIL MEMBER HOLDEN: Sorry.

12 DEPUTY COMMISSIONER HERMAN: They do
13 exist.

14 COUNCIL MEMBER HOLDER: They do exist,
15 but let's get them out there. Let's use them and-

16 DEPUTY COMMISSIONER HERMAN: [interposing]
17 Yes.

18 COUNCIL MEMBER HOLDEN: --and actually
19 scare off other dealers. They'll say wait a minute,
20 you know, this is-they're going to get-they're going
21 to be put away for a very long time if they are-are
22 peddling these drugs and it's killing people.

23 ASSISTANT CHIEF AUBRY: The-the issue is
24 is that we just started this last year, and as you
25 know with the court proceedings it take some time.

2 So, I—I think the reason why we're not able to give
3 you those convictions although there may be a
4 handful, we just started really using this law, this
5 federal law within the last year. So, they wouldn't
6 have gone to trial already. For the most part, many
7 of them haven't gone to trial, but there—there are
8 numerous occasions where we have made these arrests,
9 but the trial will take--

10 COUNCIL MEMBER HOLDEN: [interposing] But
11 the—the federal law is only a year old?

12 ASSISTANT CHIEF AUBRY: No, no, what I'm
13 saying is we've concentrated on these overdoses with
14 these deaths with the overdose teams with—last year.
15 It was the beginning—the beginning of last year--

16 COUNCIL MEMBER HOLDEN: [interposing]
17 Okay.

18 ASSISTANT CHIEF AUBRY: --that we've
19 really focused in on them, and we've really tried to
20 take these and prosecute these individuals, poisoning
21 people within our communities.

22 COUNCIL MEMBER HOLDEN: Okay, when we get
23 them, though, when we actually—when they actually go
24 to jail we need to—

2 DEPUTY COMMISSIONER HERMAN: [interposing]

3 Yeah, it's right.

4 COUNCIL MEMBER HOLDEN: --put that out
5 everywhere.

6 DEPUTY COMMISSIONER HERMAN: Yes.

7 COUNCIL MEMBER HOLDEN: Thank you. Thanks
8 so much. Okay.

9 CHAIRPERSON RICHARDS: Okay it's just the
10 last two questions. Why don't you think growing that
11 gets to the 40th Precinct, why don't you think that
12 would exist? And I know Council Member Salamanca was
13 pushing certainly for more resources.

14 DEPUTY COMMISSIONER HERMAN: I don't
15 think anybody in the Police Department would say not
16 to more resources---

17 CHAIRPERSON RICHARDS: Okay.

18 DEPUTY COMMISSIONER HERMAN: --but it's
19 not up to us to decide here who gets more.

20 CHAIRPERSON RICHARDS: And do you think
21 that will assist in cleaning up the neighborhood
22 temporarily until these programs come on line?

23 DEPUTY COMMISSIONER HERMAN: I-I don't
24 think anybody would say that more resources aren't a
25 good thing, but we have to balance the whole city.

2 If I may, I just want to clarify that the HEAT
3 Program is already active. It came online this
4 month, and—and so this is right now.

5 CHAIRPERSON RICHARDS: Okay, so since
6 it's come online what have we seen?

7 DEPUTY COMMISSIONER HERMAN: So HEAT is
8 the new resource that's coming online and Bronx Hope
9 will be coming online very soon. Those are two big
10 initiatives.

11 CHAIRPERSON RICHARDS: It came online as
12 of the December—

13 DEPUTY COMMISSIONER HERMAN: As of last
14 month, but still, you know, getting set up and
15 happening. So, we're beginning to work through it
16 and we're hopeful we'll see impact soon.

