

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUSTICE SYSTEM JOINTLY WITH  
THE COMMITTEE ON WOMEN AND GENDER EQUITY

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HELD AT: COUNCIL CHAMBER - CITY HALL

B E F O R E: RORY L. LANCMAN  
Chairperson

HELEN K. ROSENTHAL  
Chairperson

COUNCIL MEMBERS: Andrew Cohen  
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## A P P E A R A N C E S (CONTINUED)

Hannah Pennington, Assistant Commissioner of Policy and Training, Mayor's Office to End Domestic and Gender-Based Violence, DGBV

Elizabeth Dank, Deputy Commissioner and General Counsel, ENDGBV, Mayor's Office to End Domestic and Gender-Based Violence, DGBV

Deanna Logan, Deputy Director, Crime Strategies Unit in the Mayor's Office of Criminal Justice

Shakira Ahlgren (Sp?), Senior Counsel, Mayor's Office of Criminal Justice

Eric Gonzalez, Brooklyn District Attorney

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Audrey Moore, Executive Assistant District Attorney and Chief of the Special Victims Bureau, Manhattan District Attorney's Office Appearing for District Attorney Vance

Maggie Wolk, Chief of Strategic Planning and Policy, Manhattan District Attorney's Office

Dr. Carla Smith, Chief Program Officer, Urban Resource Institute

Luis Matos, Senior Director of Community Education and Prevention Programs, Urban Resource Institute

Polly Basset, Supervising Attorney, Integrated Defense Practice of Brooklyn Defender Services

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Professor Linda Mills, New York University

Dr. Brianna Barocas, New York University

Tyler Nims, Executive Director, Independent  
Commission on New York City Criminal Justice and  
Incarceration Reform, a/k/a the Lippman Commission

Grace Price, Close Rosie's Campaign



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(sound check) (background comments/pause)

[gavel]

CHAIRPERSON LANCMAN: Good afternoon

everyone. I'm Council Member Rory Lancman, Chair of

the Committee on the Justice System, and welcome to

this joint hearing with the Committee on Women and

Gender Equity chaired by Council Member Helen

Rosenthal on the Efficacy of Batterer Intervention

Programs. In 2018, the New York City Police

Department recorded an 8% increase in reported

domestic violence incidents, up to more than

250,000.(coughs) Since 2017 even while the city's

homicide rate has fallen, the number of domestic

violence related killings has continued to go up. In

a 2014 City Council hearing on batterer intervention

programs we wanted to better understand when a

batterer's failure to attend or complete a court

mandated program led to a violation in DV related

recidivism. We heard concerns that programs may be

limited in their ability to track success, that

success was determined merely by the batterer's

attendance and completion rate, and that failure

might be determined only by recidivism. We also

heard concerns that a false positive result a

batterer successfully completing a program could put victims at risk of future harm because the program's metrics might not be capturing more meaningful changes or lack of changes in the batterer's behavior. A review of current literature reveals that questions around the efficacy of court ordered batterer intervention programs remain a hot—a topic of research and debate. Some consensus has formed around best practices generally calling for a coordinated community response including between the courts and treatment programs, but much of the debate from 2014 remains. New York City continues to fund some court ordered intervention programs. The Power and Control or PAC Program administered by the Mayor's Office of Criminal Justice offers court mandated programming through the Criminal and Family Courts in all five boroughs. In addition, the Office of the Manhattan District Attorney in a program partnering with the Urban Resource Institute began a court mandated intervention program this past summer. There is also city funding available for batterer intervention work outside of court mandated programs. A Safe Way Forward, with funding from the Administration for Children's Services includes two

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demonstration projects run by Safe Horizon in Staten  
Island and the Children's Aid Society in the Bronx.  
The Mayor's Domestic Violence Task Force and its  
Interrupting Violence at Home Initiative plans to  
provide programs for abusive partners who are not  
involved in the Criminal Justice System. ENDGBV  
(sic) administers a program through the Center for  
Court Innovation in which domestic violence  
coordinators in each borough will work with a  
voluntarily-voluntary population of adult abusive  
partners. ENDGBV (sic) also has an open RFP for an  
abusive partner intervention program to work mostly  
with voluntarily engaged participants. For those  
programs that are already running we want to better  
understand what successful outcomes look like, For  
those programs that are either so new that they can't  
report outcomes or are still in the planning stages,  
we want to better understand how they plan to measure  
their efforts. The urgency of the need for us to  
treat domestic violence as a serious threat to our  
families and communities requires the Council's  
continued vigilance. We look forward to hearing from  
the Mayor's Office of Criminal Justice, the Mayor's  
Office to End Domestic and Gender-based Violence, our

District Attorney's Offices, program providers, survivors of domestic violence, legal services providers, activists, advocacy groups—advocacy groups, experts on the topic of domestic and gender-based violence, and any other stakeholders, and we look forward to continuing to develop frameworks for evaluating the programs on which so many New Yorkers' live depend. With that, I would invite the Co-Chair of this hearing, the Council Member Helen Rosenthal to deliver remarks.

CHAIRPERSON ROSENTHAL: Thank you so much, Chair Lancman. It's an honor to chair this hearing with you. Thank you so much. I'm Council Member Helen Rosenthal. My pronouns are she, her, hers. I'm Chair of the Committee on Women and Gender Equity. Thank you, Chair Lancman for inviting my committee to join yours to hold this very important hearing. I also want to take a moment to honor that today is Transgender Day of Remembrance. Um, once again we are talking about domestic violence. Domestic violence is scourge that can affect anyone regardless of gender, socio-economic status or background, but it primarily affects women—women of color in particular and members of the LGBTQ



population. Yet as violent crime rates continue to drop across the five boroughs annually, the rates of domestic violence have remained pervasive. Last summer, my committee held an oversight hearing on domestic violence initiatives where we asked: Are we meeting the need for domestic violence services in the city, and at that hearing we heard from several advocates that emphasized the need for more programming and services for abusive partners, and so, today we're discussing batterer intervention programs or abusive partner intervention program, which are intended to address the source of domestic violence. While such programs have existed for some time in some form or another for over 30 years, there's little proof that these programs actually put a stop to domestic violence, and reforms are necessary. The goal of today's hearing is to better understand the landscape of batterer intervention programs in the city. We want to know what's changed since the four early model programs that were created by the city and whether new approaches are being implemented. It is essential that intervention programs work for diverse populations including LGBTQ+ individuals that do not fall into the hetero

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3 normative or patriarchal paradigms. We look forward  
4 to hear about ENDGBV's efforts to engage with  
5 perpetrators of violence before they're caught up in  
6 the Justice system. We're also interested in hearing  
7 about the Justice System's approach to perpetrators  
8 and the effectiveness of court mandated treatment  
9 programs. I'd like to thank Marisa Maack my Chief of  
10 Staff, Madhuri Shukla my new and amazing Legislative  
11 Director, and committee staff for their work in  
12 preparing for this hearing, Jayasri Ganapathy the  
13 Legislative Counsel Chloe Rivera, the Senior  
14 Legislative Policy Analyst and Monica Pepple  
15 Financial Analyst, and finally I hope—oh, I'm so  
16 pleased to acknowledge my colleague Council Member  
17 Debi Rose who has been a champ—a fierce champion on  
18 Staten Island for women in particular. Thank you  
19 very much. I turn it back to you, Chair.

20 CHAIRPERSON LANCMAN: So, I understand  
21 testifying from the Administration this afternoon is  
22 the Mayor's Office of Criminal Justice and the  
23 Mayor's Office to End Domestic and Gender-based  
24 violence. Am I correct? Good. So, why don't we, um,  
25 sear you in, and then we can hear your testimony. Do  
you swear or affirm the testimony you're about to

give is the truth, the whole truth and nothing but  
the truth? Thank you. Have you decided amongst  
yourselves who would go first? Please proceed.

ASSISTANT COMMISSIONER PENNINGTON: Good  
morning Chairpersons Rosenthal and Lancman and  
members of the City Council Committees on Woman and  
Gender Equity and Justice. I am Hannah Pennington,  
Assistant Commissioner of Policy and Training at the  
Mayor's Office to End Domestic and Gender-Based  
Violence otherwise known as ENDGBV. I'm pleased to be  
here today with our colleagues at the Mayor's Office  
of Criminal Justice, MOCJ, and ENDGBV Deputy  
Commissioner and General Counsel Elizabeth Dank to  
speak with you about Batterer Intervention programs,  
which we refer to as Abusive Partner Intervention  
Programs or APIPS. ENDGBV, which was relaunched and  
expanded in 2018 via Executive Order 36 develops  
policies and programs; provides training and  
prevention education; conducts research and  
evaluations; performs community outreach and operates  
the New York City Family Justice Centers. We  
collaborate with city agencies, and community  
stakeholders to ensure access to inclusive services  
for survivors of domestic and gender-based violence

including intimate partner and family violence, elder abuse, sexual assault, stalking and human trafficking. MGVB works closely with the city's domestic violence advocates who for decades have worked tirelessly to increase supportive services for domestic violence survivors and their families.

Today, New York City has the largest network of Family Justice Centers in the country, and are rich in a vast network of local domestic violence service providers offering a range of crisis and supportive services for victims of domestic violence. While New York City has put significant resources into building a network of services and programs for domestic violence survivors and their children, in recent years the city has increased its focus on

interventions for abusive partners. We know as many domestic violence advocates frequently report that while most survivors want the abuse to stop, many do not want their partners to be arrested or incarcerated. Working with abusive partners or people who cause harm is a critical component in our efforts to interrupt violence between intimate partners to support survivors and to foster healthy relationships and community. As such, improving New

York City's capacity to provide effective services for abusive partners is essential in our overarching goal to reduce the pervasiveness of intimate partner violence. Recognizing this need to develop innovative and non-mandated programs—programming for abusive partners, the city announced the Interrupting Violence At Home Initiative in 2018 to develop evidence and trauma-informed intervention models that address abusive behavior, and to reduce future abuse in intimate partner relationships. The non-mandated community-based program for people causing harm in their relationships created through the Interrupting Violence at Home Initiative is part of the city's commitment to the creation of innovative tools and strategies to end violence. ENDGBV worked closely with local experts, providers, advocates and survivors to develop this initiative. In particular, the Coalition on Working with Abusive Partners otherwise known as COWAP an interagency working group on abusive partner interventions, which included a research project by the Center for Court Innovation, an independent consultant Poorvisha supported by Chapman Ferman (sic) Foundation. Under this initiative the city will (1) create respect and

responsibility. The first city-funded community-based program for abusive partners who are not mandated to participate by the Criminal Justice System. (2) Create respect first. The first City funded trauma informed and culturally competent accountability program for teens who have demonstrated unhealthy relationships with intimate partners and/or family members. (3) in Collaboration with MOCJ and the Office to Prevent Gun Violence incorporate domestic violence coordinators in New York City crisis management system sites to enhance the identification and response to domestic violence in communities served by CMS. (4) Develop a best practice guide for implementing restorative justice practices in community-based models to address domestic violence in New York City, and lastly (5) Develop a specialized ENDGBV Training curriculum to provide city agency staff and community-based organization skills to better identify and engage with abusive partners including tools to understand risk factors and identify high level for risk. In New York City between 2010 and 2018, the NYPD had previous contact with the victim and the offender in only 40% of the intimate partner homicides. A key

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focus of Interrupting Violence at Home program is creating a baseline of information regarding the identification, engagement and intervention of abusive partners outside of the Criminal Justice System. This information is critical in order to continue to drive down domestic violence incidents and enhance accountability for abusive partners as well as enhance—enhance survivor safety. In addition to developing new programming outside of the Criminal Justice System, the city is also seeking to innovate programming within the Criminal Justice System and for families. MOCJ currently funds a APIP for criminal justice mandated participants and through the Domestic Violence Taskforce funding, recently expanded that program to Staten Island, and had—and contracted with the Center for Court Innovation to develop trauma-informed curriculum to be used for the program following a new procurement process. In addition, in 2018, the Administration for Children's Services announced a three-year demonstration project called A Safe Way Forward, an innovative program that provides services to the entire family including the person causing harm, which will include an APIP component. Prior to that, in 2017 the Department of

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Probation launched a new Queens domestic violence program to provide specialized domestic violence programming and supervision practices responsive to individual client risks and needs. The Queens program enhances offender accountability including the provision of a new APIP modeled off the pre-existing successful APIP used by DOP in a Bronx program called Promoting Accountability and Community Ties, the PAC Program. We are at a critical time in New York City as we move forward with innovating the design and delivery of abusive partner programs both within and outside of the Criminal Justice System, and are eager to establish an evidence-based and designed programming that is reflective of and tailored to the needs of abusive partners while prioritizing survivor safety. We look forward to continuing to collaborate with our city agency colleagues, our community partners, survivors and other stakeholders to enhance abusive partner programming in New York City. Thank you for the opportunity to discuss this issue, and we welcome any questions the committees may have.

DEPUTY DIRECTOR LOGAN: [off mic] Good afternoon. I've got it entirely off. [laughter] [on



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mic] Make sure we're closer. Good afternoon,  
Chairpersons Lancman and Rosenthal, and members of  
the Committee on Justice and Committee on Women and  
Gender Equity. My name is Deanna Logan, and I am the  
Deputy Director of our Crime Strategies Unit in the  
Mayor's Office of Criminal Justice. Thank you for  
the opportunity to testify today. Joined here with  
me is Shakira Ahlgren who serves as one of our Senior  
Counsel. The Mayor's Office of Criminal Justice  
advises the Mayor on criminal justice policy, and is  
the Mayor's representative to the courts, district  
attorneys, defenders, and state criminal justice  
agencies among others. Referred to as MOCJ, MOCJ  
designs, deploys and evaluates citywide agencies—  
citywide strategies to increase safety, reduce  
unnecessary arrests and incarceration, improve  
fairness and build the strong neighborhoods that  
ensure enduring public safety. While crime has  
fallen to historic lows in the city, domestic  
violence persists. Today, domestic violence accounts  
for 40% of assaults and 20% of homicides in the city.  
Additionally the effect of domestic violence  
stretches well beyond the crime rate. It can lead to  
cross-generational continuation of violence, affects

survivors, and their family's financial security, and  
impact the city's resources and service systems  
including the shelter system. Addressing the impacts  
of domestic violence requires a holistic approach. At  
MOCJ we have worked with our partners in the District  
Attorney's Office to shape and fund resources such as  
a domestic violence complaint laws (sic) that provide  
survivors appropriate space and privacy when sharing  
their experiences, and domestic violence units  
throughout the city that promote high quality  
incident responses. At the same time, we also know  
that expanding effective programming opportunities  
for people who come into contact with the Justice  
System is a key strategy to continue lightening the  
touch of enforcement while simultaneously reducing  
overall crime in our city. It's for this reason and  
others that we believe that Abusive Partner  
Intervention Programs for referred to as APIP are  
essential to combatting domestic violence in New York  
City. Currently, MOCJ maintains a contract with  
Program For Power and Control referred to as PAC,  
which is an APIP that is available in all five  
boroughs. It was originally in four boroughs, but  
the expansion of the Staten-into Staten Island was

also afforded by the DV Task Force funding. PAC addresses domestic violence through educational programming rather than a sole focus on punishment. Its curriculum aims to address issues of abuse, and coercion in relationships and is informed by the Duluth Model curriculum which is designed to teach new patterns of thought and behavior. Through the program participants attend one hour of programming for 24 weeks. Now as with all models of engagement that address how we change and give incentives for modifying behavior, time and experience shape what we know to be the most effective protocols. When thinking out an APIP, we know that any model selected must be trauma-informed. Moreover, we also know that where once dominant areas about the role of financial payments and accountability have not necessarily proven effective over time, as such, MOCJ is exploring the development of a fee-free model, models that are trauma informed curriculums for both men and women whose involvement with the Criminal Justice System is related to domestic violence. This development is also being funded by resources from the DVT Act Task Force. In addition, MOCJ's work continues to advance and improve as we seek new and

innovative approaches to address the intersection of domestic violence and gun violence. This will be aided by a grant that we received from the National Council of Juvenile and Family Court Justices or NCJFCFJ, and that was in April of this year. As part of this grant, Brooklyn was selected as one of six sites nationally to participate in the Firearms Technical Assistance Project, FTAP for short. The objective of this projects, which has also been partnered with NGBB, is to improve public health and safety in Brownsville, Brooklyn by helping the community implement policies, protocols, and promising practices to prevent people who abuse their partners from having unlawful access to firearms. As part of this project a number of participants including the Center for Court Innovation, International Association of Chiefs of Police, National Center on Protection Orders and Full Faith in Credit, and the National Domestic Violence and Firearms Resource Center shared their insights into strengths and challenges of civil protection orders and other criminal domestic violence processes related to the prevention of unlawful access to firearms. Following those conversations, a

management team led by our office along with the New York City Police Department, the Kings County District Attorney's Office discussed ways to improve coordination among system partners. While many resources already exist, it became apparent that enhanced coordination coupled with new ways to incentivize the removal of guns from abusive partners, can help curb the flow firearms and reduce fatalities. As we continued this work, we look forward to disseminating information more widely about effective strategies and lessons learned along with identified approaches to protect victims, children and others while promoting victim autonomy and safeguarding due process rights. Adding to these initiatives—initiatives, the Office to Prevent Gun Violence, which is housed with the MOCJ, contracts with CCI to offer intimate partner violence related supports to the Crisis Management System sites citywide. Again, this funding is through the Interrupting Violence and Home Initiatives that is part of the DV Task Force. This initiative is called Reimagining Social Intimacy through Social Engagement or RISE. Through RISE there are seven staff that support the CMS sites: A supervisor and

six coordinators each of which serve two to three CMS sites. The coordinators train CMS staff on intimate partner violence, educate the community about how to have safer and healthier relationships, and offer support to individuals causing harm in their relationships. The coordinators have already begun hosting community workshops, and training the CMS staff, and are on track to gradually roll out trainings for all CMS providers serving our city. In addition to our affirmative programs, we also want to make sure the Council is aware of our NYC Crime/Victim Services Finder or the Finder in accordance with Local Law 162. This resource serves as a centralized locator of city funded crime victim service providers--[sneezing] Bless you--and is available for victims, service providers, advocates and others who are interested in learning more about available services in New York City. By offering a Finder that is house on MOCJ's website, and available on third-party websites that cater to crime victims in the city, we hope to raise awareness on the myriad of services offered throughout the city. Finder is also available through NYC Hope, the city's resource directory for domestic and gender-based violence,

which connects New Yorkers with information and resources to help those experiencing dating, domestic or gender-based violence. As we know, victims of domestic violence are often in need of other support services ranging from job access, housing assistance and more. Lawyers and other social service providers to benefit from the Finder and being able to coordinate to serve their clients. For the—for all of these reasons, we're proud of our work on Finder, and since its launch have found it to be another critical tool in ensuring those who are impacted by crime, including domestic violence, are connected to the services that they need to heal and fill essential needs, and start to repair the harm that has been caused to them. Thank you for the opportunity to testify again, and we are happy to answer any questions.

CHAIRPERSON LANCMAN: Thank you. Um, let me recognize the we've been joined Council Members Ayala and Kallos and Andy Cohen. Um, do either of your agencies maintain a list of all of the available and active court ordered, um, batterer intervention programs operating in the five boroughs? [background comments/pause]

DEPUTY DIRECTOR LOGAN: We don't have a list on our website. It sounds like MOCJ doesn't either, in all of the programs we are working closely with all of the city agencies that have launched or are in the process of developing new APEX.

CHAIRPERSON LANCMAN: See, we've been at a disadvantage in the hearing because we've been unable, the Council has been unable to get a list of all the programs that are operating. From there, we would try to identify the funding for those programs, how many individuals are served by those programs, the--the eligibility criteria for those programs, and any analysis or--or data on how effective those programs are, and it's concerning that the city represented by the two agencies that I would think would be most responsible for knowing what is going on in our courts when it comes to batter intervention programs or APIP or whatever--whatever you--you want to call them, and--and you don't know. So, yes, you look like you're ready to say something. So, please go ahead.

