

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON SMALL
BUSINESS, COMMITTEE ON GOVERNMENTAL OPERATIONS,
COMMITTEE ON YOUTH SERVICES AND COMMITTEE ON JUSTICE
SYSTEM 1

2 CITY COUNCIL
3 CITY OF NEW YORK

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5 TRANSCRIPT OF THE MINUTES

6 Of the

7 COMMITTEE ON FINANCE JOINTLY WITH
8 COMMITTEE ON SMALL BUSINESS,
9 COMMITTEE ON GOVERNMENTAL
OPERATIONS, COMMITTEE ON YOUTH
SERVICES AND COMMITTEE ON JUSTICE
SYSTEM

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11 May 20, 2020
12 Start: 9:34 a.m.
Recess: 6:41 p.m.

13 HELD AT: REMOTE HEARING

14 B E F O R E: Daniel Dromm,
15 Chairperson of the Committee on
Finance

16 Mark Gjonaj
17 Chairperson of the Committee on
Small Business

18 Fernando Cabrera,
19 Chairperson of the Committee on
Governmental Operations

20 Debi Rose
21 Chairperson of the Committee on
Youth Services

22 Rory Lancman,
23 Chairperson of the Committee on
Justice System

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25

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2 COMMITTEE ON YOUTH SERVICES AND COMMITTEE ON JUSTICE
SYSTEM 2

3 COUNCIL MEMBERS:

- 4 Keith Powers
- 5 Jumaane Williams
- 6 Adrienne E. Adams
- 7 Alicka Ampry-Samuel
- 8 Barry S. Grodenchik
- 9 Farah N. Louis
- 10 Steven Matteo
- 11 Robert E. Cornegy
- 12 Helen K. Rosenthal
- 13 Bill Perkins
- 14 Carlos Menchaca
- 15 Ydanis Rodriguez
- 16 Francisco Moya
- 17 Diana Ayala
- 18 Stephen Levin
- 19 Karen Koslowitz
- 20 Kalman Yeger
- 21 Laurie A. Cumbo
- 22 Vanessa Gibson
- 23 Ben Kallos
- 24 Alan Maisel
- 25 Jimmy Van Bramer
- Mark Levine
- Mathieu Eugene
- Rory Lancman
- Ritchie Torres

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5 A P P E A R A N C E S

6 Jonnel Doris
7 Commissioner of the New York City Department of
8 Small Business Services

9 Jackie Mallon
10 First Deputy Commissioner

11 Lisette Camilo
12 Commissioner of the New York City Department of
13 Citywide Administrative Services

14 Barbara Dannenberg
15 Deputy Commissioner for Human Capital DCAS

16 Richard Badillo
17 Deputy Commissioner of Finance DCAS

18 Jagdeen Phanor
19 DYCD's Chief Financial Officer

20 Susan Haskell
21 Deputy Commissioner for Youth Services

22 Darryl Rattray
23 Associate Commissioner for Youth Services and
24 Strategic Partnerships

25 Daphne Montanez
Assistant Commissioner for Youth Workforce
Development

Elizabeth Glazer
Director of the Mayor's Office of Criminal
Justice

Ozzie Cruz

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2 Chief Financial Officer of the Mayor's Office of
3 Criminal Justice

4 Eric Cumberbatch
5 Deputy Director of the Office of Neighborhood
6 Safety of the Mayor's Office of Criminal Justice

6 Debbie Grumet
7 Budget Director of the Mayor's Office of Criminal
8 Justice

8 Dana Kaplan
9 Deputy Director of Close Rikers and Justice
10 Initiatives

11 Cyrus R. Vance
12 Manhattan **District Attorney**

13 Eric Gonzalez
14 Brooklyn **District Attorney**

14 Melinda Katz
15 Queens District Attorney

16 Darcel Denise Clark
17 Bronx District Attorney

18 Michael McMahon
19 Richmond County District Attorney

20 Bridget Brennan
21 Special Narcotics Prosecutor

22 Janet Sable
23 Attorney and Chief

23 Tina Luongo
24 Attorney in Charge of the Criminal Defense
25 Practice

Adriene Holder

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2 Attorney in Charge of the Civil Practice

4 SERGEANT BIONDO: Sergeant Han are you ready?

5 SERGEANT DAUTAJ: I'm ready. Good morning. I
6 ask that you all please turn your devices to vibrate,
7 please mute your microphones on zoom. Please ensure
8 that you have named yourself correctly in Zoom or you
9 may be either renamed by the Zoom host or removed
10 from the hearing.

11 We will begin the meeting of the Committee on
12 Finance. Thank you Chair, we are ready to begin.

13 CHAIRPERSON DROMM: [Gavel] Okay, good morning
14 and welcome to the City Council's 5th day of hearings
15 on the Mayor's Executive Budget for Fiscal 2021.

16 My name is Daniel Dromm and I Chair the Finance
17 Committee. We are joined by the Committee on Small
18 Business, Chaired by my colleague Council Member Mark
19 Gjonaj and the Public Advocate Jumaane Williams. We
20 have also been joined by Council Members Powers,
21 Adams, Ampry-Samuel, Grodenchik, Louis and Matteo.

22 I am going to turn over to our Committee Counsel
23 to go over some procedural items.

24 COMMITTEE COUNSEL: Sorry about that. Thank
25 you. My name is Noah Brick and I am Counsel to New
York City Council's Committee on Finance.

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2 Before we begin, I want to remind everyone that
3 you will be on mute until you are recognized to
4 speak, at which time you will be unmuted by the Zoom
5 host. If you mute yourself after you have been
6 unmuted, you will then need to be unmuted again by
7 the host.

8 If Council Members would like to ask a question,
9 please use the Zoom raise hand function and you will
10 be added to the queue.

11 I will now hand it back to Chair Dromm.

12 CHAIRPERSON DROMM: Thank you very much. I'd
13 first like to welcome Commissioner Doris to this
14 hearing. Commissioner, congratulations on your new
15 position. We look forward to working with you in
16 your new role.

17 You are taking the lead of the Department of
18 Small Business Services against the backdrop of the
19 COVID-19 pandemics economic devastation of our city's
20 small businesses, which are less likely than their
21 larger counter parts to have sufficient cash reserves
22 or access to capital to where there are such
23 disruptions.

24 The scale of need is staggering. At a Committee
25 on Small Business oversight hearing three weeks ago,

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former SBS Commissioner Greg Bishop testified that he
expected the city's small businesses to eventually
need between \$1.5 to \$2 billion in relief.

While we continue to hope that much of that need
be met by the federal government, including an
expanded paycheck protection program, as proposed by
the recently introduced Heroes Act isn't a plan.

Will SBS have sufficient resources to help small
businesses survive until business activity resumes to
normal levels, as well as provide the city's job
seekers with a full array of employment services
particularly now when the need is so great.

The agencies \$49 million addition in Fiscal 2020
for the Loan and Grant program to assist small
businesses impacted by the pandemic was a start.
Though its programs were quickly overwhelmed with
applications.

However, the Executive plan fails to maintain
any of this new funding into Fiscal 2021 and beyond.
Surely the needs will only grow and we hope to learn
more today about the administrations plan to address
these needs moving forward.

I'd now like to turn it over to my Co-Chair
Council Member Gjonaj for his opening statement.

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3 CHAIRPERSON GJONAJ: Thank you Chair Dromm and I
4 can't help but recognize your hard work and
5 commitment during these budget hearing, so thank you
6 again.

7 Good morning everyone and welcome to today's
8 Remote Budget hearing. My name is Mark Gjonaj and I
9 am the Chair of the Council's Committee on Small
10 Business.

11 Before we get into the budget, I'd like to
12 congratulate Commissioner Bishop for being appointed
13 as the Senior Advisor for Small Business COVID
14 recovery. It has been a pleasure working you over
15 the last few years as the Commissioner of Department
16 of Small Business Services and I look forward to
17 continuing to work with you in your new role, as we
18 devise a long term plan to assist small businesses
19 that have been heavily impacted by the COVID
20 pandemic.

21 I would also like to welcome Jonnel Doris as the
22 new Commissioner of the agency and I look forward to
23 working side by side with him to adopt a budget that
24 reflects the needs and interests of the small
25 business of our city. Thank you Jonnel and
congratulations once again.

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Today, we will be hearing from the Department of
Small Business Services on their Fiscal 2021
Executive Budget which totals \$160 million. The
Administration prepared the Executive financial plan
for Fiscal 2020 through 2024 in the midst of the
worldwide pandemic that has driven the state and the
city's economy into recession in a few short weeks.

As such, this Executive Plan introduces a very
preliminary estimate of the city's spending related
to its response to and recovery from the COVID
pandemic. SBS launched two loan and grant programs
in response to the pandemic. The New York City
Business Continuity Loan Fund and the New York City
Employee Retention Grant Program, which totaled \$49
million.

I strongly believe that the small businesses are
the backbone of New York economy and deserve and need
much more assistance to get back on their feet.

Also, funding for the loan and grant fund was only
included in a budget for Fiscal 2020 and we all know
small businesses will need assistance beyond June
30th.

I want to know what the agency's long term plan
in assisting small businesses that have been a victim

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2 of this pandemic – the goal of the funding available
3 to the businesses have been taken the form of a loan.
4 I am interested in hearing the agencies concern
5 whether the city's economy will strengthen quickly
6 enough for small businesses to satisfy the terms of
7 these loans and the potential impact of businesses
8 struggling to pay off the additional debt.

9 Beyond the loan and grant program, we want to
10 learn about the measures SBS is taking to assist and
11 guide the city's small businesses through the
12 pandemic and how it is tracking or monitoring the
13 impact of the virus on small business. SBS budget is
14 spread across nine program areas. Some of which are
15 related to services that SBS provides.

16 I want to understand from the Commissioner if
17 there are programs being eliminated to create
18 resources for programs specific to the pandemic. It
19 is the Council's responsibility to ensure the city's
20 budget is fair, transparent, and accountable to New
21 Yorkers. Hence, as Chair of Small Business
22 Committee, I will continue to push for accountability
23 and accuracy and ensure that the budget reflects the
24 needs and interests of the city. This hearing is a
25 vital part of the process and I expect that SBS will

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2 be responsive to the questions and concerns of the
3 Council Members.

4 I look forward to an active engagement with the
5 Administration over the next few months to ensure the
6 Fiscal 2021 Adopted Budget meets the goals of the
7 Council and has set out.

8 I would like to thank Commissioner Doris for
9 testifying today. I'd also like to thank the SBS
10 staff who have consistently been responsive to our
11 many requests. We would not be able to analyze the
12 city's budget at such a detailed level without your
13 cooperation, so thank you.

14 I also want to thank both my staff and the staff
15 of the Finance division including Rebecca Chasan,
16 Noah Brick, Stephanie Ruiz, Aliya Ali, Stephanie
17 Jones, Crilhien Francisco, Noah Meixler, Daniel
18 Kroop, Emre Endev, Lauren Hunt, Maria Pagan, Andrew
19 Wilber, Nicole Anderson, Luke Zangerle, Courtneigh
20 Summerrise, and for all their help and preparation
21 for this Remote hearing and in all the others behind
22 the scenes.

23 So, thank you.
24
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3 CHAIRPERSON DROMM: Thank you very much Mr. Co-
4 Chair and we have also been joined by Council Member
5 Cornegy.

6 With that, I'd now like to give our Public
7 Advocate Jumaane Williams the opportunity to make
8 some remarks.

9 PUBLIC ADVOCATE WILLIAMS: Thank you Mr. Chair.
10 Good morning everyone. My name is Jumaane Williams
11 and I'm Public Advocate for the City of New York.
12 I'd like to thank Committee on Small Business Chair
13 Mark Gjonaj and Committee on Finance Chair Daniel
14 Dromm for holding this Executive Budget hearing.

15 I want to start by welcoming and congratulating
16 Commissioner Jonnel Doris on his appointment the
17 Department of Small Business Services and also give a
18 shout out to the former Commissioner who I work well
19 with Greg Bishop and congratulate him on his new
20 appointment.

21 I look forward to working with you in the new
22 role and I'm hopeful the direction of SBS will
23 undertake in your leadership. The Proposed FY21
24 Executive Budget for SBS, which includes federal,
25 state and city funding is around \$161 million. Down

roughly 60 percent from Fiscal Year 2020's budget of
\$397.4 million.

The budget for business development and
neighborhood development, workforce development and
economic development corporation were all decreased.
No funding is devoted for equal employment
opportunity compliance, the Workforce 1 stop centers
and workforce development training.

In fact, the last time these programs were
funded was Fiscal Year 2018. These are extraordinary
times but is not reflected with these cuts. I'm not
confident we are prepared to help our small
businesses. We need more, much more from the
Administration and SBS in response to the current
economic crisis. There landscape of small business
in New York City is of course dire. According to
opportunity in size and earnings for workers of small
business in the Bronx decreased by over 90 percent in
mid-April compared to early January.

In Manhattan as of April 25th, the total revenue
of small businesses declined by 67 percent compared
to early January. But Queens percentage was 59
percent, the second highest reported among the five
boroughs.

1
2 If we do not save our small businesses the
3 consequences could be catastrophic. Our mom and pop
4 shops and other cherished businesses that have been
5 the fabric of the city for years if not decades,
6 might be gone. Closures of businesses would lead to
7 further tax revenue declines; workers may lose their
8 financial stability if they have not done so already.

9 Even worse, for our youth and recent graduates,
10 the lack of a full time job opportunities in the
11 short term may have a long term of repercussions on
12 their careers and the ability to secure funding.

13 It is clear that federal government COVID-19
14 loan programs, which exclude undocumented New
15 Yorkers, mixed status families and cash economy
16 workers has fallen significantly short of meeting
17 actual needs. The additional hurdles to gain access
18 to these program pose greater threats to minority and
19 woman owned businesses.

20 I'm also disappointed that the Administrations
21 response to small business, at that point - I'm still
22 speechless from the hearing last month when the
23 former Commissioner reported only one percent of
24 businesses in the Bronx received city grants while
25 the majority were advocated to businesses in

1 Manhattan. It is my understanding SBS is no longer
2 offering this financial support and is instead
3 encouraging small businesses to apply for the federal
4 governments loan programs. Like the Complex Paycheck
5 Protection program. Obviously, this cannot be viewed
6 as enough.
7

8 The Administration and the city government needs
9 to do more. I made several recommendations in my
10 COVID-19 Response and Recovery plan including
11 suspending or cap in commercial rent, tax breaks and
12 other deferments for small businesses who need it and
13 extending the city's existing partnerships with banks
14 to streamline access to loans and preferably grants.

15 There must be targeted support to help ease the
16 economic pain felt by small businesses, particularly
17 for street vendors and those owned by immigrants.
18 These business owners often face language barriers or
19 legal questions that require assistance from others
20 and SBS should coordinate with community based
21 organizations to provide these services. The cost
22 proposed in this Executive Budget to the Department
23 raises serious concerns that were are not prepared to
24 deal with the economic fallout from the pandemic. I
25 worry that cuts will only weaken SBS which in turn

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1 will hurt small businesses at a time they need the
2 most help. Indeed, the city significantly cut its
3 funds to SBS budget by about 50 percent. I
4 understand the financial difficulties for the city.
5 I also wonder whether these cuts were made with a
6 thorough review of city's economic landscape.
7

8 So, I call upon the Department of Small
9 Businesses to consider these recommendations and I'm
10 eager to hear today from the Commissioner about the
11 Departments next steps. The longer the city waits to
12 do so, the less likely we will see a V-shape
13 recovery. The government must offer advise relief
14 including for minority, woman owned businesses, let's
15 not forget that women in communities of more color
16 are disproportionately affected by the current
17 economic crisis. And I will add, we all know that
18 this is a tough time with tough decisions but again,
19 a budget about to be cut up to 50 percent and I just
20 reiterate the NYPD is taking nothing but a shave
21 which means we're looking at this the wrong way. I'm
22 also speaking as a former business owner. I'm here
23 now and wasn't as successful there as I am here but I
24 have a lot of experience and understand what small
25 business go through.

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2 So, I thank you to the Chair's. I look forward
3 the new Commissioners testimony.

4 CHAIRPERSON DROMM: Thank you very much. We
5 have been joined by Council Members Rosenthal and
6 Perkins. And before we begin with testimony from the
7 Administration, I'd like to remind the public that
8 the Finance Committee and the Subcommittee on Capital
9 Budget will be holding a remote hearing for public
10 testimony on the Executive Budget tomorrow May 21st
11 at 12:00 p.m.

12 Please note, the new starting time. If you
13 would like to testify at that hearing, please
14 register at www.council.nyc.gov/testify and
15 information about how to access the Zoom meeting will
16 be emailed to you.

17 You may testify at that hearing via web or via
18 telephone. You may also submit written testimony
19 through the registration website or by emailing
20 financetestimony@council.nyc.gov, and just as a
21 reminder, you should keep your testimony to two
22 minutes. They expect a large number of people to
23 want to give testimony.

24 I will now call on the members of the New York
25 City Department of Small Business Services to

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2 testify. We will hear testimony from Commission
3 Jonnel Doris, who is joined by First Deputy
4 Commissioner Jackie Mallon.

5 Will the Committee Counsel please administer the
6 affirmation?

7 COMMITTEE COUNSEL: Thank you. We have been
8 joined by additional members of SBS and I will call
9 on you in turn and ask you to so affirm.

10 Do you affirm that your testimony will be
11 truthful to the best of your knowledge, information,
12 and belief? Commissioner Doris?

13 JONNEL DORIS: I do.

14 COMMITTEE COUNSEL: Ms. Mallon?

15 JACKIE MALLON: I do.

16 COMMITTEE COUNSEL: Mr. Schwartz?

17 ANDREW SCHWARTZ: I do.

18 COMMITTEE COUNSEL: Mr. Bliss[SP]?

19 MR. BLISS: I do.

20 COMMITTEE COUNSEL: My list is moving very
21 quickly, I apologize. Ms. Van Tosh?

22 RACHAEL VAN TOSH: I do.

23 COMMITTEE COUNSEL: And I believe, oh and
24 Dynishal Gross?

25 DYNISHAL GROSS: I do.

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2 COMMITTEE COUNSEL: Okay, thank you so much.

3 Commissioner Doris, you may begin when ready.

4 JONNEL DORIS: Good morning Chair Gjonaj, Chair
5 Dromm, Public Advocate Jumaane Williams, and members
6 of the Committee on Small Business and the Committee
7 on Finance. My name is Jonnel Doris and I am the
8 Commissioner of the New York City Department of Small
9 Business Services. I am joined today by our First
10 Deputy Commissioner Jackie Mallon and members of my
11 senior leadership team.

12 Not only is this my first budget hearing as
13 Commissioner of SBS, but it is also an unprecedented
14 budget season for all of us. As we prepare for
15 Fiscal Year 2021, we know that the City's current
16 fiscal constraints will mean tough choices ahead.
17 But even COVID-19 catastrophic impact on our economy,
18 SBS's mission to unlock economic potential for all
19 New Yorkers has become even more critical. I am
20 proud to rise to the occasion and the challenge and
21 lead SBS as we adapt to our new, evolving reality.

22 SBS's Fiscal Year '21 Executive Budget is \$160.8
23 million with a headcount of 303 employees. The
24 Executive Budget includes a pass-through funding that
25 is not spent or managed by SBS. We serve as a

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conduit for funding allocated for other city
entities. Of the \$160.8 million, 38.2 percent or
\$61.4 million is pas through funding which includes
\$25.1 million for the New York City Economic
Development Corporation, \$21.2 million for NYC &
Company, and \$15.1 million for Governors Island. The
remaining \$99.4 million or 61.8 percent of the Fiscal
Year '21 Executive Budget, is allocated for SBS
programs.

This funding supports SBS mission of unlocking
economic potential for all New Yorkers by connecting
New Yorkers to quality jobs, building stronger
businesses, and fostering thriving neighborhoods.
Annually SBS serves over 100,000 jobseekers and more
than 21,000 businesses across the five boroughs.

While our mission remains the same, New York
City small business owners, entrepreneurs, and job
seekers are facing a new reality due to the
coronavirus pandemic. Just as New Yorkers have been
nimble and adaptable in the face of this crisis, SBS
must creatively and urgently address the challenges
impacting our constituents. We are actively
evaluating our programs, services, advocacy, and

2 strategies with the foremost goal of helping New
3 Yorkers persevere through this crisis.

4 As Commissioner, I am fully dedicated to
5 ensuring all New Yorkers can fulfill their maximum
6 potential through our ongoing business, workforce,
7 and neighborhood support services.

8 One of SBS's greatest strengths and one that I
9 am committed to fostering further, is the agency's
10 network of community partners. Beginning in January
11 and February, some of these community partners began
12 to sound the alarm regarding the impact of
13 coronavirus on tourism and business in commercial
14 corridors across the five boroughs. Based on these
15 concerns, we worked quickly to launch two financial
16 assistance programs. The New York City Employee
17 Retention Grant and the New York City Business
18 Continuity Loan Fund.

19 Through the New York City Employee Retention
20 Grant, SBS has approved financial assistance totaling
21 more than \$24.7 million for over 3,300 small
22 businesses. Further, over 300 loans have been
23 approved through the New York City Business
24 Continuity Loan Fund, totaling more than \$18.5
25 million for small businesses. Access to capital

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2 remains a major challenge for our small business
3 owners at this time and SBS is utilizing all our
4 tools to connect business owners to the resources
5 they need. Through these new initiatives and our
6 wider financial assistance offerings, including the
7 Contract Financing Loan Fund, WE NYC financing
8 products, and our NYC Business Solution Centers, SBS
9 has connected small business owners to more than \$60
10 million in financing awards since the start of the
11 pandemic.

12 While we are proud of the support we have
13 provided to date, we know that there is still an
14 overwhelming need from our small business community.
15 As Commissioner, I am committed to thinking
16 creatively about how to effectively and equitably
17 deploy our own resources, but the scale of this
18 crisis simply requires the resources of the Federal
19 Government.

20 CHAIRPERSON DROMM: Commissioner, if I could
21 also ask you to summarize, that would very good,
22 because we have limited time.

23 JONNEL DORIS: Certainly, thank you Mr. Chair.

24 I would say that in addition to the resources,
25 financing opportunities that SBS have provided, we do

1 have our SBS Solutions Centers. Who are experts to
2 help our small businesses and job seekers. We
3 provide technical assistance; we provide overviews of
4 funding options for our businesses. We also give
5 daily webinars in small group sessions and in one on
6 one settings.
7

8 We also worked with MOIA to be helpful to our
9 immigrant entrepreneurs, making sure that they have
10 access to everything that we have and as the former
11 Director and Senior Advisor to the MWBE, we made sure
12 that over 200 MWBE's were employed to help with the
13 city's recovery at \$230 million.

14 We also want to say that our Workforce 1 Centers
15 are available remotely to provide one on one
16 assistance with job searchers, preparation for and
17 recruitment. We right now are serving 300 businesses
18 to fill more than 4,000 positions.

19 We're also working with the Food Czar to help
20 those who are providing essential services such as
21 grocers and healthcare workers with the PPE that they
22 need. I want to just end with saying that you know,
23 at the core of SBS, we really work with our community
24 partners to ensure that the needs of the commercial
25 corridors are being met. And we continue to do that

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with our Home Health aid training in partnership with
CUNY and under the leadership of Deputy Mayor Phil
Thompson.

New York Alliance of Careers in Healthcare has
worked with agency partners to improve job quality
and create pathways within the long term care sector.

As I mentioned earlier in my testimony, our
community departments is crucial to our agencies
ability to understand and address the needs of New
York Small Business owners.

And in conclusion, I would say that SBS is
working with our Neighborhood 360 and Avenue NYC
grantees to realign their efforts with our COVID
response and recovery strategies. SBS also has
pivoted our capacity building resources for BID's and
community-based development organizations to address
challenges caused by the pandemic. Resources include
legal support, workshops, strategic planning for
nonprofits during COVID-19, and virtual BID
roundtables that we have begun. 700,000 visits was
to our website, so we continue again to let job
seekers and business owners know that we are open for
business, even during this pandemic.

1
2 I want to likewise thank the Council for their
3 partnership in distributing information and
4 advocating for the City's small business owners and
5 job seekers. As we begin conversations about
6 reopening and recovery, our communication and
7 collaboration will be more crucial than ever.

8 The Mayor recognizes that business owners
9 feedback is essential and that is why he formed the
10 Small Business Advisory Council, which met last week
11 and will continue to meet also actually this evening
12 to address the issues that small businesses have.

13 I look forward to continue to work together as
14 we help New York City small business owners, job
15 seekers, and neighborhoods persevere through this
16 crisis. I know New York will and I am committed to
17 as SBS Commissioner, the mission of equity in
18 recovery from now on and until we come out of this
19 crisis.

20 Thank you and I look forward to your questions.

21 CHAIRPERSON DROMM: Thank you Commissioner.
22 That was a good summary and I appreciate your
23 cooperation with that.

24 Just before we get started with questions, let
25 me say that we have also been joined by Council

Members Menchaca, Rodriguez, and Council Member Moya
as well.

Commissioner let's just talk a little bit about
the budget. The agency added \$49 million in Fiscal
2020 for loan and grants program to assist small
businesses impacted by the pandemic. Do you believe
that the \$49 million is sufficient for small
businesses and how does it compare to funding in
other program areas?

JONNEL DORIS: Thank you so much Mr. Chair for
that question. As you know, the city has been
dealing with this unprecedented pandemic once in a
generation, once in lifetime pandemic that we have
and we are experiencing and we did allocate early \$49
million for our loan and grant program, because we
heard from the community and we were concerned about
you know, the small businesses having the ability to
access that capital in order to keep them afloat.

And so, how we created that program for the loan
and grant program specifically, the grant program, it
was for employers who had one to four employees or
less than five. So, that means that we were seeking
to get to the smallest business owner out there, mom
and pop shops to make sure that they can survive.

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After an overwhelming response as mentioned
before, we did have to stop that program and also,
began to assist our small businesses in connecting
with the federal government programs that they have.
And we will continue to do that. That program as of
right now, has \$100 billion still in it and we are
working with the small business community to connect
them every day to those programs.

CHAIRPERSON DROMM: Commissioner, my Co-Chair
will probably argue that it may not be enough money
but I'm going to leave that to him and then just to,
in regard to the, I guess you were talking about the
PPE program from the federal government. As you
probably know, there's been a lot of difficulty about
you know, getting into the program, qualifying for
the program and actually, some businesses are turning
the money back because of the regulations around
that.

But we'll get further into that a little bit
later on. I just want to ask about whether or not
this \$49 million is only for this year 2020? Is
there any funding moving forward for '21?

JONNEL DORIS: The funding for the two programs
were for 2020.

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2 CHAIRPERSON DROMM: Okay, is there anything
3 planned for 2021?

4 JONNEL DORIS: As of right now, we are you know,
5 working of course with OMB around all the budget
6 constraints that we have listed earlier but also, we
7 are really setting our small business up to connect
8 with other sources and resources and we have a
9 network of 40 lenders that we are helping our small
10 businesses connect to, who have begun to work with
11 us. They have worked with us over the years. Last
12 year, \$70 million we were able to use them to get
13 access to capital for our small businesses and we
14 will continue to do so. But as of right now, the \$49
15 million was for Fiscal Year '20.

16 CHAIRPERSON DROMM: Okay, Commissioner I'm sure
17 you will agree with me that small businesses and in
18 particular, many immigrant entrepreneurs and small
19 businesses as well, are the lifeblood of this city.

20 So, in order for the city to recover, we have to
21 ensure that our small businesses are getting the
22 support that they need. Does the agency believe that
23 its expense budget us large enough to support small
24 businesses as well as provide the city's job seekers
25 with a full array of employment services.

1
2 Particularly now when the need is so great. So, many
3 people have lost their jobs and it's a very difficult
4 time for so many New Yorkers.

5 JONNEL DORIS: Thank you so much for that
6 question Mr. Chair. I do agree with you about the
7 severity of the issue and the crisis that we're
8 dealing with. It is sobering and I think if you talk
9 to small business owners like we have an also job
10 seekers with high unemployment as it is now, we want
11 to make sure that our resources are available for
12 them.

13 So, I would say a few things, one, you know, in
14 our Workforce 1 centers, we are connecting our job
15 seekers to employment. Right now, we're working with
16 300 employers to connect our job seekers to 4,000
17 jobs and so, we are currently doing that as we speak.
18 This is both in the healthcare sector and other
19 essential businesses and services.

20 We're also making sure that our business
21 solution centers are open and available to help our
22 small businesses to connect to financing opportunity
23 but not just finances but how do they actually
24 survive and come out of this. We offer webinars for
25 them as well and they are able to contact us.

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2 So, I do agree about the enormity of the
3 challenge that we face but we do believe that we can
4 meet the needs of our community with our existing
5 budget.

6 CHAIRPERSON DROMM: Okay, Commissioner several
7 important longstanding initiatives are unfunded in
8 the Executive Budget including, Love Your Local, the
9 MWBE Bond Surety Fund and the Construction Safety
10 Grant Program. Does the agency expect to eliminate
11 any of these initiatives to create resources for the
12 program specific to the pandemic?

13 JONNEL DORIS: We are currently as you know,
14 working with and collaborating with our OMB partners
15 to make sure that those particular programs are here
16 to serve the communities that they serve. And so,
17 you know, we're committed to this. We understand
18 that those programs are what they mean and the
19 success of those programs. We know that they provide
20 the necessary resources that job seekers and busines
21 owners have and again, you know, we are continuing
22 through the budget process, working, and
23 collaborating with our OMB partners to ensure that we
24 can provide the necessary resources for our
25 businesses.

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CHAIRPERSON DROMM: Can you elaborate further on
why they were left out of the Exec Budget?

JONNEL DORIS: The Exec Budget did have some
adjustments in that budget. We attribute those
adjustments to three things that you may know. One,
we are a pass through as you can imagine for DDC, NYC
& Company and the Governors, just a fiscal conduit to
those and more than half of our decreases in our
budget was due to that.

Also, the Council discretionary funding is not
yet back in our budget and the last component of that
is that we have really the remaining budget decreases
are primarily due to you know, two reason. Multiyear
programs, like some that you have listed today that
are further along in their life cycle with a plan
decrease for Fiscal Year '21. And then multiyear
programming that is in its last year.

And so, some of those programs that you listed
we attribute them to the particularly third one which
is, multiyear programs or multiyear program that is
in its last year.

CHAIRPERSON DROMM: Okay and then, I'm sure
we'll have some more questions about that and as we

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1
2 move down the road to an agreement, we look forward
3 to discussing that further with you.

4 Let me just talk a little bit about the New York
5 City's School Bus Grant Program. The Fiscal '21
6 budget includes \$18.5 million in city funds for
7 Fiscal '20 to support the employment of experienced
8 school bus workers who were impacted by the changes
9 in the Department of Education's contract for school
10 bus transportation. What is the total funding in
11 Fiscal 2020 for this program?

12 JONNEL DORIS: For the school bus program, give
13 me just one second, I'm sorry. To date, we have paid
14 out I believe \$14 million or so to that particular
15 program and I'll ask Jackie, Jackie what is the exact
16 number, I'm sorry.

17 JACKIE MALLON: It's about \$20 million.

18 JONNEL DORIS: \$20 million. Got it, thank you.

19 CHAIRPERSON DROMM: Is there any savings there
20 because of the non-use of buses at this point or how
21 does that work? Ms. Mallon, would you know?

22 JACKIE MALLON: Savings you mean -

23 CHAIRPERSON DROMM: Because the buses are not
24 picking students up and driving them.

25

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2 BUSINESS, COMMITTEEE ON GOVERNMENTAL OPERATIONS,
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5 JACKIE MALLON: Yeah, I think maybe minimal. I
6 don't think very much. The contract is through April
7 30th I think and this money is to pay through them.

8 CHAIRPERSON DROMM: It pays up till April 30th?

9 JACKIE MALLON: Something like that. We can get
10 back to you with a specific date but I'm reasonably
11 certain the contract ended.

12 CHAIRPERSON DROMM: Okay.

13 JACKIE MALLON: And that's what this budget is
14 associated with.

15 CHAIRPERSON DROMM: Okay, can you provide us
16 with some details on the contract and if there are
17 any other provisions, we should be aware of before
18 going into the new contract terms?

19 JACKIE MALLON: I think DOE is looking at the
20 situation and thinking about it. So, we can get back
21 to you.

22 JONNEL DORIS: Certainly.

23 CHAIRPERSON DROMM: So, there's no - the program
24 is not actually being implemented at this point
25 because of the pandemic, am I correct to assume that?

JACKIE MALLON: You mean pass the contract end
date, right?

CHAIRPERSON DROMM: Right.