17 CHAIRPERSON RICHARDS: And how much
18 they're asking?

19 DEPUTY COMMISSIONER HERMAN: So, there
20 are—so overall, HEAT has teams throughout the city
21 and in the Bronx there are two dedicated teams, each
22 consisting of two people running 16 hours a day, and—
23 and however, there are other teams to draw upon.
24 Some of the other teams are getting staffed up.
25

2 CHAIRPERSON RICHARDS: And since those
3 four individuals, two in the Bronx you said?

4 DEPUTY COMMISSIONER HERMAN: Uh-hm.

5 CHAIRPERSON RICHARDS: So, you're--the
6 jury is still out on that I'm assuming so you're--

7 DEPUTY COMMISSIONER HERMAN: Right. So
8 we're monitor--obviously monitoring very carefully in
9 terms of numbers of responses what happens to those
10 responses and--and--we're--and we're happy to--

11 CHAIRPERSON RICHARDS: [interposing] And
12 do they wear a special color or T-shirt or vest or
13 what's--?

14 DEPUTY COMMISSIONER HERMAN: So, they are
15 coming soon--

16 DEPUTY COMMISSIONER KAPLAN:
17 [interposing] I think so.

18 DEPUTY COMMISSIONER HERMAN: --wearing
19 special--special--

20 CHAIRPERSON RICHARDS: Okay.

21 DEPUTY COMMISSIONER HERMAN: --outfits.

22 DEPUTY COMMISSIONER KAPLAN: Yes. They'll
23 be recognizable.

24 CHAIRPERSON RICHARDS: Okay, the last
25 question because I don't think we got the--the clear

2 answer on this. So, the people who are selling going
3 back to that on the street, are these the same ones
4 who are adding the Fentanyl or I that happening at a
5 higher level?

6 DEPUTY COMMISSIONER HERMAN: I don't
7 know. It should higher.

8 CHAIRPERSON RICHARDS: It's happening at
9 a higher level?

10 DEPUTY COMMISSIONER HERMAN: Yes.

11 CHAIRPERSON RICHARDS: Do you want to
12 answer? Now today you look like you want to.

13 ASSISTANT CHIEF AUBRY: Yeah, just-just
14 to clarify just something. So, we were going back
15 and saying about Fentanyl and I was listening to the
16 doctor. So, we've consistently seen an increase in-
17 in Fentanyl through the years. So, from-if you look
18 at the lab, and you'll it doubled from 2016, and then
19 you look at the percentages of Fentanyl and Heroin.
20 So, back in 2016, it was 17% and pretty much half of
21 the heroin that's coming in right now contains some
22 sort of Fentanyl or Fentanyl Analog. [background
23 comments] So-so-so when you look at-I'm going to get
24 that-so when you look at that, we have a specialized
25 major investigation team that targets and exactly

2 what you're saying: Where is this coming in from?

3 And they've targeted specifically the Bronx. This
4 year they brought in Heroin because half of Heroin
5 contains Fentanyl. They brought in 734 pounds of
6 Heroin. So, where does that come from? It seems
7 like the Bronx is—is it's a thoroughfare for bringing
8 in that Heroin at least from our major case
9 investigations. It's originating as Chief McCormick
10 had said from China. That's where it's manufactured
11 and then also Mexico and then along the way, it could
12 be cut in, the Fentanyl could be cut into the Heroin
13 in any—any sort of the process, and—and if you look
14 at [pause]

15 CHAIRPERSON RICHARDS: Go ahead. Keep
16 talking.

17 ASSISTANT CHIEF AUBRY: So, if you're—if
18 you're looking—if you look at the--

19 CHAIRPERSON RICHARDS: Deputy
20 Commissioner [laughter] leave him alone.

21 DEPUTY COMMISSIONER HERMAN: Leave him
22 out, leave him. [laughter] We really want him out.

23 CHAIRPERSON RICHARDS: [laughter] But I
24 want to hear. I want him to keep talking. Go ahead.
25 [laughter]

1 COMMITTEE ON MENTAL HEALTH, DISABILITIES & ADDICTION
JOINTLY WITH COMMITTEE ON PUBLIC SAFETY

2 ASSISTANT CHIEF AUBRY: So, if-if you
3 look at—and just look at that--

4 CHAIRPERSON RICHARDS: [interposing] I
5 could see as you tap him on the leg from here, right.
6 So-[laughter] So, I'm watching.

7 ASSISTANT CHIEF AUBRY: She was—she was
8 going--

9 DEPUTY COMMISSIONER HERMAN: [interposing]
10 Hit him.

11 CHAIRPERSON RICHARDS: [laughs]

12 ASSISTANT CHIEF AUBRY: But if you look
13 at Fentanyl, too, it's like so in 2016 it was in a
14 tablet form 20% of the time and that's kind of
15 dissipated. It's only 2% of the now. So, the issue
16 is the Fentanyl. The Fentanyl being cut into Heroin
17 as you're trying to figure out at which stage, we
18 are, too, and that's where we're targeting. We're
19 targeting that. We have the specialized major case
20 investigations going on in the countries as it's
21 coming in in JFK. We have a task force in JFK
22 getting it as it's coming in, but we are getting
23 these investigations going to try to get those people
24 cutting in the Fentanyl in the Heroin.