ASSISTANT COMMISSIONER PENNINGTON: So, I--I know that our two agencies do not maintain a list of all of the programs that are--are available for the



1 courts. However, it would seem that OCA would be a  
2 repository because their judges are the ones who know  
3 all of the programs available so that we could  
4 coordinate trying to obtain a list because OCA would  
5 be the repository of all the programs available to  
6 the jurists who order the defendants in case before  
7 them to participate.  
8

9 CHAIRPERSON LANCMAN: Well, and--and look,  
10 I'm not saying this because I want to criticize you.  
11 There are other hearings for that on different  
12 issues. It's not this one, okay? It's true that OCA  
13 as the Office of Court Administration should also  
14 have that list. I don't know. Part of this hearing  
15 is to find out, um, whether or not OCA requires or--  
16 or--or the judges are somehow required to choose  
17 programs from an approved list. That's one of our  
18 questions. Um, or if each judge is able to do what  
19 he or she feels like, but in your--in MOCJ's, your  
20 testimony, you did describe MOCJ correctly as--I'm  
21 paraphrasing because I don't want to read it bac to  
22 you, but as the office, the agency that advises the  
23 Mayor and oversees the Criminal Justice System for  
24 the--for the city, um, in--in its many ways. So, um, I  
25 would like if you or you, one of you whether you

collectively, the royal you would undertake to  
communicate with OCA, the district attorneys, the  
public defenders, and whomever else you regularly  
deal with and in many cases have contracts with to  
get the Council a comprehensive list of all the  
battery intervention programs or the APIPs that are  
currently operating in the five boroughs. Would you  
endeavor to—to do that for us perhaps, you know, by  
the end of the year?

DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: Thank you. Which  
of the programs, the court ordered—now I'm going to  
focus mostly on the court ordered, court related  
programs and—and Council Member Rosenthal will focus  
on—on the others and, you know, whatever else she  
wants to focus on, of course. So, for the court  
ordered programs, do—excuse me. For the—for the city  
funded court ordered programs, how many of there are  
those?

DEPUTY DIRECTOR LOGAN: There is one,  
Council Member.

CHAIRPERSON LANCMAN: Only one?

DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: That is the PAC?

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DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: Okay. Um, how many—  
let's start with the PAC. What is the—the  
eligibility for Someone to be able to—to—to  
participate in the PAC program? What—are there  
exclusions based on the seriousness of the—the—the  
crime that they're charged with or their—their prior  
criminal record or—or any other exclusions?

DEPUTY DIRECTOR LOGAN: The first primary  
requirement is that they are being faced with a DV  
charge, the domestic violence charge. Um, they are  
then screened by the—the Clinical Assessor. Nine  
times out of ten, they are eligible because they have  
domestic violence charge, but they don't have an  
extensive list of prior domestic violence  
convictions. Then they are eligible for the PAC  
program. It is my understanding that these are  
misdemeanor cases. There are not felony case. There  
will be other concerns because there are DV felony  
courts in each borough. So, those felony cases will  
be handled by the DV courtroom.

CHAIRPERSON LANCMAN: How many, um,  
participants have there been in the PAC Program?

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3 DEPUTY DIRECTOR LOGAN: Um,  
4 contractually, we have asked them to serve at least  
5 450 citywide. We have asked for a tally, At this  
6 particular time we are still waiting for those  
7 numbers. We can provide those to you when we--when we  
8 receive them.

9 CHAIRPERSON LANCMAN: Okay and--and when  
10 did the PAC Program formally kick off?

11 DEPUTY DIRECTOR LOGAN: Um, we--the  
12 contract started in 2018.

13 CHAIRPERSON LANCMAN: 2018.

14 DEPUTY DIRECTOR LOGAN: Yes.

15 CHAIRPERSON LANCMAN: Alright, but you  
16 don't have numbers yet for the number of participants  
17 from--from the start until today?

18 DEPUTY DIRECTOR LOGAN: We do not have  
19 those numbers at this particular time. We did  
20 request them. We are waiting to receive them.

21 CHAIRPERSON LANCMAN: Okay, great. Thank  
22 you. Um, prior to the PAC program, was there another  
23 city funded batter intervention program?

24 DEPUTY DIRECTOR LOGAN: Not to my  
25 knowledge, Council Member.

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3 CHAIRPERSON LANCMAN: Alright. Um, and so  
4 what is the process by which MOCJ will evaluate  
5 whether or not the PAC Program is—is effective, is  
6 working?

7 DEPUTY DIRECTOR LOGAN: My under [coughs]  
8 excuse me. My understanding is that, um, one of the  
9 requirements is whether or not they have met the  
10 number of individuals we have asked them to service.  
11 Um, whether or not there has been a high or low  
12 number of recidivists, whether or not they have  
13 completed the program, um, and we would ask for them  
14 to provide that particular information to us for us  
15 to evaluate it. Um, we are also looking at, um,  
16 whether or not—we are exploring whether or not the  
17 Duluth model is still applicable to, um, abusive  
18 partner intervention programs at this time.

19 CHAIRPERSON LANCMAN: So, metrics of  
20 success or failure would be recidivism?

21 DEPUTY DIRECTOR LOGAN: That would be  
22 one, yes.

23 CHAIRPERSON LANCMAN: So, after the  
24 completion of the program or during their  
25 participation in the program whether or not they—is

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3 it--is it whether or not they commit another DV  
4 related offense or any phase--or any offense?

5 DEPUTY DIRECTOR LOGAN: It would be DV  
6 related.

7 CHAIRPERSON LANCMAN: DV related?

8 DEPUTY DIRECTOR LOGAN: Yes.

9 CHAIRPERSON LANCMAN: And in what time  
10 frame? Is it 6--within 60 days of completion of the  
11 program, two years or something else?

12 DEPUTY DIRECTOR LOGAN: Um, with PAC it  
13 is a 90-day--after 90 days of completion they do web  
14 prints query to see if the individuals has been re-

15 arrested.  
16 CHAIRPERSON LANCMAN: Okay, and then, um,  
17 completion of the program, it's a--is this the one  
18 that's a 26-week?

19 DEPUTY DIRECTOR LOGAN: It is 24 weeks.

20 CHAIRPERSON LANCMAN: 24 weeks

21 DEPUTY DIRECTOR LOGAN: Yes.

22 CHAIRPERSON LANCMAN: Okay. Um, do you  
23 have any data on completion rates or--or recidivism  
24 rates yet?

25 DEPUTY DIRECTOR LOGAN: Not at this time.  
We asked for everything from the beginning.

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CHAIRPERSON LANCMAN: Okay.

DEPUTY DIRECTOR LOGAN: So, we are  
waiting for that information.

CHAIRPERSON LANCMAN: Okay. In—in the  
contract with, um, PAC Program, are they required to  
affirmatively report these metrics to MOCJ on—on some  
kind of periodic basis or is it a matter of MOCJ  
asking the PAC Program hey, how are you doing?

DEPUTY DIRECTOR LOGAN: I believe they  
may be required to report, but I asked for all new  
metrics. So, to be prepared for this—for this  
hearing. Unfortunately, I have not received them  
yet, but when I do get them, I will more than happy  
to turn them over.

CHAIRPERSON LANCMAN: Okay. So, I'm going  
to—I'm going make an assumption, which is, you know,  
sometimes hazardous that because MOCJ doesn't have  
this data even though the program has been operating  
for more than a year, I'm going to assume that  
there's no affirmative requirement on the part of the  
PAC Program to send MOCJ performance metrics without  
waiting for MOCJ to—to—to ask for them. Otherwise  
you'd have them like oh, okay. Let's just go back.

We've got our—we've got our six, our—our quarterly  
report from the PAC Program.

DEPUTY DIRECTOR LOGAN: Well, I—we do  
have deliverables that they are required to send to  
us. I have not received them yet. I did request  
them.

CHAIRPERSON LANCMAN: Okay.

DEPUTY DIRECTOR LOGAN: And so I'm simply  
waiting for—we—we went all the way back to the  
beginning, and so I asked them to compile all of the  
information for us. So, it is my understand that  
they do, and they are required to provide  
deliverables to us. I'm just simply waiting for that  
to be provided to me so I can turn it over.

CHAIRPERSON LANCMAN: Okay, well not—not  
to beat a dead horse, but—but just so we understand  
the distinction.

DEPUTY DIRECTOR LOGAN: I know.

CHAIRPERSON LANCMAN: I want to make sure  
that the PAC Program and whatever other future  
programs might be funded by the—by the city that  
there is within their contract an understanding of  
what the metrics of success are--

DEPUTY DIRECTOR LOGAN: Uh-hm.



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CHAIRPERSON LANCMAN: --and--and we're going to talk a little bit more about--about what appropriate metrics of success are, but also that they have an affirmative responsibility and some reasonable basis whether it's quarterly or yearly or whatever is industry professional practice to provide them to MOCJ and not, you know, whenever MOCJ feels it needs that information to go and ask for it.

CHAIRPERSON LANCMAN: Understood.

DEPUTY DIRECTOR LOGAN: Yes, that's what I'm saying.

CHAIRPERSON LANCMAN: Yes. So, can you let know what the contract does require of--

CHAIRPERSON LANCMAN: Yes.

DEPUTY DIRECTOR LOGAN: Good. Um, we're going to hear testimony later today I'm sure that measuring success is much more nuanced and should be more, um, comprehensive than merely measuring whether a person completed a program, and whether or not they recidivated within a certain period of time, and I was wondering if--if either MOCJ or, um, the Mayor's Office to End Gender Based Violence, um, has anything to--to--to add or discuss about what is here in 2019 when all of our literature and research has been

done. What is the appropriate way to evaluate whether a-a batterer intervention program or an APIP, um, I successful, and what can we do to incorporate those things into-into contracts?

DEPUTY DIRECTOR LOGAN: So, the programs that we discussed in our testimony as I mentioned are non-mandated programs. Um, and we have particularly with respect to-respect and responsibility, which the-that is actually-there's a live presentation for that program. We are proceeding as a demonstration project so that we can use our implementation process and the formative evaluation that's attached to it to look at exactly what you're talking about to determine, um, you know, knowing there is a body, as you mentioned of literature that for many years has looked at the success of these programs, um, and there is many programs use lots of different components, um, and don't necessarily strictly follow one particular um, protocol. So, what we want to do is actually use this process to look beyond. I mean in our cases-in our program it's not going to be connected the Criminal Justice System. So, we, you know, we have asked that it's not going to be, um, pertinent to those case-to that-to that program, um,

but we—we still want to be very intentional and deliberate about looking at what could be, and there are programs around the country, um, that have looked at other measures of success such as survivor safety, such—such as access to services, completion of services. Um, and we want to make sure that we're looking at that whole suite of options as we—as we look at the development of our program in the non-mandated context.

CHAIRPERSON LANCMAN: That's right. The, um, the—the contract with the, um, PAC Program how long is it?

DEPUTY DIRECTOR LOGAN: It will actually end, um, on June 30<sup>th</sup> of 2020.

CHAIRPERSON LANCMAN: Of 2020.

DEPUTY DIRECTOR LOGAN: : Yes.

CHAIRPERSON LANCMAN: So, it's coming up.

DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: So, um, is there an RFP to—to renew it? Is that subject to what happens in this coming budget negotiations?

DEPUTY DIRECTOR LOGAN: At this time we're exploring other options. There have not been any decisions made yet.

CHAIRPERSON LANCMAN: Okay. What do you mean by other options?

DEPUTY DIRECTOR LOGAN: Um, well because the Duluth model seems to be, um, somewhat outdated. So, MOCJ has started exploring more trauma-informed programming, and that does lead to maybe, um, the development of a new curriculum. So, we are also exploring that. We are also exploring looking at, um, providing programming for women as well. So, at this particular time there's a large field out there that we are looking at and hope to make some decisions very soon.

CHAIRPERSON LANCMAN: Okay. So, MOCJ will be back here, um, in March for a budget hearing. You'll probably be back a few times before then for other things. Um, make a note please.

DEPUTY DIRECTOR LOGAN: Uh-hm.

CHAIRPERSON LANCMAN: We're going to ask you about where you are in the process of thinking about and preparing for the end of this program on June 20<sup>th</sup> and going forward in June 2011 (sic), and going forward what is going replace it, and, um, I would hope that at that time when we're in March, not November there will be a more fully developed plan-

and thoughts on what the next generation, if you will, of the Batterer Intervention Programs or APIPS, whatever you want to call it, um, what they're going to—what they're going to look like, and I'm hopeful that it will incorporate some of the things that we were talking about here including what is the most up to date thinking on what makes these programs work, um, as well as building into the contract with—with whomever, for whatever, very regular, um, reporting of performance metrics.

DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: With that in the absence of us having a list of all the programs that are out there, I feel constrained to—to really, um, ask you any more questions about—about the court ordered, um, Batterer Intervention programs with somewhat like I said in the beginning are hamstrung by that, but I do appreciate your commitment to by the end of this year using your vast resources and talents to get that information from all the stakeholders and actors in the Criminal Justice System with whom you—you regularly interact. Um, I may have more questions later, but now I want to give

my Co-Chair Council Member Rosenthal the opportunity  
to—to ask her questions. Thank you.

DEPUTY DIRECTOR LOGAN: Okay, thank you.

CHAIRPERSON ROSENTHAL: Thank you so much  
Chair Lancman, and frankly, I'd like to follow the  
exact same line of questioning, um, ENDGBV. I mean I  
think this is the heart of the problem whether it's a  
court ordered program or a prevention program, do we  
have any academic research, any—are you working with  
any thought institutions like Thera or another one to  
identify what a successful intervention program would  
look like. Um, if we look around the country at what  
other cities and municipalities are doing, is there  
best practices? Is anyone really doing any—any  
cutting edge research on that.

ASSISTANT COMMISSIONER PENNINGTON: So  
thank you for the question. Um, if and there is lot  
to be said for the work that we've done to engage  
with our stakeholders but also researchers, and to  
look ourselves at the programs that you're mentioning  
from across the country and that work began, um, in  
earnest I would say back in 2015 when we had a policy  
round table on this issue. Um, and we did that with  
the Coalition on working with Abusive (sic) Partners,

which is an organization that's been around for a long time, and that was created specifically to bring together advocates who work with survivors, who knew—to, um, Council Member Lancman's point that there were programs on the ground doing this work, and they wanted to bring together practitioners and advocates and survivors to think about best practices for these kinds of programs. Um with COWAP we put on that policy round table. There was stakeholders at that meeting, at that convening who then, um, together formed what we call the Interagency Working Group on abusive partner intervention, and through that group we ENDGBV, um, contracted with CCI and a consultant named Poorvisha, and that CCI and the consultant worked with our group of stakeholders for over a year, and that stakeholder group included city agencies. It included district attorneys, it included survivors, it included, um, community-based organizations, and the consultant conducted, um, comprehensive research using interviews and group, um, focus groups with survivors, people who call time (sic), criminal justice, um, providers, social service providers. I could go on and on. Um, and that body of research resulted in a report called *Seeding*

*Generations*, and that report did undertake an effort  
to—

CHAIRPERSON ROSENTHAL: Sorry. Could you  
say it once just slowly

ASSISTANT COMMISSIONER PENNINGTON: Sure.  
*Seeding--*

ASSISTANT COMMISSIONER PENNINGTON:  
Generations.

CHAIRPERSON ROSENTHAL: Oh, got it.  
Thank you.

ASSISTANT COMMISSIONER PENNINGTON: Yes.  
Um, and one of the, um and it's a comprehensive  
report, but one of the—one of the, um, key pieces of  
our work with the consultant was to identify best  
practices, and what these programs could look like,  
and haven't always looked like, and those are exactly  
the elements that we are looking to as we implement  
our programming, which is still in the planning  
phase, but we are using that and other research to  
inform our demonstration project, and I mentioned  
some of them already, but we want to, um, you know we  
have—we know that there are promising practices that  
we can be—be looking to like using trauma-informed  
practices. Um, you know, working—centering survivors



but also, you know, on both of these partner front  
and the victim front knowing that we need to use risk  
assessment tools that individualize differential  
assessments so that we aren't using a one-size-fits-  
all model that we are actually creating an  
intervention, and we are—we are innovative in doing  
it. We want to create a—we want to look at the  
intervention as we're creating it to see that we are  
creating an intervention that actually, um, is  
effective, and that is responsive to the needs of—of  
these partners.

CHAIRPERSON ROSENTHAL: Are they the  
words you're saying as I understand them and they're  
definitely the words that are being used. It's the—  
the language--

ASSISTANT COMMISSIONER PENNINGTON: Yes.

CHAIRPERSON ROSENTHAL: --of the advocacy  
community, um, in many different areas that we  
discussed with ENDGBV and in our hearings. I am, um,  
interested to know that they are—that the vocabulary  
is so recent. Um, you know, and that I hear that  
you're—you've worked with the advocates using the  
information from the advocates' life experiences, um,  
they're coming up with a model that is a model that

1 makes sense using the language that we all use now,  
2 trauma informed, risk assessments, but I'm surprised  
3 to learn, I guess disappointed to learn there's no  
4 CUNY academic who is researching this topic? There's  
5 no one at John Jay, um, who is researching best  
6 practices? I mean is it really—I mean I'm impressed,  
7 but surprised. You know, it is really CCI and their  
8 consultant who is doing the cutting edge research  
9 that has never been done in any other municipality so  
10 that really today we are on the cutting edge waiting  
11 to find out what works and what doesn't using this  
12 new model.  
13

14 ASSISTANT COMMISSIONER PENNINGTON: I  
15 appreciate the question. Um, I think that we can't  
16 speak to all of the research that is—is in the works  
17 or happening, but I think the way we are viewing this  
18 initiative and all the components of interrupting  
19 violence at home is that there is an opportunity to  
20 build and evidenced base of best practices, and  
21 that's what we're trying to do through using a  
22 demonstration project.

23 CHAIRPERSON ROSENTHAL: Yeah. No, I  
24 appreciate everything that's being done now, but,  
25 you know, if I go back to—um, I'm just connecting

1 this to a lot of the work that, um, I've been doing  
2 around the NYPD and the Special Victims Division that  
3 uses very similar language. I mean these are--these  
4 are terms, these are approaches that, you know, were  
5 thought about 10 years ago in the Department of  
6 Investigation--when the Department of Investigation  
7 began their research. I mean this is--I guess what  
8 I'm trying to say is that none of this is new, and  
9 I'm not saying it's you at all. It's just sort of  
10 mind boggling that, um, you know that society, New  
11 York City government, society advocates have just  
12 woken up and said, Gee, none of the programs work.  
13 domestic violence is something that's been happening  
14 for so long, we've been struggling with it so long.  
15 It's been such an obvious pattern over the last, um,  
16 since--since the beginning of this Administration as  
17 homicides have gone down, domestic violence,  
18 homicides have remained flat. Um, you know, when we  
19 say that the number of incidents, DV incidents have  
20 increased, um, the DV assaults, you know, of course,  
21 we all have to wonder is that because reporting has  
22 gone up because assaults have gone up and I think  
23 quite obviously we all know the answer is because  
24 reporting has gone up. So, I'm just a little baffled  
25

1 to understand that, you know, that we're not farther  
2 along, and frankly, in--in response to the exchange  
3 with Council Member Lancman, it sounds like these  
4 very fundamental questions that he's asking are being  
5 asked now because we are holding this hearing, which,  
6 of course, is irrelevant to the work the city does  
7 every day to address the needs of New Yorkers. Um, so  
8 I would hope that it's not because of our oversight  
9 hearing that people are thinking of these questions,  
10 and I'm asking that in the most respectful way, but  
11 am I just to walk away disheartened? Sorry. I'll  
12 ask more peppy questions in a minute, but I'm just  
13 trying to get to the--cut to the chase here.

15 ASSISTANT COMMISSIONER PENNINGTON: I  
16 mean I think I would say in response that that I hope  
17 that you would, um, be hopeful as we are because this  
18 is a critical time in our enhancement and addition to  
19 our holistic response in how we intervene and work to  
20 prevent domestic and gender-based violence, and I  
21 actually think this is a critical time that, and I  
22 think that the work that I spoke to that's been  
23 happening over the last--during this administration,  
24 um, represents a shift, um, and a willingness to  
25 innovate and a willingness to look at different

models, and a willingness to work to create a new evidence-base and actually to identify gaps that existed because we haven't talked about non-mandated—non-mandated community based programs. Um, it was probably the top priority of the stakeholders that we met with for several years to work to develop that kind of program, um, and it's a new kind of program that doesn't exist. It's something survivors have asked for, and because it's new, we need to be deliberate about looking at, you know, what kind of adventure-intervention in that new space, how that will be effective and we know that many families are not engaging with the Criminal Justice System. So, we—we want to be very intentional about trying to fill that gap.