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2 JACKIE MALLON: Yeah, I think they are thinking
3 it over it, analyzing it and trying to plan for the
4 future; all that's DOE.

5 CHAIRPERSON DROMM: Okay, thank you.
6 Commissioner, did you want to say something, I'm
7 sorry.

8 JONNEL DORIS: No, I was just concurring what
9 Jackie was saying.

10 CHAIRPERSON DROMM: Okay, alright. Yeah, we
11 need to just follow up on that as well moving toward
12 adoption and figuring out what that is going to look
13 like. Let me now turn it over to my Co-Chair to Co-
14 Chair Council Member Mark Gjonaj. And before you
15 begin Council Member let me just say we've been
16 joined by a number of other Council Members
17 including, oh excuse me, just by Council Member
18 Ayala. Thank you

19 CHAIRPERSON GJONAJ: Thank you so much Chair
20 Gjonaj and thank you for touching on some of the very
21 important issues that are in the minds of so many of
22 our small businesses. You know Commissioner, whether
23 it be fair or unfair, we're teaching you how to swim
24 by throwing you into the deep end of the pool in the
25 middle of this pandemic and this crisis. We need you

1 to rise to the occasion. I just need a little
2 clarity here.

3
4 You just said \$24.7 million was given out in the
5 form of grants and \$18.5 million in the form of
6 loans, is that correct?

7 JONNEL DORIS: That is correct.

8 CHAIRPERSON GJONAJ: At the last year we were
9 told by the former Commissioner that it was going to
10 be \$39 million in grants and \$10 million in loans for
11 a total of \$49 million. This equals \$43.2 million
12 but also, there's been changes between the grants and
13 loan program.

14 JONNEL DORIS: Oh sorry, yes, so yes, so they
15 show city investment in those programs a total of \$49
16 million. We did get some resources with some of our
17 private sector partners. We were able to then you
18 know, get additional grants out. And so, that's the
19 numbers that are reported out that we have currently
20 awarded in the program.

21 CHAIRPERSON GJONAJ: I'm sorry Commissioner, the
22 loan amounts that you just referred to are \$18.5.
23 The loan amounts that we heard from the previous
24 hearings were \$10 million.

1
2 There has been a shift between grant money into
3 loan money.

4 JONNEL DORIS: I'm not sure we characterize it
5 that way but I mean Jackie, do you want to chime in
6 here? My understanding is again, our ability to
7 access some private dollars to help move this program
8 further, that's how we were able to get additional
9 funding out the door.

10 CHAIRPERSON GJONAJ: Commissioner, it's a
11 decrease. I'm so sorry.

12 JONNEL DORIS: I'm sorry.

13 JACKIE MALLON: Maybe I could give a try? Okay,
14 the city budget \$10 million for the loan program,
15 right. That program, we got private funding. It was
16 matched so we could loan out to small businesses \$20
17 million a little over \$20 million.

18 So far, we've lent out close to \$18 million.
19 Separate and distinct, on the grant side, it's a
20 budget of \$39 million. And so far, we've awarded \$25
21 or so million. So, nothing has changed.

22 CHAIRPERSON GJONAJ: Okay, now I understand.
23 Thank you for that clarity. So, the budget reflects,
24 \$49 million of taxpayer dollars, of which \$39 million

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will be in the form of grants and \$10 million in the
form of loans. Is that number still accurate?

JACKIE MALLON: Yes.

CHAIRPERSON GJONAJ: Perfect. So, Commissioner,
I mean we know each other from your previous roles
and we've had many conversations on small businesses.
In particularly our minority women owned businesses.
The \$49 million in total allocated to -I believe it's
200,000 small businesses in the City of New York, am
I correct here?

JONNEL DORIS: We have about 230,000 sir.

CHAIRPERSON GJONAJ: Okay, that's equivalent to
about \$12,000 plus or minus per business. Am I
correct here with the math? It's not nearly enough.

Commissioner, I love the fact that you say we're
going to have outreach centers and business centers
and conferences. On the ground and in every meeting
that I've had, in every interaction that I've had
with our small businesses has been one thing and it's
consistent; we need grants, we need loans. Not
career centers, not meetings, not conferences. We
need access to capital and loans, even if they are
low interest loans or 0 interest loans, have to be
paid back. This is a moment in time that our

1 history, that our city will be judged. We get much
2 more from these small businesses and the dollar
3 amount is laughable.

4
5 The School Bus Grant Program that you have is
6 nearly half of the dollar amount that you are
7 allocating to 200,000 plus businesses. Can you help
8 me understand and please don't defer to the Federal
9 government. We're looking at an \$89 billion budget
10 and the 1920 budget was \$94 billion. That is a small
11 fraction that we're allocating to businesses that
12 have given this city so much in the form of tax
13 revenue. In the form of job creation, in the form of
14 meeting the needs of New Yorkers. Meeting the needs
15 of our ethnic groups.

16 When we lose these small businesses, no one will
17 be there to fill that void. This was evident before
18 this pandemic. Remember vacancies that we've seen in
19 our commercial corridors. Help me understand the
20 logic behind a small loan and grant program which
21 will not meet the needs of the city.

22 JONNEL DORIS: Mr. Chair, thank you so much for
23 that. I believe that, you know and working with me
24 in the past, that we are really cognizant of the
25 reality and the challenges that are faced by our

2 small businesses. I would say, we know it's not
3 enough. These programs were meant to be a stop gap
4 really until additional aid had come. You know, we
5 are in a lifetime crisis and the federal government,
6 I know we don't want to say I mean, but you know, we
7 have an \$8 billion deficit at the city and growing.
8 The federal government is the only one we can
9 actually support us at this time. They have let out
10 trillions of dollars in aid and of that 700 or so
11 billion dollars to small businesses around the
12 country and also, \$100 billion that's left behind.

13 So, what we really focused on is making sure and
14 we agree, it wasn't enough. We agree that we needed
15 to do more and that's what we have been doing. We've
16 been connecting our small businesses to additional
17 funding. As I mentioned in the testimony, \$60
18 million in funding in different ways. We have
19 connected our MWBE's who are doing work for the city.
20 Our interest loan was three percent, I don't know if
21 you recall, but now it's at zero percent. They can
22 get a half a million dollars from us if they are
23 doing work for the city and we've done that.

24 We have really turned over every leaf, I look at
25 every crevice to make sure that our small businesses

2 have the resources they need. So, we do share your
3 concern. It's a legitimate concern; are we doing
4 everything we can to get access to capital for our
5 small businesses? And we group these by connecting
6 them to other resources that are there even
7 philanthropic resources. Even the federal
8 government, private sector resources or our
9 forwarding lenders that we have in our network.

10 We're seeing that the businesses are getting what the
11 need, however, there are others who still need
12 support and that's why we're here and that's why
13 we're having this discussion today.

14 CHAIRPERSON GJONAJ: Commissioner, and maybe the
15 First Deputy Commissioner can help with this as well.
16 Can you give me the total dollar amount of revenue
17 that the city gets from our small businesses in the
18 form of real estate taxes, water and sewer charges,
19 sales tax, income tax. Can you give me an idea of
20 what that dollar amount is?

21 JONNEL DORIS: I don't believe we have that
22 number but we can research that.

23 CHAIRPERSON GJONAJ: That's how I measure
24 things.

25 JONNEL DORIS: Okay.

2 CHAIRPERSON GJONAJ: The contribution of the
3 small businesses in New York City in the form of tax
4 revenue is tremendous. And the 3,600 is less than
5 two percent, probably about one and half percent of
6 the total businesses that are out there, small
7 businesses. The loans and grants program that the
8 city has provided, is going to about one percent or
9 one and a half percent of all businesses.

10 Leaving 99 percent of our small businesses on
11 their own, to deal with figuring out to reinvent
12 their business models and how to survive. We're not
13 even talking about a question of thriving and we all
14 know how to do math. The greatest return that we can
15 get on our budget is by investing in small business.
16 The more small businesses that reopen, the more we'll
17 be able to contribute to our tax space.

18 Would it make sense to be able to help them, not
19 defer them to federal programs and grants and loans?
20 As the Chairman said, so many of them aren't
21 qualifying. So many of them can't get through the
22 paperwork. So, many of them have realized it is so
23 tedious but they've given back the money and in
24 essence have surrendered.

1
2 Do we understand the long term impact that we're
3 going to be facing? Do you understand that we're
4 going to be judged by our lack of support? We often
5 talk about the importance of small business and what
6 it means to our communities and what it means to the
7 city. And yet when it's time for us to show the
8 small businesses how we prioritize them and how much
9 they mean to us, we give them a fraction of our
10 budget that is laughable.

11 What are you prepared to tell those 99 percent
12 or 98 percent of the other businesses that did not
13 get a loan or a grant? What is it that SBS is
14 sending a message to those businesses?

15 JONNEL DORIS: Well, Mr. Chair, thank you. You
16 know we share your sentiment. We do believe that you
17 know, to stop that measure that we put out is truly
18 that. It was a measure to deal with the most
19 vulnerable, the smallest businesses. Those who would
20 have general challenge accessing the capital in the
21 marketplace. We know access to capital is critical.
22 We understand that reality.

23 The city as you know under dire budget
24 constraints and SBS as you mentioned in your
25 statement that we - how their going to get actual

2 assistance or how they are going to fill out the
3 application. We just don't send the small businesses
4 that reach out to us or that we go and find that need
5 the resources to the federal government. We actually
6 have a wide glove service. We sit with them, we talk
7 with them, we do one on one technical assistance
8 support services to ensure at the end of the day that
9 accomplish fully what we set out to, which is to make
10 sure that they have the resources that they need.

11 So, we understand the enormity of the demand
12 that's out there. You know, that's why I am excited
13 about stepping into this role, so that we can
14 continue to do everything in our power to help those
15 small businesses. You know, 230,000 small
16 businesses, yeah, we need additional support to help
17 them. We need additional support to make sure that
18 those businesses are reaching their full potential.

19 So, we are advocate for small businesses.
20 That's why we're advocating on the federal level.
21 And if I may, with the federal program, it didn't
22 start out the way we wanted it to and you know, we
23 really advocated with our federal elected officials
24 to change the program and we have again, spoke to
25 them and advocated with our federal officials to

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2 change the program again. So, the current bill that
3 is currently on the senate floor that's being debated
4 reflects a lot of the changes that we wanted. For
5 instance, the 8 - cut off, we asked them to extend it
6 now out to December. Also, the cap on rent and fixed
7 costs that's coming out of that forgivable loan by
8 the way is what's capped at 25 percent.

9 We asked the federal government and lobbied them
10 saying this doesn't work for New York City. We need
11 to have more flexibility and that is in the current
12 bill. So, I hear you, I feel your concern.

13 Certainly, it's one of mine. You know the folks at
14 SBS, we're committed to small businesses. That's why
15 we are here. I mean, this is the life,
16 professionally chose to make sure that every single
17 small business have the relief but please note that
18 your concern is not lost on us and we are doing
19 everything we can to make sure that those businesses
20 have the support they need.

21 CHAIRPERSON GJONAJ: Commissioner, thank you.
22 We don't have much time, I'm just go to reiterate,
23 these small businesses pay city tax dollars. They
24 also pay federal. Federal will do their part, we'll
25 put pressure on them but it's time for the city to

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2 step up to the plate and show what they can do for
3 our businesses.

4 And I'm not going to continue on that because I
5 see there is going to be rabbit hole that we're going
6 down, but Commissioner, talk to me about the in the
7 essence of time, the tale of two boroughs that this
8 administration has created. Even that limited dollar
9 amount where one percent of the total loan program
10 made it to the bureau of the Bronx is injustice and
11 unforgivable. Don't Bronx small businesses matter?

12 JONNEL DORIS: Oh, Bronx small businesses do
13 matter and they matter greatly. We have a five
14 borough strategy and we are not you know, focusing on
15 one borough or another borough. I would say quickly
16 that we set up this stop gut measure for these loan
17 programs very, very quickly. We then did extensive
18 outreach to hundreds of community partners across the
19 five boroughs. Daily briefing, town halls to get the
20 word out. Working with our BIDs, working with our
21 Chamber of Commerce's. Even on Link NYC we
22 advertise. You know, 700 visits to our websites
23 since we launched this in 16 to 18 languages,
24 promotional materials. We were in the city in every
25 corridor of the city to make sure that this program

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1 was heard and accessed. Despite all these – we share
2 your concern that we did not achieve all the borough
3 diversity that we hope for. Both in the percentage
4 of applications that we received and in the
5 percentage of awards.
6

7 And so, you know, we do want to say that we hear
8 you and you know, as Commissioner, I will have a five
9 borough strategy and where we are working in the
10 outer boroughs, working with the Bronx and Queens and
11 Staten Island businesses and Brooklyn businesses to
12 make sure that they all are participating. And so, I
13 hear you sir and I share that concern. That is a
14 concern of mine.

15 CHAIRPERSON GJONAJ: Commissioner, how are you
16 going to right this wrong? How will you right this
17 injustice when the next fiscal budget doesn't have
18 single dollar allocated to loans and grants? How are
19 you going to do write by Bronx businesses and the
20 outer boroughs when you don't have a commitment to
21 any loans or grants? One percent of that money went
22 to Bronx businesses. You don't have any funding in
23 this upcoming budget –

24 JONNEL DORIS: I'm sorry sir. I apologize. So,
25 while the two percent of the loans and three percent

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2 of grants awarded to Bronx business is relatively
3 proportionate to the percentage of business who
4 applied and also those in that Bronx, we know it is
5 not enough and we need to do more.

6 CHAIRPERSON GJONAJ: How will you do more, how?
7 Tell me how when the budget doesn't have any money
8 allocated to loans and grants?

9 JONNEL DORIS: So, we would - so, two things.
10 One, you know, a large part of what we do is connect
11 our small businesses -

12 CHAIRPERSON GJONAJ: Federal government, right?
13 The federal loans and other options.

14 JONNEL DORIS: I want to say that we don't want
15 to discount the reality that the federal government
16 and our other lending partners have put out you know,
17 billions and billions, hundreds of billions of
18 dollars to assist but I do hear you on that sir. We
19 are doubling down our outreach efforts to
20 communities. One of the things is well, you know,
21 did we reach them? We are hoping to make sure that
22 we get to those businesses so they understand and
23 know we are helping small essential businesses
24 recruit, job seekers. We are working in the borough
25 right now.

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1
2 CHAIRPERSON GJONAJ: They need money, they need
3 grants, not even loans. You've already allocated
4 these grants and loans on a small percentage and
5 unfair and an unjust percentage made it to the
6 borough of the Bronx. Your not telling the small
7 businesses in the Bronx how you are going to right
8 this wrong with city tax dollars. You're going to
9 defer to the federal government. I can see that this
10 is going to continue to go around and around again.

11 Commissioner, you have an opportunity, we have
12 challenges. Allocate the money that's needed. Make
13 sure it is justly allocated in fairness and let's end
14 the tail of two boroughs once and for all.

15 Thank you, Commissioner. Chair Dromm, I know
16 that we are pressed for time.

17 CHAIRPERSON DROMM: Thank you very much Chair
18 Gjonaj and we're going to now go to Council Member
19 questions. Oh, before we do, let me just say that we
20 have been joined by several Council Members as well.
21 I'm sorry, bear with me.

22 Why don't we go to questions, then I will
23 announce. Committee Counsel.

24 COMMITTEE COUNSEL: Please, if any Council
25 Member's have questions for the Administration,

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3 please use the Zoom raise hand function and you will
4 be added to the queue.

5 Council Members, please keep your questions to
6 three minutes including answers. Please wait for the
7 Sergeant at Arms to tell you when your time begins.
8 The Sergeant will then let you know when your time is
9 up. We will now hear from Council Member Powers
10 followed by Council Member Adams and Rodriguez.

11 CHAIRPERSON DROMM: Okay, and we have been
12 joined by Council Member Levin. Thank you.

13 SERGEANT AT ARMS: Starting time.

14 COUNCIL MEMBER POWERS: Thank you and
15 congratulations on the new gig and thank you both
16 Chairs for offering the opportunity to ask questions.
17 I'm just going to jump right in.

18 I know that there is budgetary constraints here
19 in terms of providing other grants to businesses but
20 I did want to hear if there was a plan and I'm sorry
21 if I missed this in any part of your testimony but,
22 is there a plan to do another round of grants. I
23 think you guys did get that up very quickly but it
24 also ran out very quickly, so I'm just wondering if
25 there is going to be another round of grants at any

point and time for businesses that are struggling,
particularly as PPP Starts to run out?

JONNEL DORIS: Thank you Council Member. We do
not have additional budget in this next fiscal year
for grants and loans. But as mentioned, you know, we
are connecting our businesses to not only the federal
government but our 40 lenders that we work with to
make sure that they have the necessary resources that
they need.

COUNCIL MEMBER POWERS: Like the small busines
continuity loan grant program, like there's not a
plan right now to reopen, is that fair to say?

JONNEL DORIS: Correct. We are again working
with our federal governments and our partners,
lending partners to actually get them the resources
they need.

COUNCIL MEMBER POWERS: Okay, so beyond the
budgetary desires and maybe the businesses. There is
a lot of other things that I would imagine
restaurants, bars, and small businesses are asking
for right now. This isn't meant to be a criticism
but I have not really heard or seen that SBS be that
outgoing or out forward about stuff like thinking
through ways to help small businesses in ways that

1 are nonbudgetary or not filling out applications,
2 things like that. We've talked about ways to help
3 restaurants and bars, whether it's continuing takeout
4 and delivery which requires state approval. Opening
5 up our streets to allow them for more out space to do
6 spacing. We did personal liability in seamless.

8 Those are a lot of bills, we're talking about
9 all things in the Council, I'm just wondering if SBS
10 has thoughts or policy suggestions for the city and
11 if they've made those public to help out small
12 businesses right now when it comes to making policy
13 changes or changing the way we do business right now
14 in the city of New York to help out small businesses
15 as they do the recovery from COVID. And if there
16 are, can you please share with us what some of them
17 might be?

18 JONNEL DORIS: Yeah, well, thank you so much
19 Council Member.

20 COUNCIL MEMBER POWERS: And I just want to ask —
21 I'm sorry to interrupt you. Do you support for
22 instance like opening up the streets to allow for
23 more shared space?

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JONNEL DORIS: Yeah, so we are supportive of the
open streets plan that the Council worked with the
Mayor to do.

COUNCIL MEMBER POWERS: I'm talking specifically
about for eating and drinking establishments to allow
them to have space -

SERGEANT AT ARMS: Time expired.

COUNCIL MEMBER POWERS: So, sidewalk and street
space.

JONNEL DORIS: We are supportive of open streets
for our restaurants and we are thinking about how to
creatively do that and use our public spaces in a way
that really you know, works for our small businesses.
That's an interesting idea. We want to make sure
that when we restart, we're doing it in a smart way
but also a way that really helps our businesses to
grow and function. And that is something that is on
the table. We are actively discussing all these
options because we have this small business advisory
council by the way, where a lot of the small business
advocates and also small businesses themselves have
raised these issues. And so, yes, we do believe that
we will be able to address many of those in the near
future.

1
2 COUNCIL MEMBER POWERS: I just to think that it
3 is really important that as the SBS Commissioner,
4 that you are speaking very loudly about other ways
5 that the city can address some of the small business
6 things around policies. I think we're not - I know
7 the Council - we've done a lot but I think we do need
8 the Administration to be vocal about other ways we
9 could be helpful to the small businesses and better
10 to figure otherwise. And I think we're looking for
11 that and I will hope that you guys will start you
12 know, elevating the voices to some of those efforts.

13 JONNEL DORIS: Thank you sir, we will. We
14 certainly will, that is our role. We intend to
15 fulfill that role but we are discussing a lot of
16 those options right now, particularly on those sector
17 advisory councils.

18 As I mentioned, we believe as we come to a
19 conclusion, those ideas will come out but remember we
20 are hearing that from the community themselves. And
21 so, you know, we certainly are listening and we are
22 open to hearing and we are advocating for that. So,
23 yes, we are looking for different innovative ways to
24 really solve some of the challenges that small
25 businesses have. I do agree with you.

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COUNCIL MEMBER POWERS: Okay. Thank you to
Chair Dromm and Gjonaj. Thanks.

CHAIRPERSON DROMM: Thank you very much. Let's
go to our next Council Member please.

COMMITTEE COUNSEL: Council Member Adams
followed by Council Members Rodriguez and Louis.

SERGEANT AT ARMS: Clock starts now.

COUNCIL MEMBER ADAMS: Thank you Chair Dromm,
Chair Gjonaj for this hearing today. Good morning
Commissioner Doris. Very nice to say that,
Commissioner Doris.

JONNEL DORIS: Thank you so much Council Member.

COUNCIL MEMBER ADAMS: Yes, congratulations to
you.

JONNEL DORIS: Thank you.

COUNCIL MEMBER ADAMS: So, I'm just going to ask
a few questions about a subject that I know is very
near and dear to your heart as it is mine and that is
a subject of MWBE's.

JONNEL DORIS: Yeah.

COUNCIL MEMBER ADAMS: With regard to the loan
and grant fund, what percentage of the awards
actually went to the city's MWBE's?

JONNEL DORIS: I believe one second, over 50
percent went to minority and women businesses.

COUNCIL MEMBER ADAMS: Over 50 percent.

JONNEL DORIS: Over 50 percent.

COUNCIL MEMBER ADAMS: For both?

JONNEL DORIS: For both.

COUNCIL MEMBER ADAMS: Alright, so in looking
at, we know that the coronavirus affected communities
of color at much higher rates than other communities
across the city, across the country actually.

With that in mind, how has the pandemic actually
effected contracts with MWBE's?

JONNEL DORIS: So, thank you so much Council
Member for that question. You know, as I mentioned
before, normally in a crisis, recoveries where we see
opportunity for MWBE's, we did something different
this time around. We did an MWBE first initiative,
where we have over 400 contracts right now, out to
\$230, \$240 million over that to MWBE's.

So, they have been a part of the process.
Everything from staffing to cleaning services to
purchases of PPE. We set that up early and we were
able to see the success of that program now.

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2 COUNCIL MEMBER ADAMS: Okay, so along those
3 lines you just mentioned staffing. How are the
4 agencies actually working with MWBE's to determine
5 what essential work actually is?

6 JONNEL DORIS: Yeah, so, you know, there is
7 policy out now where you know, the Governor has put
8 out guidance on what essential work is or
9 particularly as you say around construction or other
10 areas and also healthcare or anything that is dealing
11 with COVID impacted areas.

12 And so, you know, we educate the MWBE community
13 about those particular opportunities and then we
14 connect them to the agencies. My office I ran
15 before, that's essentially what we were doing every
16 day it seems like, 24 hours a day. Making sure that
17 MWBE's are connected to those opportunities. So, we
18 are bringing them together literally as we speak to
19 make sure that they are engaged.

20 COUNCIL MEMBER ADAMS: Okay, thank you. And as
21 I close, I just want you to speak to the MWBE Bond
22 Surety Fund and Loan Program a little bit.

23 SERGEANT AT ARMS: Time expired.

24 JONNEL DORIS: Yes. Well, yes, thank you very
25 much. So, that particular program the Bond program

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2 is a one time \$10 million investment that the city
3 made. It is still open; we are still accepting
4 applications for it. It is still active including
5 our Contract Finance Fund as well, so both of those
6 are active.

7 As you know, we raised money from the private
8 sector as well to join that program. We an addition
9 \$41 million in all of our MWBE programs including our
10 Emerge and Develop a Loan fund where we had
11 Amalgamated Bank and on the Contract Finance Fund,
12 Bank of New York and TD Bank join us, \$10 million
13 each to really make that a solve it for our MWBE.

14 So, there is ample amount of funding there for
15 them and we know that we will make sure that they
16 have it if the need it.

17 COUNCIL MEMBER ADAMS: Thank you Commissioner.
18 It is very important to continue to protect our
19 MWBE's. Thank you very much for your testimony.

20 JONNEL DORIS: Thank you.

21 CHAIRPERSON DROMM: Thank you, let's go to our
22 next Council Member.

23 COMMITTEE COUNSEL: Can we please hear from
24 Council Member Rodriguez followed by Council Members
25 Louis and Moya.

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2 SERGEANT AT ARMS: Clock starts now.

3 COUNCIL MEMEBR RODRIGUEZ: First of all, thank
4 you Commissioner. Congratulations in your new job.

5 JONNEL DORIS: Thank you.

6 COUNCIL MEMEBR RODRIGUEZ: My first question is,
7 the grant in 360 that has been very important for
8 small businesses to get support in the case in lower
9 Manhattan by the business improvement district for
10 marketing supplements sanitation services and holiday
11 celebrations.

12 Is there any plan to continue extending that
13 grant?

14 JONNEL DORIS: Yeah, that is a grant that we
15 support and we support that work, absolutely.

16 COUNCIL MEMBER RODRIGUEZ: Okay, thank you then.
17 I will then follow working with you and your team in
18 the local business improvement district because they
19 are doing a great job and I hope that especially now
20 with the need to continue marketing helping the small
21 businesses, that we can work together without an
22 issue.

23 JONNEL DORIS: Absolutely, so first of all, I
24 know where our hearts are. Especially many of us who
25 are playing different roles but then we also know

2 that we deal with reality. Which is even though we
3 know the bank you know, interest is starting a zero
4 is a small percentage but then you go to high
5 percentage, you know the challenges. You know, we
6 have many small businesses that they cannot qualify
7 because there is so many red tapes. And especially
8 when we look on the crisis that we are dealing with,
9 this, a lot of frustration faced with reality. And I
10 know that I'm happy to know that you know, you
11 understand the level of crisis but how can we in us
12 following the same concern of Chairman Gjonaj, which
13 is we need - we have to deal with it with the reality
14 and frustration of small businesses.

15 Even though we promoted all those programs and
16 we know that there is other lending. You know banks
17 show one more time you know that their priority is
18 not to finance and hope. They protect those you
19 know, who have everything in order who those we know
20 like - it's like it's not the barbershop, it's not
21 the restaurants. It's not those who they employ in
22 numbers of individuals that they are undocumented.
23 So, how can you in your new leadership you know break
24 connecting the small business with real dollars?
25 Then you have to pay the rent. In this particular

1 concern, can the City of New York give incentive with
2 taxes to the property owners, so that the small
3 business will have free reins for three months and
4 the property owners will have a reduction in the
5 taxes that they pay so that they can help the small
6 businesses?
7

8 JONNEL DORIS: Council Member, thank you so
9 much. I want to say that I concur with you. You
10 know, I've been there. I've been a small business
11 owner. I understand what it means to go to a big
12 bank that I've been banking with for some time and
13 them not approve a loan that I needed and I had to
14 actually find a CDFI to help.

15 And so, this is very personal to me and CDFI's
16 we believe are great resources. And so, when the PPP
17 loan for instance started, they did not really have
18 engagement with CDFI's, we lobbied and pushed and
19 advocated to make sure that was happening because you
20 know, those CDFI's, community development financial
21 institutions, they actually reach the smaller
22 businesses. In my case, it was actually who gave me
23 a loan and you know, for others they have many around
24 the city who are actually reaching the smaller
25 businesses.

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2 So, I agree with you on that concern in making
3 sure that there is diversification and the lenders
4 that we deal with that we are dealing with, the
5 community lenders, the minority lending institutions
6 and others who actually reach out to those businesses
7 we care about. It pertains to the property tax
8 relief etc. You know, we are certainly as you know
9 are in a significant you know fiscal crisis and look,
10 we are looking at every option on the table but we
11 want to say you know, we understand the need. We
12 understand you know, what the challenges for our
13 small businesses are. I can't really speak to what
14 plans are in that particular area but I just say that
15 you know, we understand it and we know where to
16 connect them to the lenders that actually support who
17 they are and where they are from essentially and
18 getting them the resources that they need.

19 COUNCIL MEMBER RODRIGUEZ: Okay, thank you.

20 JONNEL DORIS: Thank you sir.

21 CHAIRPERSON DROMM: Let's go, our next Council
22 Member.

23 COMMITTEE COUNSEL: Council Member Louis
24 followed by Council Members Moya and Menchaca. Thank
25 you.

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3 SERGEANT AT ARMS: Time starts now.

4 COUNCIL MEMBER LOUIS: Good morning everyone.

5 Good morning Chair Dromm and Gjonaj. Thank you for
6 convening this hearing and congratulations
7 Commissioner Doris on your appointment.

8 I have two quick questions. I wanted to know
9 what's SBS plans for BID assessments in FY21. Is the
10 agency going to pause any assessments that were
11 earmarked or in queue for process for FY21, because I
12 know that came up several times during our hearings
13 in the past.

14 And the second question is in regards to our
15 MWBE's that get a lot of support from our cultural
16 business districts. They depend on them for
17 marketing materials and other services that comes
18 with that. So, I wanted to know what is SBS's plan
19 to work with New York & Company to continue to
20 support our cultural business districts in FY21 and
21 is that included in the budget? Thank you.

22 JONNEL DORIS: Thank you Council Member. I
23 appreciate that question. We don't anticipate any
24 changes in our BID assessments. We don't believe
25 there will be any impact on the same timeline as in
years past but we will continue to monitor that

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2 situation. As it pertains to MWBE's, you know my
3 work has been committed to making sure that MWBE's do
4 have access not only to city contracting but city
5 resources and so, again, working with New York &
6 Company and others to make sure that one, MWBE's are
7 the ones who are providing the marketing materials.
8 Meaning that they are getting the opportunity for it
9 but also, that on the service side that they are
10 receiving that.

11 So, we will continue to work with them on that.
12 Specifically, as to the budget of New York & Company
13 that that will be up at their budget hearing. So, I
14 cant speak to their budget but I wanted to say that
15 you know, our job is to make sure that we are
16 engaging every city agency and entity to make sure
17 that they are following the Mayor's 30 percent goal
18 and also, really to make sure that the MWBE's are
19 receiving the services that they need to survive,
20 including marketing and other types of materials.

21 So, certainly we will look into that further
22 with you. I'm happy to work with that a bit more
23 with you in the coming weeks ahead.

24 COUNCIL MEMBER LOUIS: I look forward to seeing
25 that information in the budget. Thank you.

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2 JONNEL DORIS: Thank you.

3 CHAIRPERSON DROMM: Okay, just before we move
4 on, I want to say that we have been joined by Council
5 Member Koslowitz and Council Member Levin. Okay, and
6 we'll go to our next round of questions.

7 COUNCIL MEMBER MOYA: Thank you Chair Dromm.
8 Thank you Chair Gjonaj. Commissioner,
9 congratulations. I just wanted to go back on
10 something that Chair Gjonaj was talking about because
11 this is really important and the numbers are a bit
12 you know, disturbing here.

13 So, I went back and I did a quick look. As of
14 April 30th, around 80 million of the 20 million loan
15 program for the struggling small businesses, has been
16 disbursed. With 66 percent of that going to
17 Manhattan based shops, as Chair Gjonaj dually noted,
18 one percent went to the Bronx, which is around 80,000
19 and Brooklyn got 18 percent, Queens, my borough got
20 9, Staten Island got 5. This data, it
21 disproportionately affects the high rates of
22 immigrant and small business owners in the outer
23 boroughs.

24 Can you please explain the reason why SBS, the
25 reason for this. What is SBS going to do to correct

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2 this moving forward? And also, what are you actively
3 working on in terms of language access, advertisement
4 to immigrant owned businesses and what support is
5 being provided to them during the application
6 process? Thank you.

7 JONNEL DORIS: Well, thank you so much. We
8 really do appreciate those questions. You know, 50
9 percent of our Small Business Continuity loan fund,
10 went to minority women owned businesses. 56 percent
11 of the loan, the grant program went to minority and
12 women owned businesses. You know, as I said before,
13 we despite the efforts that we've put forth as an
14 agency. We did not get the borough diversity that we
15 desired and I think you know, we're not -

16 COUNCIL MEMBER MOYA: Just for the purposes of
17 time Commissioner, I don't mean to interrupt, like, I
18 just want to know what is in place to correct those
19 numbers that are extremely disproportionate to the
20 outer boroughs, communities of color. This is really
21 a telling moment for this Administration who has now
22 put no money in to help these small business owners
23 with this money that was allocated there, can you
24 tell me and tell all of us right here right now what
25 is being done by SBS to correct this?

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3 JONNEL DORIS: Well, I think we have to double
4 down on our outreach. We have to make sure that
5 those businesses and those communities that are
6 disproportionately affected as communities of color –

7 COUNCIL MEMBER MOYA: But why is it always that
8 we have to double down. It's the same thing that
9 happened when COVID was going on. We didn't reach
10 out to the communities of color and then after the
11 fact when we saw the numbers, then we started doing
12 translations and then we started going into these
13 communities. I mean, you all know this and the
14 businesses that have been most effected by this, we
15 still don't have an answer for. We are always the
16 last to receive any type of aid. We're the first
17 one's to get the cuts. And so, I'm asking you, what
do you have now that is going to correct this?