25

1 COMMITTEE ON MENTAL HEALTH, DISABILITIES & ADDICTION
JOINTLY WITH COMMITTEE ON PUBLIC SAFETY

2 CHAIRPERSON RICHARDS: Right. Now so why
3 the Bronx? Is it the water? Is it--why--why is the
4 Bronx the--the specific--

5 DEPUTY COMMISSIONER HERMAN: Right.

6 CHAIRPERSON RICHARDS: No, I'm just
7 saying the Bronx seems to be the place where it's
8 out.

9 ASSISTANT CHIEF AUBRY: It--it could be
10 the--the thoroughfare, you know, coming in from other
11 states. So, you cut through New Jersey going to the
12 Bronx. It could be coming from--from the north
13 cutting in, you know, but--but we have seen 75% of the
14 major investigations seizures of Heroin is coming
15 from the Bronx this year--

16 CHAIRPERSON RICHARDS: [interposing]
17 Okay.

18 ASSISTANT CHIEF AUBRY: --in which 700
19 pounds--that's a lot.

20 CHAIRPERSON RICHARDS: Yeah, and--and
21 you're not seeing the Fentanyl being added locally is
22 the question?

23 ASSISTANT CHIEF AUBRY: It's--it's not
24 that--it could be cut in anywhere from China and
25 Mexico to--to the Bronx or to any other--any other

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2 country within New York City. [background

3 comments/pause] And-and the answer is that they

4 brought in so--

5 CHAIRPERSON RICHARDS: It could be done
6 in any state, but I'm assuming if it's something-

7 DEPUTY COMMISSIONER HERMAN: [interposing]
8 [off mic] It's often the low level dealers.

9 CHAIRPERSON RICHARDS: Right. Alright,
10 right.

11 ASSISTANT CHIEF AUBRY: And the answer is
12 yes. It can be done at eye level. It can be done at
13 any level, but that's what your--

14 CHAIRPERSON RICHARDS: [interposing]
15 Alright, give me a specific--a percentage then. Do you
16 think it's half and half? Do you think it's 20%
17 locally? I would assume that it's coming in more
18 from the town. (sic)

19 ASSISTANT CHIEF AUBRY: Yeah, go up.
20 (sic)

21 CHAIRPERSON RICHARDS: Come on back up.

22 ASSISTANT CHIEF AUBRY: I cannot (of f
23 mic) [pause] I cannot provide you with a percentage
24 on where it's being done. I cannot. I can tell you
25 that we conduct investigations on a local level say

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2 for instance a block, a geographical area within a
3 borough, two boroughs within in our city, our city
4 both through our country and also internationally,
5 but I can't give you a percentage.

6 CHAIRPERSON RICHARDS: But are you seeing
7 it cut in locally in some of the --?

8 ASSISTANT CHIEF AUBRY: I don't—I don't
9 know what you mean by locally?

10 CHAIRPERSON RICHARDS: Locally with
11 Fentanyl being added when you—it—for the cases that
12 you have seen. I don't want you to go into open
13 investigations, but would you suggest that it's
14 happening before it comes into Bronx or in the Bronx
15 it's being added the Fentanyl?

16 ASSISTANT CHIEF AUBRY: On a few
17 different investigations it is being mixed in the
18 Bronx a few. It does—very rare does Fentanyl come
19 into this country in pure-in pure form. It's not.

20 CHAIRPERSON RICHARDS: Okay.

21 DEPUTY COMMISSIONER HERMAN: All we know
22 is it does come in.

23 ASSISTANT CHIEF AUBRY: It-it-it's coming
24 in through various compounds both through Mexico and
25 through China.

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2 CHAIRPERSON RICHARDS: Right so bigger
3 dealers?

4 ASSISTANT CHIEF AUBRY: Correct.

5 CHAIRPERSON RICHARDS: Okay, thank you.
6 That's what I was trying to get at. Okay, we got our
7 answer. Thank you. Thank your Deputy Commissioner.