CHAIRPERSON ROSENTHAL: Yeah, I think that's true. I mean in your testimony or I forget if it was MOCJ's 40% of assaults, um—it wasn't that one. It was one where, um, the number of people that had had a connection with the police prior to something horrible happening, um, is de minimis, and so I think it all rests on prevention programs. I mean what I don't understand, and again, I appreciate the-the notion of trauma informed and—and working with the

advocates to develop the tools is really hard to understand whether or not—how do I know whether or not you're—the city is spending enough money to address this problem? You know, are these programs—let's them—you know I respect the advocates, have worked with the advocates as well. So, let's assume that the criteria that you've designed the—the markers that you've determined are the right markers to define success are right. I mean give the nature of the fact that, you know, homicides have come down and domestic violence homicides have remained flat, and the number of assaults has increased. Why aren't we—why isn't this the most important issue that everyone has been focused on over the last six years? Why aren't we tripling the effort, quadrupling the effort? I mean my guess would be—I'm just totally making this up, but that the new RFP the new program you've come up with Center of Court Innovation is spectacular. So, why aren't we rolling—I mean the demand is so high in the last two months we saw two domestic violence homicides that otherwise no one knew about, and in their community—respective communities I think they were quite aware of what was going on, but don't have the tools to address the

issues. So, I don't [beeping] I would like the city  
to whatever it's spending, you know times ten. No?  
I mean don't we—we're confident that what you've come  
up with is a great program. I think—ah-ha, it's not  
on.

ASSISTANT COMMISSIONER PENNINGTON: It—it  
is—I don't want you to be disheartened, first and  
foremost. Part of this issue is looking at you want  
us to come with solutions, and one of the things that  
we're working on innovatively are what are those  
solutions supposed to be and the FTAP project is  
really focusing on that. So, on Monday we started  
the site lodge for that project, and the project is a  
project that is going to the community because what  
makes survivors feel safe, and what is going to get  
them to a safe place, and get our communities to a  
safe place where we can be addressing the—the  
domestic violence is going to come for a community  
and yes, there's developments of programs, but  
ultimately you need the buy-in from the people that  
those programs are going to serve, and so part of  
that initiative is taking law enforcement who have  
been thwarted or not as effective as they want to be  
in addressing this issue because the communication,

the coordination with the people that they are serving is not there, and thus, this project is to determine how we create process and protocol to make that more effective and to have more success. In that particular project we will be focusing on Brownsville Victor (sic), and Brownsville Brooklyn. We're working with the Brooklyn DA's Office. We're working with the CBOs in the 73<sup>rd</sup> Precinct to define and figure out what the solutions are for; how we coordinate the services that exist; how we are able to get guns out of households so that we are not seeing more domestic violence, homicides so that we are providing and communicating and working together all of the agencies that have been putting all of their resources to try and combat this problem to be more effective and successful.

CHAIRPERSON ROSENTHAL: Well, as I say, I appreciate it. You're using all the words that I've heard, all the vocabulary that I've heard from the advocates as well. Of course it has to be appropriate from the community. Of course it has to bubble up from the community. It has to be, um, a buy-in. I'm just perplexed, um, why it's taking so long, and I'm perplexed why we're not spending a lot



more money. The Round Table was in 2015. We're at the end of 2019. So, how much money are we spending on this for I mean also to the Council Member's point, we don't have a list of all the primary intervention programs because some are maybe city funded, maybe some are just faith-based and-and not city funded, but how much money does ENDGBV think is being invested in intervention programs right now or how much--

ASSISTANT COMMISSIONER PENNINGTON: Uh-

hm.

CHAIRPERSON ROSENTHAL: --how much was the-sorry to not use the right words here, but the most recent contract, how much did we-are we putting out for that one?

DEPUTY DIRECTOR LOGAN: So, we can speak to Interrupting Violence at Home the initiative under us. Um, so we had \$350,000 in FY 19 to--

CHAIRPERSON ROSENTHAL: \$350,000?

DEPUTY DIRECTOR LOGAN: In FY19 for development purposes and then \$2.2 million was added in FY20 and \$1.9 million added in FY21 and the out years.

CHAIRPERSON ROSENTHAL: So, why isn't it  
\$5 million?

DEPUTY DIRECTOR LOGAN: So, to address  
that question, um, so there's two things really. One  
is that the intervention that we're creating well yes  
the kind of buzz words that you're talking about have  
existed for some time, and it is new for--for New York  
City and--and for most municipalities to be investing  
funding in this type of innovative model especially  
outside of the Criminal Justice System. So, we're  
taking time during the demonstration project to  
really build and test out a unique and innovative  
approach to working with the Abusive Partners outside  
of the Criminal Justice System, but we also  
acknowledge that we have a knowledge gap about who  
are the individuals outside of the Criminal Justice  
System that we're hoping will come to and engage in  
our program, and so, we're really using that time to  
be able to identify what the demand is, and then  
after the demonstration project be able then to move  
forward to address those concerns or issues.

CHAIRPERSON ROSENTHAL: I hear you, but my  
guess is that we're going to hear testimony from  
advocates after this who know the answers to those

questions, and would be ready to implement stuff today. Um, I, you know, I--so I would urge the--urge the Administration, and this is going to be a question at budget time, um, as to why we're not spending more. Um, the trauma informed, which is a term of art, does that, um, are those programs going to be wrap-around services or what does that mean? Are they going to involve the faith-based institutions?

ASSISTANT COMMISSIONER PENNINGTON: As our solicitation makes clear, um, we are expecting the providers and any of the providers who would be successful would need to include, um, case management as well as connection to services for the person causing harm, um, which is an innovative element of a program. Um, again, we would, um, include those providers--expect those providers and demand that those providers use individualized assessments to make sure that we are--are meeting the person who's coming through the program where they are. Um, we also, you know, will be exploring, um, what the victim engagement will look like in each of those, um, programs as well, but that we are--we are expecting, um, the providers to be developing

programs that, you know, again we're building a base or evidence, but we also know promising practices and best practices and we are expecting that those best practices be integrated into the programs that come online.

CHAIRPERSON ROSENTHAL: I'm going to ask one quick question and I'm going to turn it over to my colleague Council Member Rose, but, um, what are--do you have any--have you asked--in the two most recent homicides, um, what I've heard from the South Asian community is we have to get into the mosques. We have to be talking to the men, someone from that world themselves. It can't be us. It can't be the women. So, are you developing any programs for--do--are you expecting that you or I will work with faith-based--faith-based institutions to develop programs there?

ASSISTANT COMMISSIONER PENNINGTON: So, the providers for our program for respect to responsibility haven't been identified yet. So, it's not you or I, which--

CHAIRPERSON ROSENTHAL: I understand.

ASSISTANT COMMISSIONER PENNINGTON: Okay.

CHAIRPERSON ROSENTHAL: Who are—oh,  
sorry. Whoever it is.

ASSISTANT COMMISSIONER PENNINGTON: Oh, o

CHAIRPERSON ROSENTHAL: In response are  
you asking them to work with faith-based institutions  
for them—for—for them to come up with their own  
solutions for dealing with this given that we're  
talking about meet people where they are, trauma  
informed. You know, getting in and having it be, you  
know grassroots coming up fro the community

ASSISTANT COMMISSIONER PENNINGTON: Yes,  
and it's a good question and I think that the way we  
have designed it and the way we are envisioning it is  
it will be community, which is really critical, and  
that there will be referral sources that will be  
identifying that will include most certainly faith-  
based organizations many of which our outreach team  
and other community-based organizations outreach  
teams are connecting with, and also we to be as we  
are, um already doing outreach, doing training in the  
community because we need to—that's—that's part of  
it. That's part of this coordinated response so that  
people know that they program—the program exists, but  
also so that we know that we're helping people to,

um, enhance how they engage with not only people who, um, are survivors of gender-based violence, but those who are causing the harm, and that's why there's another component of interrupting violence at home where our internal training team will be going out into communities and working with city agencies, and that is a--that is a shift. I think most of the time until now, the kinds of training that are happening in community often are understandably about understanding gender-based violence and--and working diligently to connect survivors and their families to programs and services. But we want to--we want to build out that holistic approach and make sure that faith-based leaders, other community members, um, have the tools they need to engage with the person who they see is causing harm.

CHAIRPERSON ROSENTHAL: And so is ENGBV, do you have partners who are in those mosques now?

ASSISTANT COMMISSIONER PENNINGTON: Yes, we--we have an outreach team that works throughout the city with--

CHAIRPERSON ROSENTHAL: No, no, specifically on those two homicide cases? Do you have

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outreach team in the mosques in those communities  
where those individuals lived?

ASSISTANT COMMISSIONER PENNINGTON: As we  
often do after these kinds of incidents, we are  
working on outreach strategies. Our outreach team  
does have connections in those communities. I can't  
tell you for sure whether—you know, I can get back to  
you on that, whether those particular mosques, but we  
do and we work closely with the Center for Faith and  
Community Partnerships to identify relationships all  
the time. I can't say specifically, but I know that  
we are actively engaging with that community.

CHAIRPERSON ROSENTHAL: Yeah, I think I'd  
like a better answer. I—I think that the public  
demands a better answer. I think that ENDGBV should  
be prepared to say we've identified the mosques,  
we've identified the communities, and we're in there  
now, and here's exactly what we're doing. I think  
the public deserves that. This is—has been the  
forefind, um for everyone. I'm going to turn it over  
to my colleague Council Member Rose.

COUNCIL MEMBER ROSE: Thank you, Council  
Member Rosenthal, and, um, I want to thank you so  
much for your commitment to, um, the issue of

domestic violence. Um, she's been a very vocal advocate and I know stalwart in terms of making sure that, um, victims are positively interacted with, and-and that there are tangible results. Um, with, um, the B-I-T's part-B-I-T programs, how can we adapt them to race, gender, self-sexual orientation, gender identity of the people who are involved in the domestic abuse, and how can we kind of change these intervention models to be less heteronormative, um, in terms of their, you know, their focus?

DEPUTY COMMISSIONER DANK: Yes, we again with respect to the programs that ENDGBV, I'll defer to MOCJ with respect to the existing program funded by the city that's connected with the Criminal Justice System, but for the programs that we're developing through interrupting violence at home, we are certainly aware of that gap in programming and services, and again are expecting that the providers who will be bringing this programming online will be working diligently to address that exact issue that this programming be accessible and relevant for the LGBTQ population as well as other marginalized populations, and in general want to make sure that



these programs address the whole range of  
accessibility issues that are in play.

COUNCIL MEMBER ROSE: And, um, are there  
any providers on Staten Island, and how many, um,  
and—and what exactly is their interaction with the—  
the DA's office in determining, you know, how these  
cases are, um, are determined?

ASSISTANT COMMISSIONER PENNINGTON: So,  
um, for Interrupting Violence at Home our programs  
aren't online yet, but we can defer to MOCJ. They  
have the PAC Program on Staten Island, which was  
expanded there recently.

DEPUTY COMMISSIONER DANK: Good afternoon,  
Council Member.

COUNCIL MEMBER ROSE: Good afternoon.

DEPUTY COMMISSIONER DANK: PAC is on  
Staten Island. We actually receive an allocation from  
the Domestic Violence Task Force of \$200,000 to  
expand it to Staten Island. My understanding of the  
process is that the court liaison does speak with  
the—the assigned district attorney that is in the  
part, and also with the Domestic Violence Unit to  
make sure that that case is appropriate before the  
offer is actually made. Nine times out of ten the

judge is also, um, discussed—that is also discussed with the judge before the offer—before the offer is made to the defendant. So, there are—all of the court stakeholders are involved prior to that offer actually being made.

COUNCIL MEMBER ROSE: So, um, when does B-I-P become an option or recommended to the person that's charged?

DEPUTY COMMISSIONER DANK: That depends on the judge, Council Member. That does depend on the judge. That does depend on—in reference to the individual's record, their past experience with domestic violence cases, um before that offer is actually made. That's why it's actually evaluated prior to the offer being made.

COUNCIL MEMBER ROSE: Is there some type of criteria that will determine whether, um, they receive—they get put in a long-term or a short-term program? Are there—are both options available to people who were going through, um, Criminal Justice System on Staten Island and, um, yeah.

DEPUTY COMMISSIONER DANK: At this time, I can only speak to the program that MOCJ funds. PAC is a is a 24-week program. There is a, um, one hour a

1 week attendance that is required. They are required  
2 to complete the program successfully or they are not  
3 released out of the conditions by the particular  
4 judge that is hearing that case. Um, I'm not sure  
5 about other, um, programs that are available that are  
6 shorter. My understanding is the program that we  
7 support is 24 weeks.

9 COUNCIL MEMBER ROSE: And, um, is there—  
10 are these mandated? Is that attendance mandated, and,  
11 um, and followed up and is there some sort of, um,  
12 oversight to make sure that the person is actually  
13 going to this program and successfully completes it?

14 DEPUTY COMMISSIONER DANK: There is a  
15 requirement that the court must be notified of every  
16 attendance or every absence. If there is an absence,  
17 the judge can then make a decision as to whether or  
18 not to allow the defendant to go back to the program,  
19 or there are going to be other, um, options  
20 exercised, but the court is always aware of when the  
21 defendant attends or does not attend. They know that  
22 and that update normally happens frequently with the  
23 court dates.

24 COUNCIL MEMBER ROSE: And, um, is there  
25 any data in terms of recidivism, um, based on whether

or not they—they continue the program, they don't continue the program or just in general? What—what are the recidivism rates?

DEPUTY COMMISSIONER DANK: I do not have those numbers at this time, but I will be providing those at a later date.

COUNCIL MEMBER ROSE: Okay. You know, Staten Island gets left out an awful lot.

DEPUTY COMMISSIONER DANK: I do understand.

COUNCIL MEMBER ROSE: Um, proportionately, um, when you look at our DV numbers, um, we are ranking—we are up there in—in DV cases, and, um, I—I think—I don't think, I want you to look at Staten Island in terms of effective programming for, um, the victims of domestic violence.

DEPUTY COMMISSIONER DANK: Yes, we will do that.

ASSISTANT COMMISSIONER PENNINGTON: So, Council Member I appreciate, um, your concern. We, um, I just wanted to mention that the ACS program that I mentioned in my testimony A Safe Way Forward that ACS developed and launched late last year, and it's online now is in two sites, one of which in

Staten Island, and the contractor provider Safe Horizon is seeing clients for that program and it is a new—a completely new approach for AC where they are working with the entire family, and they have included in that model programs and services for the person causing harm, and it will include a group program in APIP. It's not a criminal justice program, but I wanted to make sure that I—I mentioned that to you.

COUNCIL MEMBER ROSE: A concern of mine, um, about all services that are provided citywide, but, um, primarily in Staten Island is that they're not culturally competent, and, um, and that to me has—is a big determinant on whether or not people, um, remain in these programs, if they even seek these programs, if they—if they become recipients of any of the benefits that, um, the few that are out there. So, what are we doing to make sure that these programs are culturally competent, and they meet my constituents where they are, and what their needs are.

ASSISTANT COMMISSIONER PENNINGTON: Thank you for that as well, and as we develop the programs within Interrupting Violence, and particularly

respect and responsibility, which is a program for adult people causing harm that's in community and non-mandated as well as the program that will be—that will come online called Respect First for young people. Um, we are very much expecting that the providers who implement those programs are tailoring their curricula and their programming, um, to meet the needs of all populations but particularly--

COUNCIL MEMBER ROSE: But I don't want you to be hopeful that they're tailoring it because I have seen where we can be as hopeful as we want. The disparities remain, and they're there and they're real, and I—I wanted to be more than hopeful. I needed to be mandated. I needed to be followed up. I needed to be regulated if—if that's, you know, what it takes, but it is not the reality of the programs and they are not culturally competent and they don't meet my constituents where they're at.

ASSISTANT COMMISSIONER PENNINGTON: And I misspoke. I'm not just being hopeful. It is included in what will be required of the providers to successfully bid on these programs and it will be a very important part of the oversight we will have in—in—once the programs are online.

COUNCIL MEMBER ROSE: Is there some way that you could share with me when, you know, these providers are, um, when they express an interest then before you make your--your decisions about--I'm--I'm thinking that you're--you do an RFP, right? Is there somehow that--I would just like to be sure that it's very clear to my service providers what we're asking for, and if they don't meet that criteria, that they are not given that contract.

ASSISTANT COMMISSIONER PENNINGTON: Uh--hm, the procurement process, um, doesn't allow that, but we have made it clear in the solicitation, which is publicly available now that that is a requirement.

COUNCIL MEMBER ROSE: Okay, I'm--I'm going to follow up with you because, um, this is really an important issue, um, you know, in my district--in my district

ASSISTANT COMMISSIONER PENNINGTON: Yeah.

COUNCIL MEMBER ROSE: --and I need for it to be reflective of--of the very people who are being asked to--to utilize these services.

ASSISTANT COMMISSIONER PENNINGTON: Yes.

COUNCIL MEMBER ROSE: Thank you so much.  
Thank you.

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ASSISTANT COMMISSIONER PENNINGTON: Thank  
you.

COUNCIL MEMBER ROSE: [off mic] Thank  
you, Chair. Thank you, Chair.

CHAIRPERSON ROSENTHAL: Thank you so much.  
I mean I think yeah, I'm going to turn it over to  
Council Member Cohen, but I—I appreciate the Council  
Member raising these issues. I think it's part of  
the answer that we're all looking for. Thank you.

COUNCIL MEMBER COHEN: Um, thank you  
Chairs Lancman and Rosenthal. Um, I—I have to say,  
you know, this is another topic where, um, I come  
into this hearing with very little knowledge, but I  
have to say that the—the—the discussion here I think  
is of some concern. Um, maybe though you could, um  
give some reassuring words. Could you give me some  
confidence that I mean, you know, everyday in New  
York unfortunately there are episodes of domestic  
violence of like what we feel good about like that we  
have a response to certain scenarios that we think  
works really well where if a person is, um, goes into  
this program where there is a high likelihood, um,  
that they won't—they won't, um, that this behavior  
will not continue. Like that there are—there has to



be some bright spots here where you can say definitively we know this works, and we're trying to expand that versus we're looking at this and we're looking at that. I mean this is obviously not a new problem, and I'd like to feel like that we have, you know, that we have identified strategies that do work that we're not inventing the wheel or starting from scratch on this--on this whole front. Could you talk about some of the things that where we--where we--where we have success?

ASSISTANT COMMISSIONER PENNINGTON: Thank you for the questions. I do, um, I understand where you're coming from it is a pervasive problem. That's why we--we, um, as a city are committed to creating and developing innovative strategies, and I think that we have made an unprecedented investment in this Administration particular for the Domestic Violence Task Force to create new programming. We've--we do have the largest network of Family Justice Centers in the country and those--those programs. The program that--that survivors and their family have access through those centers, and community-based organizations in community, um, do provide a wealth

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3 of services and programs for survivors, and we are  
4 also, um, you know, vey--

5 COUNCIL MEMBER COHEN: Just to pin you  
6 down--

7 ASSISTANT COMMISSIONER PENNINGTON: Yes.

8 COUNCIL MEMBER COHEN: --you think that  
9 in terms of victim services that we are doing a good  
10 job of delivering service?

11 ASSISTANT COMMISSIONER PENNINGTON: Yes.  
12 There--absolutely we are looking all the time at ways  
13 to enhance that, um, and we have, you know, added--we  
14 add elements to those services and programs and have  
15 over time, and in this administration we've added new  
16 elements as well including new immigration services  
17 is one example. Um, we are in the process of  
18 creating new supervised visitation programming. Um,  
19 we've also put a lot of effort into prevention  
20 efforts as we know that that--you know, that--working  
21 with young people and actually shifting cultural  
22 norms on this issues is critical. Um, and as I had  
23 mentioned before, this important that this partner  
24 intervention work is one component of a really much  
25 larger holistic approach that includes both

intervention and prevention strategies in the area of  
gender-based violence.

COUNCIL MEMBER COHEN: Okay, I appreciate  
that. Thank you very much, Chairs. Thank you.  
Thank you.