18 JONNEL DORIS: Well, Council Member, I just want
19 to also go on the record to say that we did provide
20 technical assistance daily in other languages, 16
21 languages.

22 COUNCIL MEMBER MOYA: But I'm going to the
23 numbers Commissioner. No disrespect, I just want to
24 go back to the numbers of why they are so
25

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2 disproportionately low and what is the plan to
3 correct that? That is my question.

4 JONNEL DORIS: Well, I think as we go forward,
5 we have seen it. We've learned from this experience;
6 we have a plan that we are -

7 COUNCIL MEMBER MOYA: What is the plan?

8 JONNEL DORIS: The plan is we're going to
9 continue to deepen our outreach, connect with those
10 businesses that need it in the outer boroughs. As I
11 started my tenure here, I started in the outer
12 boroughs speaking to business owners, speaking to the
13 community business leaders -

14 COUNCIL MEMBER MOYA: And I'm sorry, I know my
15 time is up but that's not giving us a clear direction
16 of how those numbers are going to change. And it's
17 really disappointing to see that knowing that these
18 numbers are there. That the data is demonstrating
19 this, that no one has an answer to correct that. By
20 saying that you guys are now going to implement
21 outreach at this particular moment and time, it's not
22 enough. These businesses, they are going to close.
23 They are not going to get that opportunity again.
24 And when this started happening, we actually said
25 this in another call and I have to thank Chairman

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2 Gjonaj who was extremely instrumental in making sure
3 that this came to light. It's extremely
4 disappointing that everything that has gone down
5 through this pandemic, it is our communities that are
6 suffering the most and there is still no clear plan
7 from this administration who to rectify it. How to
8 bring immediate relief to these communities and I'm
9 sick and tired, I'm sorry, I know you are just coming
10 into this but I don't want your sympathy. I want
11 your action and if we don't get that, this is going
12 to continue to happen and it's going to be the
13 neglect that we continue to see and our communities
14 are the ones that are dying. The ones that are
15 shuttering their doors and don't have access to food
16 because we've been ignored.

17 So, I'm sorry that it's coming off this way to
18 you because you are stepping into this but this
19 agency knew that they had to be doing this from the
20 very beginning.

21 I apologize Chairs for taking over into my
22 colleagues. I didn't mean to overstep my time but
23 this was an important point for me to make.

24 JONNEL DORIS: Thank you Council Member and if I
25 could just respond. I appreciate the concerns. I

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2 hear the concerns. I understand the challenge. We
3 do have a plan. We are connecting those businesses
4 to our 40 lenders that we have. We have you know
5 through our PPP program, where we are connecting
6 those businesses to applications and helping them to
7 do the paperwork which really stands a lot of times
8 between the business actually getting the resource
9 and them not getting the resource. We are the person
10 who is standing between and we will continue but we
11 hear you and we do have a plan. We are executing
12 that plan to make sure that every business in the
13 five boroughs get the results that they need and
14 again, as I step into this, you know, I have a plan
15 for this.

16 We will reach those businesses. We will get to
17 them and I hope when we come back, we can look and
18 see that that was accomplished. But we really thank
19 you for that advocacy and we hear you, we cannot do
20 it also alone. We are looking for your support and
21 for you to give us direction and we appreciate
22 working with you in the future.

23 COMMITTEE COUNSEL: Can we please have questions
24 from Council Members Levin, sorry, Menchaca first
25 then Levin. Thank you.

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2 SERGEANT AT ARMS: Clock starts now.

3 COUNCIL MEMBER MENCHACA: Buenos Dias. Thank
4 you Chairs and congratulations Commissioner Doris. I
5 join in the echo's of the congratulations but also, I
6 want to join in the echo's of what Council Member
7 Moya just left and ditto to everything he just said.
8 I'm not going to spend more time on that but I join
9 him on that.

10 I'm moving it over to Deputy Commissioner Mallon
11 about an initiative that had been pecolating for a
12 while in dealing with and working with, empowering
13 educating day laborers and the law, the local law
14 that we are still in compliance journey, I'll call
15 it, towards that and really think about day laborers
16 and if there is any kind of quick update on what that
17 is, we're going to be looking at that. It's a
18 resource intensive project to train day laborers
19 through digital matters.

20 So, that's very fascinating in this world. Can
21 you give us a quick little update?

22 JACKIE MALLON: Sure, shall I go Commissioner?

23 JONNEL DORIS: Yeah, sure that's okay. Thank
24 you.

25 JACKIE MALLON: Hello, it's nice to see you.

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2 COUNCIL MEMBER MENCHACA: Good to see you to.

3 JACKIE MALLON: So, as you know, we got our
4 online course up, we got it all worked out. We were
5 really like rocking and rolling and then this. What
6 we're looking at now is how to pivot so that we can
7 meet the requirements of the law around actively
8 proctoring. You know, that's the one thing that is
9 like a little bit tricky and we haven't quit figured
10 out the best solution but we're working on it and
11 working with the daily work centers and expect to
12 come up with something soon.

13 COUNCIL MEMBER MENCHACA: It's on the budget?

14 JACKIE MALLON: Yeah.

15 COUNCIL MEMBER MENCHACA: Okay great.

16 JACKIE MALLON: Absolutely it is.

17 COUNCIL MEMBER MENCHACA: Okay great.

18 JACKIE MALLON: There Is a decrease between
19 years because we planned it that way. It's exactly
20 as it was.

21 COUNCIL MEMBER MENCHACA: Got it. Okay, I think
22 that's a big question for day laborers as they think
23 about training.

24 And so, this is kind of innovation space. I
25 like to think about it and just the way that your

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2 team has worked on it for a long time now as an
3 innovation space.

4 Back to Commissioner Doris, this is an example
5 of what I feel is a larger opportunity for community
6 engagement that brings forth innovation and ideas,
7 and is there a way that we're collecting these
8 concepts, so that we can build out and potentially
9 even model what you have created and spent a lot of
10 funding on with the day laborers across other
11 platforms and thinking about street vendors and
12 thinking about all these other immigrant communities
13 that are going to need multilingual instruction and
14 this is one of those spaces that has done that.

15 I just applaud your collective work but is there
16 another way that you are collecting ideas and really
17 kind of building that out?

18 JONNEL DORIS: Thank you so much for that.

19 Yeah, you know, I think my way of doing things is
20 always a route. You know hearing from those who are
21 impacted and then creating something not by ourselves
22 but together and as we heard from the various
23 communities, we then can get the information and then
24 we create a solution that we then execute together
25

2 and so, we've been doing that and we continue to
3 that.

4 The small business advisory sector council's,
5 we're doing that right now as it pertains to
6 recovery. We look to scale up this approach with
7 other types of challenges that we face. And if I
8 may, just for 30 seconds, you know, my goal is to do
9 three main things and get this agency moving in three
10 sort of directions as around the principles that
11 hold. One is around innovation. That's the first
12 principle that I said to this agency when I took
13 over. One, we've got to be innovative. We've got to
14 think outside the box. We've got to be creative to
15 solve problems.

16 The second one was around collaboration, that we
17 can't really do what we do by ourselves. If we are
18 not engaging with the small business community, our
19 advocates, our elected officials, then we can't do
20 it.

21 And then thirdly, was around adaptability.
22 Building businesses that are able to adapt to
23 changing in all types of climates and tragedy and
24 crisis and so forth and that's what we're doing as an
25 agency. That's what I'm committed to do to make sure

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that our resources and service are applied in that
manner. So, I appreciate that comment and look
forward to continue working with you.

COUNCIL MEMBER MENCHACA: Thank you.

COMMITTEE COUNSEL: Can I please have Council
Member Levin followed by Council Member Cornegy and
Perkins.

SERGEANT AT ARM: Clock starts now.

COUNCIL MEMBER LEVIN: Okay, thank you
Commissioner. Thank you Chair. Congratulations
Commissioner.

JONNEL DORIS: Thank you.

COUNCIL MEMBER LEVIN: So, I want to know what,
how SBS is assessing the damage to small businesses
when it comes to rent right now and what we're doing
to help small businesses navigate that potential
conflict with their landlords.

So, I've heard from a lot of small businesses
that landlords are still demanding rent be paid, even
though the business is closed and obviously that put
them you know, with out any income in an impossible
position. So, what are we doing about that?

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2 JONNEL DORIS: Yeah, well thank you. You know,
3 we certainly are hearing a lot of concern from
4 advocates and small business around this.

5 We have our commercial lease assistance program
6 that has been successful.

7 COUNCIL MEMBER LEVIN: How does that work?

8 JONNEL DORIS: Well, we have 680 businesses who
9 have been served by it. The businesses connect with
10 us, we connect them with that program. They help
11 them review leases. Also helps them with their other
12 business obligations as negotiations of payments,
13 plans etc. So, that program is working well.

14 COUNCIL MEMBER LEVIN: 680, sorry 680 since the
15 pandemic started or 680 in total?

16 JONNEL DORIS: This is 680 businesses since we
17 started the program in 2018.

18 COUNCIL MEMBER LEVIN: Okay, how many have
19 enrolled since the pandemic started?

20 JONNEL DORIS: I will have to get that number
21 back to you but you know, we do have attorneys
22 working with those businesses one on one and so, this
23 program -

24 COUNCIL MEMBER LEVIN: We know that there is
25 tens of thousands if not you know hundred thousands

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of businesses that are going to need that type of
service.

JONNEL DORIS: Correct and you know, we will
continue to make sure that they receive that services
from us and do additional outreach.

So, we agree with you this is a great program.

COUNCIL MEMBER LEVIN: Right, but how are we
going to do that without you know massive ramping up
in terms of the capacity of that program?

JONNEL DORIS: You know, please send them our
way. Send these businesses our way. We are happy to
assist every single one of these businesses to find a
way to assist them.

COUNCIL MEMBER LEVIN: Is there a wait list for
the program?

JONNEL DORIS: To my understanding there is not
a wait list for the program at this moment.

COUNCIL MEMBER LEVIN: Any program that is in
need of assistance with help with their - if their
landlord is saying, I need you to pay April's rent
even though you were closed for the entire month of
April and have no revenue.

SERGEANT AT ARMS: Time expired.

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2 COUNCIL MEMBER LEVIN: Just, tell me what the
3 program would do for somebody in that situation.

4 JONNEL DORIS: The program will connect that
5 business owner with an attorney and they can work out
6 how they can approach the landlord together to speak
7 about you know, renegotiation of that lease. Some
8 sort of abatement etc. Review their lease, check
9 what obligations are there. I think you know that's
10 really critical.

11 COUNCIL MEMBER LEVIN: And what's the name of
12 the program again?

13 JONNEL DORIS: Commercial Lease Assistance
14 program.

15 COUNCIL MEMBER LEVIN: Okay, I'll make sure to
16 refer people. Thank you.

17 JONNEL DORIS: Thank you very much.

18 COMMITTEE COUNSEL: And we have Council Member
19 Cornegy followed by Council Member Perkins. Thank
20 you.

21 SERGEANT AT ARMS: Time starts now.

22 COUNCIL MEMBER CORNEGY: Good morning. Great to
23 see you Commissioner. Congratulations on your
24 appointment.

25 JONNEL DORIS: Thank you sir.

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2 COUNCIL MEMBER CORNEGY: I'm going to start with
3 a critic and then a suggestion. So, I know that the
4 former programs that offered millions of dollars were
5 based on a first come first serve and I think we saw
6 that that didn't work for communities, in outer
7 borough communities and especially communities of
8 color.

9 So, I'm hoping that we don't do that again in
10 terms of any new money that we're demanding become
11 available. Second of all, you talk a lot about
12 outreach and one of the things I'm very proud of is
13 in working with SBS prior to the pandemic, we created
14 a mechanism by which we could get to small businesses
15 on LBE's, MWBE's who characteristically don't get to
16 use the services that SBS's offers through Chamber
17 On-the-Go and through ultimately a program where we
18 saw that mobile resources were extremely important in
19 getting out what everybody needs and I'm hoping that
20 very shortly, we can roll those out. I know that
21 we're still in the social distancing mode but that
22 has to be the first thing. They should be gassed up
23 and ready to go, so that they can go to these small
24 commercial thoroughfares that don't have BIDs and may
25 not have merchants associations to make - the

1 information and what's offered and the connections
2 that you mentioned SBS does is available to those
3 communities.
4

5 So, I'm just wondering one, when do you think
6 we'll be rolling those vehicles out in all five
7 borough, especially to outer boroughs. And two, any
8 money that's deemed to be allocated outside of the
9 federal government. When will we - you know, we won't
10 be using that methodology of first come first serve.
11 What is the methodology of first come first serve.
12 What is the methodology that we'll be using to ensure
13 that LBE'S and WBBE'S are that the forefront of
14 receiving those funds.

15 JONNEL DORIS: Thank you so much Council Member.
16 First, I think you know again, over 50 percent of our
17 loan programs went to minority and women businesses.
18 On the Chamber On-the-Go, we do agree that is a great
19 program. Folks have been calling, we've been
20 emailing them but obviously in this environment it's
21 hard to go door to door. You know, we served close
22 to 20,000 businesses through this program that I
23 believe that you initiated and you know, we're so
24 grateful for that work and we want to continue to do
25 that.

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3 You know, but we have to figure out a way to do
4 that in a safe way once we you know, begin to recover
5 from this particular pandemic. How do we get you
6 know information out to the public and a bit more
7 direct. We'll happen to discuss that further and as
8 a first come first serve basis, you know, I think
9 yes, we are reevaluating all of our processes. We
10 understand certain businesses have a bit more
11 advantage I would say because maybe advantage I would
say because maybe of their size or scope etc.

12 SERGEANT AT ARMS: Time expired.

13 JONNEL DORIS: In order for them to engage with
14 us in those products. That's why we're changing our
15 outreach methodology, so that we were able to get to
16 those who need it the most first and then you know,
17 everyone else. And so, we're going to be working on
18 that. We'll look forward to working with you on some
19 of those matters.

20 COUNCIL MEMBER CORNEGY: Well, thank you so
21 much. I know my time is up, hopefully there will be
22 a second round of questioning, I don't know, we're
23 pressed for time with this new mode but thank you
24 Commissioner. I look forward to working with you.

25 JONNEL DORIS: Thank you sir.

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COMMITTEE COUNSEL: Can we please have questions
from Council Member Perkins.

SERGEANT AT ARMS: Clock starts now.

COMMITTEE COUNSEL: Council Member Perkins, you
may go. I believe we may be having some technical
difficulties getting Council Member Perkins audio.

CHAIRPERSON DROMM: Lets go to the next and then
we can always come back to Council Member Perkins.

COMMITTEE COUNSEL: At this time Chair Dromm, no
one else has their hand raised. I believe you had
some second round questions if you have time for
those.

CHAIRPERSON DROMM: No, Council Member Gjonaj,
Co-Chair Gjonaj has some statements and questions.
Let's go to Chair Gjonaj.

SERGEANT AT ARMS: Clock starts now.

COMMITTEE COUNSEL: It's not on the clock
please.

CHAIRPERSON GJONAJ: Thank you Chair Dromm.
Commissioner, my passion for these small businesses
as you can see is evident and I know that you have
the similar commitment to our small businesses. This
administration has an opportunity to stand up and
value and show these small businesses how much they

2 mean to New York City. This Administration and
3 others have previously stated that New York City
4 gives more to the federal government that we get
5 back. I echo those same words to you and this
6 administration. Small businesses give much more to
7 the City of New York in the form of tax revenue than
8 they get back and I can't accept that we're not going
9 to allocate any additional funding in this \$90
10 billion budget to our small businesses. Not even in
11 the form of waiving real estate tax payments, water
12 and sewer charges, sales tax, or fines and violations
13 that this city even during this crisis continues to
14 issue. This Administration has viewed our small
15 businesses as nothing more than a piggybank and the
16 message that Administration needs to hear is there is
17 no more loose change in the pockets of these small
18 businesses. You are taking lint out of their
19 pockets.

20 If you can echo these words back when you have
21 these meetings and you are fighting for small
22 businesses, we have an opportunity here. And I know
23 that the burden is going to fall heavily on you
24 because I know this council and the members on this
25 council are not read to share the same

acknowledgments to our minority owned businesses, our
women owned businesses and our commercial corridors.

We are that last hope and these hearings are so
important that we echo that we're not going to fail
our small businesses and I hope that we can achieve
this together but I am not going to accept by putting
this responsibility solely on the federal
government.

It's time for New York City to do its part and
actually put its money where its mouth is and
reiterate those same words. These businesses are
giving more to you Mr. Mayor, than you are giving
back to them.

I don't know how you want to respond to that
Commissioner and maybe you shouldn't but I'm going to
be committed. I'm going to hold you to this.

JONNEL DORIS: Yeah, well, I just want to say I
appreciate the concern and the advocacy. I think we
are advocating for our small businesses every day.
You know, during this budget crisis. You know, we
are the advocates for the small businesses and I say
that with much pride. We want to make sure that the
small businesses are heard. You know, with a careful
eye on regulatory challenges such as fines.

1
2 As you know, we've already reduced fines by 40
3 percent for small businesses. We are going up
4 another 10 percent, that's \$100 million back in the
5 pockets of small businesses and an average of \$26
6 million by the time we get to the 50 percent mark
7 that the Mayor has set.

8 CHAIRPERSON GJONAJ: Commissioner, those
9 violations, and those fines, when they are out of
10 businesses, there is no one to give them to. So, if
11 you are going to calculate that cutting violations
12 and fines because there is no business out there, I
13 don't think that's the map we're looking for. It's
14 time for the city to put their money where their
15 mouth is. Show our small businesses how much they
16 actually mean. There is no greater investment that
17 you can make and there is no greater return that the
18 city is going to have then making sure these
19 businesses survive.

20 JONNEL DORIS: Yeah, and I think we're
21 absolutely in agreement about the significance of
22 small business. Right, I think we both have a
23 passion and I'm feeling yours; I'm hoping you are
24 feeling mine. And I think you know, as we get
25 through this pandemic and we recover, we are doing

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1 everything we can to help our small business. We
2 need to continue to do it with you and the Council
3 Members but the small businesses are what we do. We
4 are the Department of Small Business Services and we
5 are out there. Our entire budget, our entire program
6 is geared towards small businesses and we will
7 continue to do all we can to make sure they get the
8 resources that they need from the city and elsewhere.
9

10 CHAIRPERSON GJONAJ: Thank you Commissioner.

11 JONNEL DORIS: Thank you sir.

12 CHAIRPERSON GJONAJ: Chair Dromm.

13 CHAIRPERSON DROMM: Thank you very much and
14 thank you Commissioner.

15 JONNEL DORIS: Thank you.

16 CHAIRPERSON DROMM: Council Member Perkins, is
17 he here? No, okay.

18 COMMITTEE COUNSEL: Sir, he's on he's just
19 having audio issues. He's unmuted now.

20 CHAIRPERSON DROMM: Council Member Perkins, did
21 you have a question?

22 SERGEANT AT ARMS: Time starts now.

23 COMMITTEE COUNSEL: It appears we continue to
24 have audio difficulty; we'll be sure to pass on
25

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3 whatever questions we get from Council Member Perkins
4 to SBS to answer in writing.

5 CHAIRPERSON DROMM: Okay. So, Commissioner, we
6 want to thank you.

7 COMMITTEE COUNSEL: Chair Dromm?

8 CHAIRPERSON DROMM: Yes.

9 COMMITTEE COUNSEL: Apologies, Council Member
10 Gibson has raised her hand.

11 CHAIRPERSON DROMM: Of course.

12 COUNCIL MEMBER GIBSON: Thank you so much.

13 Thank you Chair Dromm and thank you Chair Gjonaj.

14 Good afternoon everyone. To all my colleagues, I
15 will be very brief, as this portion of our hearing is
16 coming to an end.

17 Commissioner, I want to congratulate you on your
18 new appointment. I know you well under your former
19 role and all the work you've done with MWBE's and
20 certainly, I come to this conversation with a history
21 of being a former Assembly Member working on Article
22 15 around MWBE's across the State of New York,
23 raising the threshold and really supporting a lot our
24 mom and pop businesses.

25 So, I recognize a lot of the work SBS has done
on the ground during this pandemic. It's been very

2 challenging for many; many businesses and I know

3 Chair Gjonaj has shared a lot of how we feel in the

4 borough of the Bronx. Many of our businesses have

5 applied for grants and loans in the first round of

6 opportunity through SBS and we were very disappointed

7 to learn that less than 5 percent of our businesses

8 actually received any money in loans or grants.

9 So, I think it speaks volumes to some of the

10 challenges that our businesses are currently go

11 through in terms of eligibility, technical support,

12 capacity issues, staffing, how we can really help

13 them not only apply but see them through this

14 process. So, we in the Bronx want to be helpful to

15 you and your team as we move forward and try to

16 maintain our business infrastructure but also the

17 minority and women owned businesses and making sure

18 that we're protecting vulnerable immigrant

19 businesses.

20 So, I guess the question I have for you, you

21 talked about Commercial Lease Assistance. Very

22 familiar with that, Legal Assistance, I would with

23 [INAUDIBLE 1:43:04], I want to acknowledge one of

24 your amazing staff on the ground, Bernadette Nation

25 has been great with me as well as Janet Peguero have

1 been very helpful in the Bronx around the Jerome
2 area.

3
4 So, I wanted to understand moving forward, what
5 can we expect from you and your team that would really
6 provide support for our Bronx businesses to access
7 more dollars around grants and loans. Our boroughs
8 have very unique challenges that you understand, so I
9 think we don't want a one size fits all approach but
10 we really want something that's very centered on what
11 Bronx businesses go through. And also, understand
12 that many of them are not members of our BIDs and
13 merchants associations, so that working very isolated
14 in a silo, language challenges, cultural differences.
15 So, we need your help Commissioner.

16 So, I want you to not only commit but offer to
17 work with us in the Bronx, the Chamber and Chair
18 Gjonaj, so that we can really offer the Bronx
19 businesses better options that have been given.

20 Thank you.

21 JONNEL DORIS: Thank you so much Council Member
22 and I really appreciate working with you in the past
23 in other capacities and look forward to working with
24 you in this capacity. I must say that you know, you
25

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are absolutely right. You know, part of our approach
here is to make sure -

SERGEANT AT ARMS: Time expired.

JONNEL DORIS: That we are working to further
tailor our outreach but also our technical support.

And as businesses, I think one of the challenges that
we see with small businesses and this was on MWBE
side as well. It's the back office support. I mean,
it's not that the business can't do the work or they
don't have the skill set or the ability but we have
to figure out ways to sort of beef up back office
support in order for them to actually thrive in the
city and also, when these particular disasters and
recovery programs do come by, that they are ready and
prepared to actually engage.

We are working to further tailor our approach to
connecting with Bronx businesses by working with the
electives like yourselves in the BIDs and others who
are not a part of BIDS. A matter of fact, I think
this week of several Bronx events that we're
attending.

COUNCIL MEMBER GIBSON: Yes.

JONNEL DORIS: So, we are committed Council
Member and I want to make sure that you know that and

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2 we have an open door policy but you don't have to
3 come to us, we're going to come to you. Because this
4 is my commitment, we're going to have a five borough
5 approach where every borough will get the attention
6 that it needs.

7 So, thank you for your advocacy and we will
8 continue to work with you.

9 COUNCIL MEMBER GIBSON: Okay, thank you so much
10 and thank you Chair Mark Gjonaj and Chair Danny
11 Dromm, really appreciate it. Thank you,
12 Commissioner.

13 JONNEL DORIS: Thank you very much.

14 CHAIRPERSON DROMM: Thank you very much Council
15 Member Gibson and Commissioner, I hope you enjoyed
16 your baptism so to speak and we look forward to
17 continuing to work with you. And let me also just
18 give a special shout out to Bernadette Nation who has
19 helped me as well, often times here with some
20 disasters or fires that we've had in the
21 neighborhood. So, thank you very much and
22 Commissioner, I'm just going to read this and then
23 we're done.

24 This will conclude this portion of today's
25 hearing. Thank you SBS for being here. We will now

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2 take a break until 11:30 a.m. when we will hear from
3 the Department of Citywide Administrative Services.

4 I ask my colleagues who will be joining us for the
5 DCAS portion of the hearing, to remain in the Zoom
6 conference with you microphone muted until we're
7 ready to begin.

8 Thank you very much and I'm going to gavel this
9 out. [GAVEL] Thank you.

10 JONNEL DORIS: Thank you very much Mr. Chair.

11 **RECESS -[1:46:43-1:55:57]**

12
13 SERGEANT AT ARMS: Good morning Chair Cabrera,
14 how are you?

15 CHAIRPERSON CABRERA: Good, that sounds like a
16 sound check.

17 SERGEANT AT ARMS: That is a sound check, making
18 sure you are all good.

19 CHAIRPERSON CABRERA: Good, thank you.

20 SERGEANT AT ARMS: You are coming in loud and
21 clear you got it.

22 CHAIRPERSON CABERA: Thank you sir.

23 SERGEANT AT ARMS: Chairs are you both ready to
24 begin?

25 CHAIR'S: Ready.

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3 SERGEANT AT ARMS: Alright. You are up.

4 CHAIRPERSON DROMM: Thank you very much.

5 [GAVEL]. Good afternoon and welcome to the City
6 Council's 5th day hearings on the Mayor's Executive
7 Budget for Fiscal 2021. My name is Daniel Dromm and
8 I Chair the Finance Committee. We are joined by the
9 Committee on Governmental Operations Chaired by my
10 colleague Council Member Fernando Cabrera. And we
11 will now hear from the Department of Citywide
Administrative Services.

12 I would like to acknowledge my colleagues who
13 have joined us and they are, Council Members Adams,
14 Ampry-Samuel, Grodenchik, Perkins, Menchaca, Louis,
15 Rosenthal, Yeger, Koslowitz, Powers, Cumbo, Gjonaj,
16 Levin and Council Member and Co-Chair with me on the
17 Finance Committee on the Capital side Vanessa Gibson.

18 In the interest of time, I will forego an
19 opening statement but I am going to turn it over to
20 our Committee Counsel to go over some procedural
21 items before we hear from Council Member Cabrera.

22 COMMITTEE COUNSEL: Thank you. My name is Noah
23 Brick and I am Counsel to New York City Council's
24 Committee on Finance.

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2 Before we begin, I want to remind everyone that
3 you will be on mute until you are recognized to
4 speak, at which time you will be unmuted by the Zoom
5 host. If you mute yourself after you have been
6 unmuted, you will need to be unmuted again by the
7 host.

8 During the hearing, the if Council Members would
9 like to ask a question, please use the Zoom raise
10 hand function and you will be added to the queue.

11 Thank you. I will now turn it over to Chair
12 Cabrera.

13 CHAIRPERSON CABRERA: Thank you so much and I
14 want to take a moment to thank Chair Dromm. I don't
15 think perhaps people in the public may realize this
16 is marathon to be here day in and day out in every
17 single hearing. It is nothing short of amazing.
18 It's not like he could just walk out and he is there
19 every second, every minute. So, I solute you. Thank
20 you Chair Dromm, you are truly a champion.

21 Good morning everyone and welcome to the first
22 ever remote City Council Governmental Operations
23 Committee Fiscal 2021 Executive Budget hearing. I am
24 Fernando Cabrera Chair of the Committee. We will be
25

1 hearing from the Department of Citywide
2 Administrative Services.

3
4 Before we begin, I would like to say that
5 although we will not hear testimony today from other
6 agencies, such as the Board of Elections and Campaign
7 Finance Board, I would like to express my concern
8 that the Committee has to identify more than \$110
9 million budget shortfalls from agencies covered by
10 this Committee. Which includes \$19.8 million for the
11 Non-Public School Security Guard Reimbursement
12 program, \$50 million for Early Voting costs and
13 upwards of \$70 million for Campaign Finance Public
14 Matching Funds program.

15 This funding has yet to be included in next
16 years budget before the city adopts its Fiscal 2021
17 budget. The Committee would like to get detailed
18 information -

19 SERGEANT AT ARMS: I believe we lost Chair
20 Cabrera.

21 COMMITTEE COUNSEL: Should we go into recess for
22 his rejoinder or -

23 SERGEANT AT ARMS: I'm sorry, he's back on
24 Committee Counsel.

25 COMMITTEE COUNSEL: Oh good.

CHAIRPERSON CABRERA: I have no idea what
happened. I totally disappeared, my apologies. I
have no idea what happened.

I believe I left off this funding has to be
included into next years budget before the city
adopts it's Fiscal 2021 budget. The Committee would
like to get detailed information on how the
Administration plans to address these issues in next
year's budget and I would like to welcome Lisette
Camilo, Commissioner of the Department of Citywide
Administrative Services who will testify before these
committee hearings. Regarding their Fiscal 2021
Budget. DCAS Fiscal 2021 Budget totals \$1.27 billion
including \$225.1 million in personal services funding
to support \$2,554 full time positions.

Today, we look forward to discussing many
aspects of this DCAS operation including the \$1.4
billion in the current fiscal year in federal
funding. They have received to fund back the COVID-
19 pandemic.

In the interest of time, I will now hand the mic
back to Chair Dromm to swear in the Administration
for their testimony. Thank you so much.

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2 CHAIRPERSON DROMM: Okay, thank you very much.

3 I will now call on the members of the Citywide
4 Administrative Services to testify. We will hear
5 testimony from Commissioner Lisette Camilo, who is
6 joined by many members of her senior staff.

7 Will the Committee Counsel please administer the
8 affirmation?

9 COMMITTEE COUNSEL: Thank you. Commissioner
10 Camillo, do you affirm that your testimony will be
11 truthful to the best of your knowledge, information,
12 and belief?

13 LISETTE CAMILO: I do.

14 COMMITTEE COUNSEL: And can the other witnesses
15 from the DCAS Executive Staff who may be called on to
16 testify today also please so affirm?

17 PANEL: We do.

18 COMMITTEE COUNSEL: Thank you all. Commissioner
19 Camillo, you may begin when ready.

20 LISETTE CAMILO: Thank you very much and thank
21 you Chairs Cabrera, Chairman Dromm, and Gibson and
22 members of the Committees on Finance and Governmental
23 Operations.

24 I'm Lisette Camilo, Commissioner of the
25 Department of Citywide Administrative Services. At

2 DCAS, we provide effective shared services to support
3 the operations of city government and we approach our
4 work with a commitment to three core values, Equity,
5 effectiveness, and sustainability.

6 I'm pleased to be here today to discuss the
7 proposed DCAS budget for fiscal year 2021. Since I
8 was here with you last year, much has changed. In
9 the midst of the current COVID-19 pandemic, our
10 agency has played a critical role in supporting the
11 continuity of government operations, as well as
12 directly supporting the city's COVID-19 response
13 efforts.

14 We procured \$800 million worth of supplies and
15 equipment to support response efforts. And this
16 includes everything from ventilators, to personal
17 protective equipment, to hand sanitizer, and cleaning
18 supplies.

19 Our custodians have been on the frontlines
20 cleaning and sanitizing public buildings to protect
21 city employees and the public.

22 Our Real Estate Management team has helped
23 identify locations for COVID-19 testing and shelter
24 for individuals in need of a safe place to
25 quarantine.

2 The Human Capital team has provided support to
3 city agencies regarding time and leave policies and
4 other personnel matters as the city has shifted most
5 of its workforce to telework.

6 We also had numerous staff members who were
7 redeployed to frontline roles assisting with COVID-19
8 response efforts.

9 And these are just some of the examples of the
10 many things our agency has done and continues to do
11 to support the city's battle against this pandemic.
12 This crisis situation has affirmed the importance of
13 our agency's work because DCAS is here to support
14 every other agency and the services each provides.
15 I'm proud of our entire team and the sacrifices they
16 have all made.

17 While our world has changed dramatically over
18 the past several months, there are many other things
19 we've achieved over the past year.

20 We have expanded the number of electric vehicles
21 in the city's fleet to 2,700, including the first
22 electric school bus. We have developed and
23 implemented new tech solutions that allow us to
24 automatically score certain education and experience-
25 based civil service exams in real time. Which will

shorten the length of the exam process for our
customers. We reached an all-time high in energy
reduction from DCAS-funded energy efficiency and
clean energy projects.

During FY19, these projects reduced over 505,000
BTUs of energy, which is the equivalent to the annual
usage of 38,000 households. We installed new energy
efficient LED lights on the municipal building. Which
reduce energy use by more than 50 percent. We're
also pleased that the vendor for the lighting system
also happens to be an MWBE.