8 DEPUTY COMMISSIONER HERMAN: You're
9 welcome.

10 CHAIRPERSON AYALA: Can you tell us are
11 all police officers trained to use Naloxone? I don't
12 think that was clear.

13 DEPUTY COMMISSIONER HERMAN: We have--
14 almost all police officers have been trained to use
15 Naloxone.

16 CHAIRPERSON AYALA: Okay.

17 DEPUTY COMMISSIONER HERMAN: Almost
18 everybody. Some--those who haven't, are either on
19 military leaves, they're on extended leave or they're
20 in such administrative positions that it would be
21 highly unlikely that they would use it.

22 CHAIRPERSON AYALA: Now, in regards to
23 the Public Awareness campaign. I think this is it.
24 Here we go. Are we going to focus at all on the fact
25 that cocaine is now still starting to be, you know,

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2 laced with Fentanyl and that we have what appears to
3 be prescription pills that are out on the market
4 being sold that are also laced with Fentanyl?

5 DEPUTY COMMISSIONER HERMAN: Yes.

6 CHAIRPERSON AYALA: Okay, thank you. I
7 have two more questions. This is also for Dr.
8 Kunins.

9 CHAIRPERSON AYALA: So, you mentioned
10 that the outreach work—that you're doing outreach
11 work with medical providers to educate them on the
12 best practices for opioid prescription. Is there any
13 work being done with insurance companies to encourage
14 physicians and patients by providing better
15 reimbursement for non-opioid related alternatives
16 such as physical therapy or anti-inflammatory claims?

17 DR. HILARY KUNINS: So, we've certainly—
18 we've certainly been involved in—in speaking with
19 insurance companies around those—a round judicious
20 opioid prescribing about—around improving coverage
21 for non-opioid approaches to pain relief, and I, you
22 know, I think more work needs to happen in that area
23 by not only the city, but nationally as well.

24 CHAIRPERSON AYALA: Okay. so, in regards
25 to the Bronx Action Plan, could you tell us how much

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3 of the \$8 million in funding will be directed to
4 Bronx based support groups and community based
5 organizations that connect people to treatment?

6 DR. HILARY KUNINS: So, there is I
7 believe \$600,000--\$450,000--sorry--going to increase
8 outreach capacity for the three Bronx base syringe
9 exchange programs that will allow them to expand
10 outreach or outreach teams.

11 CHAIRPERSON AYALA: And what is the
12 criteria that you're looking for these partnering
13 organizations?

14 DR. HILARY KUNINS: So, our criteria are
15 that we want organizations who are skilled in I would
16 say the--the task of engaging people meaning working
17 with people who may have range of health related
18 issues including substance use, and are skilled in
19 offering the--the language that we often use with harm
20 reduction is meeting the person where they're at.
21 Figuring out what their--what kind of help they're
22 interested and getting that help to connect with the
23 person. That is a skill that in particular harm
24 reduction really uses on a daily basis reaching out
25 to people and pulling them into care. Not sitting in
an office waiting for people to show up.

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3 CHAIRPERSON AYALA: Understood. Now, can
4 you tell us how was the organization Radical Health
5 selected. We've been hearing some feedback after the
6 announcement from community activists that they're
7 not really familiar with this program, this route.

8 DR. HILARY KUNINS: So, Radical Health I
9 a South Bronx based organization led by a woman who
10 is from the South Bronx who is herself a Latina, and
11 they have—she has not worked—she takes I would say a
12 community organizing approach to health. Sort of a
13 grassroots engagement oriented approach. I think
14 referring back to Council Member Gibson sort of
15 really nice description of—of working with non-
16 traditional partners, finding out what community
17 members need, and want and—and working on strategies
18 to improve health. So, she's not worked widely in
19 the substance use or opioid arena, and—but has real
20 strength in engaging some of the non-traditional
21 partners who Council Member Gibson named and more,
22 and she has real skills in that area working with
23 groups using a community organizing approach.