CHAIRPERSON LEVINE: Just a couple more  
questions. I wanted to clarify, um, the program and  
this can apply to both court mandated programs and-  
and others. Um, we're going to hear from some of the  
advocates and public defenders later talking about  
the costs of these programs starting with the-the  
court mandated programs. Um, what does it cost a  
participant? Are people allowed to participate and  
avail themselves of this program if they can't afford  
to pay that-that-that cost? Um, yes.

DEPUTY COMMISSIONER DANK: Um, the  
initial assessment fee is \$50, every session is \$25.  
There is a sliding scale. Um, each individual they  
have a financial assessment, um, and so that fee is  
adjusted according to their income. Um, there are  
also scholarships that have been made available to  
participants as well. So, if they are not able to  
pay, my understanding is that the particular judge in  
that core part can, um, either-will assist them in

finding some other program that may be cheaper or that may be free. It is our understanding that there are very few programs that are free at this particular time, but PAC does work as best as they can to make it affordable when they need to.

CHAIRPERSON LANCMAN: Do you know—do you know if anyone has been unable to participate because they can't afford whatever the final determination of their fee is?

DEPUTY COMMISSIONER DANK: Not my knowledge, Council Member.

CHAIRPERSON LANCMAN: Alright. We might hear differently later.

DEPUTY COMMISSIONER DANK: That's possible.

CHAIRPERSON LANCMAN: So, let's pay attention to that.

DEPUTY COMMISSIONER DANK: Yes.

CHAIRPERSON LANCMAN: Um, in the—the non-court programs?

DEPUTY COMMISSIONER DANK: Today all of the programs within Interrupting Violence at Home will not have any fees attached.

CHAIRPERSON LEVINE: Why can't we have  
that in the court mandated programs?

DEPUTY COMMISSIONER DANK: That is an  
option that we are exploring as well.

CHAIRPERSON LANCMAN: Yeah. It seems like  
a barrier that we would want to get-get rid of.

DEPUTY COMMISSIONER DANK: Yes.

CHAIRPERSON LANCMAN: Um, and then, um,  
you're going—we're going to hear I know of concerns  
about language access that there aren't programs or—  
or in some cases any programs in some of the—the  
languages that we see in our—in our city and in our  
court system in protect—in particular. Um, are there  
any—are any of these programs in a language other  
than English?

DEPUTY COMMISSIONER DANK: PAC also has a  
Spanish speaking facilitator of the program as well.

CHAIRPERSON LANCMAN: Okay, but if someone  
speaks Mandarin or Uzbek or any other of the 195  
languages that are—that we encounter in New York  
City, they're out of luck?

DEPUTY COMMISSIONER DANK: Well, it is my  
understanding that the DV resources coordinators in  
the courtroom will then seek out a program, a private

program that, um, is appropriate for that particular  
client's language.

CHAIRPERSON LANCMAN: Uh-hm.

ASSISTANT COMMISSIONER PENNINGTON: And  
as we are developing these programs as I mentioned in  
language access is a big part of the accessibility  
questions we'll be looking at as we bring them  
online.

DEPUTY DIRECTOR LOGAN: It, um, indicates  
in our solicitation, which is out right now that  
we're seeking proposals for programming that's  
accessible to, um, participants who have limited  
English proficiency.

CHAIRPERSON LANCMAN: Okay. You want to  
ask your questions.

CHAIRPERSON ROSENTHAL: Yeah, I do. Um,  
I'm just--thank you very much. Um, I-I'm just curious.  
A couple of things. AVP has a pilot program called  
Transform that you're familiar with, and it was  
funded by an outside group not by the city. A 15-  
week program. Five individuals went through it.  
Apparently it's tremendously successful, and they are  
recommending it to other organizations. Is that  
something the city would consider funding?

DEPUTY DIRECTOR LOGAN: We can't speak to whether or not we would consider funding it yet, but we're excited to continue to discuss the success of the program with AVP and explore that further.

CHAIRPERSON ROSENTHAL: This the first program I've heard about that--where somebody is talking about success. So, I don't understand why it's not part of--why you're not more enthusiastic.

DEPUTY DIRECTOR LOGAN: We are excited about it. Um, we will definitely talk to them more about it.

CHAIRPERSON ROSENTHAL: [interposing] But why wouldn't this be something where you would immediately, um, I mean you're really constrained by having to put out an RFP and--and it would take forever. I mean why not jump on something? You have a program in front of us that's successful. Is it part of the programs that you've put out an RFP for?

DEPUTY DIRECTOR LOGAN: I'm sorry. What--what do you mean as a part of our program?

CHAIRPERSON ROSENTHAL: Um, so--so how are you pursuing it, pursuing this program or supporting it for the city to support it?

DEPUTY DIRECTOR LOGAN: How are we  
pursuing the city supporting it?

CHAIRPERSON ROSENTHAL: Yeah, just given  
that it's not funded by the city and it was  
successful. So, are we following their lead?

DEPUTY DIRECTOR LOGAN: So—?

CHAIRPERSON ROSENTHAL: Have we—have we  
analyzed the component parts of what made that  
successful? Um, you know maybe reporting, you know,  
data or anything?

ASSISTANT COMMISSIONER PENNINGTON: Yeah,  
so what we understand they just completed their first  
session. So, we're going to be, um, looking into it  
more and exploring, um, the success of that program  
at AVP. We're excited to learn more about the success  
they've had. Um, and looking more into the program  
components with them.

CHAIRPERSON ROSENTHAL: Um, I'm going back  
and looking at the Center for Court Innovation Report  
Seeding Generations and one of the recommendations is  
to expand the RAPP in schools. Has the city done  
that, expanded funding for that? Do you know from  
what to what?



ASSISTANT COMMISSIONER PENNINGTON: Yes, we, um, for the Domestic Violence Task Force we expanded RAPP into five new, um, high schools. Um, and we also launched early RAPP, which RAPP is the relationship with Abuse Prevention Program into middle schools very specifically wanting to address the high needs of those schools, and that program is online in over 100 middle schools and will be in 128 middle schools by the end of the school year.

CHAIRPERSON ROSENTHAL: So, could do a one-pager on that sort of what it was in-funding in the program in 2014 through today?

ASSISTANT COMMISSIONER PENNINGTON: Absolutely.

CHAIRPERSON ROSENTHAL: Um, okay, um, let me ask specifically from NGBB are you the oversight group for all of the different activities, um, that are happening around this issue through MOCJ, um, even through OCA just to be aware of it, through the ACS, um, work that they're doing, um, the work the DAs are doing. Is it your responsibility to be over-an oversight for all--coordinating all of those efforts?

3 ASSISTANT COMMISSIONER PENNINGTON: So,  
4 we do not have oversight authority, but I will say  
5 that following the release of the report you just  
6 mentioned *Seeding Generations* we began to convene  
7 quarterly meetings with the city agencies their  
8 contracted providers, um, as well as consultants that  
9 are bringing these programs online, um so that we can  
10 convene the folks who are literally in the weeds  
11 right now, and learn from each other, identifying  
12 best practices, talking about the efficacy measures  
13 we talked about earlier, um, and that began at the  
14 beginning of 2019, and we will--

15 CHAIRPERSON ROSENTHAL: 2019, it began  
16 this year?

17 ASSISTANT COMMISSIONER PENNINGTON: When  
18 those programs began and none of the programs that I  
19 mentioned have been online until the beginning of  
20 this year. Um, that's when we began those meetings  
21 to make sure that we're coming together, um, as a  
22 group, and that we can, and that includes all of the  
23 city agencies that I mentioned in my testimony, um,  
24 and probably others I have dealt with to double  
25 check.

CHAIRPERSON ROSENTHAL: Um, in the  
specialized training curriculum that you're coming up  
with, which agencies will receive the training?

ASSISTANT COMMISSIONER PENNINGTON: So,  
the training program that's part of Interrupting  
Violence at Home and it will, you know, it will be  
conducted and facilitated by the NGBB training team  
that works closely with dozens of city agencies, and  
we will—we always do prioritize our city agency  
partners that we think probably need our training the  
most, but we will—we're—we're open to any city  
agency. We'll do a ton of work with the Department  
of Homeless Services. Um, we do a lot of work with,  
um, the Fire Department. I mean there's a number of  
agencies--

CHAIRPERSON ROSENTHAL: Right, so you  
know--

ASSISTANT COMMISSIONER PENNINGTON:--So,  
this will be an additional offering. We already do  
do the training with those city agencies, and we're--  
we'll add it to our suite of options for folks who are  
looking to get trained.

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3 CHAIRPERSON ROSENTHAL: Okay. So, how  
4 many staff could be getting the training across all  
5 the agencies, all the different staff titles?

6 ASSISTANT COMMISSIONER PENNINGTON: So, I  
7 would have to get back to you with that kind of  
8 analysis--

9 CHAIRPERSON ROSENTHAL: Great.

10 ASSISTANT COMMISSIONER PENNINGTON:--but I  
11 can tell you that the--the training team that  
12 launched, um, at the end of 2016 we have already  
13 trained over 20,000 people many of them city agency  
14 staff members and some of them not city agency--not  
15 actual city employees but people who are working  
16 under city contracts.

17 CHAIRPERSON ROSENTHAL: How could we get  
18 to whether or not--how could we understand whether or  
19 not, um, NGBB is meeting demand? In other words, um,  
20 could you use twice the training staff to get to  
21 people faster?

22 DEPUTY DIRECTOR LOGAN: We really rely on  
23 the city agencies, um, to help to identify their  
24 training needs. Um, currently we're meeting the  
25 demand that's being presented to us and always  
exploring these to enhance the partnerships we have

with agencies to train their staff. It sound like, though, you're—you have a new initiative right or training, and I'm just trying to get a sense of whether or not you have, um, enough staff to meet what will—I mean if you've already trained 20,000, with the same 20,000 need this new training. So, do you have staff available to train 20,000 people in this really important curriculum?

DEPUTY DIRECTOR LOGAN: We're also exploring right now, um, ways to utilize technology to expand our training offerings, um, looking at webinars and other, um, you know, such offerings so that we can reach larger audiences, um, and create a wider impact with our training initiatives.

CHAIRPERSON ROSENTHAL: Um, the RFP you mentioned before while the—not the annual—the annual expenditure would be \$1.9 million, but next year \$2.2 million. How many people do you expect to reach? I think there was a preliminary indication that it would be 1,600 people across all five boroughs.

DEPUTY DIRECTOR LOGAN: Uh-hm. Just give me one moment.

CHAIRPERSON ROSENTHAL: Is that still the expectation?

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DEPUTY DIRECTOR LOGAN: So, for respect  
and responsibility, we're anticipating that annually  
we'll serve, um, approximately 1,200 participants in  
a multi-hour course, 225 participants in a multi-week  
course and 450 clients through case management and  
counseling, which will--

CHAIRPERSON ROSENTHAL: [interposing] Can  
you say that just a little bit louder--

DEPUTY DIRECTOR LOGAN: Sure.

CHAIRPERSON ROSENTHAL: --and a little bit  
more slowly.

DEPUTY DIRECTOR LOGAN: Sure.

CHAIRPERSON ROSENTHAL: Thank you, 1,200  
in a--?

DEPUTY DIRECTOR LOGAN: So, we're-we're  
anticipating that annually we'll serve about 1,200  
participants in a multi-hour course.

CHAIRPERSON ROSENTHAL: Multi-hour course.

DEPUTY DIRECTOR LOGAN: Over 200  
participants in a multi-week course, and  
approximately 450 clients through case management and  
counseling, and that's for respect and  
responsibility.

CHAIRPERSON ROSENTHAL: Will that meet the demand?

DEPUTY DIRECTOR LOGAN: Again, we are filling a knowledge gap that we currently have with participants outside of the Criminal Justice System. So, during this demonstration project we're both identifying the participants and the demand outside of the Criminal Justice System, and testing this intervention, and then we'll, um, as we conduct the multi-year evaluation that will coincide with the Demonstration Project. We'll be able to then assess how this program and those deliverables meet the demand.

CHAIRPERSON ROSENTHAL: How many years is the contract for?

DEPUTY DIRECTOR LOGAN: It will be a three-year demonstration project.

CHAIRPERSON ROSENTHAL: So, it's only in the budget. The—in the fiscal year does it start fiscal year 20 or 19 or 21?

DEPUTY DIRECTOR LOGAN: So, we anticipate the program will come online in '21. The program is in development in '20.

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3 CHAIRPERSON ROSENTHAL: Uh-hm, so next  
4 year we will spending \$300,000. In 2021, we'll be  
5 spending \$2.2 million. In 2022, \$1.9 and in 2023  
6 zero?

7 DEPUTY DIRECTOR LOGAN: No, so the annual  
8 operating costs are the \$1.9--

9 CHAIRPERSON ROSENTHAL: Uh-hm.

10 DEPUTY DIRECTOR LOGAN: --um, which is  
11 for the three-year Demonstration Project. Um, the  
12 \$300K is for development.

13 CHAIRPERSON ROSENTHAL: Got it. Does the  
14 \$1.9 stay in the budget into perpetuity? Is it  
15 baselined?

16 DEPUTY DIRECTOR LOGAN: Yes.

17 CHAIRPERSON ROSENTHAL: So, the  
18 expectation in the budget. Can you confirm that?

19 DEPUTY DIRECTOR LOGAN: Yes.

20 CHAIRPERSON ROSENTHAL: If that, the RFP  
21 will be reissued on an annual basis, we will always  
22 be spending \$1.9 million?

23 DEPUTY DIRECTOR LOGAN: We will asses the  
24 success of the program at the end of the  
25 demonstration project and then explore additional  
solicitations for ongoing programming.



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CHAIRPERSON ROSENTHAL: So, in 2023,  
Fiscal Year 2023--tell me if I have the years wrong--  
you'll be doing an assessment about whether or not to  
continue with the program, tweak whatever. Would you  
consider as part of the--could part of the assessment  
be completed in 2021 or 2022 and could you start  
making tweaks or expanding immediately?

DEPUTY DIRECTOR LOGAN: So, the  
evaluation will run the course of the Demonstration  
Project and will begin at the launch of the  
Demonstration Project, and we'll be assessing the  
results of the evaluation throughout the course the  
three years.

CHAIRPERSON ROSENTHAL: When's the first  
point of assessment?

DEPUTY DIRECTOR LOGAN: Um, I can look at  
the milestones. Just give me one minute. Okay. Just  
give me one minute, um to look at the milestones for  
the evaluation, um, or if you prefer, I'm happy,  
Chair to get back to you with that answer.

CHAIRPERSON ROSENTHAL: I think it's  
important. It just feels like given the number of  
people who come forward, um, saying that they have  
been, um, there's been violence perpetrated against

1           them, the number of people that are being, um, taken  
2           care of, you know, 450 in a very meaningful way, um,  
3           seems small.  
4

5                         DEPUTY DIRECTOR LOGAN: Uh-hm.

6                         CHAIRPERSON ROSENTHAL: Uh, the other two  
7           methods I don't understand how they're not different  
8           than what's being done now if it's a multi-hour  
9           program or multi-week program. Um, all evidence  
10          points to those programs not having a meaningful  
11          effect. So, I'm really just looking the 450 who are  
12          going to get case management.

13                        DEPUTY DIRECTOR LOGAN: Um, so the  
14          evaluation as I said will run the course of the  
15          demonstration Project, and will begin at the time  
16          that the program launches. Um, and we anticipate  
17          meaningful results as early as between months 9 and  
18          20, um, and that's when we'll start to look at the  
19          results of the evaluation that started to come in and  
20          be able to modify and tweak the program as needed  
21          during the evaluation—during the Demonstration  
22          Project. So, by the end of the demonstration, project  
23          we'll have a solid foundation to be able to reflect  
24          the success of the intervention in the program, but  
25          we'll be evaluating the results, and are already

planning, um, the next step, um as the program is in  
development.

CHAIRPERSON ROSENTHAL: Is there a reason  
that—is it because of the nature of the contracting  
process that you can't say month 9 is February 2021?

DEPUTY DIRECTOR LOGAN: Yes, we can't  
anticipate yet because we have a solicitation open  
right now. I can't anticipate yet when a contract  
will begin.

CHAIRPERSON ROSENTHAL: Do you have a  
sense of when it will begin? Let's assume everything  
works perfectly. When will it begin?

DEPUTY DIRECTOR LOGAN: It's hard to be  
able to commit to a start date when we have an open  
solicitation right now, but we're, um...

CHAIRPERSON ROSENTHAL: When does the  
open solicitation end?

DEPUTY DIRECTOR LOGAN: So, December 16<sup>th</sup>.

CHAIRPERSON ROSENTHAL: December, and so  
then it goes through the contract process, which  
takes six months?

DEPUTY DIRECTOR LOGAN: So, it will go  
through a selection process, a vendor selection  
process where we'll identify a vendor.

3 CHAIRPERSON ROSENTHAL: And that that  
4 takes--?

5 DEPUTY DIRECTOR LOGAN: I can't commit to  
6 an exact timeline in terms of how long that would  
7 take, but we anticipate identifying a vendor shortly  
8 after the close of the solicitation.

9 CHAIRPERSON ROSENTHAL: Okay, so, and then  
10 will it have to go through a few--will you be able to  
11 start funding the program immediately or will it then  
12 have to go through a year-long registration project-  
13 process?

14 DEPUTY DIRECTOR LOGAN: So, the contract  
15 will have to be registered, but we anticipate  
16 beginning the program shortly after vendor  
17 identification, but we will be following procurement  
18 processes.

19 CHAIRPERSON ROSENTHAL: So,  
20 hypothetically it could start in--I'm making this up--  
21 March or June of 2020, and the program would start  
22 and also the registration project-process would  
23 begin.

24 DEPUTY DIRECTOR LOGAN: We anticipate the  
25 program coming on line in FY21. We will have, um,  
more information by the end of this calendar year,

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3 and can circle back with you then to talk more about  
4 the timeline for implementation.

5 CHAIRPERSON ROSENTHAL: Okay. I want to  
6 be able to hear from others who are here. Thank you  
7 so much for your time. Council Member, do you have  
8 any additional questions.

9 CHAIRPERSON LANCMAN: I don't. Thank you  
10 vey much. We've got some things we-we're going to  
11 follow up with. You have some-some homework to do if  
12 you don't mind me describing it that way, and, um,  
13 we're very much looking forward to this coming budget  
14 conversation and negotiations where, you know,  
15 hopefully the, um, the city's approach to the funded  
16 court ordered court connected, um, programs, uh, have  
17 the kind of metrics that we're looking for, and-and  
18 are structured with current thinking towards what-  
19 what works and what doesn't.

20 CHAIRPERSON ROSENTHAL: Yes.

21 CHAIRPERSON LANCMAN: To be continued.  
22 Thank you. Um, next, we're going to hear from the  
23 District Attorney of-the District Attorney's Office  
24 from Brooklyn and Manhattan, and I think we have a  
25 representative from Staten Island, and I think we're  
inviting the Urban Resource Institute to come and

testify alongside the Manhattan District Attorney.

So, if you all would please come to the--the witness  
table, we can--we can get started. [background  
comments/pause] Alright, thank you for your patience.  
If you raise your right hand we can get sworn in and  
proceed. Do you wear or affirm the testimony you're  
about to give is the truth, the whole truth and  
nothing but the truth?

I do.

CHAIRMAN LANCMAN: Terrific. Um, Mr.  
Gonzalez, um, would you like to get started?

Sure.

CHAIRMAN LANCMAN: Thank you very much.

