



February 26, 2019

Testimony of James Booth, Chief of EMS, FDNY

Oversight Hearing – Protecting EMS Members from Job-Related Violence

Good afternoon Chair Borelli and all of the Council Members present. My name is James Booth, and I am the Chief of EMS for the New York City Fire Department. I am joined today by Elizabeth Cascio, Chief of Staff, and Lillian Bonsignore, Chief of the EMS Academy. Thank you for the opportunity to speak with you today about protecting EMS members from job-related violence.

EMS members in New York City provide life-saving care in a dynamic environment. They work in every area of the city and they face new challenges every day. Unfortunately, sometimes those challenges include being threatened or even assaulted during the course of a response. The Fire Department emphasizes that the safety of our members is paramount at all times. Members are trained to minimize risk and to deal with dangerous situations when they arise. As a Department, we are always looking for ways to enhance the safety of our members.

The mission of EMS is to provide emergency medical care to members of the community who are in need of help. As a general rule, we encourage our members to deescalate a situation rather than act with force. However, operating in dangerous situations means that on occasion it may become necessary as a last resort in the face of imminent harm for members to employ an appropriate degree of force to protect themselves.

EMS members receive training when they first enter the job as well as periodic training throughout the remainder of their career. New members receive instruction in a segment called Street Smarts that teaches the importance of physical positioning during a response. The subtitle of the Street Smarts presentation is "Protecting Yourself in a Continuously Changing Environment," and it addresses a wide variety of potentially dangerous situations such as aggressive patients, false calls to lure members, and dealing with animals. It provides instruction about surveying the scene, maintaining egress, continuing communication at a crowded scene, and maintaining situational awareness. The Street Smarts program also provides basic instruction on gangs that operate in New York. The training covers issues such as approaching an incident with caution, noting egress and secondary exit points, and dealing with potential danger by removing agitators. Members learn techniques such as observing the location before exiting the vehicle, clearing an exit path that allows for retreat if necessary, maintaining an appropriate distance from onlookers, and owning the scene. Throughout the training the instruction emphasizes that a member's safety is of the utmost importance. As the presentation puts it, "Your life comes first."



February 26, 2019

Testimony of James Booth, Chief of EMS, FDNY

Oversight Hearing – Protecting EMS Members from Job-Related Violence

EMS members also receive training on techniques borrowed from law enforcement regarding the use of “verbal judo,” employing communication tools to deescalate a situation that has become heated, and using judgment to decide when to find safety. They learn tactical communication strategies designed to elicit voluntary compliance from members of the public. This includes instruction about using language, inflection, tone, and nonverbal cues to control a situation. The training also focuses on the importance of communication and providing the patient with an explanation of what is happening in order to make the patient more likely to accept care without complication.

Members also receive a training on therapeutic communication derived from a New York State Department of Health curriculum. They learn to control a situation with a calm approach in order to obtain the trust and cooperation of the patient and onlookers, minimizing the risk of a confrontation. This curriculum addresses specific approaches for different types of patients, including communicating with an elderly person, with a child, with hard of hearing or deaf patients, visually impaired patients and others.

Once on the job, EMS members complete training periods to refresh what they’ve learned and to explore new material. In addition to the extensive refresher they receive every three years, they receive an annual Bureau of Training update that covers new policies, equipment, and rotating training topics. The topics for the 2019 BOT update will include a review of tactical communications and a refresher on the Street Smarts curriculum.

In approaching a scene, members are able to refer to a premise history for the location of the call. If the Computer-Aided Dispatch notification indicates the presence of violence or weapons or combative individuals, members may notify the police department and wait for the arrival of law enforcement officers before approaching the patient. However, because members sometimes encounter dangerous situations without the presence of law enforcement, operational protocols also enable members to remove themselves from danger. This is the preferred method of dealing with the threat of physical danger. Members are instructed to alert their supervisors and law enforcement and, if necessary, retreat from the scene. In a situation where members are attacked with physical violence, they have the ability to use an appropriate amount of force to protect themselves to get to safety. There are two different radio calls that may be appropriate for members who need help or are in danger and they both trigger an immediate response by the nearest EMS units and officers as well as the police.

We have a great deal of confidence in our training and operational protocols. However, we also know that our approach to safety must evolve based on what we see in the field. This administration has been proactive about strengthening protections for our members. In



February 26, 2019

Testimony of James Booth, Chief of EMS, FDNY

Oversight Hearing – Protecting EMS Members from Job-Related Violence

2015, we worked with our member unions, with Senator Marty Golden, and with Assemblymember Joe Lentol to pass bipartisan legislation making any assault against on-duty EMS personnel a felony punishable by up to seven years in prison.

In 2018, working hand in hand with our union partners, the Department announced that all FDNY ambulances would feature decals prominently displayed promoting the strong penalties for assaults against EMS personnel. The first ambulances to receive those decals were the ones in use at Station 26 in the Bronx. Station 26 was home to EMT Yadira Arroyo, a 14-year-veteran of the Department who was struck and killed in the line of duty in 2017 while attempting to protect her partner and stop the theft of her ambulance. The decals serve as a reminder that anyone who assaults EMS personnel will face a severe punishment.

We've also made proactive changes to our training and equipment that are designed to enhance member safety. The Mental Performance Initiative training – which currently focuses on a member's individual mental wellbeing – has been adapted to include de-escalation techniques and instruction on resetting a conversation that has become hostile. We've made design changes to the radios carried by EMS personnel to make it easier for them to monitor police activity and facilitate with each other and with the local precinct.

As we analyzed incidents of assault in recent years, we zeroed in on the number of instances where a member is spit upon. We looked for solutions to protect our members from this repulsive occurrence. We're now in the process of acquiring spit hoods for use with a patient in this situation.