And speaking of MWBEs, we have worked
aggressively to promote MWBE contracting. Engagement
efforts have included public events, direct outreach,
and one on one counseling. We are also off to a
great start in FY20. During the first two quarters
of FY20 we awarded a third of our contracting dollars
under Local Law 1 to MWBEs.

These achievements only scratch the surface.
While I am very proud of this success, today I'd like
to also focus on some of our agency's priorities for
the upcoming fiscal year.

To put our budget into perspective, it's
important to understand that the majority of DCAS's

1 expenses cover utility costs for city agencies. Out
2 of our \$1.3 billion budget, \$714 million is budgeted
3 for heat, light, and power. These are fixed costs
4 based on forecasted energy usage and utility rates.
5 The good news is that DCAS is working every day with
6 agencies through multiple programs to reduce energy
7 use.
8

9 The second largest expense is the salaries of
10 our over 2,500 employees. Our talented workforce
11 spans everyone from plumbers, to lawyers, to IT
12 professionals, and everything in between. When you
13 do government operations, your work truly touches
14 everything.

15 In addition to these expenses, DCAS is tasked
16 with multiple duties in ensuring the life and safety
17 of our sister agencies' staff and the general public
18 through various building services contracts,
19 Contractual Security Guard Services, and One City
20 Greenhouse Gas Reduction Initiatives.

21 DCAS has identified over \$23 million in savings
22 for the executive budget across Fiscal Years 20 and
23 21. These measures include a \$6.8 million FY20
24 expense budget savings within our Energy Management
25 team's One City budget, primarily attributable to

project delays due to facility access restrictions
during COVID-19.

An FY21 budget savings of \$3.5 million will be
achieved in the One City Budget by shifting various
expense funded Retro-Commissioning Projects to large
scale Energy Capital Funded Projects.

And a \$1.3 million revenue increase in FY21
through auto surplus auctions. The total FY21
revenue budget for the sale of surplus vehicles and
other city-owned equipment is \$12.1 million. And in
terms of generating revenue, the FY21 revenue budget
is \$62.1 million. This includes \$36.8 million for the
private rental of city-owned properties. Another
large revenue generator is fees for civil service
exams.

For our capital plan, the executive budget
reflects an updated four-year plan of \$2.9 billion
from Fiscal Year 21 through Fiscal Year 24. This
includes maintenance and enhancements to DCAS
facilities, renovation of leased spaces, and
continuing our energy conservation work. The
executive budget for FY21 is \$733 million and will
allow us to complete three core initiatives. DCAS's
capital construction program for city-owned offices

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and court buildings totals \$402 million in Fiscal
Year 21.

This includes work for operations and
maintenance of our buildings on helping agencies more
efficiently use office space in our municipal
buildings.

The capital plan for Fiscal Year 21 includes
\$201 million for energy conservation and green energy
projects and a total of \$11 million has been
allocated to install 100 fast electric vehicle
chargers. These chargers will speed up the charging
process, which will reduce the amount of time fleet
vehicles are out of service.

I am proud of the work we do at DCAS each and
every day and I'm proud of the progress we have made
over the last year. The year ahead is going to be
difficult for all New Yorkers. And as we continue to
confront the human toll of COVID-19 and the resulting
financial challenges, I am committed to working with
all of you on the way forward.

Thank you for the opportunity to testify and I
would be happy to answer any questions.

COMMITTEE COUNSEL: Chair Dromm, are you going
to - oh here we go. Okay, thank you.

CHAIRPERSON DROMM: Yes, I have many things
going on. Excuse me.

So, let me start with some of my questions here.
Thank you very much for your testimony Commissioner.
DCAS is taking an essential role in securing COVID-19
related materials for a number of city agencies and
is the conduit for more than \$1.4 billion in federal
FEMA and CDC funding in 2020. How much more funding
do you anticipate we need for COVID related supplies
for Fiscal 21?

LISETTE CAMILO: At this point, that's unclear.
We are still undertaking that analysis. We're
working together with OMB and our partners, the other
agencies to determine what longer term needs will be.
So, that work is currently underway and we don't yet
have an estimate.

CHAIRPERSON DROMM: And that's dependent on a
vote on the Heroes Act?

LISETTE CAMILO: I think it depends on a number
of different things. Certainly, any federal stimulus
funds will have to be settled. You know, it depends
on whether or not there is a resurgence. There are a
lot of variables that come into play but we're

1 certainly working together to try and develop for the
2 next fiscal for the next fiscal year.

3
4 CHAIRPERSON DROMM: Okay. So, it was reported
5 in the city on April 17, 2020 that DCAS had cancelled
6 some of the COVID-19 related contracts for failure to
7 receive goods. How many such contracts have not been
8 timely filled or cancelled and what are their dollar
9 amounts. I believe there was a \$9 million deposit
10 put down on a much large contract, maybe about \$90
11 million or so.

12 LISETTE CAMILO: Sure. If I can take a step
13 back a little bit. Almost every jurisdiction was I'm
14 sorry, this gallery view is distracting.

15 Every jurisdiction was buying and purchasing the
16 same commodities, PPE's, ventilators, so there was an
17 intense pressure on the supply chain to be able to
18 obtain the necessary goods that we would need for
19 this response.

20 So, the delay is generally where something that
21 every single vendor had experienced and that was not
22 something that was surprising to us. So, in order to
23 reduce that risk, we worked out - we awarded many
24 purchase orders with many vendors to try and ensure
25 delivery. I think that because there was such

1
2 intense competition with other buyers for these
3 commodities, there was just a strain on the supply
4 chain and everyone was facing delays.

5 So, with that particular article, it you know,
6 it was one example of a purchase order that we
7 cancelled but for that on in particular for the
8 ventilators I believe, is that we were raising for
9 that particular one, we canceled that order because
10 the model that they were offering was something that
11 we did not prefer, we found another vendor who was
12 able to produce a model that we were much more
13 comfortable with. So, we canceled that order.

14 We are in the process of continuously looking
15 for additional goods and services and the issuance of
16 purpose orders and contracts as ongoing. So, it's
17 not something that we've stopped doing.

18 CHAIRPERSON DROMM: Okay, so, do you know the
19 number, have you - a number or the dollar amounts?

20 LISETTE CAMILO: For the total number of
21 cancelled purchase order?

22 CHAIRPERSON DROMM: Yeah.

23 LISETTE CAMILO: We certainly can provide that
24 information. That's something that we routinely and
25

1 regularly review and so, that number is going to
2 change.

3
4 CHAIRPERSON DROMM: Okay.

5 LISETTE CAMILO: We can certainly provide that
6 information to you.

7 CHAIRPERSON DROMM: Alright, we'll follow up
8 with you on that then.

9 LISETTE CAMILO: Yeah.

10 CHAIRPERSON DROMM: Was there any shortfall in
11 emergency supplies as a result of the unfilled
12 contracts?

13 LISETTE CAMILO: No. So, when we cancel a
14 purchase order for failure to deliver, it's not the
15 only purchase order that we have for the purchase of
16 that particular commodity. For you know masks, we
17 have probably upwards of 20 different vendors that we
18 contracted to produce masks. For isolation order,
19 same thing.

20 So, the cancellation of one purchase order is
21 something that you know, it's one of many vendors,
22 which is specifically why we chose to diversify the
23 number of vendors that we were doing business with to
24 mitigate that risk. The more vendors that we had
25

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1 purchase orders with, our thinking was the likelier
2 that we would get deliveries.

3
4 CHAIRPERSON DROMM: Are essential workers given
5 guidance by DCAS or any city agency about how to work
6 with PPE and other necessary equipment and if so, can
7 you please provide such guidance to the Council.

8 LISETTE CAMILO: So, we work with the Department
9 of Health who has provided a number of guidance
10 documents on the use of PPE's and we've shared that
11 with the human resources officers for all of the
12 different agencies and we're happy to share those
13 along and then in some instances, they've been
14 updated and we can share the latest versions of those
15 guidance.

16 CHAIRPERSON DROMM: Okay. And just to talk a
17 little bit now about energy efficiency capital
18 projects, something I've been interested in even when
19 I was the Chair of the Education Committee. DCAS
20 Executive Capital Commitment plan include \$972
21 million between Fiscal 21 and 24 for citywide agency
22 efficiency retrofit projects. Can you give us an
23 update on One New York City and are we still on track
24 to achieve a 30 percent reduction in greenhouse gas
25 emissions?

1
2 LISETTE CAMILO: So, we definitely have been
3 working on multiple and parallel tracks from anywhere
4 from education and behavioral change through
5 particular programs to decrease the use all the way
6 up through capital, large scale projects.

7 I can certainly, I'll toss it over to Deputy
8 Commissioner Anthony Fiore who can get into more
9 detail with regard to the capital projects that we've
10 undertaken but they are certainly ongoing and we're
11 planning for more.

12 CHAIRPERSON DROMM: Okay and are energy
13 efficiency retro projects still ongoing in the city,
14 even though there has been a construction freeze due
15 to the pandemic.

16 LISETTE CAMILO: So, right now they are on pause
17 but we expect as soon as that pause is lifted, that
18 we will continue to work. But yes, there will be
19 some delays and the ones that are currently, well,
20 that had been active prior to COVID.

21 CHAIRPERSON DROMM: Okay and let me turn it over
22 now to Chair Cabrera and we'll come back for a finish
23 after that.

24 CHAIRPERSON CABRERA: Thank you to my Co-Chair.
25 Commissioner, welcome. I know that a lot has been

1 placed in your lap and to your team unexpectedly and
2 rapidly. So, thank you for your service, your
3 leadership in managing really at the end of the day
4 stewardship at trying to steward all these moving
5 pieces and all previous systems that were in place or
6 perhaps even systems that were not fit for that. So,
7 thank you for the work that you are doing and making
8 all the adaptations that require.
9

10 I wanted to – you answered some of my questions
11 already and I appreciate that. I was hopeful if you
12 could give me a general breakdown of equipment that
13 has been specifically purchased to combat COVID-19
14 ventilators, if you have that number, face masks,
15 face shields, gowns, cleaning supplies?

16 LISETTE CAMILO: Yes. Yes, those are the types
17 of –

18 CHAIRPERSON CABRERA: Do you have a breakdown of
19 those?

20 LISETTE CAMILO: We can certainly send that to
21 you yes, because remember we're continuing issuing
22 purchase orders and that's – everyday that number
23 changes. But yes, we have ordered thousands of
24 ventilators, millions of gloves, both surgical masks
25 and what we're calling nonmedical face coverings for

1 the workforce, for the essential workforce that still
2 has to show up to buildings in other locations.

3
4 Gloves, isolation gowns, face shields, goggles,
5 and a number of cleaning supplies from bleach to
6 detergent, wipes, a number of – hundreds of thousands
7 of bottles of hand sanitizer. So, yes, we can
8 certainly send you a breakdown of what we have on
9 order, yet the list is very long and the volume is
10 pretty large.

11 CHAIRPERSON CABRERA: What are you lacking the
12 most at this point?

13 LISETTE CAMILO: I mean, I think that we're in a
14 good state for right now. We continue to order up on
15 the essential PPE's for the frontline workers,
16 doctors and nurses that are in the hospitals and in
17 the nursing homes. We work very closely with the
18 Department of Health to really monitor burn rate to
19 see how quickly they are being used to ensure that we
20 have a significant number of orders that are in place
21 and coming in.

22 So, that work is ongoing every day. We're also
23 working on a longer term stockpile strategy. Given
24 that the Governor is requiring that for a stockpile,
25 we're working very closely with Department of Health,

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3 the Mayor's Office of Contract Services, on
4 developing that as well.

5 CHAIRPERSON CABRERA: What's your burn rate on
6 the supplies and how much of a stockpile do we have?
7 If vendors were to stop being able, this is
8 hypothetical, to supply for some strange reason, how
9 much do we have in reserves at this point?

10 LISETTE CAMILO: So, the agency that has the
11 most accurate information regarding burn rate is the
12 Department of health. We buy, they are in charge of
13 determining where they go, what hospitals they are
14 sent to and how quickly they are using. So, they are
15 the entity that would have the most accurate burn
16 rate data. We are buying in bulk and they are you
17 know, keeping track of what's being used today.

18 CHAIRPERSON CABRERA: But are they sharing with
19 you how much we have in reserve?

20 LISETTE CAMILO: Yes, we definitely have at
21 least two weeks on hand and as every day that things
22 come through, you know, that ebbs and flows but like
23 I said, we are working towards and on a path to a 90
24 day stockpile.

25 CHAIRPERSON CABRERA: Are you still looking to
buy more ventilators since the numbers have

1 drastically gone down and/or are you anticipating
2 perhaps we're going to have a second wave, which
3 could be potentially worse. I'm thinking and I hope
4 not but thinking less and less people are going to be
5 using masks in the summer. I haven't been able to
6 get a Commissioner to share with me up to this point,
7 you know, and maybe early on but it's going to happen
8 soon, it gets really hot, work in sanitation. Are
9 you going to wear a mask, I mean that's brutal work.
10 In construction and so forth, so there is a
11 likelihood that we could have another spread due to
12 you know, weather conditions.

14 So, are we looking to buy more ventilators?

15 LISETTE CAMILO: So, part of the Governor's
16 order to have a 90 day stockpile on hand includes the
17 highest rate - it's a 90 day stockpile of the highest
18 rate of necessity and so, we're working towards
19 meeting that and I believe we're working on our last
20 purchase order to meet that goal.

21 So, we are well on our way to meeting it. So, I
22 think that after this particular purchase order that
23 in flight, we will have met our 90 day stockpile goal
24 on ventilators. But it assumes the highest use.

2 CHAIRPERSON CABRERA: When we buy those
3 ventilators, do we test them or do we wait until we
4 need them to test them?

5 LISETTE CAMILO: So, the ventilators that we
6 have purchased, have all been approved by the
7 hospitals and they are all familiar and know how to
8 work them.

9 As with any product, we won't know if they work
10 until we actually physically get them and once, we
11 receive them, then we do have a quality assurance
12 review to determine that they work. So, as they come
13 in, they will be reviewed and they will be - it's an
14 equality assurance assessment.

15 CHAIRPERSON CABRERA: Did you have any sets of
16 ventilators that you purchased that were not
17 functional?

18 LISETTE CAMILO: I have not heard that directly.
19 I have not heard that as of yet, I don't think. But
20 again, I'm not sure.

21 CHAIRPERSON CABRERA: Can you describe to the
22 Committee the process of how an agency will go about
23 requesting PPE's that DCAS purchase on their behalf?
24 And the reason I ask, I was a little surprised that
25 if I understood this right, the NYPD have to go to

2 the Department of Health. Wouldn't NYPD make a
3 request straight to you or Department of Health has
4 total control of all the equipment and they are the
5 one's who make the purchase order?

6 LISETTE CAMILO: So, in the very early stages of
7 COVID, when we were at the peak when things were,
8 you know, it was a very dire situation for - the
9 medical grade PPE's are all of the orders that we
10 were having placed, haven't yet come in. As I
11 mentioned the pressure on the supply chain caused
12 delays across the board, so every single piece of
13 medical grade PPE's was under tight control and
14 everything was being allocated by the Department of
15 Health.

16 So, DCAS was the purchase order arm, so we were
17 making all of the purchases and followed the medical
18 grade PPE's were being shipped out to the Department
19 of Health because they were the ones that had the
20 information and the relationships with the hospitals
21 to be able to dispatch groups.

22 Now, for your question about all of the other
23 agencies that were not in the medical profession and
24 who were you know as you mentioned, the Sanitation
25 Department or Parks Department. You know, after the

1 Mayor established or mandated that all city workers
2 that cannot be socially distanced while they are
3 performing their essential services, had to wear a
4 face covering. We made sure that we had enough
5 nonmedical face coverings on hand to be able to
6 provide to all of the other agencies.
7

8 So, we ordered up, there is no lacking in
9 supplies there and if an agency wants to request for
10 their workforce. We want to make sure that we're
11 keeping tabs on that, so agencies are required or
12 they want to request their PPE's. They should be
13 working with their relevant Deputy Mayor who will
14 then aggregate all of the needs. They will pass it
15 on to DCAS, DCAS will then deploy and submit their
16 allocations and we'll drop them off. So, we're doing
17 monthly allocation.

18 CHAIRPERSON CABRERA: Commissioner, have you
19 seen the prices of these PPE equipment go down?

20 LISETTE CAMILO: I think that we've ordered a
21 lot of different types and there is always a range.
22 I think at the height of the pandemic, we saw a
23 broader range but I think that's been regulated
24 somewhat but there is definitely you know, some
25 range.

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2 And for the nonmedical PPE's in particular, you
3 know, we're really casting a wide net. We want to
4 make sure that we have cloth masks, bandanas,
5 disposable dust masks. So, all of those different
6 types have different prices. We just want to make
7 sure that we are casting a really broad net to ensure
8 that we have enough stock.

9 CHAIRPERSON CABRERA: Do you deliver the
10 equipment to the agencies or the agencies have to
11 come and pick them up?

12 LISETTE CAMILO: Primarily, we will do
13 centralized delivery, so we would - there is one
14 location that - for example a very large agency like
15 DSS, we would do one large shipment to one central
16 location and then they will further allocate to their
17 other offices whether it clients or other offices,
18 other sites.

19 CHAIRPERSON CABRERA: Can you describe DCAS
20 responsibility when an agency notifies the Department
21 that they have an employee that have been diagnosed
22 with COVID-19?

23 LISETTE CAMILO: So, we issued some guidance on
24 what to do but we work very closely with the
25 Department of Health to provide guidance to agency HR

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2 professionals. Typically, that's handled at an
3 agency level and DCAS does not play a role in
4 managing other agencies employees that have either
5 are showing symptoms or actually test positive but
6 there are some guidance that we provided and I don't
7 know, Barbara Dannenberg, is there any other - this
8 is Deputy Commissioner Barbara Dannenberg for Human
9 Capital whose team developed that guidance in
10 conjunction with Department of Health. Is there any
11 other thing that we should flag?

12 BARBARA DANNENBERG: No, I think you covered it
13 and again DCAS is not collecting this information, so
14 we don't really have any numbers to report or
15 anything like that. Good afternoon.

16 CHAIRPERSON CABRERA: Good afternoon. I just
17 have a couple of more questions because I want to get
18 to all the members. As a matter of fact, let's go to
19 the members now to come back. We can come back to my
20 questions at the tail end. I'd like to stay to the
21 ten minute Sergeant of Arms.

22 COMMITTEE COUNSEL: Chair Cabrera, should I call
23 for member questions?

24 CHAIRPERSON CABRERA: Who is speaking, is the
25 Sergeant at Arms?

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COMMITTEE COUNSEL: No, this is the Committee
Counsel.

CHAIRPERSON CABRERA: Oh, yes, yes, you can go
ahead.

COMMITTEE COUNSEL: I will do so. So, if any
Committee Members have questions for the
Administration, please use the Zoom raise hand
function and you will be added to the queue. Council
Members, please keep your questions to three minutes
including answers. Please wait for the Sergeant at
Arms to tell you when your time begins. The Sergeant
will then let you know when your time is up.

Before I call, I just want to acknowledge that
we have been joined by Council Member Kallos and
Council Member Yeger. We will now hear from Council
Member Kallos followed by Council Member Yeger.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER KALLOS: Thank you to Chairs
Dromm and Fernandez and thank you for letting us ask
questions so early into the hearing.

I have four questions, so pencils out. First
question is, Crain's Reporting reached out, following
the Crain's Reporting, the \$70 million project I
reached out to Mayor's Office of Contract Services

1 where you previously serviced Commissioner Camillo.

2
3 With some more questions to Chair Dromm and I will be
4 sending a letter to MOCS on contract cancellations,
5 price renegotiations, fall backs on prepayments and
6 securing a sustainable supply chain. You can commit
7 to participating in a response in the next week or if
8 you wish to do so now.

9 The second question relates to the question I've
10 asked you every single hearing since you know when,
11 which is have any deed restrictions seen applications
12 for waiver or received preliminary approvals since
13 last year. If so, where and when and are any on
14 track to move forward in the process in the next
15 fiscal year?

16 DCAS has stood up computer testing centers and I
17 believe in all five boroughs, if that can confirmed
18 and will they reopen since we are seeing such high
19 unemployment and if they can't reopen in the next
20 couple of weeks, is there an opportunity to bring
21 them online since they are computerized anyway? So
22 that we can really get people access.

23 And then the last question is, we have a
24 citywide fleet, but the streets are empty. We have
25 citywide procurement for paper, for printer toner,

1 for all sorts of things for our offices. What types
2 of savings have we already seen and are they already
3 reflected in the budget savings and what can we
4 project moving forward with the pandemic? And also,
5 heating and lighting, I mean, I believe there is a \$2
6 billion heating and lighting budget, how much of a
7 cost savings have we seen since the pandemic and can
8 we appreciate moving forward?
9

10 Those are the four questions and thank you to
11 the Chair's.

12 LISETTE CAMILO: Okay, so I took notes; if I
13 missed something, please let me know. With respect
14 to the Crain's article and the letter that you will
15 be sending us, I will absolutely commit to
16 participating in the response. Happy to share any
17 information that we have regarding our efforts and
18 the efforts of the team throughout this really
19 intense time, so happy to do that and actually
20 looking forward to it.

21 With respect to the deed modifications, I don't
22 believe there have been any new applications. There
23 are still a total of about 17 that have applied
24 overall. Of the 17, 12 are still in the active mode.
25 None have been lifted.

1
2 I believe 8 have moved onto the land use
3 analysis, so still reviewing all of the documents
4 that they have submitted.

5 SERGEANT AT ARMS: Time is expired.

6 LISETTO CAMILLO: I'm sorry. Oh. We're still
7 reviewing; they have not moved forward and depending
8 on the quickness in reviewing and stakeholder
9 engagement and going through all of the steps that
10 the law requires; I think it just depends on how
11 quickly the stars align. There might be an
12 opportunity for one of them to be resolved in the
13 next fiscal year. However, it's too soon to tell.
14 But what I can certainly state and confirm is that
15 you know, there's a lot of engagement, community
16 engagement on any of these that will happen. So,
17 everyone will on notice if any of them do forward
18 enough to be close to being lifted.

19 So, that's something that will remain a big
20 focal point in our work, but I don't see that
21 happening any time soon as in the next couple of
22 months, I just can't predict the next fiscal year.

23 With regard to the C-Techs, I can absolutely
24 confirm we do have five, one in each borough. We
25 were very excited about that. To make sure that we

1
2 have a presence in every borough that if any New York
3 City resident wanted to work for the city that there
4 wasn't a need to travel to Brooklyn or downtown
5 Manhattan. They could be that closer to home, so
6 that's definitely something that we were very proud
7 of. Unfortunately given the pandemic, we have had to
8 close and we have had to postpone the exams that were
9 scheduled to be administered at the C-Techs for the
10 closure. We have every intention of re-calendaring
11 those once we reopen.

12 And to your question about whether or not some
13 of those can be taken online, that is something that
14 we're actually actively investigating. There is a
15 technical component that we have to work out. I
16 think that some of the issues, besides the technical
17 component, and specifically I'm talking about the
18 multiple choice exams. So, there's a technical
19 component that we're trying to figure out but there
20 is also a security component that we also have to
21 work out that I think is probably the more
22 complicated, trickier one.

23 So, you know, we're certainly talking about it,
24 we're certainly exploring it. We want that work to
25 continue but there is nothing to report yet but once

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2 we move or have some decision points, we'll certainly
3 you know, be happy to come back and have
4 conversations about what that looks like. But you
5 know, we agree, we want to be back online as soon as
6 possible.

7 I will say though, that though the C-Techs are
8 closed and we haven't been able to give multiple
9 choice tests, we have been able to continue
10 administering education and experienced tests that
11 are available to be taken online from home.

12 So, the work hasn't completely stopped but as
13 you can imagine, the C-Techs have definitely taken a
14 brunt of this pandemic.

15 And with regard to savings, generally, through
16 this pause, I think we will see savings in a lot of
17 the categories we mentioned certainly the heat, light
18 and power budget and possibly certain fleet
19 exercises. Certain commodities that probably went
20 down because of the work from home orders since
21 agencies have most of their workforce or a lot of
22 their workforce working from home, you might have an
23 impact as the procurement budgets.

24 It's too soon to tell or quantify that number
25 but we do expect some savings once the books get

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2 closed overall. I don't know if I answered all of
3 those questions but we certainly expect some
4 additional savings.

5 We got them all. Okay, great.

6 CHAIRPERSON DROMM: Wow, that's an
7 acknowledgement from Council Member Kallos, thank
8 you. Let's go to our next Council Member please.

9 SERGEANT AT ARMS: Time starts now.

10 COMMITTEE COUNSEL: We would like to hear please
11 from Council Member Perkins. Council Member Perkins,
12 if you are available, if you can hear us, would you
13 like to answer your question now? Followed by
14 Council Member Menchaca.

15 SERGEANT AT ARMS: Time starts now.

16 COMMITTEE COUNSEL: Can we please unmute the
17 Council Member?

18 COUNCIL MEMBER PERKINS: Okay, so, did you
19 unmute me?

20 COMMITTEE COUNSEL: We are ready for you Council
21 Member.

22 COUNCIL MEMBER PERKINS: So, what are the
23 concerns; I wanted to see if I can get a better
24 understanding is this 90 day stockpile. Is there
25 some brief description of what it might include as a

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1 stockpile? What is in that so-called stockpile and
2 is there a budget or purchase order related to that?

3 LISETTE CAMILO: So, the -

4 COUNCIL MEMBER PERKINS: Okay.

5 LISETTE CAMILO: Sorry. The stockpile is
6 related to the Governor's requirement for cities and
7 localities within New York State to have a 90 day PPE
8 stockpile as a prerequisite to reopen.

9 COUNCIL MEMBER PERKINS: Okay.

10 LISETTE CAMILO: So, all of the items in that
11 stockpile would be the goods and the commodities that
12 hospitals need to be able to protect themselves while
13 they are treating COVID patients.

14 So, it runs the gamut certainly from ventilators
15 to face masks, N95 masks surgical masks, gloves,
16 isolation gowns, bouffant caps, I'm trying to run
17 through the list in my head.

18 COUNCIL MEMBER PERKINS: And related instruments
19 etc., that are appropriate for the needs of
20 hospitals.

21 LISETTE CAMILO: Yes.

22 COUNCIL MEMBER PERKINS: Okay.

23 LISETTE CAMILO: Right.

24
25

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1
2 COUNCIL MEMBER PERKINS: That's a sort of short
3 term understanding of it. Is there anymore details
4 that you can give? Not necessarily now in terms of,
5 but if there is a memo of some sort that you can -
6 without too much you know aggravation, send us so
7 that we can get a sense of what is that stockpile and
8 more or less how is it managed?

9 LISETTE CAMILO: Sure, and you know, this is not
10 something that DCAS is in charge of alone. We are
11 working with a number of partners across the city in
12 order to refine and develop that list, develop what
13 the numbers are etc.

14 So, I'm sure that once that work gets completed,
15 we can certainly share that and pass that along.

16 COUNCIL MEMBER PERKINS: So, thank you very
17 much. If you can provide even an abbreviated version
18 of that, that would be very useful just to get an
19 insight into what's being used and how -

20 LISETTE CAMILO: Sure.

21 COUNCIL MEMBER PERKINS: Okay, so, thank you
22 very much. So, I guess you'll back to us on this.

23 LISETTE CAMILO: Yes.

24 COUNCIL MEMBER PERKINS: Thank you.
25

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CHAIRPERSON DROMM: Our next Council Member
please.

COMMITTEE COUNSEL: Can we please have Council
Member Menchaca.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER MENCHACA: Hi everyone. I am
curious Commissioner about DCAS's approach to real
estate in terms of city property, leased owned, etc.
and how COVID is changing maybe potentially those
conversations within your agency discussions and
first on the impact of the budget but also just in
terms of really innovating the way that we pay for
rent, release negotiations, etc. And so, that's a
big question, so I'll let the rest of the time go
with that deeper dive into real estate as a whole for
DCAS.

LISETTE CAMILO: Sure. There are different ways
I guess to approach things. So, you know that the -
I guess, you are asking for how we are approaching
real estate generally? Like, how we use our own
space or the leased office spaces.

COUNCIL MEMBER MENCHACA: All of that. I'm
assuming it's a pretty big portfolio and I'm assuming
with the massive increase in staffing in the last

1 seven years, DCAS is probably taking up a lot more
2 space in the City of New York and how with social
3 distancing and people kind of working from home and
4 what's that's really rethinking how you think about
5 leasing space. Reduction of space, the necessary
6 space. Just in general about how you are thinking
7 about real estate.

9 LISETTE CAMILO: Sure, so it's interesting.
10 We've had a number of conversations internally about
11 this very topic. A couple of years ago, there was a
12 big push to try to rely less on leased space and to
13 try and maximize the density of all of our certainly
14 our city owned space in order to lease less and when
15 we had to lease to make sure that we're maximizing
16 every inch. So, as to not lease out excessively.

17 You know, fast forward to today with the COVID
18 response and social distancing and all those things
19 and how that that's going to impact any
20 recommendations that we would make, you know, we
21 started having those discussions internally about
22 space standards and how all of that is going to work.

23 We had not come up with the answers yet, we're
24 still discussing these but we're certainly
25 considering you know - we're looking to what other

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1 large institutions with buildings and space
2 management are doing. And we're undertaking that
3 analysis now to see how best to – what the
4 recommendations are going to be. But you know, it's
5 a pretty – you know, there is now playbook for this,
6 so we're looking to be creative and kind of pull
7 every lever.
8

9 SERGEANT AT ARMS: Time expired.

10 COUNCIL MEMBER MENCHACA: Thank you. Looking
11 forward to talking to you more about it.

12 CHAIRPERSON DROMM: Okay, that wasn't meant for
13 you Commissioner. It was just a reminder to our
14 Council Members but thank you.

15 Council Member Menchaca yeah. Okay, thank you.
16 Alright, any other Council Members?

17 COMMITTEE COUNSEL: Chair Dromm, not at this
18 time. I think both you and Chair Cabrera may have a
19 second round of questions.

20 CHAIRPERSON DROMM: I think we're going to go to
21 Chair Cabrera and lets see. Okay, Chair Cabrera?

22 CHAIRPERSON CABRERA: Thank you. Thank you so
23 much and if we have time, I can see us having a
24 second round for members who might have other
25

1 questions. We're moving rather rapidly here. Thank
2 you, Co-Chair.

3
4 Really quickly here, DCAS Fiscal 2021 Executive
5 Citywide Savings plan included \$16.6 million in
6 savings in Fiscal 2021 but only \$6.6 million Fiscal
7 2021 with the majority of this initiatives generating
8 saving for only one fiscal year. Can you provide the
9 Committee with information on how the Department has
10 the right to this savings number? And even more
11 importantly, why does DCAS not have recurring
12 savings?

13 LISETTE CAMILO: So, as we looked at what the
14 current fiscal year had and what we were able to
15 quickly identify as savings for this year, which is
16 as you can see a significant identification. I think
17 that the work will continue to identify recurring
18 savings. So, I don't know - Rich Badillo who is my
19 Deputy Commissioner of Finance, I'm not sure if he
20 wants to elaborate there.

21 RICHARD BADILLO: Yeah Commissioner, as you
22 said, the targets, the information that comes back
23 from OMB to the agency gives us the opportunity to be
24 able to save current year monies and identify them as
25 part of the savings program.

1
2 So, you know, that's the first review we do is
3 look through our budget and see whether there is any
4 savings in the current year before we move onto the
5 next fiscal year. Obviously, going forward now, the
6 FY20 budget will be coming to a close and the next
7 focus will be when there is the next savings program
8 to review FY21 across the agency to determine what
9 savings can be offered to OMB and look at FY20 with
10 conjunction with that future exercise.

11 CHAIRPERSON CARBRERA: One of the things in a
12 side bar here Commissioner. I brought this up I
13 think about a year ago. Usually during times like
14 this, there's a tendency just like in the booming
15 years to sell properties.

16 I'm hopeful that we will get into the mode on
17 selling the real estate asset that we have because
18 it's going to cost us a lot more later on. There is
19 no guarantees.

20 We are sitting at - I see a seven year recession
21 here. I don't see us bouncing back as fast as other
22 people, especially out of state. We think we will
23 get out of this hole. Is there a commitment to try
24 to preserve as many properties that we have?
25

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1
2 LISETTE CAMILO: One of the things that I can
3 certainly state is that that has not been something
4 that has been discussed or considered at all. You
5 know, I think a couple of years ago when we were
6 tasked with the space savings initiative, one of the
7 things that became very apparent is when we sold off
8 office buildings that were in the role to our ability
9 to you know, to accommodate a growth in government,
10 we had to rely on recent office space because we did
11 that.