DISTRICT ATTORNEY GONZALEZ: Good  
afternoon. Thank you, Chairman Lancman and the  
members of the Committee on the Justice System, and  
Chairwoman Rosenthal and the members of the Committee  
on Women and Gender Equity for the opportunity to  
testify today regarding--regarding Batter's  
Intervention Programs also known as Abusive Partner  
Intervention Programs. Domestic violence  
specifically intimate partner violence accounts for a  
large percentage of 911 calls, NYPD arrests and  
prosecutions in the Brooklyn District Attorney's

Office. Historically, the number of cases my office has handled in relationship to, um, family based violence is approximately 10,000, um, each year, the vast majority of which are misdemeanor crimes. Domestic violence accounts for a large percentage of cases on the Criminal Justice System, but it's not just a Criminal Justice matter. It's a public health crisis. Despite this reality, and despite the public's increasing awareness and empathy towards survivors, there is still unfortunately a significant, um, shortage of effective evidence based programming and services that focus on prevention and intervention. It has been 25 years since the passage of the Federal Violence Against Women Act, but we still know very little about the root causes and cures of intimate partner violence. We need to invest money in research and effective evidence-based programming. We also need programming that takes a holistic approach to the issues facing those who commit these crimes. While sending domestic abusers to jail may protect survivors over short term, incarcerating offenders and hoping they won't re-offend when they're released has not proven itself and effective way to keep survivors safe over the

long term. Quite frankly, we cannot prosecute and incarcerate our way out of this public health crisis, and our country has not made it a true priority to study the root causes of domestic abuse, and how to prevent it. As with so many other pressing issues that needs our attention, there simply has not been adequate funding. In my office we determine on a case by case basis whether to offer an individual charged with a domestic violence offense the ability to participate in one of these programs as part of a plea disposition. If offered a program, the defendant can choose between two providers: Power and control, the PAC Program, which requires participants to attend the one-hour session once a week for 24 weeks. They receive funding from the Mayor's Office of Criminal Justice. The other program is run by Treatment Alternatives for Safer Communities or as known as TASC, which requires participants to attend the two-hour session once a week for 16 weeks. TASC does not receive outside funding, but both of these programs are educational programs where the participants and a trainer discuss issues such as power and control dynamics, healthy and unhealthy relationships, effective communication



skills and conflict resolution. Both providers charge a fee to participate, but set rates on a sliding scale. The fee has been a significant barrier as many domestic violence offenders say they cannot afford the cost of the program. There is some scholarship money for those that cannot afford the fee, and there are a few programs available in the city that do not require payment. One of those programs requires the participants to have Medicaid. However, advocates are opposed to health insurance covering these programs because they would often require domestic violence offenders to obtain a mental health diagnosis such as intimate and explosive personality disorder. From one perspective, the act of domestic violence is a choice someone makes, and by turning it into a psychological diagnosis, we are removing accountability from the batterer. Requiring offenders to pay for the program is one way of making them take responsibility and accountable for their behavior, but as part of the recent wave of criminal justice reforms, that thinking has been criticized and challenges unfair to those charged with crimes and to their family members. But the truth is in Brooklyn we send very few domestic violence offenders

to these programs. Many don't agree to participate whether for cost reasons or otherwise, and even those who do participate there's currently very little evidence tracking whether or not these programs are actually effective. The Center for Court Innovation conducted studies in Brooklyn and the Bronx in the early 2000s. The Brooklyn Study compared recidivism rates for participants sent to different types of batterers intervention programs as they were called back them. One based on an educational model, the other using cognitive behavioral therapy. The Bronx Study examined recidivism rates for those sent to a batterers intervention program versus those cases just simply monitored by the court and a judge. In both studies there was no significant difference in recidivism rates. Furthermore, determining the success of these programs is much more complicated than examining re-arrest and recidivism rates. Many survivors do not call the police again if the defendant reoffends or the abuser could have moved on to a new relationship and a new partner. Although the abused may not reach out to law enforcement. Very few of these participants ever agree to speak to us about post-program behavior particularly if they are

continuing to abuse their partner. We have to reach out to survivors, and essentially poll them on whether the programs worked, and this to many may re-traumatize survivors. CCI has recently developed a new abusive partner curriculum after conducting research on innovative programming in the United States, Canada and England. CCI's new program appears to be a more responsive and comprehensive program for abusers that includes in its curriculum the following: Risk and needs assessments, cognitive behavioral learning, trauma informed practices and procedural fairness. I'm hopeful that this new program will be successful. I'm looking forward to its implementation. I was pleased to hear about the First Lady's Interrupting Violence at Home initiative for abusive partners who are not involved in the Criminal Justice System and, of course, appropriate interventions for those who—who harm is only one part of our obligation to a safety plan for survivors of intimate partner violence. I would be remiss here today, um, to speak about domestic violence without also addressing the specific needs of survivors who come to my office seeking assistance to obtain justice, but also help getting back on their feet.

Without adequate resources survivors are often forced to stay in abusive relationships, and based on what we hear from survivors, their most critical needs include basic life necessities such food and clothing as well as expenses related to moving, a moving van, first month's rent, new pots and pans, and furniture, but also many survivors also need assistance with childcare. The lack of childcare often forces a survivor to remain dependent on an abuser because it interferes with her ability to access service-services. We often hear from survivors that they can't come to the office to talk about their case because they have no one to watch their children or pick them up from school. Finally, survivors need assistance with housing. They struggle with the city's limited shelter beds, and as we all are well aware, the lack of affordable housing in New York City. Combatting this public health crisis of domestic violence, by preventing abuse in the front end or supporting survivors in the back end must be one of the top safety priorities of-of this city, and I want to thank the City Council for your attention and commitment to these issues. Thank you.

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CHAIRMAN LANCMAN: Thank you. Does it make  
sense to just go down the line? Sure.

REP FOR DA MCMAHON: Good afternoon. It's  
an honor and a pleasure to appear before the New York  
City Council today. I want to thank the City  
Council's Committee on the Justice System and the  
Committee on Women and Gender Equality-Equity, excuse  
me—for holding this hearing and inviting the Richman  
County District Attorney's Office to share our  
thoughts and concerns about the efficacy and  
efficiency of abusive partner programs in our  
borough. Recognizing that domestic violence presents  
one of the clearest threats in the lives of many  
individuals and families on Staten Island, District  
Attorney McMahon has made combatting this issue a  
priority for his office. He's taken numerous steps  
such as building RCDA's first dedicate Domestic  
Violence Bureau helping to open Staten Island's  
Family Justice Center and creating a separate  
domestic violence complaint room with an—with  
extended night time hours in order to build stronger  
cases while providing immediate support to victims.  
As a result, domestic violence arrests on Staten  
Island have declined by about 20% and domestic

violence dismissal rates have dropped by almost 50%.

Despite our best efforts, though, serious crimes of

domestic violence continue to occur here in Staten

Island with several high profile cases garnering

significant media attention over the past year. Just

this weekend for example a man allegedly stabbed his

wife, set their house on fire and seriously injured

himself during a chaotic scene that unfolded on

Staten Island's North Shore Saturday evening. At the

same time the majority of homicides that we have seen

throughout the borough have been domestic violence

related leaving prosecutors searching for answers as

to how we can do more to prevent such tragedies from

occurring in the future. In our office, Abusive

Partner Intervention Programs are offered as a

companion of sentence, as well as a mechanism to help

individuals understand accountability and cultivate

pathways to working through anger without violence.

Additionally. These programs do offer an opportunity

for participants to identify and address other

underlying issues that may contribute to criminal

behavior such as substance abuse, mental health or

trauma, providing meaningful wraparound services that

maintain—excuse me—that remain available following

the completion of the program and impacts sentence  
any how, and while we Believe that the Batterer  
Intervention Programs or Abusive Partner Intervention  
Programs can work to help change or improve, um,  
behavior, negative behavior possibly preventing  
future crime or violence, there remains a serious  
lack of variety to accessible programs for our  
defendants on Staten Island. In fact, after years of  
never having a Batterer's Intervention Program  
available at all in our borough, the city just last  
year contracted the PAC Program to fill that void,  
and while we are grateful, um, we have found that  
only having the one option available to hundreds of  
defendants limits the program's overall reach and  
effectiveness. There must be a wider and more  
flexible offering of local community-based  
programming available to defendants on Staten Island  
in order to promote greater outcomes. While we have  
made significant progress in combatting domestic  
violence greatly reducing the number of domestic  
violence arrests and lowering the dismissal rate, and  
offering a wider variety of victim services, more  
must be done to prevent offenders from escalating  
their crimes into further acts of violence. As we

look for solutions it is clear that Staten Island  
still lacks the necessary resources to address the  
root issues of a defendant's criminal behavior.

Abusive partner intervention programs can be and are  
a useful tool to tackle their program, but only if a  
robust network of community-based programming exists  
to serve the individual needs of each defendant.

Thank you.

CHAIRMAN LANCMAN: Thank you.

AUDREY MOORE: Chairman Rosenthal and  
members of both committees. My name is Audrey Moore  
and I'm Executive Assistant District Attorney and  
Chief of the Special Victims Bureau at the Manhattan  
District Attorney's office. I'm joined by my  
colleague Maggie Wolk who is the Chief of Strategic  
Planning and Policy. On behalf of District Attorney  
Vance, we thank you for the opportunity to testify  
before you today. Today's hearing is being convened  
at a time when incidents of domestic violence locally  
and nationally continue to increase even as rates of  
other types of crime have dropped. Domestic violence  
and intimate partner violence in particular is a  
long-standing ongoing problem that seems to resist  
traditional models of law enforcement. Millions of



people are affected each year costing society  
billions in healthcare, lost wages and traumatized  
lives. In 2018, NYPD responded to over 13,000  
domestic violence complaints in Manhattan. That is  
more than 35 incidents each day. The prevail—the  
prevalence of domestic violence is not just a  
criminal justice crisis. It is a national public  
health crisis that affects all neighborhoods and  
communities, and threatens our most vulnerable family  
members particularly women and children. One of the  
first steps DA Vance took when he was elected in 2010  
as to create a Special Victims Bureau to enhance the  
training, supervision and coordination of resources  
applied to prosecution cases involving some of the  
city's most vulnerable victims. DA Vance was also a  
champion key implementer and partial funder of the  
Manhattan Family Justice Center when it opened in  
Manhattan in 2014. In 2014, our office likewise  
convened the Domestic Violence Initiative a year-long  
series of working groups comprised of criminal  
justice stakeholders, public health officials and  
community-based organizations that were brought  
together to develop recommendations to permit—to  
prevent domestic violence and enhance responses

across systems. One of the key recommendations from the working group members, which was later identified as a key recommendation of the city's Domestic Violence Task Force was the creation of a trauma-informed abusive partner intervention program. In recent years this has been a growing focus on the impact of trauma on individuals' wellbeing and the need to consider this pervasive public health issue in the delivery of behavioral health, and other social services. Research suggests a link between the experience of childhood trauma and adversity and the perpetual—the perpetration of future domestic violence. We therefore set out to develop and implement an abusive partner intervention program that is trauma-informed and addresses the underlying behavior associated with abusive behavior. Unlike traditional methods that focus solely on issues of power and control, our goals were more expansive. In addition to holding the abusive partner accountable for their behavior, our new model aims to increase the likelihood that the abusive partner will gain insight into their behavior, develop empathy for survivors, accept responsibility for abusive behavior, respond to the intervention, and engage in

meaningful and sustained behavior change. As part of DA Vance's Criminal Justice Investment Initiative, our office invested \$1.475 million to pilot a trauma informed APIP that offers a more holistic approach than traditional batterer intervention programs. With support of our technical assistant consultants at the CUNY Institute for State and Local Governance, our office released a Request for Proposals in November 2016 soliciting a vendor to implement this model. A multi-disciplinary team of reviewers scored the responses to our RPF, and selected the Urban Resource Institute, URI to create and pilot the new program. URI has extensive experience providing client-centered services to domestic violence survivors and other vulnerable populations and has successfully operated programming for perpetrators of violence. Since there were no local examples that could serve as models as this was the first time a truly trauma-informed APIP was being developed in New York City, we engaged URI in a 10-month planning process and sought the expertise of two leading experts in the field of abusive partner intervention and trauma, Chris Huffine and Carrie Mose. Mr. Huffine is the Executive Director of Allies in Change, a Portland-a

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Portland Spaced Non-Profit that offers a wide range of counseling services and batterers' intervention programs and is nationally recognized as a leader in the area, and Ms. Mose is the Executive Director of Court Appointed Special Advocates of New York City with over 25 years of experience in child welfare, domestic violence and youth development. These national experts assisted URI in adopting a curriculum, developing policies and procedures that reduce re-traumatization, and training staff on trauma-informed approaches. Over the course of the 26 session programs-program, participants learned skills to actively evaluate their choices and develop accountability for their actions by discussing and reflecting upon learned behavior, life stresses, regulating emotions, family functions and the impact of trauma. URI employs highly trained facilitators to deliver this curriculum in both English and Spanish on a rolling basis. Each session lasts approximately two hours. The newly developed curriculum teaches abusive partners to change the justifications, attitudes and belief perpetuating their abuse. The program operates out of a newly designed space in Central Harlem. Unlike other APIPS, URI offers a

range of free voluntary services to participants including case management, trauma specific interventions and referrals to address other needs such as job readiness and housing support. Cases are screened by the resource coordinator in the Domestic Violence Court part as well as the leadership of the Officer's Domestic Violence Unit. While we weight victim input on our decision making program, base dispositions are ultimately case specific and are only offered after careful review of an individual's criminal record, domestic violence and DIR history and current violent behavior. Because the program is free, no individual is denied placement due to high costs or inability to pay. After a referral is made, URI utilizes a series of screening and assessment tools to complaint-to complete a risk assessment before accepting a potential participant into the program. Through this process URI identifies an individual's needs such as an immediate need for substance abuse treatment and level of access to resources including medical insurance and providers, transportation, housing, overall health, employment, criminal justice supports, educational supports and services, paid support such as mental health

providers and natural support such as family and friends. Understanding the long-term and short-term needs of abusers can help providers better address the underlying reasons for their abusive behavior. The first trauma-informed APIP group began on July 30<sup>th</sup> 2019. There have been 15 referrals to date, and nine male identified individuals have enrolled in the program. All nine are actively participating. Two additional individuals are pending a political assessment and a court approval. While four individuals were denied placement for such reasons as serious mental illness or criminal-or criminal history. During its first year of implementation, the APIP will serve 20 individuals total during year 2 and 3 the program will serve individuals per year. The safety and survivors of children remain a top priority of this initiative. Coordinated communication between URI and court stakeholders as well as established protocols for reporting non-compliance, breaches in orders of protection and victim and child safety concerns ensure that non-compliance is addressed swiftly and law enforcement is informed immediately of risk to a survivor's wellbeing. The program connects survivors to a wide

range of resources through both the Manhattan District Attorney Office—Officers Witness Aid Service Unit, and URI’s crime victim services. Survivors have immediate access to counseling, safety planning, legal service, referrals to shelters, advocacy for government entitlements and workforce development programming. Survivors have agency to determine when, if and to what extent they would like to remain in contact with the program. Finally, to test the efficacy of this model we are funding a process and outcome evaluation. The Urban Institute, a nationally recognized research institution has been selected as the evaluator, and we will have a preliminary report available in the summer of 2022. Final results will be available in January 2023. Thank you for the opportunity to testify before you today and describe the process we underwent to develop and implement this innovative model. With continued support from our partners we will continue to use all the levers available for us to address this public health crisis with the hope of creating approaches that lead to lasting change and reduction in intimate partner violence.

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CHAIRMAN LANCMAN: Thank you.

DR. CARLA SMITH: Good afternoon Council  
Chairs and members of both committees. My name Dr.  
Carla Smith, and I have the pleasure of serving as  
the Chief Program Officer for the Urban Resource  
Institute. I am joined by Luis Matos, our Senior  
Director of Community Education and Prevention  
Programs, and we are thankful for the opportunity to  
come before you and share our work with abusive  
partners, which we, too, see as a vital health and  
human services area. For those of you who are not  
aware, URI has been in operation for close to 40  
years and is now the largest domestic violence  
shelter provider in the country. We currently offer  
close to 1,200 beds to victims of domestic violence  
on any given evening, and we'll be increasing tier 2  
capacity in the future. As you have heard, we have  
been and remain committed to developing and  
delivering innovative client centered and trauma-  
informed services to victims of domestic violence and  
other vulnerable populations to include—include  
perpetrators of abuse. URI recognizes the need to  
serve under-served communities including those that  
have been identified as perpetrators of abuse, and



over the last three years in collaboration with both the Department of Probation in Westchester and more recently the Manhattan DA's Office have responded to the call for--call for the operation and development of services in an effort to increase accountability and ultimately end domestic violence. For URI that call consisted of a request for us to consider assuming operation at the time of an existing API program--APIP program in Westchester from a provider who no longer saw these services as core to their mission and as indicated in the previous testimony more recently URI responded to a call for providers to consider that the development of a pilot program that would endeavor to create a trauma-informed accountability program for perpetrators of abuse, convicted of a DV offense in Manhattan. You've heard in the previous testimony how these programs came to fruition and that URI participated in a 10-month collaborative planning process that was designed to provide and result in the development of what is a now--what is now a trauma-informed curriculum for abusive partners. That process included experts in the field that also included experienced URI staff who have been provided--providing APIP services in

Westchester since 2012, which resulted from—which resulted after a two-year planning process. The design of pilot services in Manhattan grew out of this experience, which confirmed what you heard in the previous testimony indicating that many perpetrators are abuse—of abuse have been—have had previous experiences of trauma and may be predisposed to commit violent acts during the course of their lives. Specifically, we have found in our Westchester program that approximately 80% of the participants have experienced some form of violence in their lives. So far in Westchester—so far in Manhattan around 67% have reported childhood exposure to violence. Now, we do not see this as an excuse for behavior, but as a tool to inform the way we—in which we work, um, in a trauma-informed manner to engage participants and deconstruct unhealthy behaviors that have been learned over extended periods of time. The way in which these two programs operate and track information are different, but our hope is to standardize the practice and outcome measures within each of these programs following the completion of a comprehensive evaluation on the impact of each modality. With respect to the Westchester Program,

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it was developed in collaboration with a number of partners in the County to include the Department of Probation, which influenced the structure of the partnership and the length of mandated participation based on research of evidence based practices at the time. The model is based on several behavioral interventions, and concepts that take place in a 90-minute weekly group format over the course 65 weeks. Participation is mandated and participants must pay a fee based on a sliding scale. It provides services both to male and female identified individuals. We have served approximately 240 individuals during the time of tenure. Effective rates have—effective rates have been historically based on recidivism as it relates to DV re-offense and other non-DV related crimes were also tracked early on for those who remained in the county. Due to resource constraints, the program has had limited capacity until recently, and we'll begin using a database that we designed for the New Manhattan Program to track and record information and outcomes. The Department of Probation continues to demonstrate its commitment to the program and is seeking support from the Department of Criminal Justice to study and evaluate the program.