The Fire Department serves the people of New York and the backbone of this Department is the members who save lives every day. We will always continue to look for ways to improve the safety of our members. We would be happy to take your questions at this time.



The Uniformed EMT's, Paramedics and Inspectors – F.D.N.Y.



Local 2507, District Council 37, AFSCME, AFL-CIO
150-39 14th Avenue, 2nd Floor
Whitestone, New York 11357
(718) 371-0310 Fax: (718) 371-0318

PRESIDENT

Oren Barzilay

VICE PRESIDENT

Michael Greco

SECRETARY-TREASURER

Lance Winfield

RECORDING SECRETARY

Carl Gandolfo

EXECUTIVE BOARD

Jennifer Aguiluz
Darryl Chalmers
John Chiarovano
Sammy Gounden
Lauren Hartnett
Michael Reardon
John Rugen

MANAGER

Jeff Samerson

EXECUTIVE STAFF

Celeste Carhuamaca
Jack Schaefer

TRUSTEES

Diana Cassa
Millie Ramirez
Christopher Taylor

DELEGATES TO DC-37

Jennifer Aguiluz
John Chiarovano
Carl Gandolfo
Sammy Gounden
Lauren Hartnett

Providing pre hospital patient care can be dangerous. EMTs and paramedics face several health and safety risks during each and every shift. EMTs and paramedics suffer work-related fatalities more than two times more frequently than the national average. Transportation-related injury is five times greater than the national average.

While willing to accept the inherent risks associated with their chosen profession they should not be expected to accept being assaulted as part of providing emergency care to the sick and injured.

EMT Yadira Arroyo, a mom of five, was crushed to death under the wheels of her ambulance and her partner was injured after they tried to shoo the man off the back of the ambulance.

On August 10, 2017 EMT Steven Field and EMT Timothy McGurk responded to a call. Upon entering the premises, standing side by side NYPD Officer Nguyen, shots were fired by occupants nearly missing our members and striking Officer Nguyen three times. Our members treated Officer Nguyen without hesitation or concern for their own safety. These members received citations for their heroic efforts by the NYPD.

December 12, BK, an incident that was caught on screen, at which two city EMTs suffered serious injuries when an angry man assaulted them as they responded to an emergency medical call in Brooklyn.

That incident came just a few days after two EMTs responding to a call in Far Rockaway, Queens, found themselves confronting an irate man with a knife who attempted to slash them.

While transferring patient to hospital stretcher, patient became agitated & violent and bit the member saying "I have AIDS I hope you get it and die".

While escorting a patient into the Emergency Dept. a patient became verbally abusive and struck member with metal cane in the head.

After starting IV on patient & administering medication patient became irate and punched member in the face and pulled out the IV causing blood to be splashed on member.

While evaluating an injured patient the patient's mother came up behind the EMT lunged forward punching member in face causing bloody nose and black eye.

While sitting in ambulance with window open a person walked up to the vehicle and punched the member in face and then proceeded to choke him until he passed out.

As you can see these incidents run the gamut of criminal behavior. In 2018 EMS personnel suffered 156 assaults. That translates to 1 incident every 56 hours of the working year. To compound this dire situation the Fire Dept. Bureau of Investigation often prosecutes and fines members who find it necessary to restrain a combative, violent individual.

In 2015, the state legislature upgraded assaulting a pre-hospital provider to a Class D felony punishable by up to 7 years of incarceration.

These men and women are deserving of protection as well as respect. However, when an assault occurs in most incidents the district attorney, without regard to the aforementioned respect and protection, will attempt to enter into plea bargaining agreement that reduces the charge to a lower class misdemeanor. The presiding judge often sets the case to no bail and releases the perpetrator on ROR.

The true issue at hand lies in the fact that prosecuting offenders and affixing warning stickers to ambulances is reactive not proactive. I have made a number of suggestions to the Dept. that would allow my members to better protect themselves in a proactive manner. Training members in Tactical Communication skills would empower the provider with an inventory of skills to better defuse confrontations, de-escalate potential violence and generate voluntary compliance. Also in conjunction with tactical communication training a course of self-defense should be instituted. A tailored self-defense course would primarily teach the member how to create space to escape a threat, secondarily allow the member to protect themselves and finally, if absolutely necessary, neutralize the life threatening situation. The replacement of outdated ballistic vests is so long overdue. Expired body armor does not provide adequate protection against deadly force.

These suggestions have been largely ignored by the Dept. The problem of assault on EMTs and paramedics will not resolve itself. As a result of this Departmental benign neglect the EMS profession has no lessons-learned, no best-practices and no reliable interventions to reduce the risks of violence or violence-related injuries. The idea of educating and warning the public about

the consequences of a assaulting an EMT has failed. The only viable option is adopting the enumerated training modules.

Adopting these ideas may just prevent another member from being seriously assaulted or even murdered.

Oren Barzilay
President
FDNY EMS Local 2507

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: OREN BARZILAY

Address: 150-39 14 AVE WHITESIDE NY 11357

I represent: LOCAL 2507

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/26

(PLEASE PRINT)

Name: Elizabeth Lascio

Address: 9 metrotech Brooklyn

I represent: FDNY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/26

(PLEASE PRINT)

Name: Lillian Bonsignore

Address: 9 metrotech Brooklyn

I represent: FDNY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 2/26

(PLEASE PRINT)

Name: Chief Booth

Address: 9 metrotech Brooklyn

I represent: FDNY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 2/26/19

(PLEASE PRINT)

Name: Michael Greco

Address: 150-39 14 Ave

I represent: Local 2507

Address: _____

Please complete this card and return to the Sergeant-at-Arms