12 So, I think that that is something that you know
13 was very eye opening for us when we were undergoing
14 that exercise. So, you know, that has not been to
15 anything that we've been discussing internally at
16 all.

17 CHAIRPERSON CABRERA: That's fantastic. Let me
18 move on to Nonpublic School Security Guard
19 Reimbursement program. As you know, the Fiscal 2020
20 budget - I apologize, they are mowing the lawn
21 outside. I live in a [Inaudible 2:50:28], I have no
22 control over that.

23 The Fiscal 2020 budget includes \$19.8 million
24 for the Nonpublic School Security Guard Reimbursement
25 program. However, as the release of the second plan

1 funding for this program has yet to be included in
2 Fiscal 2021. So, two quick questions, would this
3 funding be restored to Fiscal 2021? Will this
4 funding be included in budget adoption? That's the
5 first question and what happened to the unarmed
6 security guards that were financed through this
7 funding?
8

9 LISETTE CAMILO: So, for the first part of it, I
10 think that there have been other exec budgets where
11 the program had not yet been funded but this is a
12 program that's required by local law. So, we expect
13 that OMB will place the funding in our budget for
14 adoption.

15 That's something that has happened in you know,
16 in the past. I'm confident that they will. With
17 regard to what happened to those security – the ones
18 that we were reimbursing for this year you mean?
19 Your last question about the guards?

20 CHAIRPERSON CABRERA: It's too loud outside.
21 What was that question?

22 LISETTE CAMILO: I was just asking for
23 clarification on your last question. Were you asking
24 about what happened to the security guards ever
25 providing services to the schools during COVID?

1
2 CHAIRPERSON CABRERA: Do you happen to know if
3 they were laid off? if there were any lay offs to
4 them?

5 LISETTE CAMILO: I'm not sure. I do know though
6 that we had provided guidance that we would stop
7 reimbursing for those security guards after May 6.
8 I'm not sure though if the schools determined or
9 decided to lay them off.

10 CHAIRPERSON CABRERA: My last question- by the
11 way, regarding to that, do you know how much funding
12 do you estimate will be included for security guards
13 on the 2021 budget?

14 LISETTE CAMILO: That I don't know.

15 CHAIRPERSON CABRERA: You don't know, okay. And
16 last question was related to what Council Member
17 Menchaca was asking, with one of the questions with
18 him here.

19 Do you foresee a world where some of the DCAS
20 members, staff will work from home in light of the -
21 we could find some savings in terms of office space?
22 I would imagine they've been effective during the
23 work from home. Twitter right now has allowed
24 anybody who wants to work at home to work from home.
25 And I see some of your staff looking at me right now

1 thinking boy, I hope that's me. I could stay home
2 but do you foresee that that's a strong possibility?
3

4 LISETTE CAMILO: It's unclear. I think that it
5 has been something that we put together on a citywide
6 basis rather quickly. I think it has been
7 successful. It wouldn't surprise me if that would be
8 one of the tools that agencies would be given to try
9 and work out or address social distancing in the
10 office.

11 I don't know where we're going to land on that
12 as a city. Although, I don't know that it would lead
13 to savings, only because if we move forward with
14 that, it would address - that would be a tool to
15 address social distancing, to be able to have more
16 space in a workplace. I don't think that there is a
17 cost savings with regard to working from home right
18 now.

19 CHAIRPERSON CABRERA: But in the long run, it
20 would, right. Because we wouldn't need as many - all
21 of those who are doing administrative work, they
22 could do it from home.

23 LISETTE CAMILO: Possibly.

24 CHAIRPERSON CABRERA: You know, we could save an
25 office building that conceivably have a hundred

1 employees. I mean that's especially where a lot of
2 your buildings, you know, real estate is expensive up
3 there. Even under the conditions that we're leaving
4 now days. I think it's something to look at.

6 LISETTE CAMILO: I mean, it's certainly a
7 possibility but you know, if you recall a lot of our
8 workforce are out on location doing things that can't
9 be done from home. So, you know, that's mitigated by
10 that requirement, by that need.

11 CHAIRPERSON CABRERA: But for other agencies, it
12 will make sense. Yeah, for other agencies, I can see
13 where the thousands upon thousands of employees,
14 we're going to have to come up with innovative ways
15 to be able to cut because this budget gap keeps
16 increasing and let me tell you my greatest fear.
17 It's not even this year, it's next year. Because the
18 funding is just not coming in and all these
19 restaurants and everyone that is not coming back
20 online, businesses are not coming back on like that
21 produce our tax space, we're going to be hurting.
22 It's going to go from bad to worse before it gets
23 better. I don't want to sound like a pessimist, I'm
24 a total optimist but I'm also a realist as to what we
25 have before us.

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1 So, with that, let me turn it back to our
2 lustrous Co-Chair.
3

4 CHAIRPERSON DROMM: Okay, thank you. Lustrous,
5 thank you, I like that. Actually, Council Member
6 Rosenthal has a question and then I will follow after
7 that.

8 SERGEANT AT ARMS: Time starts now.

9 COUNCIL MEMBER ROSENTHAL: Commissioner, no.

10 LISETTE CAMILO: Yes.

11 COUNCIL MEMBER ROSENTHAL: Okay. It's great to
12 see you. I'm so glad you are the one who is holding
13 down the fort at DCAS. Two quick questions, because
14 I see I only have three minutes. One is, you know,
15 you and I met and spoke maybe four years ago about
16 putting up solar panels on the roofs of schools and
17 other city buildings. I'm just wondering, where is
18 that project? Has it been ended or is it continuing
19 or do you expect it to continue when safe social
20 distancing comes back for construction? And
21 secondly, I'd love to follow up on the Chairs
22 question about space. Are you being asked to do an
23 exercise where you look at leased space that holds
24 administrative staff, in other words, staff that's
25 not out in the field. Like not a police building or

1 fire station but instead, maybe the Department of
2 Transportation space at 55 Water Street, for example.
3 Making it up, totally. Don't come after me Polly
4 Trottenberg.
5

6 But are you being asked to do that exercise?
7 Where you could identify space that you could imagine
8 next year, the year after, actually breaking a lease
9 and you know, having to identify the cost of breaking
10 that lease but also, the reality of these people can
11 work from home and it would be a savings at a time
12 when we are going to be desperate for savings? Thank
13 you.

14 LISETTE CAMILO: Thank you. So, the first one
15 on the solar panels, that project continues and we
16 have definitely you know, have been working with the
17 vendors that are doing the insulation. The COVID-19
18 pause has definitely caused a great delay on that but
19 as soon as we are able to get back to work, we will.

20 So, Anthony Fiore, I don't know if you wanted to
21 add anything onto that but the short answer is, yes,
22 that project continues. COVID put a pause on it but
23 that is something that we will continue to move
24 forward.
25

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1
2 COUNCIL MEMBER ROSENTHAL: My follow up question
3 for that one would be, and has it earned the
4 projected savings on heat, light, and power than we
5 expected it to be or better or worse? And let's take
6 that one offline.

7 LISETTE CAMILO: You want to take that one
8 offline.

9 COUNCIL MEMBER ROSENTHAL: Well, only because
10 the buzzer is going to ring.

11 LISETTE CAMILO: Yes, okay, so, we'll definitely
12 circle back with you and talk through that pieces.

13 SERGEANT AT ARMS: Time.

14 LISETTE CAMILO: On the space savings question
15 regarding looking at currently spaced, we're still
16 doing the higher level having those discussions. I
17 think that your suggestion to kind of drill down on
18 particular leases and seeing how we can you know, if
19 it's cancelling a lease to push folks out to do work
20 from home, that has not yet happened. But I think
21 you know, part of our discussions is to identify kind
22 of a menu of options that we would need to explore
23 further and you know, that's certainly on the extreme
24 end that will have costs, that will have

25

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3 complications in planning and all the other kind of
4 cascading effects that we have to explore and study.
5 But it's something that I think has to be considered
6 and in addition to all of the things that might not
7 be as invasive, right.

8 So, we're having those discussions and we're
9 committed to kind of going through and looking how
10 that's going to work. It's going to be a heavy lift
11 for sure.

12 CHAIRPERSON DROMM: Okay, thank you. I'm going
13 to finish up with just some final questions
14 Commissioner. DCAS's Fiscal 2021 budget included new
15 needs of \$834,000, \$796 of which comes from intracity
16 expenses associated with the Campaign Finance Board.
17 Can you provide additional information on the purpose
18 of this new need and what will the funding be used
19 for?

20 LISETTE CAMILO: Can you repeat that, I'm sorry.

21 CHAIRPERSON DROMM: Sure. It's a budget, the
22 2021 budget includes new needs of \$834,000 and of
23 that \$796 comes from interest to the expenses
24 associated with the Campaign Finance Board.

25 Would it be possible that's for the rental of
their new BID's?

1
2 LISETTE CAMILO: Rich, can you help me out here?
3 Oh, it's a lease adjustment. Campaign Finance, Rich,
4 do you see that?

5 RICHARD BADILLO: No Commissioner. What Fiscal
6 Year? You are saying FY21?

7 CHAIRPERSON DROMM: Yeah.

8 RICHARD BADILLO: Okay, we would have to look.
9 It could be the lease budget because I know we have
10 some money with them but the specific of that, we'll
11 have to let you know.

12 CHAIRPERSON DROMM: Okay, you know that was an
13 issue of concern for us last year in terms of where
14 they were moving to.

15 So, that information is important for us to
16 know.

17 LISETTE CAMILO: Absolutely.

18 CHAIRPERSON DROMM: And did they change the
19 location or find a new location? We need some
20 information on that. Okay, alright, and then lastly,
21 as part of the Citywide Savings Plan, DCAS will
22 generate budgetary savings of \$55,000 in Fiscal 2020
23 and baseline savings of \$73,000 beginning in Fiscal
24 2021 through the permanent reduction of five vacant
25

1 positions. Where in the DCAS budget are these
2
3 vacancy savings coming from?

4 LISETTE CAMILO: If I'm not mistaking and Rich,
5 correct me here, we're still undertaking that
6 analysis to see which areas will be impacted. But as
7 soon as those are identified, we can certainly
8 provide the information to you.

9 CHAIRPERSON DROMM: Okay. Alright, we'll follow
10 up with you on that then. Alright, I think that's
11 it, if I'm not mistaking.

12 COMMITTEE COUNSEL: Yes, we have no further
13 questions.

14 CHAIRPERSON DROMM: Okay, thank you Counsel.
15 Commissioner, thank you very much and we're going to
16 end here. This will conclude this portion of today's
17 hearing. Thank you to DCAS for being here.

18 We'll now take a break until 1:30 p.m. when we
19 will hear from the Department of Youth and Community
20 Development.

21 I ask my colleagues who will be joining us for
22 the DYCD portion of the hearing, to remain in this
23 Zoom with your microphone muted until we are ready to
24 begin.

25 Thank you.

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2 LISETTE CAMILO: Thank you very much.

3 CHAIRPERSON DROMM: Thank you Commissioner.

4 [GAVEL]

5 LISETTE CAMILO: Thank you.

6
7 **RECESS [3:04:04- 3:57:35]**

8 SERGEANT AT ARMS: Ladies and gentleman, good
9 afternoon. We are ready to resume this remote
10 hearing of the New York City Council's Executive
11 Budget 2021 Committee on Finance with Youth Services.

12 Please silence your devices and turn on your
13 video for identification purposes. Please see that
14 you are accurately named.

15 Thank you in advance for your cooperation.

16 CHAIRPERSON DROMM: Okay, good afternoon.

17 [GAVEL] My name is Council Member Daniel Dromm and I
18 want to welcome you to the City Council's 5th day of
19 hearings on the Mayor's Executive Budget for Fiscal
20 2021.

21 I am the Chair of the Finance Committee. We are
22 joined by the Committee on Youth Services Chaired by
23 my colleague Council Member Debi Rose and the Public
24 Advocate Jumaane Williams. And we will now hear from
25 the Department of Youth and Community Development.

1
2 I would like to acknowledge my colleagues who
3 have joined us for this portion of the hearings
4 today. They are, Council Member Ampry-Samuel,
5 Grodenchik, Perkins, Menchaca, Louis, Yeger,
6 Koslowitz, Cumbo and Maisel.

7 Okay, and in the interest of time, I will forego
8 an opening statement but I am going to turn if over
9 to our Committee Counsel to go over some procedural
10 items before we hear from Council Member Rose and the
11 Public Advocate.

12 COMMITTEE COUNSEL: Thank you. My name is Noah
13 Brick and I am Counsel to New York City Council's
14 Committee on Finance.

15 Before we begin, I want to remind everyone that
16 you will be on mute until recognized to speak, at
17 which time you will be unmuted by the Zoom host. If
18 you mute yourself after you have been unmuted, you
19 will then need to be unmuted again by the host.

20 During the hearing, if Council Members would
21 like to ask a question, please use the Zoom raise
22 hand function and you will be added to the queue.

23 Thank you. I will now hand it over to Council
24 Member Rose.

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CHAIRPERSON DROMM: Just before we do that, let
me just say we've also been joined by Council Members
Gjonaj and Adams. Chair Rose?

CHAIRPERSON ROSE: Thank you. Thank you Chair
Dromm and good afternoon everyone. I am Council
Member Debi Rose; Chair of the Committee on Youth
Services and I am pleased to be joined by all of my
fellow Council Members and City Public Advocate
Jumaane Williams.

We will hear today from DYCD Commissioner Bill
Chong, Chief Financial Officer Jagdeen Phanor, along
with the agencies team of program specific Deputy and
Associate Commissioners. Thank you all for joining
us today.

We gather remotely today to perform the
functions we have been charged with and what I was
elected to do, and what other fellow New Yorkers
require us to do, conduct oversight hearings of this
city's budget.

As Chair of this Committee with a lifelong
involvement in helping under privileged youth, I have
a responsibility to ensure that this unprecedented
budget is not balanced on the backs of our most
vulnerable young people. Year after year, I have

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fought as Chair of this Committee to save and expand
summer programs that help to close gapping inequality
gaps in our city. And I've done so with hundreds if
not thousands of advocates and young people standing
side by side with me.

Now, we are in tenuous times and our children
have suffered. Some physically, many emotionally and
all have had their educations disrupted. The abrupt
cancellations of summer programs was a devastating
blow at a time our young people needed it most.

After months of remote learning that threatens to
further widen the inequality gaps. Our young people
need summer programs more than ever. Yes, this is a
budget like no other but across the board cuts in the
name of safety, does not make sense at a time when
many officers are operating remotely.

I know that our providers have spent months
working on remote programming and we are not just New
York City strong, we are New York City resilient. We
are New York adaptable and our youth are not
expendable and these cuts are not acceptable.

The COVID-19 pandemic also means we are unable
to conduct our scheduled Fiscal 2021 Preliminary

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Budget hearing, but I know there were no new needs in
that budget, which totaled \$768 million.

Our focus today will be on the Fiscal 2021
Executive Budget which totals \$598.3 million. A net
change of \$168.6 million less than its Fiscal 2021
Preliminary Budget.

This reduction is directly tied to the program
to eliminate the gap savings or PEGs. Taking in
reaction to this pandemic, and I say reaction as we
now know that there was no collective consensus. It
was just gathered beyond OMB and the Mayor's Office.
This huge decision was based on a decision made by
OMB and the Mayor's Office.

Let us separate these PEG's or cuts out for
clarity. All youth centered programming for summer
of 2020 was cut. All youth centered programming for
summer 2020 was cut. \$192.7 million was cut in this
plan across Fiscal 2020 and Fiscal 2021, with \$183.3
million cutting SYEP, COMPASS, Beacon and Cornerstone
summer services.

SYEP would have served at least 70,000
participants and provided our youth and young adults
to internships and project based activities. And
provided an income for all of them. Another 70,000

1 students lost access to summer camps in COMPASS,
2 Beacon, and Cornerstone programs. Collectively 283
3 providers, employing hundreds of people, lost their
4 summer employment.
5

6 Parents of families try to salvage a semblance
7 of normal during this pandemic and the city has
8 reacted with a unilateral decision, making this
9 entire set of people's lives that much harder. The
10 ripple effects from these cuts are profound and from
11 my perspective, taken away too soon without
12 consultation of stakeholders and perhaps maybe not
13 even DYCD.

14 As a representative of the de Blasio
15 Administration, Commissioner, you are charged with
16 ensuring the success of these programs. Today, we
17 need to discuss how to reinstate services and get a
18 new summer plan announced, so that our most
19 vulnerable youth don't fall even further behind.

20 Before I begin, I would like to thank Christine
21 Johnson Chief of Staff, Isa Cortez my Legislative and
22 Budget Director, Valorie Ranawara[SP?] and Christian
23 Ravelo[SP?], my Legislative and Budget Aids, Michele
24 Peregrin financial Analyst to this Committee, Eisha
25 Wright Unit Head, Paul Synagogue[SP?] Council to this

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Committee, Anastasia Zunena[SP?] Policy Analyst to
the Committee and Elizabeth Arts[SP?], our Community
Engagement Liaison.

I look forward to a meaningful conversation at
today's hearing and I want to thank you again, Chair
Dromm and now, we will hear from New York City Public
Advocate Jumaane Williams.

PUBLIC ADVOCATE JUMAANE WILLIAMS: Thank you
Chair Rose. As mentioned, my name is Jumaane
Williams, good afternoon. I'm the Public Advocate
for the City of New York. I want to once again,
thank the Committee's on Youth Services and Finance,
Chair's Debi Rose, and Danny Dromm for holding this
very important Executive Budget hearing.

The coronavirus has impacted our city's revenue
in such a way that the Administration had to make big
cuts to services that touch every segment of our
community. One of the areas being deprived of
funding is youth services and this could pose
significant harm to the future of our young New
Yorkers. The city has cut funding to the Department
of Youth and Community Development by more than \$180
million, almost 25 percent of the agencies 2020
Budget. Including the elimination, not the cut, but

1 the elimination of the summer youth program SYEP,
2 this summer and next summer.

3
4 The Administration also cut \$5.7 million to the
5 SONYC summer program, cancelling this program as
6 well. The suspension of these programs demonstrated
7 the Mayor's willing to sacrifice the professional and
8 educational development of our youth during this
9 time. While the Mayor may believe that we can't
10 afford to maintain these program in any shape or form
11 right now, the truth is we cannot afford to lose
12 them.

13 SYEP and SONYC are invaluable programs for our
14 city's marginalized youth. Communities of more color
15 and low income families, SYEP provides jobs to our
16 young people and SONYC is an afterschool program for
17 our middle school students with opportunities to
18 participate in sports, arts, cooking, fashion design
19 and community service. Jobs and extracurricular
20 activities keep our young people engaged in their
21 communities.

22 Besides cutting violent crime arrests in half
23 without reliance on law enforcement, SYEP improves
24 economic opportunity, provides fundamental skills,
25 and experiences and carries out our essential roles

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that serve our city. In stead of being suspended,
both SYEP and SONYC should be adapted to me the needs
of our youth during this public health crisis. The
programs need to be restructured so that students can
participate remotely.

SYEP will fill gaps that can benefit our city's
economic and social recovery. While SONYC will keep
our youth active and motivated after school hours,
even in the confines of their homes. Given that
these programs are being cancelled, I'm looking
forward to hearing updates regarding the
Administrations plan to restructure SYEP and provide
an alternative to SONYC.

Three years ago, the Mayor announced his turning
the tide on homelessness agenda. A comprehensive
borough based plan to reduce the population of
homeless New Yorkers relying on shelters. In that
plan, the Mayor had made a commitment to extent
housing merchants such as Cityfeps and the Family
Homelessness and Eviction Prevention settlement to
homeless youth living in DYCD shelters. So, they
would be able to pay rent for their own apartments.

It has been three years and the Rental
Assistance Program have not been extended to our

1 homeless youth. LGBTQ youth account for 40 percent
2
3 of the young homeless population in New York City and
4 we have to ensure that they can find and afford
5 stable housing to remain safe and healthy as well.

6 The Mayor has also cut NYC Unit works, an
7 employment program for LGBTQ youth, that the
8 Administration introduced last year. The \$2.7
9 million in funding over the course of four years
10 would have connected LGBTQ youth with meaningful job
11 opportunities. I urge the Administration to
12 reinstate this program and invest in the economic
13 stability of homeless young people with rental
14 assistance, voucher program, as well as providing our
15 LGBTQ youth with opportunities for job training and
16 placement.

17 The COVID-19 pandemic has effected every
18 demographic of our society in this city and some much
19 more than others. However, young people should not
20 have to bear the brunt of the social and economic
21 impact of the coronavirus. It is our responsibility
22 to protect and support them no matter what the
23 circumstance.

24 Commissioner Chong, who was here the last year
25 or the year before, we had an interaction when you

1 basically made it plain that you don't get involved
2 with the strategic conversations that go on, but
3 basically your job was just to make sure the money
4 was spent.
5

6 I hope since we've had that conversation, you
7 revisited what your job should entail, because we
8 need all people at the table to discuss strategy on
9 what's going to happen with our young people in the
10 city. So, I hope there is a different point of view
11 when you come before us today. And also, just
12 reminding while DYCD may be cut almost a quarter of
13 the budget, the NYPD is maybe about one percent being
14 cut, just as shade, which again, this Administration
15 is showing where their priorities are and what they
16 feel public safety is or isn't as this budget goes
17 forward.

18 I look forward to hearing how DYCD will continue
19 support on our cities young people given the
20 constraints of this budget.

21 Thank you.

22 CHAIRPERSON DROMM: We have been joined by
23 Council Member Rosenthal, Chin, Van Bramer and Ayala.
24 And I will now call on members of the Department of
25 Youth and Community Development to testify. We will

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3 now hear testimony from Commissioner Bill Chong and
4 others who were already identified.

5 Will the Committee Counsel please administer the
6 affirmation?

7 COMMITTEE COUNSEL: Thank you. I will now
8 administer the affirmation one time and you will be
9 called upon individually to so affirm at the end.

10 Do you affirm that your testimony will be
11 truthful to the best of your knowledge, information
12 and believe? Commissioner Chong? I will take that as
13 a yes although you are still muted. Ms. Phanor?

14 JAGDEEN PHANOR: Yes.

15 COMMITTEE COUNSEL: Ms. Haskell?

16 SUSAN HASKELL: -

17 COMMITTEE COUNSEL: Ms. Montanez?

18 DAPHNE MONTANEZ: Yes.

19 COMMITTEE COUNSEL: And Mr. Rattray?

20 DARRYL RATTRAY: Yes.

21 COMMITTEE COUNSEL: Okay, thank you all.
22 Commissioner Chong, you may begin when ready.

23 The Commissioner has begun without audio if we
24 can please unmute him. Okay, you are now unmuted,
25 please begin.

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1
2 BILL CHONG: Okay. Good afternoon Chairs Dromm
3 and Rose and members of the Committees on Finance and
4 Youth Services and Public Advocate Williams. I am
5 Bill Chong, Commissioner of the Department of Youth
6 and Community Development. I am joined remotely by
7 Jagdeen Phanor, Susan Haskell, Darryl Rattray, and
8 Daphne Montanez.

9 We are grateful to have this opportunity to
10 testify on DYCD's Fiscal Year 2021 Executive Budget.
11 Like so many New Yorkers, I too am recovering from
12 COVID-19 and know firsthand just how hard this has
13 been for individuals, families and communities who
14 have been directly impacted by this disease. I am
15 incredibly proud of DYCD staff, our providers, young
16 people, and families during these challenging times.

17 Since the pause order was enacted in March, DYCD
18 quickly adapted to this new normal. From supporting,
19 reimbursing, and communicating with funded programs
20 so they can best serve their communities. Our
21 community based organizations have gone above and
22 beyond in helping the city meet one of its top
23 priorities during the COVID-19 emergency keeping New
24 Yorkers safe.

1 For example, Runaway and Homeless Youth Services
2 programs continue to offer vital support. To help
3 providers keep youth safe during the pandemic, DYCD
4 issued an emergency procurement to offer services for
5 homeless youth with COVID-like illness with hotel
6 rooms, for youth who do not otherwise have a safe
7 place to isolate. Although the numbers of
8 symptomatic youth have declined within RHY programs,
9 we will be prepared if there should change in the
10 near future. Drop-in Centers continue to make
11 essential referrals to housing and health care while
12 they expand online supports, including counseling on
13 how to cope during the pandemic, clinical support for
14 anxiety or depression, and recreational activities to
15 maintain social connections during this time.
16

17 To address the growing food insecurity among New
18 Yorkers, many Cornerstone and COMPASS sites are
19 handing out meals. COMPASS, Beacon and Cornerstone
20 programs shifted to remote services to maintain
21 connection and engagement with young families. Like
22 the shift made by schools, after school programs
23 created online and virtual activities to meet
24 recreational, academic, and social-emotional needs.

25 My full testimony details some great example.

1 The city has had to make some tough choices
2
3 about whether programs should remain open or closed
4 or be modified to ensure the safety and health of all
5 New Yorkers. Out of an abundance of caution for our
6 young people, providers and worksites, the very
7 difficult decision was made to not operate SYEP and
8 summer camps. SYEP has been a New York City
9 institution since 1963 so you know we did not arrive
10 at this decision easily.

11 Unfortunately, the uncertainty these next few
12 months over how social distancing guidelines,
13 worksite availability, and provider and site staffing
14 would continue to be affected by COVID-19 made it
15 difficult to ensure that these programs could operate
16 safely and efficiently. Similarly, following the
17 guidance of health and education officials, there was
18 no safe way to operate summer camps. The well-being
19 of our young people is always a top priority of the
20 City. We welcome conversations with the Council on
21 how we can serve young people and families this year.

22 These actions have resulted in a savings of
23 \$15.3 million in Fiscal Year 2020 and \$182.3 million
24 in Fiscal Year 2021. This savings comes at a time
25 when the city is facing an unprecedented decrease of

1 \$7.4 billion in tax revenues, huge costs associated
2 with the COVID-19 expense, a loss of state aid and a
3 Federal government refusing to assist the epicenter
4 of this pandemic.
5

6 The Executive Budget includes \$600 million in
7 funding, of which \$371.1 million is city tax levy,
8 \$65.1 million in federal funds, \$5.3 million in
9 state, and \$152.3 million is intracity. While we
10 await further budget actions in Albany and
11 Washington, the funding is critical in restarting
12 services when conditions allow. We are carefully
13 monitoring the situation, particularly considering
14 the emerging trend of children being stricken with
15 pediatric multisystem inflammatory syndrome.

16 To emphasize once again, health and safety is
17 our first and number one priority as we make careful
18 considerations about DYCD programming in the weeks
19 and months ahead.

20 We will get through this together and we look
21 forward to working with the Council as we continue
22 our efforts to create opportunities to improve the
23 lives of New Yorkers.

24 Thank you again for the chance to testify today.
25 We are happy to answer any questions.

1
2 CHAIRPERSON DROMM: Okay, thank you
3 Commissioner. Sorry, I'm just trying to pull up the
4 names of the other who have joined us. I believe I
5 said Ayala and Council Member Gibson is here also.

6 So, thank you all for being here and thank you
7 for your testimony Commissioner. I do want to talk
8 about the summer youth programming, which is a major,
9 major concern to the City Council. DYCD took \$183.3
10 million cut to summer youth employment program and
11 summer programming in COMPASS, Beacon, and
12 Cornerstones. DYCD's entire Fiscal 2021 PEG totals
13 33 percent of the agencies city tax levy budget. I
14 can't imagine that your pleas with having to reduce
15 services so drastically.

16 What alternatives are being worked on? We
17 raised this issue with OMB at their budget hearing
18 and Director Hartzog testified that a plan is being
19 worked out be DYCD, DOE, and Mayor Thompson's, Deputy
20 Mayor Thompson's office to restore summer youth
21 programming. Is DYCD prepared to share these details
22 today?

23 BILL CHONG: So, at this point, we're still in
24 the process of developing an alternative model for
25 the Summer Youth Employment program. There are two

1 things we want to do. One is, we want to see how we
2 can repurpose existing resources so we don't have to
3 reinvent the wheel and tap into any new resources
4 that may come available. And second of all, we want
5 to engage our different stakeholders and get their
6 thoughts on what this model will look like.
7

8 So, we're not ready to share details, but I am
9 confident that there will be an alternative remote
10 SYEP program this summer. We're waiting to hear from
11 the state on flexibility in using their funds and
12 we're raising private funds. Assistant Commissioner
13 Daphne Montanez can give a little bit more detail on
14 where we're at.

15 CHAIRPERSON DROMM: Ms. Montanez?

16 DAPHNE MONTANEZ: Hello. Yes, hi, yes, so as
17 the Commissioner stated, we've already begun
18 designing an alternative model. We're at the very
19 beginning stages but essentially, it will be an
20 online model providing youth with opportunities to
21 engage in career exploration, project based
22 activities, while also developing their work
23 readiness skills and their digital literacy skills.

24 Earlier this year, DYCD engaged with a vendor
25 Hats and Ladders to create an online platform. This

1 is a digital platform that would allow youth the
2 opportunity to engage in work readiness experiences
3 and explore various careers. Some of the topics that
4 youth would be exposed to are around resume writing,
5 interview skills, workplace communication and
6 financial literacy for some. So, we would look to
7 obviously leverage that online platform in supporting
8 the model.
9

10 Additionally, project based activities that
11 would be focused on civic engagement, issues related
12 to the community, public health concerns. But again,
13 we would definitely want to and have started engaging
14 with youth to hear their thoughts and their ideas on
15 a model that would be engaging for them as well
16 providers.

17 Several weeks ago, we had the opportunity to
18 speak with youth members from MBK, My Brothers Keeper
19 on their thoughts and this coming Friday, we have a
20 session scheduled with teens take charge to gather
21 their input as well.

22 CHAIRPERSON DROMM: Okay. You know, it's
23 Memorial Day weekend coming up, we're getting very
24 close and organizations I think need to know as soon
25 as possible what to expect. Can you give me any type

1 of a deadline when you will be making these details
2 available? We have what, five or six weeks left at
3 most?
4

5 BILL CHONG: Am I unmuted?

6 CHAIRPERSON DROMM: Yes.

7 BILL CHONG: Okay. So, you know, it's a little
8 bit like flying the plane while building the plane.
9 You know, you've heard the analogy of flying the
10 plane while building the engine. So, we want to make
11 sure it's high quality. We want to make sure it
12 meets the needs of young people and we also want to
13 obviously get clarity from the state on how we can
14 use the TANF funds because, you know they control
15 that funding and so, it's not the traditional summer
16 youth employment program they have historically
17 funded. So, we can't move ahead with their money
18 until we get some clarity from them as well.

19 So, and we're still raising money. So, I
20 obviously think that certainly when there is an
21 adopted budget, we can hit the ground running because
22 then we'll have the full sense of what resources we
23 have in play but we want to get it right. We want to
24 make sure young people have a voice. We want to make
25 sure that our nonprofit partners can weigh in as

1 well. And so, like I said, the sooner we have
2 something, we'd be happy to share it with you.
3

4 CHAIRPERSON DROMM: Commissioner, do you have an
5 idea of how many or what the numbers would look like?

6 BILL CHONG: It depends on funding. So, for the
7 TANF funds, which was in the State Adopted Budget,
8 this is a little less than \$23 million. Under this
9 model, we expect it to serve \$15,000 young people. I
10 haven't gotten a report yet on how successful fund
11 raising efforts have been and obviously, whatever is
12 in the adopted budget we will round out. But we're
13 hoping at least \$15,000 and building on that.

14 CHAIRPERSON DROMM: And Commissioner, who are
15 the private people that you are working with?

16 BILL CHONG: I'm not involved in the direct fund
17 raising, it's the people at City Hall and so, I
18 haven't gotten any updates. Believe me, if I had
19 heard about a multimillion dollar commitment, I would
20 share that with you but I think they are still
21 talking to different people.

22 It's a challenging time I think to raise private
23 money, given all the competing demands but we're
24 hopeful. We're trying to move in all different
25

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fronts to try to serve as many young people as
possible.

CHAIRPERSON DROMM: Okay. We look forward to
continuing to work with you and I'm sure the Council
Members are going to have further questions on that.
Let me move to the Federal Community Service Block
Grant Aid in the CARE's Act.

In Fiscal 2020, DYCD received approximately \$34
million in Federal Community Service Block Grant Aid
to support adolescent literacy, immigration, and
refugee assistance work. And a portion of SYEP's
wages. In a Fiscal brief released this month, IBO
estimates that the city will receive nearly \$1.5
billion in direct federal aid from the CARE's Act of
which \$473.6 million could be designated in community
services block grants.

If DYCD's usual 7 percent share were applied,
\$32 million of that would be allocated to DYCD. So,
does DYCD agree with IBO's estimate of about \$32
million?