As mentioned, the Trauma-Informed Program in Manhattan was developed as stated following an analysis of URI's Westchester model and other best practices in the field. The program uses a model developed by Chris Huffine as its base with an enhanced trauma-informed lens and a variety of needs and accountability-needs and accountability assessment tools added in. It operates with a two-hour group format over the course of 26 sessions. Participation is free reducing income as a barrier to participation and food is provided at each session per participants with limited access to resources. Groups are facilitated by train facilitators whose role is to establish and maintain a favorable interchange and a mutual aid system. Hence, the facilitators trained on the curriculum begin the process to manage environmentally induced stressors like job readiness, housing-need for housing support, case management, and interpersonally induced stressors, trauma specific interventions. In a short time that the group has been running, our success has been in addressing these two challenges in order to create an adaptive balance among the group participants. The co-facilitators male and female

identified have helped the participants to develop a sense of purpose and commonality about the impact of intimate partner—intimate partner violence. They share experiences and concerns. During the group process, safe and less threatening issues are raised first to test the facilitator's trauma-informed response and other participants' genuine—genuine and competence. Through curriculum focused assignments, the participants have become willing to risk sharing more sensitive and sometimes even taboo concerns. The trauma-informed process has—has taught the participants to share and relate to one another will all participants investing and engage in the process of change. So, what is different about this program? The program expands beyond the traditional models including incorporation of some innovative components, which include the following: No fees charged as stated, reducing barriers based on financial limitations; ongoing access to wraparound services to address immediate daily living needs, and reduce stressors. Eventual access to economic—an Economic Empowerment Center that is being established by URI, and to open early in 2020. Short-term clinical support and access to long-term counseling

through referrals; incorporation of victim perspective on accountability for periodic engagement with victims who wish to do so, and a periodic completion of an accountability assessment from the victim's perspective. Understanding victim perspective on accountability is key to understand whether or not a participant has changed their engagement in the use of a range of abusive tactics to include those not traditionally considered like pet abuse, and incorporation of an accountability power and control will for use in the program with the participants. We also provide information and referrals to victims interested in receiving support that is client centered and based on identified needs. We give participant access to continuing accountability support beyond the 26 sessions, recognizing that individual needs vary and that the length of time that support may be needed for some individuals to increase accountability may also vary. This service allows participants who have successfully completed the 26 sessions to engage in ongoing individual and group support with others who have done so, and to influence others who may have completed the program after them. We—we are

encouraged about the possibility of engagement in these services as thus far participants are also regularly wanting to stay beyond the two-hour group for either group or one-to-one conversations. Part of this we believe is due to the program design, the experience and training of staff and facilitators, and we are hopeful that this will enhance the desire to receive ongoing accountability services. These aftercare services also allow the program to re-engage as needed, and to provide support to enhance and monitor accountability over time. We also have a peer model, which provide opportunities for those who have completed the sessions to maintain-maintain accountability, and have been screened by the program to have an opportunity to serve as a paid peer facilitator after a period of time. This also part-also offers positive reinforcement for individuals who may not have received it otherwise. There is a focus on ongoing evaluation for use of both an internal and outside evaluator that you have heard about engaging in process documents-in process documentation and observational evaluation to determine program impact, efficacy conducted by the Urban Institute as you heard, and new eyes internally

established Quality Improvement, Evaluation, and Training Department, and while the program is currently providing services to male identified individuals, it has written for the most part in a gender neutral manner, and is positioned to be modified in the future to accommodate individuals whose gender identity and sexual orientation differ from those currently participating in the program. We have also taken into consideration language proficiency, and will be able to in the future provide, if funding is available to make other modifications to the curriculum following evaluation to have material available in languages beyond English and Spanish. So, what does this—what does all of this mean given that the program has just recently initiated Aberrations. You’ve heard about the number of people currently enrolled, and our targets for the program over the next three years. We have observed that participants are invested in the model, and while it is early—while it is early, we are encouraged by the engagement in wraparound services and group conversations. Conversations about trauma history and impact have begun to take place keeping accountability at the center. We are starting to see



that there has been the acknowledgment of childhood traumas, and similar life stressors and participants have begun to demonstrate that they are receptive to others' views and suggestions as to how these stressors have become maladapted perceptions and abusive behaviors in their adult lives. Through proper use of curricula-curriculum assignments, the participants have begun to develop and practice new interpersonal processes, and environmental activities and receive feedback from the group on their individual efforts. URI's trauma-informed group process has begun to create the potential through which participants act and gain control and mastery over self and their environment. Hence, the program assists the participants in acknowledging their re-enact-the re-enacting of their behaviors in their intimate relationships. Once again, we thank for the opportunity to come before you today and talk about the programs, and we are-the APIP program we remain committed to working with participants in these programs keeping accountability and victims safety at the core of all that we do. While there are no guarantees, we are hopeful that evaluation of this

innovative model will result in positive outcomes  
that will also inform the field.

CHAIRPERSON ROSENTHAL: I just thank you  
all so much for your work, your public service, um,  
and really appreciate all your thought and effort  
going into this. My only question really has to do  
with scale. Um, I'm trying to understand the  
difference between, um, the amount of services that  
we provide, how many people are captured in that  
compared to how many cases come in. So, um, DA  
Gonzalez, you mentioned that every year roughly—you  
have roughly 10,000 DV cases. Could you make a  
guestimate of that, how many individuals that  
reflects?

DA GONZALEZ: Well, 10,000 individual  
offenders--

CHAIRPERSON ROSENTHAL: Separate-  
individual.

DA GONZALEZ: Yes.

CHAIRPERSON ROSENTHAL: Thank you.

DA GONZALEZ: But obviously, you know  
tens of thousands of family members.

CHAIRPERSON ROSENTHAL: Um, and then, um,  
in Manhattan the statistic was given by the number of

incidents that NYPD responded to. Do you have a sense of in the Manhattan DA's Office how many individual cases, individual offenders there might be?.

AUDREY MOORE: So, in, um, 2018, we had 6,000, over 6,000 domestic violence related arraignments in Manhattan Criminal Court.

CHAIRPERSON ROSENTHAL: Great, and any idea from Staten—I don't have your testimony in front of me so—

DA MCMAHON: Um, in Staten Island we've, um, we've seen a decline over the last two or three years from this roughly 2,200 cases per year.

CHAIRPERSON ROSENTHAL: So when the Administration says that they're going to be able to help 450 people intensely, could one say that if we multiplied the number of people that we could help by a 100, we might be getting to the need in New York City? Right? I mean if just doing mental math here we've got 10,000 and then another 10,000, and then Queens say is another 10,000, you know, we're -and the Bronx, we're up to 40,000 individuals who need help, and what I heard the city say was that they're—they're doing something to help 450 people. You were

going to say something. It wasn't a question. I guess I'm making a statement. Was there anything anyone wants to add?

ERIC GONZALEZ: A need for, you know, for my thinking on intimate partner violence without the, you know, full evaluation of the, you know, whether or not these programs are actually making a difference, you know, while we have many thousands of cases, we are, um, we only put a very small percentage in programming currently. I would estimate the number to be under 300. There's some that, um, defendants choose not to do the programming when offered, um, but quite frankly, in a lot of cases with escalating violence, um, with histories of, you know, domestic incident reports and other, um, concerning behavior, I'm not prepared to, um, recommend that kind of disposition or outcome without, you know, further studies in whether or not they're effective programming, and so, um that is a factor. In Brooklyn, we went many, many years in excess of a decade without ever putting a person into one of these types of programs, and have really only more recently started to explore this.

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CHAIRPERSON ROSENTHAL: I mean I don't mean to ignore other programs that perhaps exist that are not specifically batterer intervention. I mean there is also a need for substance abuse treatment and individuals do get-- could I safely assume they do get into those programs or mental health programs?

REP FOR DA MCMAHON: Correct.

CHAIRPERSON ROSENTHAL: Okay. Thank you very much.

CHAIRPERSON LANCMAN: So, I want to start with something that, um you said, Mr. Gonzalez, which I think captures the--the essence of it all, and--and why we're even having a hearing like this. You said, While sending domestic violence abusers to jail may protect survivors of the short term, incarcerating offenders and hoping that they won't re-offend when they are released has not been an effective way to keep survivors safe over the long time, and that's what we all want to achieve. I (coughs) have heard-- heard you say maybe directly maybe I'm reading in between the lines, but not too much, though, a real question about whether these programs are effective and--and I think that was the best answer that you could come up with to the Council Member's question,

1 which I know put you all a little bit on the--on the  
2 spot. Why would we even think about expanding a  
3 program or programs until we know whether they--they  
4 work or not? And I'm sitting here saying I--I don't  
5 know what works, and what doesn't work. What's your  
6 impression as the District Attorney of--of Kings  
7 County having to make these choices as to who's going  
8 into the program and who's not, and I'm sure you see  
9 people who have been through a program, and now  
10 they're--they're back on the docket again, what's your  
11 impression of whether these programs do--you have PAC  
12 and you have--you have TASC I believe.

14 DA GONZALEZ: Correct.

15 CHAIRPERSON LANCMAN: Do they work, and--  
16 and in so far as they--they do or they don't, they can  
17 certainly be made better. What would you like to see  
18 as the city contemplates or goes through a new round  
19 a new RFP and potentially, um, a new model for these  
20 kinds of programs, and potentially expanded capacity?

21 DA GONZALEZ: Well, I think Allison took  
22 part of the prior testimony from the, um, Mayor's  
23 Office of Criminal Justice or MOCJ, and I think  
24 largely Councilman, your questions about metrics was  
25 an important question, and how do we define what

success of these programs actually look like. Um, I don't believe like in other diversion programs that solely looking at our recidivism—recidivism rates are going to be an effective measure, and I kind of detailed some of the reasons why in my testimony because we actually don't know, um, whether or not the person is reoffending. We only know if the person is—maybe gets arrested again. Um, it doesn't speak to whether or not survivors feel that the program is providing safety to them. It doesn't speak to whether or not they're happy with the services or the outcomes of services. It doesn't speak to where or not there's an escalation or de-escalation in the home of violence. So, we really haven't explored what the root cause of, you analysis is on whether or not these programs work and so in terms of me and in terms my obligation to fight gender-based violence, um, before I, um have my assistant district attorneys explain the programming options, and sort lead them to believe that these inter-batterer intervention programs, abusive partner intervention programs are going to make a different in their lives, I want to feel comfortable that's, in fact, happening. Now, there are cases that, um, the,

um, survivor of violence would like to see that, um, tried, and so we try them, but it is, you know, it is sort of a difficult position for us to say to a survivor of this crime this is what we would like to do with the case, and we think it's going to be effective, and we stand by this, you know, procedural outcome, um, of the case without having that kind of information. And, in terms of compliance, we didn't even—I didn't hear any questions about compliance but, I don't think that we have a great record of compliance. People who are not doing well in the program are given multiple opportunities to continue in the program. There is not a lot of accountability for people who don't, um, really meet the obligations in the most earnest of ways, and they get through it at the end. Um, but like anything else, it's—there's effective compliance and there's just people who get through the program, and so, you know, I have a lot of concerns. Like, you know, the practices that appear to be—they're being developed in Manhattan sound great to me and, you know, I indicated a CCI as something that sounds promising. Um, but before as district attorney that I put my stamp of approval on these programs I have to see outcomes.



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CHAIRPERSON LANCMAN: Uh-hm. Um, the  
Manhattan and--and--and URI folks for a layperson, can  
you explain the difference between the URI approach  
and program and PAC, the PAC program?

DA GONZALEZ: Well, um--

CHAIRPERSON LANCMAN: So, if you're going  
to testify, I do need to swear you in. It's a--

DR. CARLA SMITH: He, he, um, raised his  
hand during the--

CHAIRPERSON LANCMAN: Oh, he did?

DR. CARLA SMITH: Yes, it's Luis Matos,  
who I named him.

CHAIRPERSON LANCMAN: Your fingers do not  
cross. [laughter] He raised them.

DR. CARLA SMITH: He oversees the program  
at the senior level.

CHAIRPERSON LANCMAN: Okay, good.

LUIS MATOS: Okay, thank you. Um, well,  
um, one of the prime differences is the fact they  
have, um, 10 months planning process that we have  
with District Attorney's Office where we went, you  
know, step by step, um, considering exactly the area  
where the program is going to be placed. Um, how are  
we going to go about with the hiring process--the

1 hiring process. Um, diverse sensitivity or oppressed  
2 sensitivity and all these different factors that take  
3 place in designing the program. The fact that we had  
4 experts, national experts come in who have been so--

5 CHAIRPERSON LANCMAN: So, so I understand  
6 and I respect and appreciate the process that you  
7 went through to establish the program and it seems  
8 really thoughtful and comprehensive--

9 LUIS MATOS: Right.

10 CHAIRPERSON LANCMAN: --and preventive.

11 LUIS MATOS: Uh-hm.

12 CHAIRPERSON LANCMAN: So, so I'm an  
13 applicant, I'm a participant in-in both programs.

14 LUIS MATOS: Uh-hm.

15 CHAIRPERSON LANCMAN: Right. What-what is  
16 the difference in my experience as a participant in-  
17 in URI's program verse the PAC program, and I'm only  
18 kind of picking on PAC--

19 LUIS MATOS: [interposing] Alright, one  
20 difference is -

21 CHAIRPERSON LANCMAN: --because that's  
22 what the city is funding

23 LUIS MATOS: --that you probably pay a  
24 fee, right? Another difference is that the program  
25

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is probably placed inside your community rather than  
in the area, rather in a government building or  
something that's outside your community, um, that we  
might have individuals that speak Spanish, which is  
something that we take into account. There is the--  
that the whole design of the actual environment  
you're going into is responsive to probably some of  
your needs that the clients and schedule where we're  
running groups, it's responsive to you schedule and  
your needs.

CHAIRPERSON LANCMAN: I also saw in your  
testimony--

LUIS MATOS: Uh-hm.

CHAIRPERSON LANCMAN: --one of your  
testimonies that, um, there's a--there's these other  
services available.

LUIS MATOS: Right, wraparound services.

CHAIRPERSON LANCMAN: Could you describe  
that a little bit because we--we talk about that a lot  
in the context of funding for public defenders, and  
so they've got a client who is defending the case,  
but he or she is now solving an immigration problem,  
a housing problem, et cetera. Can you talk about your  
wraparound services?

DR. CARLA SMITH: Sure. So, we have case management staff as well as the clinical, um, staff member. When clients come in or participants come in, they—we do a comprehensive needs assessment so we have an understanding of what their needs are related to housing benefits, medical issues, economic empowerment into jobs, things of that nature. Um, and we go through that comprehensive assessment to determine what are those factors that may also contribute to or add stressors to their lives and impact their ability to really engage in the programming, and so our case manager will immediately begin to address any immediate needs. We also provide food, and we have found that people when they are coming into—for either an initial assessment may not have eaten that day, or may not have eaten before they come to a group. So, we will provide some food, um, to get people sort of not thinking about being hungry. Um and we also have spaced designated—within our—our office space as Mr. Matso—Matos talked about, the office space has been designed to be trauma-informed. The way that it looks gives encouraging messages, um, things that we have on the wall, color chosing—choosing, things of that nature. In addition,

we have space designated, computer space designated for participants to use computers to do job searches, housing searches. We are an experienced provider to victims of domestic violence and other individuals and so we understand that there's a need to connect people to services, um, immediate services in order for them to fully engage. So, we try to address all of those things, and then we have partnerships with other organizations. So, we assume we can't do it by ourselves. So, we work collaboratively with the DA's Office and other organizations to make referrals for people, and then follow up on those referrals with them to see if they've actually engaged. Are they experiencing any challenges. We provide transportation assistance Metro Cards so people can get to and from the office, to and from appointments that we may help them schedule so that it releases them from sort of thinking about all those things that might interfere with their ability to engage in the program, and in the Clinical Services we do a mental health, full comprehensive mental health assessment including a trauma history questionnaire as well as a PTSD assessment if necessary depending on what comes up in the trauma history, and determine

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whether or now we need to do—we will offer individual  
short-term work with them and determine whether or  
not we need to do referrals for outside mental health  
support.

AUDREY MOORE: If I may just add, um, one  
aspect that I think is unique about the Manhattan  
model that was just describe, while I can't speak to  
the specific aspects of the PAC program, um, I can  
that unlike other traditional abusive partner  
intervention programs, this model provides services  
in addition to the abusive partner to the victim as  
well so the survivor can access services through our  
office through the Manhattan DA's office, and in  
addition you or I, um, have the mechanism for  
providing those services as well clinical and  
wraparound.

CHAIRPERSON LANCMAN: Does the Manhattan  
DA's Office also use PAC?

AUDREY MOORE: The Manhattan Court system  
uses PAC so that—that is something that we have used  
in the past, but our referral pipeline into Abusive  
Partner Intervention programs currently is focused on  
the URI model.

CHAIRPERSON LANCMAN: Yes, ma'am.

DR. CARLA SMITH: Just to add to that, the incorporation of accountability assessments, we have developed two accountability assessment tools. One is a self-report that we will check in periodically above and beyond sort of what we are delivering and seeing in the group, but we thought it was important based on a study that was done, the Marabel study, um, that was done where engaging survivors who are victims who are interested in remaining in contact with the program would allow us to really understand the perspective—from the perspective of the victim, which we thought was important. We also understood that we needed to be mindful for those survivors who decided to complete that with us periodically, and it—it examines a variety of abusive tactics, and levels of perception around do they have—do they feel that they have freedom to do these things? A whole bunch of different things that fall under different categories of abuse in terms of type of abuse, but we—what we wanted to do was to make sure that whatever we gleaned from that, that when we went back to do the work in the group with the participants, we did so in a way that did not jeopardize survivors' safety. So,

it's not about saying your partner said, it's around figuring out ways and we do sort of case conferencing with the staff and the facilitators how do we incorporate this issue that we're being advised about that the perpetrator or the participant is not really admitting into an exercise in this session so that it doesn't convey that the survivor has told us anything that may put their safety at risk, but so that we can build it into, um, a curriculum that is flexible enough for us to change things within the module. So, we're hoping that having that victim input tells us the real deal so to speak. Um, and we know that participants may, you know, modify information, um, to get through the program, and so we have ways of sort of circling back on that.

CHAIRPERSON ROSENTHAL: Just really quickly, um, you have so many great answers to these questions. It really sound comprehensive. You know, the Year Program or in the PAC Program, um, do you know if there's any, um, specific, um, information or—or intervention that's given for the LGBTQAI population?

DR. CARLA SMITH: Currently we have not, um, had referrals for individuals who identify in



1 that way. However, the curriculum itself, as I  
2 mentioned is--was set up to be, um, gender neutral as  
3 possible understanding that we have access to  
4 resources in our agency as continuing its efforts to  
5 be culturally competent working with our population.  
6 Um, and we are positioned to add modules in the event  
7 that individuals who identify as members of the LGBTQ  
8 community are coming in. So, it might replace an  
9 existing module or there may be a language tweek that  
10 we need to do. Um, we may use a different power and  
11 control order, which we have access to. Um, so we're  
12 positioned for that. Right now the individuals who  
13 have been referred to us are not identifying as  
14 members of that community.

16 CHAIRPERSON ROSENTHAL: Thank you very  
17 much.

18 CHAIRPERSON LANCMAN: Alright, thank you  
19 all for your testimony and for the good work that you  
20 do, and, um, we all definitely need to keep an eye on  
21 what MOCJ is going to go through in terms of, um, a  
22 new RFP, and, um, hopefully your views on that will  
23 be solicited, and if they're not, let me know.

24 LUIS MATOS: Okay.  
25

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CHAIRPERSON LANCMAN: Thank you very  
much.

DA GONZALEZ: Thank you. [pause]

CHAIRPERSON LANCMAN: Alright, so now  
we're going to hear testimony, and this might be our  
last panel for the day. Brooklyn Defender Services,  
the New York City Anti-Violence Project. Are there  
any other public defender organizations or legal  
services organizations that are here waiting to  
testify? You're—you're looking at-[background  
comments] No, no, we'll get to that. I got you.

FEMALE SPEAKER: [off mic] Close the  
door.

CHAIRPERSON LANCMAN: That's it? Okay,  
good. Um, in—in that case, um, Professor Mit-Mills  
from NYU, right down—right down the street. Come on  
down, and this will be our last panel of the day.  
[background comments/pause] Yeah, um, the Living  
Commissioner is here. Let's—let's—let's bang it all  
out in one blaze of glory, one final panel blazing a  
glorious trail of testimony across the New York City  
sky. No pressure. [laughter] [background  
comments/pause] So, if you all can raise your right  
hands so we can get sworn in. Do you swear or affirm

the testimony you're about to give is the truth, the  
whole truth and nothing but the truth?

POLLY BASSETT: Yes.

CHAIRPERSON LANCMAN: Good. Who would  
like to start us off? You're—you're

POLLY BASSETT: Sure. Thank you Chair.

CHAIRPERSON LANCMAN: You'll do that.

POLLY BASSETT: Okay. Good afternoon. My  
name is Polly Bassett and I'm a supervising attorney  
in the Integrated Defense Practice of Brooklyn  
Defender Services. I thank the New York Committee on  
the Justice System and Women and Gender Equity and  
Chair Lancman and Chair Rosenthal for holding this  
important hearing, and providing the opportunity to  
testify on the efficacy and efficiency of the city's  
Batterers Intervention Programs. As an institution  
of provider in both Criminal and Family Court and the  
child welfare cases, we still see a general over-  
reliance on Batterers' Intervention programs. We  
represent thousands of people each year who are  
mandated by Criminal or Family Court to completed  
these programs. While we believe in both the Family  
and the Criminal Courts over-rely on Batters  
Intervention Programs in cases where there is an

allegation of domestic violence, until alternative options are easily accessible, free and recognized by the courts, these programs must remain available for clients. Now, I think everyone has noted that a one-size-fits-all approach is not meaningful, however, that is still the approach that is used both in Family and Criminal Court, and what we're finding is that these as has been mentioned the Batters Intervention Programs are often cost-prohibitive, and the intake is \$50 for the initial intake assessment, and yes there is a sliding scale. Um, however, our clients are still forced to pay some amount for a course of up to 24 weeks, um, to complete these programs. Um, these—as the Council has noted, um, these links—these programs are not offered in the languages that our clients speak, and they do not address the issues of generational trauma. In addition, I mean they are located in very, um, in locations that are not easily accessible for our clients. Um, and at times that our clients are just unable to attend as many of our clients are often excluded from their home and forced to find additional employment to pay for rent both, um, for their families and for themselves when they are

excluded from the home in addition to these programs.