24 CHAIRPERSON AYALA: Okay, and I think
25 alike. I have two other questions, rapid questions.
So, when I was in the Bronx this summer canvassing my

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3 own block, I accidentally—I was photographing needles
4 and as I—I accidentally walked into one of the
5 drains. The drains was full of needles that had been
6 disposed of improperly. I mean hundreds and hundreds
7 of needles. The worst case whenever it floods and
8 needles come up onto the street. If that didn't
9 happen, they drain somewhere. Now, I understand that
10 they are captured, but the chemicals that are in the
11 needles, the communicable diseases that are, you
12 know, in the needles what—what is—is there like a
13 concern? I don't—I don't like, you know, I don't
14 want to be an alarmist, but that really, you know,
15 bothered me because I—I think even when I was trying
16 to get assistance, I don't think that there was a lot
17 of experience with this kind of situation, which is
18 kind of, you know, weird for me considering that
19 we've been in the midst of this opioid epidemic for
20 the last, you know, couple of years. But it was the
21 first time that I had seen it, and it's almost to me
22 or it looked to me like it was the first time that
23 many of the city agencies that I was interacting with
24 and trying to figure out where does, you know, was
25 all headed, had no idea how to deal with this either.

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2 DR. HILARY KUNINS: Yes, thank you and I
3 thank you for sharing the picture and your concerns
4 with us previously and I think that also highlighted
5 some gaps in our ability as a city to clean syringe
6 litter, and which we believe will be filled by this—
7 this current plan. To our knowledge that the fact
8 the syringes being in the drain didn't pose risk of
9 contamination of water supply or other environmental
10 hazards beyond the—the local one, which I appreciate
11 you thinking about this.

12 CHAIRPERSON AYALA: Okay. Okay, I think
13 the last questions was really just around that it's
14 both the—the—the pickup. So, we know that Sanitation
15 is going to be helping out, and regarding additional
16 resources to the Parks Department, which I also
17 wanted add for the record that I believe that we also
18 would benefit from an addition of PEP Officer because
19 there is a need for more security in and around our
20 local playgrounds and—and parks, but in regards to
21 some of the harm reduction programs so they give out—
22 So, they go to a specific area, and they give out—I
23 think you and I worked—my staff worked with your
24 office regarding an issue similar to this in East
25 Harlem. And so on 111th Street and Madison Avenue.

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3 Apparently there's been some drug deals on 110th
4 Street and Lexington Avenue 110th and Lexington
5 Avenue and people hide on 111th Street for some
6 reason behind the garden, and they inject there, and
7 then they dispose of the needles. One of my local
8 harm reduction groups knowing this specifically
9 target that area for new distribution. So, they
10 don't necessarily pick up the needles. What is the
11 plan? Will those programs then be tasked with
12 coordinating services with Sanitation?

13 DR. HILARY KUNINS: So, we are hopeful
14 that we will coordinate everybody's efforts so that
15 we can—are able to respond to problems like this more
16 quickly. We have found that syringe exchange
17 programs, syringe service programs are really good
18 community partners and we are happy to work with them
19 if—if, you know, when there are moments such as you—
20 the one that you and have discussed about exact
21 locations and so forth that would be better for
22 community health. They are active about giving out
23 personal—they're called fit packs, personal syringe
24 disposals with—so folks can dispose into little tiny
25 sort of boxes, and collect those from participants as
well as helping out with syringe collection. We want

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2 them to focus also on really working with people
3 directly and want to support them. Though they are
4 partners in collecting syringes, we want to be able
5 to together work to make sure to decrease syringe
6 litter.

7 CHAIRPERSON AYALA: Okay. Anybody with
8 any other additional questions?

9 CHAIRPERSON RICHARDS: I just want to
10 thank you for the work that you're doing, and I think
11 that certainly the work that all of you are doing
12 signifies that we're looking to move into a different
13 direction. Like I said, I don't think necessarily
14 arresting our way out of this crisis is going to
15 change where we're at as we've witnessed in the past.
16 So, very good to see the NYPD is certainly taking
17 steps, but steps here as well, recognizing this as a
18 public health crisis rather than arresting our way
19 out of this issue. So I look forward to continued
20 work with you all on this issue and thank you.

21 CHAIRPERSON AYALA: Thank you for your
22 testimony today. I look forward to catching up in
23 the next few months to see how we're progressing.
24 Thank you.

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5 DR. HILARY KUNINS: Thank you. [gavel]
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C E R T I F I C A T E

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



Date December 30, 2018