BILL CHONG: Well, let me make a comment and
then Jagdeen Phanor who is our Chief Financial
Officer can weigh in. We are in constant
conversation with the Department of State, which

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1 administers the Federal Community Services Block
2 Grant money. We haven't gotten exact details on how
3 much the state is getting and what New York City's
4 portion is.
5

6 They give us the money directly to administer
7 the - what's traditionally our community development
8 programs, which encompass our neighborhood
9 development areas.

10 So, we're kind of waiting. We've had weekly
11 calls with them. They haven't given us specific
12 details. We want to know obviously how much, what
13 flexibility we have, because you know, unfortunately
14 many of us were around when we did the hour of
15 stimulus program in 2010 and so, we know there is
16 always kinds of restrictions. So, I don't want to
17 commit to how we are going to spend this money
18 without knowing what the Federal government will tell
19 us to do, but Jagdeen, can you weigh in on any
20 further insight?

21 JAGDEEN PHANOR: Sure, I think the Commissioner
22 has basically mentioned everything. We have not
23 gotten - we've been on several conversations and we
24 have not gotten any definitive numbers. We've heard
25

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1
2 some numbers thrown out there, so at this point, we
3 cannot confirm how much funding DYCD will be getting.

4 CHAIRPERSON DROMM: Okay, can you commit to
5 working with us and informing us of what is going on
6 as we move down the road toward the budget agreement/

7 JAGDEEN PHANOR: Most definitely.

8 BILL CHONG: Certainly.

9 CHAIRPERSON DROMM: Okay, and let me finally
10 ask, is the neighborhood development area requests
11 for proposal still going to be released on June 26th
12 or will it be pushed back?

13 BILL CHONG: At this point, there is no plan to
14 delay it. We want to make sure that we get these new
15 programs up and running. We're probably going to
16 extend the existing contract which were set to expire
17 June 30th of 2021 to June 30th of 2022.

18 So, there won't be any disruption in funding for
19 any groups for at least two years. We spent two
20 years of reaching out to stakeholders identifying new
21 programs that might be needed. So, we didn't want to
22 waste that effort but we're also going to be very
23 flexible in how much time people will have to respond
24 because we know it's a challenging time but we wanted
25 to make sure that we didn't waste the research and

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1 the engagement and the stakeholder feedback we got
2 over the last two years. But the plan is to release
3 it on the 26th of June.

4
5 CHAIRPERSON DROMM: Okay, thank you and
6 Commissioner, I'm going to turn it over now my Co-
7 Chair Debi Rose.

8 CHAIRPERSON ROSE: Good morning. Good morning
9 Commissioner. I want to say, it's good to see you
10 and that you recovered from your experience with
11 COVID-19. And so, I just wanted to drill down a
12 little bit more on SYEP. The Chair started the
13 discussion but as you know, SYEP 2020 the program
14 totaled \$124 million, an \$8 million cut and \$116
15 million cut was in for 2021. Which now cancels the
16 contracts for 68 providers, eliminates service for
17 70,000 youth, 55,000 of whom could have earned \$1,350
18 and 15,000 younger youth who could have earned \$700
19 each.

20 You know, we heard from OMB Director Melanie
21 Hartzog that DYCD, DOE and Deputy Mayor Thompson's
22 Office are working with philanthropists and CBO's on
23 a plan. I'd like to know why the Council has not
24 been included in those conversations and well, could

1
2 you just tell me first why Council hasn't been
3 included in those conversations?

4 BILL CHONG: I think we're happy to have our
5 staff meet with whoever the Council wants to meet
6 with our staff to get your ideas. I think we're all
7 headed in the same direction, maybe on different
8 paths. I think we all agree that given the health
9 risks that young people might face in a traditional
10 summer youth employment program, that the way to go
11 would be remote learning.

12 We recognize that you know, state labor law
13 limits what we can do online that sort of a stipend
14 program probably makes the most sense. And so, we
15 have I think basic agreement on what the model will
16 look like. So, if there is specific staff people who
17 want to give ideas and feedback or the Council, we'd
18 be happy to engage you guys. Because we're trying to
19 get feedback by everyone. A priority for us you
20 know, because of the timing was young people. Let me
21 just say that I am proud of what young people are
22 doing. I've gotten hundreds of emails in my email
23 box and as you know, I'm particularly impressed from
24 the young people from Teens Take Charge.

25

1 As someone who started has a 16 year old
2 community activist at City College, it really warms
3 my heart to see young people rising up to this
4 unprecedented crisis. So, we'd be happy to engage the
5 Council. It was not an easy decision. You know,
6 SYEP is a right of passage. You know, it was the
7 first job for many of us, my first job, Darryl's
8 first job. So, it was a question of who do we keep
9 people safe with the old model, and clearly that
10 wasn't possible and we're committed to develop this
11 remote model and we welcome Council feedback.

13 CHAIRPERSON ROSE: Have there been conversations
14 about the CARES Act and if that could be utilized?

15 BILL CHONG: Well, our portion of the Cares Act
16 is the Community Services Block Grant. And so, when
17 we get a better sense from our state oversight
18 agency, the State Department of State, as I said
19 earlier and as Jagdeen said. We would be happy to
20 figure out what makes the most sense.

21 Typically, this money has all kinds of
22 monitoring restrictions and you know, they are time
23 limited, so how much we get, when we get it, what
24 restrictions might exist, we don't know those answers
25 yet. We're pressing the state but the state doesn't

1 know because they are waiting to hear from the
2 Federal government.

3
4 CHAIRPERSON ROSE: Are there any sort of
5 preemptive measures that you are taking right now?
6 Like, looking for different job opportunities. Do
7 you know how much the price per participant would be
8 across all the service cohorts?

9 BILL CHONG: We haven't figured out - oh, am I
10 on?

11 CHAIRPERSON ROSE: Yeah.

12 BILL CHONG: Okay, we haven't figured out those
13 kind of level of details, so that's why we're
14 reluctant to share something that's half baked. I'd
15 rather you know, hear from young people, what do you
16 think is a reasonable stipend. You know, we might be
17 thinking it's too low. They may think it's the right
18 amount. So, I don't want to begin to like, put too
19 much detail to things without getting the feedback of
20 the key stakeholders because their input matters.

21 CHAIRPERSON ROSE: When can we expect to sort of
22 have these conversations? Are you having
23 conversations now with the stakeholders, with the
24 providers?

2 BILL CHONG: In fact, I think Daphne mentioned
3 that we have a video conference this Friday with
4 Teens Take Charge. We had something with our Youth
5 Advisory Council. We're reaching out to different
6 nonprofits. If the Council wants to schedule a
7 conversation, I think you know, Daphne and her team
8 would be glad to have that conversation.

9 Again, you know, we want high quality, we want
10 to incorporate everyone's feedback. Will everyone be
11 happy? Probably not but at least we want to hear
12 what people think it should look like and obviously
13 once we have some certainty on what the complete
14 budget situation looks like, that will dictate a lot
15 of things and as I said, the sooner the better. I
16 mean, we know - we are on a usual situation here
17 because traditionally the Summer Youth Employment
18 program, we're ready to hit the ground running. So,
19 this is kind of like uncharted territory for us and
20 so, we're anxious. Like I said, we're building the
21 plane while flying the plane. It's something we're
22 not used to.

23 CHAIRPERSON ROSE: We welcome that conversation
24 because we've been in contact with the providers and
25

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2 the advocates also and we developed a proposal that
3 we would like to share with you also.

4 BILL CHONG: We look forward again, to hearing
5 it.

6 CHAIRPERSON ROSE: Okay, thank you. The second
7 largest PEG cancels COMPASS summer programming, which
8 totals \$42.3 million, which is a \$36.6 million
9 COMPASS, plus \$5.7 million Summer SONYC. Which
10 cancels contracts for 133 providers, eliminates
11 services for 48,422 students. What is the
12 Administrations plan to provide alternative COMPASS
13 summer programming? We know that it is possible as
14 all nine COMPASS providers were able to pivot when
15 DOE schools closed and transitioned service to either
16 remote learning or into DOE Regional Engagement
17 Centers.

18 BILL CHONG: -

19 CHAIRPERSON ROSE: I'm sorry.

20 BILL CHONG: Go ahead.

21 CHAIRPERSON ROSE: So, what would be the
22 difference or would there be any difference?

23 BILL CHONG: So, at this point, there is no
24 funding in my budget to do any sort of summer camp.
25 If funding became available, we'd work quickly with

1 our nonprofit partners to provide some types of
2 services remotely. By this point, until the funding
3 situation becomes clear, we're not in a position to
4 really do anything.

6 CHAIRPERSON ROSE: But since they have already
7 been doing remote learning and they were able to
8 pivot. They were able to that, what would be the
9 problem in terms of actually having summer SONYC?
10 Summer COMPASS and SONYC?

11 BILL CHONG: I think the challenge for us at
12 this point is there is no money in my budget to do
13 this. If in the adopted budget funds became
14 available, I think we could quickly ramp up some
15 version of what happened during the school year.

16 But the biggest challenge at this point is there
17 is no funding in the budget for any type of summer
18 camp.

19 CHAIRPERSON ROSE: Okay. And are we not seeking
20 any alternatives to try to fund summer camps?

21 BILL CHONG: I think our priority in trying to
22 raise private money has been the Summer Youth
23 Employment Program simply because I think people
24 recognize the benefits to teenagers and how it has an
25 economic stimulus component to it.

1
2 Summer camps I think because schools have been
3 closed for so long, traditionally summer camps have
4 played an important role, not only to enrich and
5 engage activities for young people but they've served
6 for working families as childcare support. Given the
7 fact that most businesses are closed, many families
8 are home with their children, I think it's you know,
9 the most important thing is the enrichment activities
10 and that's why the remote learning is a big focus of
11 what happened during the school year and again, if
12 funds became available, we would certainly ramp up
13 and do some sort of remote learning activities if the
14 funding became available. I mean, it comes down to
15 money.

16 CHAIRPERSON ROSE: We're not talking - are there
17 any conversations with DOE in terms of you know,
18 working with that population? Especially if they ran
19 the REC's.

20 BILLY CHONG: So, Deputy Commissioner Haskell
21 can talk a little bit about what we've been doing
22 with the Department of Education.

23 SUSAN HASKELL: Hi, yeah, as you know, like
24 throughout the school year, we work very closely with
25 our partnership, the Office of Community Schools and

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2 Youth Development to plan activities for young people
3 that are going to work nicely together with what they
4 are doing in the school day and we continue to do
5 that even as providers are doing remote learning.

6 I've heard a lot of amazing stories to your
7 point, Chair Rose about remote activities going on
8 including you know, in particular how the minute
9 things shut down, CBO's started working in
10 collaboration with the school staff to use those
11 couple of days they had to ramp up to coordinate
12 activities together.

13 So, we still are communicating as things have
14 changed and developed over the course of this virus,
15 about how you know, maintaining the services that we
16 have going on now, which are funded through June 30th
17 and there is still a lot of, within the next few
18 weeks, it's very important to keep young people
19 engaged, throughout the school year.

20 So, our conversations you know, include how to
21 best support the incredible activities from fashion
22 troops to art troops to dance to social emotional
23 support, individual counseling and the stronger we
24 are able to communicate about those activities going
25 on now, the better prepared we will be to the

Commissioners point, if the situation changes before
July 1.

CHAIRPERSON ROSE: Thank you. How many of the
contracted providers from each Beacon and
Cornerstones are expected to be reinstated,
Commissioner?

BILL CHONG: Are you talking about staff or
programs?

CHAIRPERSON ROSE: Programs.

BILL CHONG: I think a lot of it is driven by
what eventual funding is added in the adopted budget,
if any funding is added. You know, to determine the
scale of restoration of services.

CHAIRPERSON ROSE: The third largest PEG cancels
the Beacon and Cornerstones summer programming, which
totals \$17 million. Which cancels contracts for 47
Beacon providers and 35 Cornerstone providers. It
eliminates services for 18,000 students and Beacons
and 3,051 youth in Cornerstones. What is the
Administrations plan to provide alternative Beacon
and Cornerstones summer programming and how many of
the contracted providers from each Beacon and
Cornerstones are expected to be reinstated?

1
2 BILL CHONG: So, to answer your second question
3 first, again, any restoration of services will depend
4 on what funding level is included in the adopted
5 budget.

6 During this school year, some of the
7 Cornerstones have really stepped up and become
8 feeding sites and I expect that they will probably
9 continue to be feeding sites in the summer because as
10 you know, one of the urgent needs facing all New
11 Yorkers is the issue of food and security. Where you
12 know, again, a lot depends on what is in the final
13 budget and that will determine what level of service
14 we're able to maintain in the community centers this
15 summer.

16 I do want to say and I think there was some
17 confusion early on, the one thing that is important
18 to note is that this is a one year cut. I think and
19 it was driven by the public health concerns. I think
20 there is a sense, I am hopeful that all of this will
21 get restored in Fiscal Year 2022, when we're passed
22 the virus, hopefully the economy is improved.

23 So, it's a tremendous pain, it's sort term pain,
24 is my hope and that we can get through this crisis,
25

1 which quite frankly no one in our generation has ever
2 encountered.

3
4 So, it's a one year cut. I think you know,
5 that's probably one silver lining in this very dire
6 budget situation for us.

7 CHAIRPERSON ROSE: Okay, has the Administration
8 considered restoring the one time budget adds from
9 Fiscal Year 2020 totaling \$26.9 million to reinstate
10 these programs?

11 BILL CHONG: Are you referring to Council
12 Discretionary programs? I'm just making sure.

13 CHAIRPERSON ROSE: Yes, the addons, the budget
14 add on.

15 BILL CHONG: Traditionally that's something
16 that's always negotiated through the adopted budget
17 process. So, we welcome the Council's support. A
18 lot of the programs the Council has funded over the
19 years, like, the feeding programs are needed more
20 than ever. I know there is a digital literacy effort
21 that I think makes even more sense today.

22 So, if that is what comes out of the budget
23 negotiations, we would welcome those resources. You
24 know, our staff works closely with them. One of the
25 things we've started prior to the pandemic was, we

1 started having regular meeting with these different
2 initiatives to figure out how they would fit in to
3 what the other programs that DYCD offers.
4

5 You know, one of the things that we want to be
6 strategic about is that, how do we connect all the
7 different services in the same neighborhood? That's
8 been a problem that has faced DYCD for 23 years. We
9 operate in silos. And you know, we know that these
10 young people and families are much more complicated.

11 So, we've been working a lot and trying to
12 connect people to services and you know, the last
13 piece in that puzzle was the Council funded
14 initiatives which I think bring a lot of value and
15 meet a lot of the needs of the same people we are
16 helping in the baseline programs.

17 CHAIRPERSON ROSE: Thank you. And the last is
18 Work, Learn and Grow. In Fiscal 2020 represents the
19 5th year of the Council's year around Youth
20 Employment Initiative, Work, Learn and Grow and the
21 first year that Administration picked up the cost and
22 a one shot for \$19.7 million for the last two years.
23 What have the conversations been to prepare for
24 programming through the pandemic? Will the Work,
25 Learn and Grow program resume in the fall? And does

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DYCD foresee the Administration restoring the Fiscal
2020 funding for that program?

BILL CHONG: At this point, there is no money in
my budget for Work, Learn and Grow. It's a great
example of collaboration with the Council. If it
comes to be that in the adopted budget funds are
added to my budget, we'd be happy to execute that
program in the fall. You know, especially in these
times where we know any opportunity, we can put money
in the pockets of young people is important.

So, that's one program we know that does that.
But again, at this point in the budget negotiations,
nothing is in my budget but that could change and we
welcome the Council's support of this program.

CHAIRPERSON ROSE: Thank you. Chair Dromm, I'd
like to open the floor to my colleagues for
questioning and I'd like a second round. Thank you.

CHAIRPERSON DROMM: Okay, we'll now here from
our Council Members. Committee Counsel would you
please call the names?

COMMITTEE COUNSEL: Yes. If any Council Members
have questions for the Administration, please use the
Zoom raise hand function and you will be added to the
queue. Council Members, please keep your questions

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2 to three minutes including answers. Please wait for
3 the Sergeant at Arms to tell you when your time
4 begins. The Sergeant will then let you know when
5 your time is up.

6 We will now hear from Council Member Ayala
7 followed by Council Member Rivera.

8 SERGEANT AT ARMS: Council Member, you time will
9 start now.

10 COUNCIL MEMBER AYALA: Good afternoon. Good
11 afternoon Commissioner. I just want to reiterate
12 that you know, we at the Council want to – we also
13 want to participate in the passing of a responsible
14 budget that addresses the city's most immediate
15 needs.

16 I do however, have a million concerns with your
17 budget and you've mentioned several times that you
18 know, it isn't in my budget, it isn't in my budget,
19 it isn't in my budget and I wonder, you know, how
20 hard has you know, DYCD fought to restore funding for
21 some of the programs that we at the Council consider
22 to be vital.

23 I'm really concerned about the fact that we have
24 no summer camp and I get it. I'm a parent, I have
25 four grandchildren at home, I have you know, three

2 older children at home and I don't want my children
3 to be exposed to anything unnecessarily and I would
4 never ask that anybody else's children be exposed
5 either. However, to pretend that there will be no
6 need for childcare once the pause is lifted and
7 parents are forced back to work, is really
8 irresponsible on our part. And I think that the fact
9 that we're not even considering innovative ways of
10 using public spaces like our parks as a way of
11 providing the same service in a way that still allows
12 us to practice these social policies is irresponsible
13 and neglectful to be honest. And I'm really upset
14 about this budget.

15 So, that's one comment and then two, regarding
16 the SYEP program, I'll tell you, I have three
17 teenagers at home and the first six weeks we've been
18 fine and the last few weeks, my children are a mess.
19 And you know why they are a mess? Because they are
20 sick and tired of being home. Because their social,
21 emotional needs are not being met, because right now,
22 are children are psychologically scarred. They need
23 the social interaction with human beings. They need
24 to feel the sun in their face and there is an
25 opportunity to do this. I'm not opposed to social

1 type - children being able to work from home, but I
2 think that there has to be alternatives.
3

4 Our pantries are in desperate need of
5 volunteers. You know, our parks I'm sure could use
6 some assistance. There are ways to get children,
7 young people out into the street, allow them the
8 opportunity to breath, make a couple of dollars and
9 still practice being in an environment that allows
10 them to practice the new policies that we put in
11 place.

12 And so, the fact that I haven't heard in your
13 testimony and in anything that you have said,
14 anything that you know, makes me feel like DYCD is
15 fighting for this, is really just alarming and I
16 would like to hear you know, what are you planning to
17 do? What is the plan here because I don't hear a
18 plan.

19 BILL CHONG: So, let me say that I and my staff
20 are in constant conversations with the Office of
21 Management and Budget. In every cut we've pushed
22 back on, but obviously as you know, Commissioners
23 don't always decide their budgets and in this
24 situation, given the \$7 billion shortfall in revenue,
25 and given the public health concerns here. I think

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2 people tend to dismiss that and you know, as someone
3 to actually got the virus -

4 SERGEANT AT ARMS: Time is expired.

5 BILL CHONG: Oh, hello.

6 COUNCIL MEMBER AYALA: I got it to Commissioner.
7 I had it to. My mother had it, my husband had it, a
8 whole bunch of us -

9 BILL CHONG: And we know that people for quite
10 some time, people who don't show symptoms can be
11 contracted. And that's how I got it in mid-March.
12 So, from a public health standpoint, you know, to
13 expose young people and then their families and loved
14 ones, to strangers is something that is a risk that
15 we didn't want to take.

16 I think we are committed to developing a remote
17 summer youth employment program and I think as
18 Assistant Commissioner Montanez talked about, they
19 will have a civic engagement component, some project
20 based learning where young people have to get out
21 there and do something with it following the social
22 distancing protocols so they are still safe.

23 So, you know, I agree with you. The last thing
24 any young person wants to do is spend the entire
25 summer at a computer. I don't know what the Parks

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1 Department is doing or what other city agencies that
2 actually administer outdoor facilities but you know,
3 so for the piece that I have control over, which is
4 the summer camps, unfortunately there is no money in
5 my budget. But I am hopeful that as a city, we are
6 developing a more robust plan for all people,
7 including young people.

8
9 COMMITTEE COUNSEL: Okay, at this time, can we
10 hear from Council Member Rivera followed by Council
11 Member Menchaca and Adams.

12 SERGEANT AT ARMS: Council Member, your time
13 will start now.

14 COUNCIL MEMBER RIVERA: Thank you so much.
15 Hello Commissioner, I hope you are doing okay all
16 things considered and to all of your team. I know
17 sometimes you are served with a dish that you really
18 don't like and that you know isn't healthy and it's
19 unfair and so, I know that we're expressing a ton of
20 frustration right now and I know that you feel it to.
21 You want all the programs and all the services to be
22 restored and it is really difficult right now.

23 So, I just have a couple questions because I do
24 want to - I'm waiting to hear more from philanthropy
25 and private industry and how they are going to help

1 us. So, my question is, in 2019 I think it was
2 almost 50 percent of SYEP job placements were in the
3 private industry. Have any of these employers been
4 engaged to provide similar opportunities to New York
5 City youth?
6

7 BILL CHONG: Okay, so when private sectors and
8 this kind of a misnomer. So, 44 percent of the job
9 placements were in local small businesses. So, when
10 the pause took effect, most of those businesses shut
11 down. 41 percent of the placements were in summer
12 camp. The remaining 15 percent was a mixture of
13 government agencies and corporate. Most of the
14 corporate jobs tend to be in our Ladders for Leaders
15 program, which served about 1,500 young people last
16 year. And so, none of them I think have offered to
17 really provide funding because their philanthropic
18 efforts have been pulled into other directions.

19 I know for example Robin Hood raised \$115
20 million at their telethon. Because we're in a
21 situation and having done fund raising myself when I
22 worked for nonprofits, you know, you are competing
23 with people who don't have food. You are competing
24 with situations where undocumented New Yorkers can't
25 access federal support.

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1
2 COUNCIL MEMBER RIVERA: I understand, I
3 understand Commissioner. I know it is very
4 competitive, I just don't have a lot of time and I
5 have more questions.

6 BILL CHONG: Right, okay. So, they have been
7 offered up but as I said earlier, I'm not involved in
8 the private fund raising. Those are folks at City
9 Hall and I have gotten a report yet. And so, when I
10 have more information, I will share it.

11 COUNCIL MEMBER RIVERA: Okay, and then listen
12 we're pressing the Administration as well. So, I
13 wanted to ask a little bit about the Census. So,
14 given the timing of the pandemic, the Census Bureau
15 actually extended its deadline for self-response to
16 October 31st which means the city should continue its
17 Census outreach efforts into Fiscal Year 2021. What
18 is the projected annual, actual - what is the
19 projected actual spending for Census outreach efforts
20 in Fiscal Year 2020?

21 BILL CHONG: So, we're administering the grant.
22 I don't know if Jagdeen can weigh in on this
23 question.
24
25

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1
2 COUNCIL MEMBER RIVERA: Let me ask you a couple
3 more questions that I hope you can answer that I also
4 relate -

5 BILL CHONG: Okay because the Census program is

6 -

7 SERGEANT AT ARMS: Time expired.

8 COUNCIL MEMBER RIVERA: Yeah, of the \$16 million
9 allocated to organizations from the Complete Count
10 fund, how much has been paid out? Why not take the
11 savings in Fiscal Year 2020 given the extended
12 timeline and instead to outreach in 2021 when the
13 effort can be aligned with the Census and then will
14 there be an adjustment to the city's outreach
15 strategy considering that we are actually
16 underperforming in terms of our self-response rate?

17 Thank you so much Chair's for the time.

18 JAGDEEN PHANOR: So, I'm going to jump in
19 Commissioner because the Commissioner is right, we
20 are a back end function and I think those questions
21 would be better directed to the Census. We are not
22 actually running or making the decisions and so, we
23 are unable to answer those questions.

24 BILL CHONG: We will forward them to Julie
25 Menon[SP?] and then she can get back to you because I

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1 think you raised a legitimate point. Given more
2
3 time, I'm not quite sure how they are going to
4 administer their resources and how they have adapted
5 to this new situation.

6 We just are a pass through, all these
7 programmatic and budget decisions are made by Julie
8 Menon and her team.

9 COUNCIL MEMBER RIVERA: Understood and I just
10 wanted to say that we know that. I mean the Culture
11 of the Census Taskforce but I think that this is a
12 unique opportunity to plug young people into Census
13 outreach efforts and we've actually partnered with a
14 ton of community based organizations that you also
15 work with and even provide - you are in partnership
16 with. So, that's why I bring it up. I'm sorry if I
17 - I should have given you more context, I figured you
18 were involved in Census conversations considering but
19 I appreciate you trying to answer.

20 BILL CHONG: So, we have done with our federally
21 funded programs through the Community Services Block
22 Grant during the school year. Young people in our
23 second opportunity youth program are doing phone
24 banking and text banking I guess is what you call in
25 under responded neighborhoods. And then in the

1 summer, we do have federal money in workforce
2 programs. They are called Learn and Earn and Train
3 and Earn. These were not impacted by the cuts in the
4 Summer Youth Employment Program, so we expect young
5 people who are interested in working on doing Census
6 outreach because we can pay their wages because this
7 is federal money.
8

9 You know, Julie Menon is in a better position to
10 answer how much flexibility they have in their
11 budget. If there is money, they can provide to hire
12 more young people for some of the money in the grants
13 the community groups can be repurposed, I don't know.
14 We can ask Julie but certainly, the experience we
15 have with the second opportunity youth, doing the
16 Census outreach at home, texting and emailing and
17 calling has been positive and so, if we had the
18 resources from the Census Bureau to do more of that,
19 we would be happy to do it because we certainly have
20 young people who would be willing to do that.

21 COMMITTEE COUNSEL: Can we please have questions
22 from Menchaca followed by Adams and Rosenthal.

23 SERGEANT AT ARMS: Council Member, your time
24 will start now.
25

1
2 COUNCIL MEMBER MENCHACA: Thank you to the
3 Chairs and to the Commissioner and your team for
4 being here. I just want to reflect back some of the
5 things that I'm hearing so far and end with a
6 question.

7 One, there's a lot of work here in the Census
8 that can be done here by our you and really hiring
9 them is part of this SYEP transformation. And I know
10 Co-Chair Rivera and I on the taskforce and other
11 members are going to be clearly communicating to you
12 that there is a real link here and so, I'm happy that
13 that's in the air.

14 Secondly, I'm hearing a lot of disconnect
15 between your team at the DYCD agency and the Mayor's
16 Office and I'm concerned by that. I'm concerned that
17 you are being left out of discussions and I don't
18 feel that you are - it doesn't feel like you are
19 empowered in any of this. And so, that's really
20 concerning right now, especially when you are talking
21 to people who are a major source of power to design
22 this budget and so, that's just concerning to me and
23 I know if you want to address that but I think we're
24 all feeling a disconnect between what's happening at
25 the Mayor's Office and the hyper control over the

1 situation and the agencies. And the last thing I
2 want to say is that the immigration conversation is a
3 really important one, an intricate in terms of really
4 figuring out how we bring resources to communities,
5 especially families including mixed status families.
6 And mixed status families are I think a more
7 complicated family to inject resources to and the
8 youth provide an opportunity to ensure that they have
9 it and what they need to buy school supplies for next
10 year.
11

12 And the last thing I want to say and this is a
13 question to you. You can address all the things that
14 I've laid out but what I also haven't felt is a real
15 sense of trust with our nonprofits. You are an
16 agency that is a pass through. You have
17 relationships to so many. You have access to so many
18 organizations that could have been with you from day
19 one about what could have happened to transform the
20 program; Beacon, COMPASS, SONYC, SYEP, all of the
21 arts and I haven't heard that that has happened. So,
22 if that has happened, I want to hear about it and how
23 you've collected information from who and how we can
24 fast track that.
25

1
2 BILL CHONG: So, let me start with your
3 observation. I don't think it's a question of
4 disconnect, I think it's a question of division of
5 labor. That you know, I'm focused on trying to make
6 sure we have a model that makes sense, that's doable
7 within the timeframe we have and that reflects the
8 best feedback we get from our different stakeholders.
9 Other people in government who have better
10 connections to wealthy people, I certainly don't know
11 any wealthy people are doing that hard work in this
12 difficult time.

13 And so, when I get an update, believe me, if I
14 were told that we had someone commit to \$10 million,
15 I would have no problem sharing that with you but you
16 know, we haven't gotten to that point yet.

17 SERGEANT AT ARMS: Time is expired.

18 BILL CHONG: As far as like you know, working
19 with nonprofits, I think the very fact that we were
20 able to continue to operate with remotely was an
21 example of how our partners have transitioned that
22 and maybe Darryl can talk about some of how we moved
23 our entire citywide initiatives, the digital platform
24 is a good example of collaboration with the nonprofit
25 community. Darryl, do you want to weigh in? Darryl?

1
2 DARRYL RATTRAY: Hello, okay, I'm off mute. So,
3 yeah, so two of the things that we have done to
4 activate and partner with our nonprofits. One, we've
5 moved our internal digital activations to an online
6 platform. So, everything that we've done whether its
7 Step it Up, our dance competition, our Recipe Rescue
8 where young people are talking recipes from their
9 parents and reinventing them to a healthy version of
10 the recipe. We have now moved that to a digital
11 platform, working with our nonprofits. Everything
12 from dance sessions, workshops weekly. Things that
13 are nonprofits they can tap into.

14 The other thing I wanted to mention around
15 partnership and this is around our Cornerstones, you
16 know, around food distribution. So, we've been
17 partnering with them to continue to deliver the meals
18 that they would normally get but in a packaged way
19 that they can give out to their participants.

20 Since March 16th, we've actually given out over
21 100,000 meals at Cornerstone Community Centers.
22 That's allowing 48 centers currently giving about
23 2,700 meals a day.

24 In addition to that, our Cornerstone providers
25 we've partnered with food bank, we've partnered with

1 fresh direct and even some of the Council Members, so
2 thanks to Council Member Rose, Gibson, Treyger and
3 Koo who have done work at Butler, Carter, Carrie
4 Gardens, and others Latimer Gardens.
5

6 We've also partnered with our Cornerstone
7 programs to do mask distribution and that's in two
8 ways. One, they are giving out masks, non-medical
9 masks when folks are picking up food and to families
10 that come in for resource information. In addition,
11 we do have providers who are going out in their
12 community, walking their community engaging young
13 adults or anyone who doesn't have a mask, giving them
14 a mask and also telling them about other resources
15 within that community.

16 As of today, there were 75,000 masks picked up
17 and are being handed out throughout New York City.

18 BILL CHONG: One of the things I mentioned in my
19 testimony is in the summary, the actual full
20 testimony, which is much longer, has dozens and
21 dozens of examples of what we're doing with
22 nonprofits but in the interest of time, that was cut
23 out of my verbal testimony.

24 But one example, I think Darryl didn't mention,
25 which I thought was a great example, we're partnering

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2 with the office to prevent hate crime and we're doing
3 Heroes Against Hate. Darryl, do want to talk a
4 little bit about that?

5 DARRYL RATTRAY: Yeah, so annually we do a comic
6 book project where young people from across the city
7 are creating their comic book heroes, drawing the
8 heroes out, creating the story lines, the character
9 background and then coming out with a full fledged
10 comic book that we do an annual competition.

11 This year, one of our components is going to be
12 Heroes Against Hate, where young people are coming up
13 with characters that represent the neighborhoods that
14 promote anti-hate. Some of the themes are around you
15 know, hate with COVID-19 and some of the online
16 bullying and anti-bullying.

17 So, were partnering with the Office of Prevent
18 Hate Crime on that project and we're looking to
19 complete and launch the actual comic book sometime
20 towards the mid-June.

21 BILL CHONG: So, once we selected the winners
22 from all these different initiatives, the Step it Up
23 dance competition, the Recipe Rescue, we'll be doing
24 a lot of social media around this because we want to
25 share the positive stories of young people and we'll

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2 share with the Council and maybe the Council will do
3 it's social media apparatus who can also get the word
4 out because you know, there is so much bad news out
5 there today and young people are doing incredible
6 things, even though they are not doing it in person.
7 And so, we want to applaud the young people in what
8 they are doing and the partnership we're doing with
9 nonprofits to give them that opportunity.

10 COUNCIL MEMBER MENCHACA: So, thank you
11 Commissioner and I just want you all to be prepared
12 for an injection of massive amounts of restoration
13 funding. So that we can get ready to go. That's
14 what the Council is committed to.