However, these programs are currently necessary for  
our clients to resolve their cases, and amend orders  
of protection to unify with their families. Um, so

BDS we would like to see alternative programs and  
options available and more accessible to, um, to our  
clients. We encourage the city to invest in a wider

range of programming for individuals that are just  
not just domestic violence and intimate partner

violence, but also include opportunities for family  
therapy and supportive programming for mental health  
and substance abuse issues where it is appropriate.

We would like see the Batters Intervention Programs

bot Batters Intervention Programs, but also

community-based support programs available again for  
free. I think that as has been noted previously that

there are very few programs that are available for

free. Um, I believe perhaps in Brooklyn maybe one

that we are aware of. Otherwise, most of the

programs do have a fee. Um, we ask—and we would like

to see more programs available in the designated

languages. As we've noted that we've seen clients

who have not been able to find programs in Bengali,

in Urdu, in, um, Uzbek, and because of that, they are

separated from their families for weeks and I have  
seen for years. Um, and-and it is to a huge  
detriment to the-to families, um, who are involved in  
the Child Welfare System. So, we hope that in future  
Batters Intervention Programs can be meaningful and  
effectively reduce violence, but until that happens,  
we need additional tools, we need funding and we need  
buy-in for programs that meet the needs of families,  
and that are accepted by Family and Criminal Court.  
I would like to note that are accepted by the court  
system to resolve these cases.

AUDACIA RAY: Hi. My name Audacia Ray. I  
issue her-her pronouns. I am the Director of  
Community Organizing and Public Advocacy at the New  
York City Anti-Violence Project. Um, you have the  
long version of my testimony, but I am going to kind  
of pull out, um, some of the-the main points of it.  
Um, so AVP is the only LGBTQ specific victim services  
agency in New York City. We're the largest  
organization in the country that's dedicated to  
working with LGBTQ, and HIV affected survivors of  
violence, and we focus particularly on survivors of  
intimate partner violence, sexual violence and hate  
violence, um, as well as hook-up, pick-up dating

1 violence, stalking and institutional and state  
2 violence. Um, we are a contractor with HRA, the  
3 citywide provider of non-residential domestic  
4 violence service for LGBTQ communities, and we're  
5 also the only LGBTQ specific rape crisis center in  
6 New York State. All of our services are free. Um,  
7 I'm going to give two examples of some of the work  
8 that, um, AVP has been doing around, um, batterer  
9 interventions. Um, we serve as chair of the Coalition  
10 on Working with Abusive Partners, which-with NGVB.  
11 They talked about this a little bit earlier, um, and  
12 se co-convened the interagency working group on the  
13 New York City Blueprint on working with abusive  
14 partners, um, and that report is available through,  
15 um, the Center for Court Innovation on their website.  
16 Um, Chair Rosenthal also mentioned the pilot project  
17 Transform, um, which is a 16 or a 15-week facilitated  
18 group that is focused on accountability and healing  
19 for LGBTQ people who self-identify as people have  
20 committed harm through sexual violence, or have the  
21 potential, um, to do harm that way. So, also just to  
22 note that, um, you know, we do differentiate between  
23 sexual violence and intimate partner violence. Sexual  
24 violence often is a factor in intimate partner  
25

1 violence situations, but they are separate. Um, and  
2 while IPV is related to power and control in  
3 relationship dynamics, sexual violence can take place  
4 in a relationship and through fights (sic) and other  
5 non-ongoing relationships. So that's an important  
6 thing to note. Um, so Transform is, um, the only  
7 program of its kind that we know of in New York, if  
8 not the whole country. Um, it's free of charge, and  
9 it was focused on behavior changes for people  
10 participating in it, and that involved lots of work  
11 around skill building with, um, how to give and  
12 receive active-active consent, and especially also  
13 managing triggers, um, without resorting to-to  
14 harmful behavior. This is a small cohort, um, but  
15 100% of the members completed the 15-week process  
16 with, um, mandatory, um, participation. Um, and, um  
17 all of them have actually recommended, um, people to  
18 attend future sessions, which is—which is really  
19 interesting because it's—it's showing that folks, um,  
20 want this—this kind of programming, um, and they  
21 think that other people can benefit from it, um, as  
22 well. Um, it's—it's also important to note that, um,  
23 this program—I think the success of the program is—is  
24 really based on the fact that it's fully voluntary,  
25



which is difficult when you're talking about, um,  
people who, um, you know, if someone has--has called  
the police or, you know, there's law enforcement  
involved, um, and then you're getting into the  
territory of how to get a mandate program and this--  
this program is--is not mandated. It's fully, um,  
voluntary, and so in--in the like SV and IPV field  
we've been talking a lot about, um, how effective can  
a program be if it's mandatory, but also like if  
someone doesn't want to participate in a program, um,  
they don't--they--you can't just have no consequence  
for that. Um, so--so how do you manage those things  
and it's kind of a big unanswered question that  
we're, um, we're definitely wrestling with as--as  
we're doing this work. Um, but, um, we're very  
excited about being able to continue to transform in  
the future. Right now, it's actually funded through  
FVPSA which is the Family Violence Protection  
Services Act. Um, so--so that--so it has federal  
funding to it, but it would be also great to be able  
to expand it. Um, we had a one-year pilot and we're  
figuring out how to support it in the future. Um, I  
also want to highlight that particularly for LGBT  
people, um, people who cause harm to their partners

are often also themselves survivors. So, um, this—  
there—the binary of survivor and a person who causes  
harm is a false binary. It is important for us to  
recognize an engagement that when we're providing  
services to people who've done harm to also recognize  
that they're also survivors and they're processing  
their own pain and experiences, um, and reactions to  
violence. Um, there are also a couple of things that  
I wanted to—to point out, um, just some analysis.  
Um, right now there are no LGBTQ specific abusive  
partner intervention programs in New York State. Um,  
and there are very few programs that will serve women  
who identified as abusive partners, um and that's  
even true for when, um, AVP, when we hear from our  
clients that, um, they have nowhere to go for this  
programming even when it's mandated. Um, so—so  
that's—that's a big concern, um, and also the—the  
fact that most abusive partner interventions are only  
available through court-mandate creates a particular  
challenge for LGBTQ people, um, because for lots of  
different reasons, but one of the reasons is also  
because that a lot of the behavior that is counted as  
IPV isn't necessarily a crime, and, um, every  
instance of—of, um, of IPV incidence aren't

necessarily resulting in arrests and detention. So,  
how do you support people who are not committing IPV  
related crime, but are abusive partners, um, when  
the—when the only way to get the access is through  
mandated programs and mandated programs don't serve  
LGBT people anyway. Um, so the two things that we  
really want to recommend, um, are that, um, the  
Council works to identify and release more funding  
for abusive partner intervention programming that's  
culturally responsive, inclusive and affirming across  
the spectrum of gender identity and sexual  
orientation with specific programming that's designed  
to work with LGBTQ people. Um, and this must be  
available for people who are court mandated, and also  
for people who wish to access these programs  
voluntarily, and they're also, you know,  
complications with both of those things. Um, we also  
want to ensure that the programs are trauma-informed  
and that they are free of charge. Um, we actually  
don't feel that, um, the charge, you know, charging  
people for services, um, makes them more committed to  
the process and that actually in many cases, um,  
economic instability is part of the factor that  
contributes to people, um, becoming abusers in the

first place. So, that kind of economic sanction on them actually doesn't help. It doesn't make them take it more seriously. Um, and the programs also need to focus on behavior change not just, um, education about like what happened to them and what they're doing, um, but they have to be focused on behavior change and be able to--to show that--that they're making strides in that way. Thank you.

CHAIRPERSON LANCMAN: Vanessa.

PROFESSOR LINDA MILLS: Thank you. I was told I had three minutes. So, I'm not going to be very specific about the program that's being studied, but you have the research there attached to my testimony. It is an honor to appear before you today regarding the important question of the efficacy and efficiency--

CHAIRPERSON LANCMAN: [interposing] Just one--one second.

PROFESSOR LINDA MILLS: Sure.

CHAIRPERSON LANCMAN: I don't--I don't have your--

PROFESSOR LINDA MILLS: I handed it to, um, someone.

CHAIRPERSON LANCMAN: Oh, okay.

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PROFESSOR LINDA MILLS: It says testimony.

CHAIRPERSON LANCMAN: Now, I got it.

PROFESSOR LINDA MILLS: Very good.

CHAIRPERSON LANCMAN: Thank you.

PROFESSOR LINDA MILLS: Excellent. Does everybody else have what they need? What I was told to bring? Yes. Okay, good. Let me start over. It is an honor to [laughs] to appear before you today regarding the important question of the efficacy and efficiency of Batterer Intervention Programs also known as BIPs. They've been referred to in many different ways today. My name is Professor Linda Mills from New York University, yes just up or down the street depending on how you call New York City. For the past 20 years my research focus has been on creating effective treatment programs for people who commit domestic violence or DV crimes with a focus on reducing violence and enhancing victim safety. This I think responds to many questions that were raised already today. My research partner with me Dr. Brianna Barocas and I have collaborated with judges, treatment providers, victim advocates and community members in implementing and studying a comparison between batterers' treatment and restorative justice

using randomized controlled design—designs or the gold standard. Our research has been funded by the National Science Foundation, and the National Institute of Justice among others. For many years now researchers have evaluated the effectiveness of batterers intervention programs. In sum, the study suggest that there is little evidence that BIPs are effective in reducing subsequent violence. Professor Gondolf studies published in '04 and '07 suggests there may be evidence to the contrary, but this study is an outlier in a sea of very disappointing results. There are 2,500 BIPs in this country and we continue to present them to those convicted of DV crimes as a treatment that will help them. We force people, as we've heard today, who often struggle to put food on their table to pay for these programs. It is a travesty for victims and all those affected that we do not focus more of our attention on identifying effective interventions. Today's hearing is a step. Clearly, all of you are committed to this, and I am very grateful to be here and share this information with you. So, thank you. More recently there are, in fact, many more promising outcomes in the research related to the reduction of violence over time. These

studies suggest that when BIPs are combined with other treatment approaches including acceptance and commitment therapy, cognitive behavioral treatment. In the case of our own research, Restorative Justice, they can, in fact, be more effective in reducing subsequent violence when compared to a typical BIP. In our study recently published Nature Human Behavior, which you have in your hands, we compared two treatment modalities, a hybrid program that combine 12 weeks of BIP with six weeks of Restorative Justice treatment to 18 weeks of peer BIP. We found astonishing results. There was a 53% reduction in new arrests for those enrolled in the Hybrid BIP plus Restorative Justice program compared to the typical BIP. In addition, we saw a 52% reduction in the severity of crimes committed in the hybrid BIP plus Restorative Justice compared to those in BIP only. In this study, 42% of victims chose to participate in at least one Restorative Justice session. This evaluation took place in Utah where the state permits victims to join the treatment following the completion of a number of sessions by BIP—of BIP by the person who was convicted of the crime. I understand that the City of New York may be

interested in experimenting with alternatives to BIP,  
which may include a victim who agrees to participate.  
This laudable and important. Let me add that in a  
previous study published in the Journal of  
Experimental Criminology, we showed that there was no  
evidence that when victims participated in  
Restorative Justice treatment that it put them at any  
more risk compared to BIP, and while the Center on  
Violence and Recovery has been a pioneer in  
developing and study Restorative Justice in the U.S.  
now for over 20 years. We are currently seeking four  
jurisdictions for replication studies, which can-  
would compare BIP only plus BIP and Restorative  
Justice. We would be delighted to include New York  
City in this important undertaking. Thank you.

TYLER NIMS: Good afternoon. I'm Tyler  
Nims, Executive Director of the Independent  
Commission on New York City Criminal Justice and  
Incarceration Reform most commonly known as the  
Lippman Commission after our Chairperson Judge  
Jonathan Lippman. Thank you for the opportunity to  
testify today. I know that my remarks are the only  
things standing between, um, people and their evening



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plans. So, I'll keep them brief. I'm going to focus  
on programming in the context of-

CHAIRPERSON LANCMAN: [interposing] We-we  
may not be familiar with Council Members' evening  
plans. [laughter]

TYLER NIMS: So, I'm not familiar.

CHAIRPERSON LANCMAN: The-the Community  
Board will wait. Don't worry about it. Go ahead.

TYLER NIMS: My fellow panelists' evening  
plans in that case. [laughter] Um, I'll focus on  
pre-trial diversion and programming in the context of  
the always (sic) reforming pre-trial diversion. Um,  
one of the core principles about work is that New  
York City should use incarceration as sparingly as  
possible consistent with public safe. The pre-trial  
reform legislation that's going to take effect in  
January reflects this precept by making pre-trial  
release the presumption in cases, in criminal cases  
in New York including domestic violence cases.  
Allegations of domestic violence pose special  
challenges and risks and in some cases pre-trial  
supervision and diversion programs can help strike  
the right balance between those challenges in a  
mandate to limit pre-trial incarceration. But I do

want to note consistent with what the attorney from  
BDS said is that programs need not be the only option  
and that there are many people who are released today  
pre-trial without programming. So, first I'll go  
through some numbers. Last year there were  
approximately 200,000 criminal cases arraigned in New  
York City. Approximately 30,000 of those involved  
domestic violence allegations. The vast majority of  
these cases were misdemeanors, 85% of them. Seven  
percent were classified as non-violent felonies and  
those are primarily criminal contempt so people  
accused of violation an order of protection, and then  
the remaining 8% classified as violent felonies, um,  
including assault, strangulation, burglary and more  
and robbery. Although these cases involve special  
considerations, their pre-trial release rates are  
parallel to those of cases that did not involve  
domestic violence. So, 75-76% of people accused of  
domestic violence allegations or cases involving  
those allegations are released on their own  
recognizance. Fewer than 1% were remanded and the  
rest about 24% had bail set, and it's important to  
note that many people who have bail set are  
eventually able to make bail, most of them and are

not detained through the pendency of the case. Um,  
also it's very important to note that the racial  
disparities that are present across our justice  
system exists, um, in domestic violence cases, and  
the people of color who are accused of charges  
including domestic violence, are significantly more  
likely to have bail set than white people facing  
similar charges. So, what this means for city jails,  
um, as of about a month ago on October 16, there are  
about 470 people incarcerated in city jails on  
domestic violence allegations. I can give you that  
breakdown. It's in the testimony, but, um, when bail  
reform takes effect in January, um, as you know, many  
are—there are some domestic violence cases that are  
no longer going to be eligible for pre-trial  
incarcerate—incarceration at arraignment. So no bail,  
no remand. Other changes will come with the  
presumption of release, and a requirement that the  
least restrictive conditions be imposed even though  
bail and detention are permissible, and we estimate  
that if the pre-trial reform legislation had been in  
place on October 16<sup>th</sup>, approximately 100 of the  
people that were detained then would have been  
subject to release. Again, because many people who

are held—because people were held in pre-trial detention for misdemeanors average about 15 days in jail. Many of them, most of those people would have made bail or otherwise been released regardless of that pre-trial legislation. There's reason to believe that some of the people who were incarcerated today could be on domestic violation--domestic violence allegations could be released pre-trial with or without conditions. According to a CCI Analysis from last year a significant fraction of the people who are detained pre-trial pose only a low or a low to moderate risk of re-arrest or of domestic violence re-arrest. They—they calculated 27% of the people who are incarcerated had that lower risk level. Um, so with that in mind, we recommend replacing incarceration in appropriate cases with evidence informed alternatives that can hold people accountable, but also promote rehabilitation, um, and these programs can be—may be more effective than incarceration because while jails can offer a temporary reprieve from violence within the burdens that are being created in the community, they rarely—incarceration rarely addresses the problems and circumstances that are driving violent behavior, and

I think DA Gonzalez said it very well, um, we're not going to incarcerate ourselves out of our problems with domestic violence. So, in addition to those programs with the implementation of pre-trial legislation, in January we recommend that judges be given the discretion to allow, um, people charged with domestic violence offenses to participate in supervised release. Um, we suggest a specialized supervised release track be developed that emphasizes compliance with orders of protection, and offers programming including cognitive behavioral therapy or Restorative Justice principles to try to get at those cause of domestic violence. So, just to sum that all up, um, allowing some people to be released and engaged in programs that are tailored towards addressing domestic violence can be more beneficial to victims, more productive to charge persons than sending them to jail. As you've heard from everybody today, there's much more that can and should be done to create these types of programs, and make sure that they're effective, and we encourage the Administration and the Council, um, to develop those programs and seek alternatives where possible. Thank you.

CHAIRPERSON LANCMAN: Alright, um, so,  
um, Professor, where have you been all my hearing?

PROFESSOR LINDA MILLS: I know. I'm sorry.  
I want to—I was like trying to get your attention.

CHAIRPERSON LANCMAN: Um, I—I hope you  
don't object to the colleague, but—but earlier on in  
the hearing Council Member Rosenthal leaned over to  
me and said, isn't there some professor, somewhere?  
Maybe it's at CUNY or John Jay or somewhere--

PROFESSOR LINDA MILLS: I was here.

CHAIRPERSON LANCMAN: Whose researched  
this stuff and—and—and can—can tell us at least from  
the academic perspective, a research perspective what  
works and what—what doesn't work. Um, specifically  
regarding your testimony, it sounds like the—the  
current, um, Batterer Intervention Programs are not  
effective, but what is effective maybe a couple of  
things, but in particular you focus on Restorative  
Justice. That there was a study that compared a  
hybrid between a traditional batterer intervention  
program, and Restorative Justice model verse a pure  
Batterer Intervention Program, and—and the hybrid one  
overwhelmingly. Um, so I just want to understand and  
I—and I—I don't know if I'm being too communicative,

1 but [coughing] but wouldn't Restorative Justice  
2 program-model and-and maybe some of the other  
3 elements if-if that was put together, that-that would  
4 be a Batter Intervention Program. It just would be  
5 one that incorporated elements that worked verse  
6 elements that-that-that-that didn't, and I need to  
7 understand that because especially as-as MOCJ is  
8 going to-going to put out a new RFP, and we're going  
9 to go through the budget process, and we've got to  
10 decide what to advocate for or against, I don't want  
11 to use the wrong terms. I don't want to say our  
12 Batters Intervention Program should incorporate  
13 Restorative Justice techniques and these other  
14 techniques, um, and-and I'm-I'm not going to sound  
15 like I'm making any sense 'cause-'cause-'cause you-  
16 the two of you are mutually exclusive. So, could you  
17 just explain that for someone like a layperson?

19 PROFESSOR LINDA MILLS: Sure. They are  
20 not mutually exclusive, and this is kind of where we  
21 landed. So, we did a pure study of a comparison  
22 between Restorative Justice and domestic violence in  
23 Arizona several years ago, and we didn't find the  
24 kind of dramatic results that we got when we combined  
25 the two programs. This was very exciting because as

you could see from today's testimony, there are lots of people attached to a batterers' intervention approach. So, we wanted to ask the very serious question given the 2,500 programs follow the Duluth Model and that's what the research suggests in one form or another, and we started to look at other research that used trauma-informed whether it's A-C-T or A-C-T-V. There are many versions of this, but the truth is--or C-B-T--the truth is they are all kind of a match-up of trying to get to the learned behaviors and helping people unlearn those behaviors, and create an environment in the case of Restorative Justice or A-C-T-V, you know, a model where people can be heard and felt in terms of their own histories of victimization to get to a place where in essence they acknowledge the way in which they may be acting out in abusive ways, and perhaps linking that to their own histories of abuse, but that can't happen in a tradition batterer's intervention program, period end of story. All the research shows that literally hundreds of programs. We heard the DA talk about it. I mean it just--it's not possible. So, now the question is how do we combine the best of all elements? And this was why we were so encouraged by



the results. Let me stop there and see if that's  
addressing the question.

CHAIRPERSON LANCMAN: Um, it-it-it does.  
So, let's--let's move to the--to the--in my mind, what  
is the next step, or wait. Before we can get to the  
next step so let's just be clear, PAC, the PAC  
program, URI, what is your cold-hearted, ruthlessly  
academic evaluation of those programs?

PROFESSOR LINDA MILLS: Well--

CHAIRPERSON LANCMAN: [interposing]  
Because to us it sounded really impressive. All that  
stuff.