15 Thank you Chairs.

16 BILL CHONG: I appreciate it. Unfortunately,
17 many of us at DYCD were around ten years ago when the
18 Council you know, played a major leadership role and
19 we welcome whatever support the Council can provide.
20 This is a bit of Deja vu for us.

21 COMMITTEE COUNSEL: At this time, can we hear
22 from Council Member Adams followed by Council Members
23 Rosenthal and Grodenchik.

24 SERGEANT AT ARMS: Council Member, your time
25 will start now.

2 COUNCIL MEMBER ADAMS: Thank you so much. Thank
3 you to the Chairs. Thank you, Commissioner, and your
4 team for being here today. I'd just like to jump
5 right in and speak a little bit more about the
6 providers because I've been getting feedback that the
7 outreach to the providers has not been very good.
8 It's not been clear and the information sharing has
9 not been taking place with the providers.

10 So, how exactly is DYCD engaging providers and
11 creating a space for them to offer questions and
12 feedback? How are their questions responded to and
13 are there questions and recommendations actually
14 incorporated into a living document for programs?
15 Also, along the same vein, can you reassure providers
16 that their contracts will be honored or should they
17 actually get ready for more cuts?

18 BILL CHONG: So, my understanding and Darryl and
19 Susan and Daphne and Jagdeen is that in the first six
20 weeks of the pandemic, we had weekly calls with all
21 the providers to get their ideas, to give them
22 updates, and to pass along questions that might
23 involve OMB and the Mayor's Office of Contract
24 Services and we try to get responses, not always but
25 you know, we try to flag different issues that we see

1
2 are trending across the nonprofit sector. We've also
3 you know, early on we established an email mailbox
4 for people to ask different questions that don't fit
5 into any bucket. And so, I meet with my staff twice
6 a week to make sure whatever feedback comes in from
7 nonprofits, whether it's good news or bad news, they
8 share it with me and I advocate with whoever I can
9 advocate to and make whatever changes we're hearing
10 from.

11 So, Darryl, Susan, Daphne, anything more to add
12 to what I said?

13 DARRYL RATTRAY: Yeah, during the weekly calls,
14 prior to the call, we do collect questions from the
15 providers so we can vet them out and have answers on
16 the call. We've done different phases of this, from
17 weekly calls with the directors of our programs to
18 weekly calls with the actual supervisors of the
19 nonprofits.

20 COUNCIL MEMBER ADAMS: Let me just jump in,
21 because I'm glad you are saying that. It's a Q&A
22 prior because the feedback to us is that these calls
23 are listed only and there is not a whole lot of
24 interaction.

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3 So, are we pretty much saying the same thing.
4 You are getting questions before and then responding
5 to those questions, there is no give or take during
the calls?

6 DARRYL RATTRAY: That is correct because of the
7 quantity of people on the call. At any given call,
8 we have an average of 150 people on the call, so it
9 will be difficult to do a Q&A back and forth during
10 the actual call. So, we are collecting questions
11 ahead of time, getting the answers and on the call,
12 we are reading out the Q&A.

13 COUNCIL MEMBER ADAMS: Alright, and that is the
14 only way that the correspondence and the
15 communication is going back and forth? You said
16 something about an email as well, because -

17 SERGEANT AT ARMS: Time is expired.

18 COUNCIL MEMBER ADAMS: Just some of the feedback
19 is that communication has not been well received.

20 BILL CHONG: I think it's in a virtual reality,
21 it's very difficult to replicate exactly what happens
22 in the meeting. In a meeting where you can have a
23 lot more back and forth, I think what we're trying to
24 do is flag questions before hand and have answers
25 because with 150 people, we're having - for example,

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2 I'm doing my first virtual Town Hall meeting with the
3 entire staff at DYCD, which is over 500 people.

4 So, what we're doing is collecting questions,
5 issues, concerns, and we'll try to answer them as
6 much as possible in a meeting. So, I think an in
7 person situation we can do more. I think we've
8 established coronavirus email and every email gets a
9 response.

10 So, people may not like the answer and I
11 understand that because the news that we've had to
12 communicate over the last few months has not always
13 been positive. But the very fact that we're doing
14 all these wonderful initiatives, means we're talking
15 to people. Will everyone be happy? Obviously not.
16 Can we please everyone? Obviously not.

17 But I think we are doing the best we can under
18 very difficult circumstances. You know, we have 43
19 different programs. 43 different types of programs,
20 so this means every Assistant Commissioner is
21 responsible for having regular communications with
22 subset of 43 different programs, whether it be
23 literacy, whether it be homeless youth. In some
24 cases, the calls are every other day. Like in the
25 homeless youth programs, we had much more vigorous

1
2 conversations because there we are dealing with the
3 most vulnerable young people. We wanted to make sure
4 things didn't slip through the cracks and also, there
5 are fewer homeless youth programs.

6 So, it is easier to have a more traditional
7 conference call when you have like 20 people on a
8 call versus -

9 COUNCIL MEMBER ADAMS: I understand all - yeah,
10 I understand all of that. Believe me with all of the
11 adjustments that the Council has had to make to
12 accommodate our own meetings, believe me, I
13 understand fully. I just wanted to make that point
14 that there has been feedback given that there hasn't
15 been that much of a give and take. I just wanted to
16 get that there.

17 Thank you, Commissioner.

18 DARRYL RATTRAY: And Council Member Adams, just
19 one correction to what I said. The [INAUDIBLE
20 5:10:55] the homeless youth portfolio, there is an
21 interactive phone call. So, they are not on mute,
22 providers can chime in, ask questions real time
23 because of the portfolio.

24 COUNCIL MEMBER ADAMS: Thank you.
25

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1
2 COMMITTEE COUNSEL: Can we have questions please
3 from -

4 CHAIRPERSON DROMM: Just before we go to the
5 next Council Member, Commissioner, how are you
6 collecting data on LGBT clients?

7 BILL CHONG: I think our most rigorous part is
8 in our [INAUDIBLE 5:11:26] program. So, Susan, do
9 you want to weigh in?

10 SUSAN HASKELL: Yeah, DYCD you know, it was
11 actually two years now, we redesigned our whole data
12 collection systems and we've continued to refine that
13 over the course of the year, including universal
14 questions that go to every participant, young or
15 adult who is signing up for programs that that has
16 sexual orientation and gender identity questions on
17 that.

18 So, we are now collecting data in every program
19 area for young people who are 13 years or older and
20 there is an option for people to decline to answer.
21 This is not a requirement by any means, but for
22 people who do want to share that data. It's across
23 the board.

24 But the Commissioner is right, we have more
25 robust data when it comes to the runaway and homeless

1 youth programs. It tends to be more transparent
2 where we have LGBT youth in those programs. And so,
3 yeah, so, that's become a regular part of our data
4 collection.
5

6 CHAIRPERSON DROMM: It's good to know because
7 I'm glad to hear that you are following my law, which
8 I you know, passed. And I look forward to seeing
9 that data reflected in Operations Report, because we
10 annually have to report that information.

11 So, you do give that to Operations to include in
12 their report?

13 BILL CHONG: I believe so, in fact, we work
14 closely with Operations to make sure that when we
15 design the universal application, which we rolled out
16 I believe in the fall.

17 CHAIRPERSON DROMM: Okay, alright.

18 BILL CHONG: Our afterschool programs and our
19 centers were the first ones to use this form and it
20 is now part of the standard enrollment process and
21 there are a series of questions I think if I do
22 recall.

23 CHAIRPERSON DROMM: Yeah.

24 BILL CHONG: And that again is option because we
25 understand some young people who may not have come

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1 out yet. They don't want that disclosed and so, we
2 wanted to balance out collecting information bur
3 respecting the privacy of young people because you
4 know, we got actually feedback. I had a meeting with
5 some of our providers and they thought 13 was too
6 young and we said, well, that's the law.
7

8 So, it's an option. If a young person doesn't
9 want to complete it, that's fine but they have to ask
10 it.

11 CHAIRPERSON DROMM: Yeah, I mean, many
12 transgender youth are identified as early as 3 or 4
13 years old. So, you know, it's interesting. But
14 thank you Commissioner. I don't want to belabor the
15 point, I just wanted to check. Something you said,
16 made me think about it.

17 Let's go to our next Council Member question.

18 COMMITTEE COUNSEL: I'm sorry. Council Member
19 Rosenthal followed by Grodenchik and Perkins please.

20 COUNCIL MEMBER ROSENTHAL: Great, thank you.

21 SERGEANT AT ARMS: Council Member, your time
22 will start now.

23 COUNCIL MEMBER ROSENTHAL: Thank you and thank
24 you Commissioner and everyone who is working with you
25 through such a difficult time. And so, I really

1 appreciate all your efforts. I want to pick up on
2 something that Council Member Adams was talking
3 about. You know, Council Member Rose, Chair Rose,
4 talked about the cuts to the programs and the impact
5 that had on our kids, the number of kids, and the
6 severity of the impact.
7

8 I'm also wondering if you are capturing
9 information about the impact to jobs lost by the
10 providers when we make these cuts? Do you track how
11 many jobs are lost and I ask that because of the
12 importance of the ramifications of the pandemic and
13 the growth in unemployment.

14 BILL CHONG: I don't think we have exact
15 numbers. I think every agency depending on what they
16 are funding situation looks like, some might be able
17 to reassign staff to other programs. They may have
18 private funding and so, the answer to your question
19 is, I don't have any real data on this.

20 COUNCIL MEMBER ROSENTHAL: Great, I think it
21 would be worth DYCD tracking that. So, when you are
22 speaking with the Mayor about the impact of the cuts
23 to your budget, he is aware that although these cuts
24 may not impact DYCD staff directly, it doesn't mean -
25

1
2 it doesn't result in unemployment and growing the
3 unemployment numbers.

4 The second thing I want to follow up on is,
5 something you mentioned very quickly about State
6 Labor Law and the Summer Youth Employment program and
7 maybe having to use a stipend. I didn't understand
8 that and not only do I want you to explain, just
9 because it would help all of us to understand what
10 you were talking about but more importantly, why
11 wouldn't you just ask the Governor for an executive
12 order as he has done in so many cases during this
13 pandemic to change the situation, so we can actually
14 pay our young people.

15 BILL CHONG: So, project base learning typically
16 is paid through a stipend. That's how we rolled out
17 the new program for 14, 15 year old's because the
18 State Labor Law limited the kind of types of
19 activities that you could justify, stipend versus an
20 actual wage where you have to provide a service or
21 you know, develop a product or something.

22 So, remote learning doesn't quite fit the legal
23 definition. You know, we shot through the Labor
24 Department to get guidance on what flexibility.

25 SERGEANT AT ARMS: Time is expired.

1
2 BILL CHONG: We haven't heard back from them and
3 the bottom line is that a stipend allows us to serve
4 more young people and in a time when the resources
5 will be limited, a wage, you know, one of the biggest
6 parts, the largest portion of the Summer Youth
7 Employment program budget is what young people get in
8 the forms of either wages or stipends.

9 So, we thought given the legal restriction,
10 given the budget restrictions, whether that a project
11 based learning opportunity that pays stipends was the
12 best use of the resource we had available.

13 COUNCIL MEMBER ROSENTHAL: Alright, well I defer
14 to Chair Rose on that. I mean, that's a really
15 important distinction. So, what you are saying is
16 you are opting for more people getting less money
17 versus people getting the full amount they would have
18 gotten under the Summer Youth Employment program. I
19 would just ask my Chair, you know, as we go along in
20 these discussions, her opinions on it. Not right
21 now, but you know, that's a pretty big policy
22 decision that you know in the case of summer youth
23 employment which has been driven by the City Council,
24 you know, I don't see Public Advocate Williams here
25 now, but he, Council Member Rose, Council Member

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2 Ferreras- Copeland have been driving the
3 Administration on the Summer Youth Employment. It
4 just strikes me as odd that that decision about
5 whether you are going to give less money to more
6 people or the usual amount that students count on to
7 maybe fewer people. That is a discussion that I
8 would urge you to have with the Council Members.

9 Thank you for the extra time Chair.

10 CHAIRPERSON DROMM: Okay, thank you. Let's go
11 to our next Council Member.

12 COMMITTEE COUNSEL: Council Member Grodenchik
13 followed by Perkins and Chin.

14 SERGEANT AT ARMS: Council Member, you time will
15 start now.

16 COUNCIL MEMBER GRODENCHIK: Thank you very much.
17 Thank you Chairs Dromm and thank you Ms. Rose, our
18 Chair from Staten Island. Commissioner, we've known
19 each other a long time. We've done some good work
20 together and if this was an NFL game, I might get a
21 flag here for piling on. But I'm going to pile on
22 because it's so important.

23 I am a child of New York City. I grew up in New
24 York City public housing and I can tell you my
25 memories are still there. They are very good and

1 there is nothing more important that the City of New
2 York does than provide structured activities for our
3 young people in the summer.

4 I am very, very concerned. I have been Tweeting
5 about this. I have been begging, I have been
6 pleading. We need a plan and we need it now. I know
7 your team is working on this and I know that you work
8 for the Mayor, you don't work for the City Council
9 but at the same time, you know, I've been talking to
10 my providers as have every other member of this
11 Council and the longer it takes, the worse the plan
12 is going to be because as you know, the more eyes on
13 something, the better the plan will be.

14 I understand and I echo what my colleague Diana
15 Ayala said and having been a victim of COVID like she
16 was and I know Mark Levine is here too and you. It's
17 nothing to be trifled with. It's deadly and we know
18 that.

19 So, we want to keep people safe but there have
20 to be ways to do that and provide funding at the same
21 time for our young people. The zeroed out numbers
22 are just - they break our hearts collectively. And
23 so, I want to plead with you and we're here to be a
24 partner. Chair Rose will even get off that beautiful
25

1 couch she is sitting on and do whatever she has to
2 do.
3

4 But our Summer Youth Policy cannot be a
5 sprinkler cap on every hydrant in the City of New
6 York. It just cannot be that it's got to be
7 something more. And the last thing I want to say,
8 I'm not going to ask any questions. It's been
9 covered pretty well, but I would feel remiss if I was
10 sitting here and didn't chime in. There is nothing
11 that I can think of that the city funds and it's
12 about 0.15 of 1 percent the Summer Youth Program. It
13 gives more benefits; it gives the young people the
14 pride in working. It brings money into their pocket.
15 It brings money into their families pockets and it
16 also gives them structure and it gives them something
17 that we all get from our work. You know, work is
18 important. And so, I plead with you and everybody
19 else who is listening, we have got to make some kind
20 of accommodation for these young people. Otherwise,
21 it is going to be a very troubling summer in our
22 city.

23 So, thank you. Thank you Chairs. Thank you,
24 Chair Rose, thank you Chair Dromm. I seed my
25 seconds.

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3 CHAIRPERSON DROMM: Thank you.

4 BILL CHONG: Can I just say that you know you
5 are preaching to the choir.

6 SERGEANT AT ARMS: Time is expired.

7 BILL CHONG: We're very proud of the work that
8 we do and the nonprofit partners have done and you
9 know, this is my 15th year with DYCD, counting the 8
10 in the previous administration. So, you know, in
11 this 15 years, the Council has always been a great
12 partner with DYCD and we look forward to continue
13 that partnership and hopefully you know, as
14 Councilman Menchaca says, there will be tons of money
15 for restoration.

16 COUNCIL MEMBER GRODENCHIK: I want to say
17 something. Commissioner, many years ago, I was at
18 South East Queens in the basement of Carmichaels and
19 the people from South East Queens know Carmichaels is
20 not there anymore. And my colleague, God rest his
21 sole, Charlotte Jefferson, she got up and preached to
22 a bunch of ministers, about 30 ministers and when she
23 was done, the minister who was running the program
24 got up, he was shacking and he said, even ministers
25 need to be preached to every now and then.

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So, my answer is, even the choir needs to hear
it. So, we know that you are an advocate. We know
that the Mayor's heart is in the right place but we
have got to make this happen.

Thank you.

CHAIRPERSON DROMM: Okay, let's go to our next
Council Member. Thank you.

COMMITTEE COUNSEL: Council Member Perkins is
next followed by Council Members Chin and Gibson.

SERGEANT AT ARMS: Council Member, your time
will start now.

CHAIRPERSON DROMM: Will someone unmute Council
Member Perkins please.

COUNCIL MEMBER PERKINS: How are we doing now?

CHAIRPERSON DROMM: Good, we got ya?

COUNCIL MEMBER PERKINS: Very good, thank you
very much. So, I want to give a great shoutout to
one of the miracles of this city in which we have
been able to take our young people, yours truly
amongst those from the first bunch that were able to
move forward in their daily life and perhaps in some
respects through the Summer Youth Employment Program.

I want to give a great shoutout for the history
and success of that particular program and its

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2 influence on so many of the younger people in our
3 neighborhoods and in our families that enable them to
4 have some money in their pocket and to be able to
5 navigate the systems that are important to our
6 communities to give them a head start in growing up
7 and becoming good citizens and good workers and even
8 good students.

9 And so, I think we need to take another good at
10 the success of that particular approach and see what
11 we can do to embellish it and make it even more
12 opportunity for our young people and I just want to
13 make sure that we don't forget how important that
14 program was for all the time that it has been useful
15 in our great city.

16 Thank you.

17 BILL CHONG: Thank you Council Member. I think
18 you are one of the tens of thousands of success
19 stories in the Summer Youth Employment Program. It
20 was my first job and you know one of the things that
21 I proposed and it will outlive me because it will be
22 in 2023, it will be the 60th Anniversary of the
23 Summer Youth Employment Program.

24 I want to collect stories like your stories.
25 People whose first job was in the Summer Youth

1 Employment Program and where they ended up. Damon
2
3 John from Shark Tank reached out to us and he told us
4 his first job in the 80's I believe was in the Parks
5 Department with the Summer Youth Employment Program
6 and you know, like I said, it's a right of passage
7 for most young people coming from low income
8 neighborhoods. It was for me; it was for you and you
9 know there were tens if not hundreds of thousand of
10 success stories in New York City's history and around
11 the country. So, I'm hopeful this is a one year cut
12 you know and next summer we'll be back and ready to
13 go.

14 COUNCIL MEMBER PERKINS: Well, forgive my
15 ignorance but why does it have to be a cut at all?

16 BILL CHONG: Well, I think as I said in my
17 testimony is that given the fact that the virus
18 spreads easily from people who don't have symptoms,
19 and that's how I got it in mid-March. Back then in
20 mid-March, we were told if someone was coughing,
21 someone was sick, stay away from them.

22 SERGEANT AT ARMS: Time is expired.

23 BILL CHONG: So, I think it was out of the
24 abundance of caution that we suspended the program
25

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for this year but it's my hope that we can resume
normal operations next year along with summer camp.

COUNCIL MEMBER PERKINS: So, it sounds as if my
time has expired. Thank you so much for the
opportunity to share and I would hope that again, we
do whatever we have to do to make sure that that
opportunity continues to grow and be available to our
young people. It's a great beginning, that
ultimately it gave me the opportunity to be who I am
today.

I don't think that anybody can deny that that's
been a good success story.

CHAIRPERSON DROMM: Okay, thank you Council
Member Perkins. Let's go to our next Council Member.

COMMITTEE COUNSEL: Council Member Chin, you are
all queued to go followed by Gibson and Cumbo.

SERGEANT AT ARMS: Council Member, your time
starts now.

COUNCIL MEMBER CHIN: Yes, thank you to Chair
Dromm and Chair Rose and Commissioner to your team.
I am glad that you recovered Bill and hopefully you
are healthier and stronger.

BILL CHONG: My wife [INAUDIBLE 5:28:24] in the
hospital.

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2 COUNCIL MEMBER CHIN: Well, your wife is a
3 nurse, so you are lucky. You know, it was about 50
4 years ago, that I got my first Summer Youth Job. I
5 worked in the New York Telephone Company and getting
6 my first check, it was just unbelievable. And that's
7 why all these years in the Council, I fought so hard
8 with my colleagues to increase Summer Youth
9 Employment Program. And were excited that we were
10 able to get it up to 75,000 jobs. So, when the Mayor
11 said that he had to cut SYEP and summer program, I
12 think all of us was in shock. How can this happen?
13 We can't allow it to happen.

14 And there was so much outcry. I think City Hall
15 finally heard it and they had to say, oh, we got to
16 think of some alternative. Which is great, because
17 the providers are reaching out and they say look, we
18 can offer alternatives. We cannot just let this
19 program die.

20 And I'm so happy that at least OMB was saying
21 we're working on something and I'm happy that you are
22 saying that we're working on something, that we will
23 have some kind of summer program for our youth and
24 its great that it might only be one year, I think
25 that's what were are all hopeful about. So,

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1 hopefully this will work out and our youth will still
2 have this opportunity but the other thing is with the
3 summer program, we have so many low income working
4 family who is going to have to go back to work or who
5 is working now and what's going to happen with the
6 kids? The young one's that are not supposed to stay
7 home by themselves. It's against the law you know,
8 under twelve to be home alone.
9

10 So, we don't want to go backward. So, is DYCD
11 working with DOE? What about the regional recreation
12 of the education center? Something that can help
13 working parents who would have no choice to go back
14 to work. To make sure that their kids are taken care
15 of in the summer.

16 BILL CHONG: So, my understanding is the
17 Regional Enrichment Centers, the REC's are primarily
18 designed to serve essential workers.

19 So, a decision would have to be made not by me
20 but by the Department of Education and the Mayor's
21 Office to expand the services at those sites. As I
22 said, you know, at this point, we don't have funding
23 for summer camp, traditional summer camp programs but
24 in the adopted budget, if funds became available, we
25

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2 would quickly to resume some of the, many of the
3 activities that happen during the school year.

4 COUNCIL MEMBER CHIN: And also, make sure that
5 our provider are kept home.

6 SERGEANT AT ARMS: Time is expired.

7 COUNCIL MEMBER CHIN: We don't want them to you
8 know, lose - I mean like, lose their staff and all
9 the work that they have done so hard for.

10 So, I think it is really important that we make
11 sure that our nonprofits stay home after this crisis.

12 Thank you. Thank you Chair.

13 CHAIRPERSON DROMM: Thank you and we'll go to
14 our next Council Member.

15 COMMITTEE COUNSEL: Council Member Gibson
16 followed by Council Members Cumbo and Levine.

17 SERGEANT AT ARMS: Council Member, your time
18 starts now.

19 COUNCIL MEMBER GIBSON: Thank you so much.

20 Thank you, Chair Danny Dromm and certainly, I want to
21 thank our amazing colleague who is always championing
22 youth issues. Thank you, Chair Debi Rose, my sister.

23 Good afternoon, Commissioner to you and your team at

24 DYCD. I am thankful for all of you. Thankful you

25 have recovered yourself and certainly all of the hard

1 working DYCD staff that is now working remotely. We
2 are thankful. I have a couple of questions and much
3 has been talked about and so, I certainly want to
4 echo all of the sentiments of colleagues that have
5 talked so highly of the importance of SYEP and Summer
6 SONYC and Summer COMPASS and Summer camp. And really
7 all of these lifeline programs that have been not
8 just consistent staples in our communities but many
9 families have had a loss of income and we don't want
10 young people idle in our communities.
11

12 I think what we've seen when you talk about
13 social distance enforcement, where we've seen too
14 many young African American and Latino men that have
15 been involved in very negative interactions with
16 police officers and that's already happened in May.
17 I don't want it to get worse in the summertime.

18 So, when we all talk about this budget and the
19 fiscal challenges we face, DYCD has taken a 48
20 percent cut where other agencies have taken one
21 percent. That is not acceptable to any of us
22 Commissioner and we are not going to balance this
23 budget on the backs of our young people and their
24 families. That is not going to happen.
25

2 So, I'm grateful that you have talked about
3 alternative measures and just as we do remote
4 learning for DOE, we can find remote ways as we have
5 been doing. The COMPASS and Beacon programs have
6 been phenomenal. So, what I wanted to ask is because
7 we're still in the budget negotiations, a number of
8 our not-for-profit youth providers have already laid
9 off their staff that would normally be working with
10 SYEP students. Are we talking to them and what are
11 those conversations look like in terms of engagement?
12 Can we give them projections? And also, a lot of our
13 non-for-profits are storefronts and so, when you talk
14 about cost of rent, of utilities, basic essentials,
15 that has been a challenge for them and many of them
16 as we talk about reopening next month and what that
17 looks like. Many of them are struggling, so what I
18 want to understand from you and your team is what
19 conversations we are having now with providers. What
20 is happening if they are already laying off staff and
21 what do we envision remote learning, DYCD, Summer
22 Youth can look like moving forward?

23 BILL CHONG: So, I'll start and then Daphne can
24 add on. We notified the provider; I believe that it
25 was in mid-April about the cut. So, people had to

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2 make very difficult staffing decisions, I understand
3 that. We are still talking to nonprofits in the
4 Summer Youth Employment Initiative about their ideas.

5 SERGEANT AT ARMS: Time expired.

6 BILL CHONG: And how to redesign a model for the
7 summer and how quickly they could ramp up, I think
8 depends on when we have a clear certainty of complete
9 set of funding. As I said earlier, we are waiting to
10 hear from the state on their flexibility in the
11 funding that they provide. Traditionally, that money
12 just goes to pay wages of young people. We're asking
13 for them to give us the flexibility to also pay the
14 nonprofit staff.

15 Daphne, do you have anything else to add?

16 DAPHNE MONTANEZ: I would just echo what the
17 Commissioner stated. We have been in contact with
18 our providers. Certainly, after the announcement of
19 the suspension, you understand their concerns. And
20 then, we also are having conversations and plan to
21 have conversations with providers to get their input
22 on the ultimate model as well.

23 COUNCIL MEMBER GIBSON: Okay, thank you so much
24 and I need to just correct the record, I think I said
25 48 percent. I've been corrected, that is 32 percent

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2 but nonetheless Commissioner, that is still
3 unacceptable to me. 32 percent of a cut to your
4 budget is not acceptable. We cannot do this to young
5 people and their families when they have been
6 traumatized by COVID. I know you agree. We have to
7 work together and we have to come up with a plan as
8 soon as possible because I'm telling you staff have
9 already been notified that they do not have a job.
10 That is not good for us. We don't want more people
11 to be laid off, so we have to work together on this.

12 Thank you so much Chairs.

13 CHAIRPERSON DROMM: Thank you very much. We
14 have also been joined by Council Members Levine,
15 Eugene, and Lancman. I just want to remind folks
16 that we need to move along. Our next hearing will
17 begin at 3:30. Would Counsel please call the next
18 Council Member?

19 COMMITTEE COUNSEL: Council Members Cumbo,
20 Levine and Koslowitz.

21 SERGEANT AT ARMS: Council Member, your time
22 will start now.

23 COUNCIL MEMBER CUMBO: Thank you Commissioner.
24 I wanted to dive right in and ask in terms of Summer
25 Youth Employment, have you all looked at the 18 to 24

1 year old age group and looking to hire them
2
3 potentially as 311 operator or helping with our food
4 pantries that have had to rev up very quickly without
5 adequate staff to do so. Have you looked at them in
6 terms of being contact tracers, so that that 18-24
7 year old group could be utilized in a productive way
8 that the city certainly needs that help and that time
9 and resources right now. Have you looked at that as
10 a need for Summer Youth Employment?

11 BILL CHONG: So, my understanding is for jobs
12 there is a hiring freeze. So, I'm not sure that
13 applies to DoITT, so we certainly DoITT if there are
14 any job openings for a 311 operators. The contact
15 tracers - my understanding is that they test with a
16 diploma and then some medical background but we'll
17 double check on that to see what exactly the criteria
18 is and I know the Health and Hospitals Corporation
19 will do that and if we find things that making the 24
20 year old who only has a high school diploma
21 fulfilled, we'll certainly get the word out to
22 people.

23 The food pantries rely on volunteers primarily,
24 they don't necessarily hire people and we can
25 certainly survey the food pantry programs that are

1 funded through the Council feeding program to see how
2 many volunteers. Because they don't have the
3 capacity to pay young people. And if there are any
4 that have volunteer opportunities, we will get the
5 word out to the list of young people who have applied
6 for summer jobs.

8 COUNCIL MEMEBR CUMBO: Well let me say this,
9 that I feel like the ones that I have just mentioned
10 very briefly are the ones that are probably the low
11 hanging fruit, the obvious opportunities.

12 So, if you haven't really looked into those
13 opportunities, I'm concerned about the viability of
14 summer youth employment coming back in any establish-
15 if the little hanging fruit hasn't been taken into
16 consideration in terms of the needs of the city.

17 As far as summer camps, have you all looked at
18 opportunities for Sleep Away camps or the Fresh Air
19 Fund opportunities where children could go away for
20 summer camp because I did that as a youth as well
21 summer youth appointment and those were very helpful.
22 But my fear as well as expressed by Council Member
23 Ayala, is that the city is going to start reopening
24 at the same time that all of these programs are going
25 to be terminated.

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2 So, my question is, have you looked at something
3 like Fresh Air Fund or Sleep Away Camp or something
4 to decrease the amount of children in the household
5 on a regular basis?

6 BILL CHONG: Well Fresh Air Fund, I agree with
7 you. In fact, Darryl was in the Fresh Air Fund -

8 SERGEANT AT ARM: Time is expired.

9 BILL CHONG: Oh, Darryl was in it for five or
10 six years. I actually had a conversation with the
11 Executive Director. They told me they are suspending
12 their whole program this summer because of the health
13 concerns.

14 So, if there are other suggestions, I know the
15 Governor is making a decision on whether any summer
16 camp cannot break this summer and that I haven't
17 heard the final decision but you know, as I said, we
18 are open to suggestions at this point. At this
19 point, we don't have the resources to resume summer
20 camps, but if funding become available, we can move
21 quickly to resume some services that started during
22 the school year.

23 COUNCIL MEMBER CUMBO: Thank you Commissioner
24 and I just want to say that if we do not find a
25 solution the ramifications behind shutting all these

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2 programs are going to be far worse in our city than
3 what any kind of COVID could have done to youth and
4 young people throughout this pandemic.

5 BILL CHONG: I hear you clearly. I understand.

6 COUNCIL MEMBER CUMBO: Thank you.

7 CHAIRPERSON DROMM: Okay, thank you. I was
8 mistaking, we were supposed to end at 3:15 but we
9 have one more question from Council Member Mark
10 Levine.

11 COUNCIL MEMBER LEVINE: Well, thank you so much
12 Chairs Rose and Dromm and I'll be very brief. I am
13 really concerned about what this summer will mean, a
14 summer of quarantining for the young people of New
15 York City. I'm worried about the mental health
16 implications of that. I'm worried about the economic
17 implications of that.

18 So, I think we have to find a positive option
19 for them and we have to find a way to make SYEP work.
20 One idea that I am excited about which may have been
21 mentioned but young people working from home, calling
22 homebound seniors in their community to check in on
23 them. See if any resources connections. It's
24 something we need to do more as a city and I think
25 young people are perfect for that and can do it from

1 the safety of their home. I'd like to know if you've
2 considered that. And Council Member Cumbo, Majority
3 Leader Cumbo was mentioning an excellent point about
4 all the jobs around contact tracing that some of
5 which would be great for young people and there is a
6 title known as resource navigator, which does not
7 require a public health background and it's really
8 about connecting people who have the quarantine to
9 social services and I think that would be excellent
10 for a young person who might otherwise not have a
11 good opportunity right now.

12
13 And then lastly, just a question for you
14 Commissioner Chong. I know that some of the other
15 contingency plans for this summer like, open parks
16 where a decision hasn't been made. The agencies are
17 putting together a plan to pull it off, so that we're
18 ready. So that once a decision is made, we can go
19 right away and to what extent are you building up a
20 plan to pull of SYEP while you are waiting for final
21 word from City Hall and in the budget? And I'll stop
22 there. Thank you all so much.

23 BILL CHONG: So, on the resource navigator, I'm
24 actually very familiar with that and when someone
25 reached out to me about that, there is actually

1 funding attached to that. So, I believe it might be
2 Federal money, I'm not sure. So, we got the word out
3 to our nonprofit network to apply for that funding
4 and seeking settlement houses that could ramp up
5 pretty quickly to provide resource navigators to
6 people who are self-isolating at home. So, very
7 familiar with that one. I'm not sure they will hire
8 young people but they may hire staff people, so I'm
9 very familiar with that one.
10

11 On Parks programs, you know, I think we're kind
12 of in a holding pattern. I think if we got the green
13 light and we had the resources, we could organize
14 remote learning opportunities but also again, a lot
15 depends on where the city is at. Are we at phase
16 one? What does phase one mean? Does it allow small
17 groups of young people to gather?

18 I know the Governor just announced that he is
19 allowing gathering to ten people for Memorial Day.
20 So, I think we're ready to move. If funding becomes
21 available and if there is a loosening of the
22 restriction on gatherings of young people, so that
23 they could be kept safe. But also enjoy recreation
24 activities because I agree with you. No young
25

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1 person, no adult wants to be at a computer all
2 summer.