PROFESSOR LINDA MILLS: Yeah, yeah. So,  
while we were sitting here I actually looked online  
because we were here for a very long time listening  
to people, and, um, the U, which was great, and very  
informative and very important, [laughs] but they for  
example the Trauma-Informed Program, the research  
shows that it may be a effective in a domestic  
violence case. Maybe. Our research is the gold  
standard, and suggests, in fact, that given those  
conditions it is effective. It's, in fact, effective,  
and so, you know, where--how you replicate that and in  
that particular jurisdiction that's one of the

reasons why Brooklyn decided not to send any cases because there was a Brooklyn study that showed that Batters Intervention Programs were less effective. So all that is to say it all depends, but the bottom line is that people have moved away from strict Batters Intervention Program, and ask the question: What elements of that program are still useful and that's essentially what we created in Utah, and let me go one step further because I think this addresses your larger question. We didn't just attach a Batters Intervention Program. Excuse me. We didn't just attach a Restorative Justice Program. The ideal is that you infuse from the beginning, and we also have a qualitative study unfolding so there's more data to be had here. It's not just based on recidivism, but all that is to say we—you need to adapt the Batters Intervention Program to have elements of Restorative Justice to respond to many of the cultural concerns that were raised appropriately in all of your questions. And so, you can start to adapt what is working with Batters Intervention Program, which is helping people become aware of the ways in which their behavior may be abusive and where it may tie back to, and you can do that in a more

restorative or trauma-informed way that is more sensitive so that people feel as though as they go through each one of these days of treatment that they're making progress. It's not just being, you know, shouted at them, and I'll stop. Go ahead.

CHAIRPERSON ROSENTHAL: I'll work on that real quickly. I understand what you're saying, but the twist in--in your finding seems to be the element of Restorative Justice.

PROFESSOR LINDA MILLS: Yes.

CHAIRPERSON ROSENTHAL: Which is critical

PROFESSOR LINDA MILLS: Yes.

CHAIRPERSON ROSENTHAL: Did you in--in your quick look at, um, the URI program or, um, you know the RFP that the city has put out is there that element of Restorative Justice in those programs?

PROFESSOR LINDA MILLS: So, I didn't look at the RFP. I'm more than happy to go back and look and do a kind of analysis of that Restorative Justice for the most part, but Brianna should address this, might be able to address this, might be able to address this--has not been incorporated in any, um, direct way in any city programs that we have seen. I know there's a little bit of a program going, trauma,

you know, a sort of effort to understand how it might be used, but I don't think in any intentional way that is therefore studied and understood as effective or not.

CHAIRPERSON ROSENTHAL: So, when, um, the Office to End Domestic Violence ENDGBV Gender Based Violence, testified. They said that in 2015 they had a huge roundtable with everyone at the table.

PROFESSOR LINDA MILLS: Yes.

CHAIRPERSON ROSENTHAL: Were you at the table?

PROFESSOR LINDA MILLS: So, we were trying to remember. We don't think so. um, we have been a part--it's--it's pretty shocking, um, you know, thing to say. Um we have been a part of C-O-W-A-P.

CHAIRPERSON ROSENTHAL: COWAP.

PROFESSOR LINDA MILLS: Yes, and at times Brianna attends more often than I do. Brianna is often invited more often than I am. Um, you know, if you want to--I mean I'm more than happy to try and untangle this. I've been doing this work for 20 years, and as you know, your own questions have been, um, appropriately, um, um, forceful in asking the really hard questions. For 20 years I have trying to

ask the really hard questions . I've raised questions about LGBTQA communities. I have raised questions about the African-American community and the impact of criminalization on the African-American community and the truth is that people found it quite threatening. It's one of the reasons why I moved to Restorative Justice to ask the question: How can I be productive in the field, and contribute in significant ways in your model around the theory that I thought was right, which is that we had it wrong.

CHAIRPERSON ROSENTHAL: And I hear you. Why did you do a study in Utah or Arizona and not here?

PROFESSOR LINDA MILLS: Because we weren't asked to. I think everybody knew this work was happening. Everyone—I mean we did a study in Arizona many years ago now. People knew that work and nobody asked us to come forward to work with them to create a Restorative Justice response in New York City. We would have been much more willing to actually stay home than to fly to Utah, which, you know, we came—came to be a second home for us, and in Arizona as well.

CHAIRPERSON ROSENTHAL: In Arizona. Um,  
and-and then just specifically about your study what  
time period? I mean I'm-I'm looking at it very  
quickly. It looks very academic.

PROFESSOR LINDA MILLS: Yes.

CHAIRPERSON ROSENTHAL: You know.

PROFESSOR LINDA MILLS: That's the gold  
standard, that's the gold standard, and it's not--

CHAIRPERSON ROSENTHAL: [interposing] Two  
years of analysis after the work--

PROFESSOR LINDA MILLS: Correct.

CHAIRPERSON ROSENTHAL: --to identify--

PROFESSOR LINDA MILLS: Correct.

CHAIRPERSON ROSENTHAL: --recidivism or  
whatever.

PROFESSOR LINDA MILLS: Yeah, and I mean--

CHAIRPERSON ROSENTHAL: [interposing] And  
what year was this? I'm very--

PROFESSOR LINDA MILLS: It was 2013 to  
2016 or so. Right.

CHAIRPERSON ROSENTHAL: Right.

DR. BRIANNA GAROCAS: Well, they were in  
the when we--when it was time its 2012--

PROFESSOR LINDA MILLS: 2012.

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DR. BRIANNA GAROCAS: --to 2014 and--

CHAIRPERSON ROSENTHAL: [interposing]

Well, I just want to get a sense.

DR. BRIANNA GAROCAS: --and then looking  
for two-year outcome data.

CHAIRPERSON ROSENTHAL: Right. So, it's  
in the teens already. Um, and then real quickly I  
wanted to ask because I mean the results are  
astounding, but and you a little bit alluded to this  
at the--when Council Member Lancman was asking you  
questions, 53% reduction in new arrests, and 52%  
reduction in severity of crimes, all extraordinary.  
What are the other measures of success that you are  
researching?

PROFESSOR LINDA MILLS: Yeah, so, let me  
say two things that I think might be relevant and  
important to this. One is the National Science  
Foundation and the National Institute of Justice from  
the, you know, 1 to 5% of the proposals that come in.  
So, I want to give you a sense of the staggering  
competitive nature to actually be funded by a federal  
agencies. Okay, just to start with because I think it  
gives you the--the larger, um, context. Um, your  
other question was? Sorry.

CHAIRPERSON ROSENTHAL: Other measures of  
success.

PROFESSOR LINDA MILLS: Yeah. So MIJ  
funded us to look at qualitative measures of success.  
What was the victim's experience of participating?  
What was the person who arrested for domestic  
violence? What was their sense of participation, and  
those results feel as important and convincing as  
much of the conversation we've had here. So, people  
felt more engaged. People felt more supported.  
People felt just by going through the process meant  
that there was the potential for that kind of  
transformative change.

CHAIRPERSON ROSENTHAL: And can I ask the  
experts who are the table from New York is—are there  
elements of Restorative Justice in the trans program  
that you, um, had? Were there elements of Restorative  
Justice in there? Sorry to put you on the--

PROFESSOR LINDA MILLS: Yeah No, that's  
fine. Um, so, the Transform program doesn't  
facilitate meetings between the person who has done  
harm--

CHAIRPERSON ROSENTHAL: Okay.



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PROFESSOR LINDA MILLS: --and the person  
who they have done harm to.

CHAIRPERSON ROSENTHAL: Okay.

PROFESSOR LINDA MILLS: Um so that we  
haven't done that aspect of it. One of the things  
that--that I've been hearing a lot about the--about  
Restorative Justice programming in New York is that,  
um, lots of--lots of, um, RJ programs won't touch DV,  
um, and--

CHAIRPERSON ROSENTHAL: Lots of which  
programs?

PROFESSOR LINDA MILLS: Well the  
Restorative Justice. Yeah, RJ. Lots of the  
Restorative Justice programs don't want to deal with  
domestic violence and intimate partner violence. Um,  
so it's--it's great to hear that there has been some--  
some success with that. So there is a lot of  
discussion about--about this kind of programming, but  
it--it hasn't, um, really developed in that--in that  
space yet. Um, but--but there is some--some work  
happening around that.

CHAIRPERSON ROSENTHAL: Can I just ask--I  
know there's a lot of--that people are watching

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online, but is there any--may I ask, are you from the  
Administration or--?

AUDACIA RAY: [off mic] Well, I'm the  
Director and we're going on the BIDs. (sic)

CHAIRPERSON ROSENTHAL: Oh, thank you vey  
much. So no one from City Hall is here, but NGBB is  
in the room.

AUDACIA RAY: [off mic] Right.

CHAIRPERSON ROSENTHAL: Is that accurate?

PROFESSOR LINDA MILLS: [off mic]

CHAIRPERSON ROSENTHAL: Okay. Thank you,  
thank you and thank you for staying. I'm sorry. I  
interrupted you.

CHAIRPERSON LANCMAN: That's alright. Is  
Transform ever, um, used as a court-court-- connected  
to a court case like court ordered, court assigned,  
court offered?

AUDACIA RAY: We have not that so it's--  
it's been a pilot. We've done it once. We done a  
one-15-week cycle, and it was created with the  
intention of--of serving people who self-identified as  
people who have done harm, and have the potential to  
do harm. So, I think that in the future we would also  
not connect to a court process, but, um, and now that

1 we've done one cycle and folks are now referring  
2 other people they know to it, I think it will grow,  
3 but, um, it was definitely very challenging to  
4 establish the first cohort because that-that access  
5 self-identifying as a person who has done harm is-is  
6 very challenging for people to do. Um, and-and even  
7 like in-in within AVP trying to figure out like where  
8 we were going to hold it because folks had lots of  
9 feelings about hosting a program for people who have  
10 done harm when we are a victim services agency and so  
11 it's really opened up a lot of conversations about  
12 how in order to do this work support survivors, we  
13 really need to develop these robust programs that-  
14 that talk to-talk to and work with people who have  
15 harm.

17 CHAIRPERSON LANCMAN: Do you have any  
18 objection in principle to-to Transform also being  
19 made available as a court ordered program?

20 AUDACIA RAY: Um, potentially. Yeah, I-I  
21 don't know that-that that would work for us. I think  
22 the, yeah, the fact that it's-it's 100% completion  
23 rate and that folks wants more it is-is based it not  
24 being seen as punishment and it being seen as  
25 something that folks can opt into, and also we can-

if-if we can create programs that are optional in that way, they can exist for folks who have not yet committed a crime and-and that also is important as a as a prevention strategy.

CHAIRPERSON LANCMAN: Alright well let me ask you this, then as-as a representative of the Anti-Violence Project, what-do you have anything to say about the suitability or efficacy of the programs that are court ordered like PAC or TASC or whatever else is out there for the LGBTQ defendant?

AUDACIA RAY: I mean we-we've had cisgender and male clients who have participated in some of those programs and-and have-have found them helpful although the structure is generally very heteronormative so they-they talk along very gendered lines and so, folks find that the-the general strategies are helpful, but because of talking about, um, male abusers and-and female victims that that-that dynamic doesn't speak to them, but, um, also for, um, female, um, folks who are-have been identified and have been charged with-with a crime of DV, those folks are-are like not accepted into even mandated programs at all. So, they're not even having the experience of being able to go through the

program, um, because the programs don't make space for them. Um, and--and that's a real problem generally, but also like if the programs are mandated, they should also be able to accept people and, um, and furthermore, you know, under the 2013 Reauthorization of the Violence Against Women Act, um, that is the--the first major federal piece of legislation to be explicitly inclusive of LGBTQ people and so under that Act, um, LGBTQ people must have access to these spaces and they don't.

CHAIRPERSON LANCMAN: Right. so my last question is in your capacity as and AVP's capacity as Chair of COWAP, are--are you--have you been invited to a dialogue with MOCJ and--and give input into what should be in this--this next RFP? What should come after the--the PAC contract ends in June?

AUDACIA RAY: I know we've been talking with folks at NGBV. I'm in the Policy Department. I'm not in the Direct Services Department. So, I'm not sure what the Direct Services folks conversations have been having, but we have been talking to NGBV.

CHAIRPERSON LANCMAN: But not MOCJ?

AUDACIA RAY: I don't think so, but I could be wrong.

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CHAIRPERSON LANCMAN: Could you find out?

AUDACIA RAY: Sure.

CHAIRPERSON LANCMAN: Because we, one of the things I think one of the take-aways from this hearing is--is our urging and insisting that--that MOCJ solicit input from all of the fine people who have testified today, and their organizations and seven including in our Public Defenders who, you know are there to represent the interests and needs of the individuals who are being put into these--these programs. So, that's all I've got. Yes.

CHAIRPERSON ROSENTHAL: One last quick question for you Professor Mills. Your study gets to the Council Member's point about mandatory versus voluntary. Um, it looks like if I'm reading this right, your evaluation was in Utah where the state permits victims to join the treatment after completion of a number of sessions of(sic)by the person who was convicted of the crime. So, in other words, these are people who are convicted, were court ordered to do some BIP (sic) and then chose to be participants.

PROFESSOR LINDA MILLS: The first part was right. Um, it's a randomized control design. So

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you are assigned based on, um, a lottery in essence,  
and so, um, you didn't choose to participate in a  
Restorative Justice. That's what makes it the Gold  
Standard. Um, and so, 200--let me --let me try and  
explain. 250 or so people came into six judge's  
courts in Utah and all the judges for the most part  
assign people convicted of domestic violence crimes  
to treatment in Utah.

CHAIRPERSON ROSENTHAL: In other words,  
all of them were mandatory?

PROFESSOR LINDA MILLS: All of them were  
mandated. Then they came to the Treatment Center in  
the Treatment Center in a randomized way, assigns you  
to one or the other.

CHAIRPERSON ROSENTHAL: Okay. So, this is  
a successful mandated program?

PROFESSOR LINDA MILLS: Correct.

CHAIRPERSON ROSENTHAL: And is there any  
significance to the words the state?

PROFESSOR LINDA MILLS: Yes.

CHAIRPERSON ROSENTHAL: Is there any  
significance to Utah? Is it a state--

PROFESSOR LINDA MILLS: Yes.

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CHAIRPERSON ROSENTHAL: -you know, right,  
so it's a state--?

PROFESSOR LINDA MILLS: So, let me tell  
you what the significance of Arizona and Utah are  
because I think that's relevant. Because we were  
researchers, and because we were looking to test  
using a gold standard, we wanted to partner with  
judges and the Criminal Justice System who were  
willing--

CHAIRPERSON ROSENTHAL: Got it.

PROFESSOR LINDA MILLS: --and in Arizona  
and Utah we found that willingness. We do not need to  
partner with judges, but in its early stages it was  
very important in terms of elevating the significance  
of the work to partner with the Criminal Justice  
System.

CHAIRPERSON ROSENTHAL: Yeah. It makes  
sense. Thank you all so for your time waiting until  
the end of the day. Really appreciate you staying  
through the whole thing. I hope the city is  
listening to this--to this panel. Um, you're all doing  
such excellent work. I feel less disheartened.  
[background comments] Still disheartened. Thank you  
so much. Um, we have one more person who would like



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to testify today, um, Grace Price from the Close  
Rosie's Campaign. Welcome.

GRACE PRICE: Good evening Councilwoman,  
Councilman. Thank you for allowing me and me and  
Frank to be the caboose in the hearing today. I will  
as always email my testimony this afternoon. Um, of  
course there are, um, all kinds of things that I was  
hoping this hearing would be about today because  
there's all kinds of issues in the woodwork with  
women jails and the Criminal Justice Reform Process  
currently hanging like a black cloud looming over the  
city. Without battering a ram against this hearing  
and asking you, reminding you that the jail plan is a  
miasma of Title 9 inequity that no one has addressed,  
I want to move specifically onto the Mayor's Office  
to Combat Gender-Based Violence and talk about the  
funding issues, and how they relate to the DAs, and I  
also want to reaffirm and ask again for the Council  
to start thinking about moving away from the NYPD,  
all interactions with survivors. The Special Victims  
Units need to be completely divorced from the NYPD  
and the District Attorney's Office. We need a  
completely new unit to investigate all of these  
crimes in city agencies and our jails and in the

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community at large. First, I want to address what I've heard Ms. Pennington say about the budgetary, um, accommodations for the BIP programs over the coming years, and I want to remind you that our District Attorney Cyrus Vance here in Manhattan has this behemoth pile of money from the Criminal Justice Initiative that he chooses to dole out whichever way he chooses. Very little of this money has actually come to survivors in New York State. A lot of this and the backlog rape kit nonsense rhetoric that we hear from Loris Khan (sic) and Joy Harden from the District Attorney's Office is about that money being spread across the nation to other jurisdictions. That is money that should have gone into the Crime Victims fund here New York. It should have been distributed to be used locally here in our communities and it's outrageous that it's being spread across the country to build Cyrus Vance's national profile. You know where I'm going with that, but I'll—I'll cut myself short. I'm running just to release myself. Um, I also want to remind you that Cy Vance has just as of October posted seven new jobs for a community engagement unit that his office is creating, which will add over the next 25 years approximately \$75

million to the budget. The Community Engagement Unit, if you look, and I've emailed all of the Council Members about the new unit that is being created. It's fulfilling the jobs of the NYPD, and of CY Vance's campaign staff, and he's creating this unit precisely as the time where he's run out of money for his campaign. Overall, the cost of his new Community Engagement Unit, and I thank you to draw descriptions that have been posted will add per year over \$2 million to the budget. That's \$2 million that could be used for BIP Programs. I'll move on from that, but it's a egregious that this particular pile of money does not have city oversight, that it is not going through the General Fund, and that you have no say, and the community has no say on where these monies are going.

CHAIRPERSON LANCMAN: Miss Price

GRACE PRICE: Yes, sir.

CHAIRPERSON LANCMAN: Can I just ask you have you had any experience with one of the BIP programs?

GRACE PRICE: So, and, of course my own experience is where I wanted to end my quick 30 second left in my testimony. I wanted to talk about

the number of batterers that are not even being identified as they process through the system. The Mayor's Office to End Gender Based Violence themselves have disclosed that last year there were only 65,000 appointments in all five Family Justice Centers throughout the city of New York. That's 65,000 appointments overall. That's for rape, sex trafficking, pimping, domestic violence, abuse, all of these. People are not being reached. So, if the survivors of sexual assaults and domestic violence are not even being reached, you can be assured that their batterers are not being identified, and they're not being reached. My batterer right now still is sitting on 120<sup>th</sup> Street running a gang called the CBT, the Can't Be Touched, and all the little boys in that community they go to the PAL, the Police Athletic League headquarters on 119<sup>th</sup> Street which is literally a block away, know me by name, and when I go back into the neighborhood they just shake their heads and they say: It is what it is. These are people that are being raised in Tony Southwest Harlem along the glittering restaurant row of Frederick Douglas South of 120<sup>th</sup> Street. They're being raised in a community that says it's okay to abuse. Yeah, go

to pal and get your money for your afterschool program, but know that you can throw a woman through a fish tank causing her to need over 80 stitches in her genitalia never be held accountable for it. I think that's a really good place to end. The problem here is not resources. The problem here is that people are not being identified as batterers, the District Attorney's Offices are letting people go. If you want to hear my solution quickly, the Clayton Hearing. [bell] I keep pushing for Clayton hearings whenever we have these sort of domestic violence crossing plains that throw us in Rikers Island, um, that don't identify us as survivors. At that Clayton hearing you can enforce these programs. That's the-that's the moment, but we have to unpack what's happening in the DA's Offices when they don't label the abusers as abusers and they let them go for whatever reason. That's the source of the issue. Thank you. I'm tired of the sound of my voice.

CHAIRPERSON LANCMAN: Well, thank you very much.

CHAIRPERSON ROSENTHAL: Thank you so much for coming today.

CHAIRPERSON LANCMAN:

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CHAIRPERSON LANCMAN: And I think that  
concludes our hearing, and since I banged the gavel  
to open the hearing, perhaps you would like to bang  
it to close it.

CHAIRPERSON ROSENTHAL: Alright. [gavel]  
The hearing is closed.

CHAIRPERSON LANCMAN: Well done.

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 4, 2019