3
4 COUNCIL MEMBER LEVINE: That's right, present
5 company included.

6 BILL CHONG: Yes.

7 CHAIRPERSON DROMM: I'll say the same thing.

8 Alright, let's go back to Chair Rose and we'll close
9 this out and then we are going to move on to our next
10 hearing.

11 CHAIRPERSON ROSE: Thank you Chair Dromm. I
12 want to thank all of my colleagues for their
13 articulation of the needs, but also, the
14 possibilities and I'm sure Commissioner that you've
15 heard that we're tireless in our efforts to ensure
16 that our most vulnerable youth are going to be served
17 this summer. That we have available possibilities
18 and alternate programming that we want to be a part
19 of the conversation. That when you are discussing
20 your plan, and so, we look forward to having
21 conversations but also the announcement of your
22 remote SYEP plan from the Mayor and we are hopeful
23 that this plan will be funded. That will take into
24 consideration our most vulnerable but also, take into
25 consideration the employers, the providers and that

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are refunded in a way that meets the needs of our
most vulnerable New Yorkers.

So, I thank you Commissioner for your efforts
and we're putting a lot of pressure on you and we
also know you are going to deliver.

Thank you.

BILL CHONG: Thank you.

CHAIRPERSON ROSE: Thank you Chair Dromm.

CHAIRPERSON DROMM: Okay, thank you very much.
Thank you, Chair Rose. Hold on one second, let me
just scroll down here. Alright, this will conclude
this portion of today's hearing. Thank you DYCD.

We are going to go right into our Criminal
Justice hearing where we will hear from the Criminal
Justice Coordinator. I ask my colleagues just to
stay where you are at with Zoom and we will start in
one moment.

COMMITTEE COUNSEL: Chair Dromm, we have some
technical issues with the MOCJ Director. It may be a
few minute until we're ready to go.

CHAIRPERSON DROMM: Okay, thank you very much.
So, everybody will just stay with your mics muted
until we are ready to start. Thank you.

[5:47:05-5:50:08]

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2 SERGEANT AT ARMS: We are ready to begin now.

3 CHAIRPERSON DROMM: Thank you very much. Good
4 afternoon and welcome to the City Council's 5th day
5 of hearings. My name is Daniel Dromm and I Chair the
6 Finance Committee [GAVEL]. We will now begin this
7 portion of our hearings on the Mayor's Executive
8 Budget for Fiscal 2021.

9 We are joined by the Committee on Justice
10 System, chaired by my colleague Council Member Rory
11 Lancman and we will now hear from the Criminal
12 Justice Coordinator. I would like to acknowledge my
13 colleagues that have joined us today and they are
14 bear with me. Council Member Lancman, Adams, Maisel,
15 Ampry-Samuel, Grodenchik, Perkins, Menchaca, Ayala,
16 Louis, Rosenthal, Yeger, Koslowitz, Cumbo, Gjonaj,
17 Torres and Gibson.

18 And with that, I think we are going to now go to
19 Chair Lancman. In the interest of time, I will
20 forego an opening statement.

21 So, we will now hear from Council Member
22 Lancman.

23 CHAIRPERSON LANCMAN: Danny thank you very much.
24 Good afternoon everyone. I am Council Member Rory
25 Lancman, Chair of the Committee on the Justice

1 System. Welcome to our hearing to discuss the Fiscal
2
3 2021 Executive Budget. We hold this hearing in the
4
5 midst of a global pandemic that has already killed
6
7 over 20,000 New Yorkers. And our response has
8
9 fundamentally reshaped our criminal justice system.

10 The coronavirus crisis has forced all of us,
11
12 policy makers, administrators, prosecutors, defense
13
14 attorneys and the courts to intently focus on
15
16 fundamental questions of fairness, public safety, and
17
18 costs that too often quietly hum in the background or
19
20 arouse our attention only in discrete circumstances.

21 We don't all arrive with the same answers to
22
23 these questions but our system is better and can
24
25 continue to be better, even once the COVID-19 crisis
subsidies. For us having been forced to grapple with
these core issues. Less reliance on the police to
solve homelessness and other social problems,
incarceration treated as a dangerous toxin to be
avoided with maximum effort. Alternative
accountability and treatment measures developed
through the real sense of urgency. This is a new
normal that we should embrace.

And so, that is today's big fundamental
question. Does this budget support or does it

undermine the possibility of a new normal for our
criminal justice system that centers fairness, true
accountability, and efficacy.

First, we will hear from the Mayor's Office of
Criminal Justice whose internal budget of \$9.6
million aligns the role that the office plays in
virtually all criminal justice and public safety
initiatives in this city. Including closing Rikers
Island, the coordination of recent state bail, speedy
trial, and discovery reform. Management of millions
of dollars' worth of criminal justice program and
indigent defense work and of course the coordination
between the DA's, defense providers, the Department
of Correction, the Courts, and the State that reduce
the city's jail population by 30 percent in the last
two months to its lowest level since 1946.

Even with a PEG of \$4.5 million in FY21, MOCJ's
internal budget has grown \$2.1 million when compared
to FY2020, largely to accommodate three new offices.
The Office for the Prevention of Hate Crimes, the
Office of Pretrial Support Service Coordination, and
the Office of Neighborhood Safety.

Criminal justice related contract administered
by MOCJ total \$560 million for FY2021. An increase

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of over \$53 million compared to FY20. This includes
\$313 million for indigent defense representation,
including trial level and family court representation
and \$247 million for a myriad of criminal justice
programming. Including ATI's, supervised release,
re-entry services and anti-gun violence programs.

But the PEG has delayed three critical
initiatives. The Borough Based Jails Points of
Agreement, the Community Justice Center in Far
Rockaway, and the expansion of the Crisis Management
System.

We look forward to hearing about these delays
and to get an update on the city's efforts to achieve
pay parity for Assistant District Attorneys and
Public Defenders.

We'd also like to know what progress we can
expect in getting our public defenders the forensic
tools they need to properly represent their clients
and help prevent wrongful convictions.

I will have more to say when we introduce our
panel from the District Attorney's Offices and from
Legal Aid, but now, let me just take this opportunity
to thank the staff members who have worked so hard
behind the scenes to prepare for this hearing. Our

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3 Financial Analyst Monica Pepple, our Unit Head Eisha
4 Wright, the Deputy Director Regina Poreda Ryan, our
5 Finance Director Latonia McKinney, our Committee
6 Council Max Kampfner and our Committee Policy Analyst
7 Alia Reynolds and my Legislative Council Michael
Klinger.

8 Mr. Chairman, thank you very much and I am ready
9 for our first witness.

10 CHAIRPERSON DROMM: Everyone who is here, all of
11 our Council Members but we will now hear testimony
12 from Director Liz Glazer who is joined by Chief
13 Finance Officer Ozzie Cruz, Deputy Financial Officer
14 Debbie Grumet and Deputy Director Eric Cumberbatch.
15 And we have also been joined by Dana Kaplan Deputy
16 Director at MOCJ is with us also.

17 Will the Committee Counsel please administer the
18 affirmation and then we'll go to testimony.

19 ELIZABETH GLAZER: I'm sorry Chair, this is Liz
20 Glazer, I think my colleague Deanna Logan is also
21 joining us, so perhaps she could be sworn as well.

22 CHAIRPERSON DROMM: Sure, thank you very much
23 Director Glazer.

24
25

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3 COMMITTEE COUNSEL: Thank you. I will now
4 administer the affirmation one time and you will be
5 called on individually to so affirm at the end.

6 Do you affirm that your testimony will be
7 truthful to the best of your knowledge, information,
8 and belief? Director Glazer?

9 ELIZABETH GLAZER: I do.

10 COMMITTEE COUNSEL: Mr. Cruz?

11 OZZIE CRUZ: I do.

12 COMMITTEE COUNSEL: Ms. Grumet?

13 DEBBIE GRUMET: I do.

14 COMMITTEE COUNSEL: Mr. Cumberbatch?

15 ERIC CUMBERBATCH: I do.

16 COMMITTEE COUNSEL: And I'm sorry, what's the
17 last individual?

18 DANA KAPLAN: Dana Kaplan, I do.

19 COMMITTEE COUNSEL: Thank you. Director, you
20 may begin when ready.

21 ELIZABETH GLAZER: Great, and apologies again,
22 this was on us, but we have our colleague Deanna
23 Logan joining who is also a Deputy Director in my
24 office, who may speak and so, should be sworn in.

25 CHAIRPERSON DROMM: Let's swear her in Counsel
please. Deanna Logan.

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3 COMMITTEE COUNSEL: I'm sorry, what's the name,
4 I could hear.

5 ELIZABETH GLAZER: Deanna Logan.

6 COMMITTEE COUNSEL: Okay, and Deanna Logan?

7 DEANNA LOGAN: I do.

8 COMMITTEE COUNSEL: Thank you.

9 CHAIRPERSON DROMM: Thank you very much
10 Director, you may start.

11 ELIZABETH GLAZER: Great, thanks so much. Good
12 afternoon, Chair Dromm, Chair Lancman and members of
13 the Justice System Committee and Finance Committee.
14 My name is Elizabeth Glazer, and I am the Director of
15 the Mayor's Office of Criminal Justice (MOCJ). And I
16 appreciate the opportunity to testify here today and
17 as you've noted, I have several colleagues who will
18 also be here and ready to answer questions as well.

19 As you know, the Mayor's Office of Criminal
20 Justice advises the Mayor on criminal justice policy
21 and is the Mayor's representative to the courts, the
22 district attorneys, defenders, and state criminal
23 justice agencies, among others. We design and deploy
24 and evaluate citywide strategies to increase safety,
25 reduce unnecessary arrests and incarceration, improve

1 fairness, and build the strong neighborhoods that
2 ensure enduring public safety.
3

4 As we are all painfully aware, COVID-19 has
5 taken a terrible toll on New York City, most
6 significantly in illness and tragic deaths, but also
7 financially. There is much we don't know about the
8 disease or when its grip on New York City will end.
9 What we do know, is that we must expect deep cuts to
10 the city's budget, though how deep remains to be
11 seen.

12 Our challenge and responsibility must be to
13 learn from the hard lessons this crisis teaches and
14 to guide the city forward, perhaps to a better place,
15 even as we face a constricted financial present and
16 future.

17 We don't write on an empty slate. We already
18 learned during this administration that doing less
19 lightening the touch of the criminal justice system,
20 best secures public safety and our values as a city.
21 The past years have seen declining arrest rates,
22 declining crime rates and a plummeting jail
23 population, making New York City the safest big city
24 in the nation with the fewest people incarcerated.
25

1
2 The COVID emergency urgently accelerated these
3 trends and distilled the stakes of the decisions
4 before us. Arrests and overall crime rates have
5 declined even further. Through the concerted efforts
6 of many criminal justice partners to address the
7 heightened risks COVID poses in congregate settings,
8 the jail population has dropped by an additional
9 nearly 30 percent, to levels not seen since right
10 after the war.

11 COVID-19 forced the criminal justice apparatus
12 to do less, to arrest less, to strip court
13 proceedings to only the most essential matters
14 conducted remotely and to hold fewer people in our
15 jails.

16 The tremendous shifts over the past years and
17 recent weeks grew from efforts of many criminal
18 justice partners and professionals. But we must
19 recognize the truly transformative role played by New
20 Yorkers themselves. In this Administration, we have
21 increasingly recognized that New Yorkers own safety,
22 as much as the formal structures of the justice
23 system.

24 We have worked hard to support thriving networks
25 in the communities that have suffered most from

2 cycles of poverty, crime, and incarceration. We know
3 that neighbors, mentors, and credible messengers have
4 a profound impact in turning the tide on violence and
5 crime in communities and that affording the respect
6 and dignity due to the city's civilians is the best
7 path to peace.

8 Before the COVID emergency, our Crisis
9 Management System and the Mayor's Action Plan for
10 Neighborhood Safety made our city more vibrant and
11 safe. And during this crisis, the strong mutual aid
12 networks forged in MAP communities to identify and
13 solve problems from the neighborhood turned up on a
14 dime. Neighbors are helping neighbors, identifying
15 those most in need and providing critical supply
16 networks, ensuring the arterial structures in
17 neighborhoods are effective delivery mechanisms for
18 city resources.

19 CMS has continued its important work defusing
20 violent incidents, even as they have moved to the
21 virtual world to do so, and they also have
22 participated in providing supplies and information to
23 the neighborhoods where they work. Out of the
24 crucible of COVID, with less in the city's budget to
25 work with, our task is to sustain a smaller, less

1 enforcement-based and more civilian-driven model of
2 justice and safety in this city.

3
4 We must prioritize and devote resources to the
5 people in communities most affected by cycles of
6 poverty, crime,

7 and disease, and who can have the most impact in
8 leading to a better place. I, like many, wish that
9 COVID-19 had never come to New York City. But it
10 did. And now we must find and seize the opportunities
11 for progress this crisis can offer.

12 I am grateful to the City Council and our other
13 partners who have worked with us through these dark
14 days and with whom we will build the city's new
15 future.

16 Thank you very much for the opportunity to
17 testify today and I am happy to answer any questions.

18 CHAIRPERSON DROMM: Thank you very much
19 Director. In the Fiscal 2021 Executive Budget, the
20 Administration invested \$117 million to expand
21 supervised release. A new ATI request for proposal
22 is budgeted at \$65.4 million. The Atlas RFP budgeted
23 up to \$10 million and to reentry discharged planning
24 RFP's budgeted at \$44.4 million.

1
2 So, despite recent rollbacks by the state on
3 bail reform, does the Administration plan to uphold
4 these investments and continue pursuing its plans to
5 expand programming?

6 ELIZABETH GLAZER: So, we are very committed to
7 the path that those investments represent which is
8 giving judges and prosecutors options aside from jail
9 and increasing the safety of our city through those
10 programs.

11 It seems almost too obvious to say but obviously
12 the financial crisis that we're now in has certainly
13 placed us at a moment of pause where we're examining
14 everything and just to give you an example, our
15 supervisor lease program which is an enormously
16 effective method of keeping people out of jail and
17 keeping the city's safe during this period when court
18 operations are so much more constricted while they
19 continue their current case loads have also now been
20 retooled to essentially be the supervision arm of our
21 city's sentenced release program.

22 So, we still remain committed to that path. How
23 exactly the dollars will fall out I think is what we
24 are all focused on.

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2 CHAIRPERSON DROMM: Okay, I agree with you 100
3 percent that the value of these programs can not be
4 underestimated and if we are going to continue to
5 move forward with the closure of Rikers Island, these
6 programs are vital to the success of that.

7 And I do acknowledge the progress that's been
8 made in terms of reducing the numbers but without
9 these programs, I fear we may go back to where we
10 were before this Administration.

11 Thank you.

12 ELIZABETH GLAZER: Thank you.

13 CHAIRPERSON DROMM: All of these RFP's and
14 programs include specific service needs required by
15 women and transgender and nonconforming individuals?

16 ELIZABETH GLAZER: Yes.

17 CHAIRPERSON DROMM: Okay, they are currently in
18 there as well in the programs?

19 ELIZABETH GLAZER: That's right and Dana, I
20 don't know if you want to speak to that specifically
21 but I don't want to misspeak here.

22 DANA KAPLAN: Yes, so there have been in the
23 RFP's a request essentially outlining that and I know
24 particularly in the reentry RFP soliciting responses
25

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that were gender responsive including conserve
effectively to LGBTQ communities.

So, essentially it was one of the different
target areas that we have outlined as a priority.
There are different programs that have tailored
programming for women in the LGBTQ community
including trans right now, but it is something that
we have tried to make more explicit in the
procurement now and as we go through the procurement
review process, which is currently underway, we are
making sure that we have vendors that can serve each
of the different subgroups effectively and those
constituent groups are included in those categories.

CHAIRPERSON DROMM: And you know a key to a lot
of these programs of being sure that they get paid on
time but the Fiscal 2020 Adopted Budget deal included
multiple criminal justice priorities of the Council,
including \$5 million to support transitional housing
for male defendants with mental health needs. It's
almost a year later, and the contract has yet to be
executed. Fortune Society is still waiting to get
paid for \$5 million in Fiscal 2020 and \$500,000 in
Fiscal 2019 and here we are at the end of the Fiscal
Year.

1 This is not an isolated incident and contracts
2 that MOCJ manage including expansion of project reset
3 and Council discretionary funding have been extremely
4 delayed. What is going on at MOCJ that's causing
5 these negligent delays in contracting?
6

7 ELIZABETH GLAZER: Yeah, so I completely agree
8 and accept the Chair's admonition that we need to
9 move more quickly on these contracts. My
10 understanding is that with respect to the
11 transitional housing. That that work has proceeded a
12 pace and I'll ask my finance folks to give you the
13 exact update but I believe the contract is being
14 registered momentarily. But yes, we have really
15 struggled with staffing and other issues that have
16 delayed some of our contracts and it is something
17 that is very much at the fore what we need to fix and
18 we are committed to doing that.

19 CHAIRPERSON DROMM: And Director, can you just
20 elaborate so the public will know what those 100
21 transitional housing beds are and what Fortune
22 Society is expected to do with them.

23 ELIZABETH GLAZER: Sure, Dana, do you want to
24 explain that because it's quite an important piece we
25 believe, not just a standalone contract but a bigger

1
2 piece of work that the Council has been very
3 committed to and that we're very committed to as
4 well.

5 DANA KAPLAN: Yeah, so the 100 transitional
6 housing beds, as you noted, you know, this was an
7 investment that was made in partnership with the
8 Council and you know certainly was a priority of the
9 Council that we also identified as a need. These are
10 transitional housing beds- I believe there is a
11 particular focus on behavioral health and substance
12 abuse potential needs.

13 The way that we are structuring this contract in
14 order to make this - to bring the services online as
15 quickly as possible, is that Fortune will hold the
16 contract and again the procurement team can speak to
17 the details on where we stand on that but there will
18 be subcontracts so that there are - to get to the
19 full 100 beds. Ultimately, we will be going through
20 a competitive procurement process but just in order
21 to again bring the beds online as quickly as
22 possible. We wanted to identify where there was
23 capacity that we could leverage through a number of
24 different providers.

1
2 CHAIRPERSON DROMM: So, if I'm not mistaking,
3 these 100 beds were to be secured through Fortune
4 Society in a building that they were going to rent.
5 Am I correct on that?

6 DANA KAPLAN: I believe so, yes but I believe
7 that some amount of the 100 are being provided by
8 other providers as well.

9 CHAIRPERSON DROMM: Do you know who those other
10 providers are?

11 DANA KAPLAN: I don't know off hand but we can
12 follow up to get you that list.

13 CHAIRPERSON DROMM: Okay, and are these people
14 who are being released from Rikers, due to the COVID
15 crisis?

16 DANA KAPLAN: So, they are individuals that have
17 justice involvement. So, certainly some of these
18 individuals would be people who are being released as
19 a result of the COVID crisis. You know, there maybe
20 people who are being discharged and you know, also
21 need housing.

22 So, obviously there is a particular need that
23 these beds are serving during this time period that
24 is connected to the city's response to COVID. That
25 is clear but certainly we haven't drawn a sharp line

1 in the distinction in terms of delineating you know
2 someone who is released directly as a result of
3 COVID.
4

5 You know, there is a few different referral
6 point including you know we've stood up some
7 immediate hotels that are providing an immediate
8 place for people to go as they are discharged from
9 Rikers Island and we have case managers that are
10 working with these individuals on longer term housing
11 placements.

12 So, for instance, being able to access these
13 Fortune beds, helps us with our ability to have a
14 longer term appropriate place for individuals to stay
15 that is more stable.

16 CHAIRPERSON DROMM: So, particularly in this
17 time where social distancing is important, I think
18 that this should be definitely top, top priority and
19 I think we need to expedite that contract as soon as
20 humanly possible. And I bet you it is a lot cheaper
21 than renting hotel rooms.

22 ELIZABETH GLAZER: Yeah, no, we are with you.

23 CHAIRPERSON DROMM: Okay, alright, thank you on
24 that and oh, and can we get the list on the other
25 agencies that are providing the beds?

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1
2 ELIZABETH GLAZER: Yes, most definitely. We can
3 get that to you.

4 CHAIRPERSON DROMM: Thank you. Alright let me
5 go to Chair Lancman on that as well, on next
6 questions.

7 CHAIRPERSON LANCMAN: Thank you. Good
8 afternoon. It's good to see you again.

9 ELIZABETH GLAZER: It's been too short of time.

10 CHAIRPERSON LANCMAN: That's the first time I've
11 ever heard you say that. So, let me first say that I
12 think a sentence in your testimony really captures
13 the essence of it. You say our task is to sustain a
14 smaller less enforcement based and more civilian
15 driver model of justice and safety in this city.
16 Amen.

17 Let's talk about one of the signature projects
18 to implement that vision. What is the status of the
19 plan to close Rikers and build borough based jails
20 and how is that reflected in th Mayor's budget?

21 ELIZABETH GLAZER: So, you are absolutely right
22 that this is a signature project. It is something
23 that the Administration is deeply committed to. I
24 think like everything, we are examining you know,
25 this is on pause as well. We have sort of many of

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1 the pieces in place, but I think as we sort of face
2 these sort of twin difficulties of both the pandemic
3 and the very significant financial future in front of
4 us, we are putting this on pause as we evaluate the
5 whole state of the budget.
6

7 CHAIRPERSON LANCMAN: So, let me ask you this
8 because I see Council Member Koslowitz and I see
9 Council Member Ayala at the hearing on the Zoom.
10 What is not going to be happening in this coming
11 fiscal year that would have been happening had we not
12 had this pause or interruption as a result of dealing
13 with the budget?

14 ELIZABETH GLAZER: Yeah, I mean, so I think it's
15 more sort of what is happening. We already have an
16 RFP out in the field and that's continuing with
17 respect to Queens and the Queens garage. There is a
18 lot of planning work that would be going on over the
19 next couple of months in order to start getting the
20 next RFP's out the door. And I think some of that is
21 being scaled back a bit as we figure out sort of what
22 the future looks like.

23 CHAIRPERSON LANCMAN: Is the scaling back
24 related to - it's not related to the actual building
25

1 because nothing was actually going to get built in
2 the next 18 months, right?

3
4 ELIZABETH GLAZER: Right, it has more to do with
5 what some of the support help is. You know, I think
6 that DDC, I think we testified at their hearing about
7 this a little bit, sort of some of the kind of nuts
8 and bolts of how it's being supported you know with
9 our project manager and some other staffing.

10 CHAIRPERSON LANCMAN: Okay, let me ask you about
11 the subject of pay parity. In FY19, pay parity for
12 assistant district attorneys and public defenders.
13 If I have my crinology correct, it was \$5.5 million,
14 \$5.4 million dollars sent to the District Attorneys
15 to do something on pay parity for ADA's who were up
16 to - from the start of their service to their fourth
17 year of service. There was supposed to be a second
18 wave analysis for ADA's above those levels of
19 service. My understanding is that has been delayed.

20 In FY20, we had fought particularly hard for pay
21 parity for Public Defenders and in the November plan
22 of 20, there was a total of \$3.7 million added to
23 MOCJ's baseline contracts which was going to effect a
24 total of 399 attorneys.

1
2 To our knowledge the providers contracts have
3 yet to be amended even though many of them have
4 already provided the adjustments out of pocket. So,
5 two delays to ask you about. We'll do the hard money
6 one first. When are the adjustments going to be made
7 to the public defenders contracts with the \$3.7
8 million in the Fiscal 2021 November plan.

9 ELIZABETH GLAZER: Sure. So, we have you know,
10 as you've noted this \$3.7 million that was included
11 in the November plan and these are negotiations that
12 are underway with respect to, you know, as you know,
13 this is part of a contract that has to be negotiated
14 with the defenders and that's what's underway.

15 With respect to sort of a phase two and let me
16 just say sort of at this point OMB I think, is
17 reviewing those proposals. So, that where we are you
18 know, that's going through kind of the contract
19 negotiation process.

20 CHAIRPERSON LANCMAN: Well-

21 ELIZABETH GLAZER: With respect to - I'm sorry,
22 go ahead.

23 CHAIRPERSON LANCMAN: No, I thought you were
24 done. I apologize.

1
2 ELIZABETH GLAZER: No, just with respect to kind
3 of further parity funding, as with the city at large,
4 you know, we are paused right now.

5 CHAIRPERSON LANCMAN: Alright, so let's go back
6 to the public defenders. Can you give an estimate of
7 when you think that issue will be resolved and they
8 will get that \$3.7 million. Is there some particular
9 obstacle that you can tell us about?

10 ELIZABETH GLAZER: Yeah, I don't think there is
11 a particular obstacle. I think it is just part of
12 the you know contract negotiation process with you
13 know, multiple agencies involved. And so, I would
14 hope that could be resolved.

15 CHAIRPERSON LANCMAN: Okay, well, but we do too.
16 I know you do and we do to, we fought hard for that
17 and I know I don't need to tell you how important
18 those folks are to the system of justice working
19 effectively and those young, but not all young but a
20 lot of them are young are under a lot of financial
21 stress with student loans etc., and the turnover rate
22 you know is not good. And I know you know all these
23 things, so let's try to really try to get that done
24 for them, especially since the money has been
25 appropriated.

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2 ELIZABETH GLAZER: I know we support that view
3 to and would like to get it to conclusion.

4 CHAIRPERSON LANCMAN: Terrific. Let me get a
5 little parochial and talk about the PEG and its
6 impact on my favorite borough. Manhattan has two
7 community courts; Brooklyn has a community court and
8 a community justice center. The Bronx and Staten
9 Island each have a community justice center. Queens
10 is the only borough without at least a full-fledged
11 community justice center and now, the Mayor is taking
12 away our planned Rockaways Community Justice Center.
13 Isn't there somewhere else we can find \$1.8 million
14 in savings in this vast multi, multi billion dollar
15 criminal justice budget we have in New York City?

16 ELIZABETH GLAZER: Yeah, I mean, again and this
17 is going to be a bit of a repeating line, but
18 unfortunately the situation we're in, you know, this
19 is simply we are asking to wait. Not to end the
20 project by any means but to try and get through the
21 year.

22 CHAIRPERSON LANCMAN: Sorry, sorry, sorry, go
23 ahead.

24
25

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1
2 ELIZABETH GLAZER: No, that was fascinating, I
3 want to hear more. I mean, that's really all I have
4 to say.

5 CHAIRPERSON LANCMAN: Right, well, it's not
6 quite a grilling but I'm going to ask you. Has any
7 consideration been given to getting this done this
8 year because I don't need to tell you, I, like the
9 Mayor, turn into a pumpkin on December 31, 2021 and
10 we would very much like to have this shovel in the
11 ground so to speak.

12 ELIZABETH GLAZER: Yeah, I mean this is where we
13 are with respect to the proposed PEG's. You know,
14 we're committed to doing this. We're asking as many
15 things across the city that there be a delay here to
16 give us a chance to see you know, how the financial
17 situation hopefully improves you know, over the next
18 period of time.

19 CHAIRPERSON LANCMAN: Alright, well, I think
20 that's something you know obviously, I can't speak
21 for the whole Council but that is something like in
22 the list of injustices in the world, I don't know
23 that Queens not having anything is the most glaring
24 injustice but it's an important one and we fought for
25

1 it and it's something that not just the Rockaways but
2 South Queens really deserves.

3
4 Next PEG issue, project reset, we as you know
5 had the DA's with us or their officers with us
6 yesterday and we were asking them questions in the
7 context of the tremendous work that you did and that
8 has been done to reduce the populations at Rikers
9 Island. We asked them what kinds of programs they
10 had relied on, what kinds of programs would they like
11 to see and need to help keep the population at Rikers
12 low. And they mentioned or it was mentioned quite a
13 bit Project Reset. Can you tell us why it is that
14 that was part of the PEG and you know, what we can do
15 to try to make sure that that program continues and
16 rolls out. Also, it's supposed to roll out in Queens
17 in June this year as planned.

18 ELIZABETH GLAZER: Sure, and I will ask my team
19 to step in here. My understanding is the PEG is for
20 some of the unspent funds and some of the expansions.
21 It's not a - you know, but there are other parts of
22 reset that continue. So, this is a piece of it.
23 Again, you know unfortunately, there are places in
24 the budget that you know have not and won't be

1 untouched. Debbie, is there anything that you want
2 to add to that?
3

4 DEBBIE GRUMET: No, other than Project Reset was
5 added to our budget only for one year and they took a
6 portion of it as a PEG this year based on spending.
7 It was not part of budget for Fiscal 2021.

8 CHAIRPERSON LANCMAN: Right, well, you know, I
9 understand the pressure that we're under budget wise
10 but these are not huge programs dollars wise, but
11 they make - you know they are part of the
12 constellation of programs that try to realize that
13 vision that you articulated in your opening statement
14 which I cited and if the DA's thought that they worth
15 mentioning, I think it's something we should really
16 consider making sure it makes it into the budget.

17 Two more questions, both very particular to my
18 interests. We had a hearing in January on forensic
19 services that are available to the defense - well, to
20 the Public Defenders you know, as we brought out in
21 the hearings, this is a tremendous imbalance. We had
22 asked MOCJ at the hearing and my recollection is at
23 the very least, the people who testified on behalf of
24 MOCJ spoke positively of the idea of having some kind
25 of task force or working group around trying to get

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1 the public defenders access to forensic service,
2
3 labs, expert software etc. Has anything happened in
4 that regard and is there anything in this budget that
5 tries to bridge that gap and give the public
6 defenders the access to technology that they need?

7 ELIZABETH GLAZER: Yeah, I mean I think that
8 shortly after that hearing, we found ourselves in a
9 different world. So, I don't think that has been you
10 know, at the top of where we've been focusing on.
11 So, I don't have anything to say there. I don't know
12 Deanna if you are on, if there is anything additional
13 you would want to add in there?

14 DEANNA LOGAN: Yeah, I just wanted to clarify
15 that we have not received any kind of request from
16 our defense providers but obviously we remain open
17 and available to have the discussions about the
18 forensics. I did not testify at the hearing in
19 January but I do know that to date, we haven't
20 because we are at a new world been petitioned by our
21 providers to actually engage in just what the
22 forensic types of things that they would need us to
23 help support them in. But we are open to having
24 those discussions. We still are in the budget

scenario that we find ourselves in but planning is
definitely something that we're open to doing.

CHAIRPERSON LANCMAN: Okay, I think that we got
some kind of estimate on what their needs are, so
let's make sure that that is passed along to you and
we can hopefully ignite that conversation.

My last question, the last three fiscal years
have included \$8.7 million in one time funding to
support an increase in Article 10 Family and Abuse
and Neglect cases. The Fiscal 2021 Preliminary plan
nor the Executive plan included this one time funding
for \$8.7 million. We are being advised that that
money is still necessary.

So, can you tell us why that wasn't in the
budget and what possibility there might be that that
can still be added?

ELIZABETH GLAZER: Yeah, Debbie, would you take
this one?

DEBBIE GRUMET: Yes. This is the baseline
funding that is necessary to restore the contractors
to the same level that they are at now, where the
need and we have requested to address this as part of
the -

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2 CHAIRPERSON LANCMAN: So, I lost the last part,
3 it got swallowed up in the -

4 DEBBIE GRUMET: Oh, sorry, can you hear me now?

5 CHAIRPERSON LANCMAN: Yeah, it was just like the
6 last half of that last sentence got garbled.

7 DEBBIE GRUMET: Okay, yeah, this money is to
8 bring them back to the same level that they've been
9 at for the past three years and we are aware of the
10 need and we are requesting it again as part of
11 adopted.

12 CHAIRPERSON LANCMAN: Got it, okay, good. I
13 have many more questions in case my colleagues run
14 out of questions to ask you before your time with us
15 ends but I would be neglectful if I did not again
16 commend you and your entire team for the work that
17 you've done to help us get through this crisis.
18 Obviously, you could point to this or that where we
19 would like you to do things differently but overall,
20 bravo.

21 Thanks very much.

22 CHAIRPERSON DROMM: Thank you Chair Lancman.
23 Let's go, we have two questions from Council Members
24 and then we are probably going to have to move right
25 into our next hearing.

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2 COMMITTEE COUNSEL: If any Council Member has
3 questions for the Administration, please use the Zoom
4 raise hand function and you will be added to the
5 queue. Council Members, please keep your questions
6 to two minutes including answers. Please wait for
7 the Sergeant at Arms to tell you when your time
8 begins. The Sergeant will let you know when your
9 time is up.

10 We will now hear from Council Member Rosenthal
11 followed by Council Member Grodenchik.

12 SERGEANT AT ARMS: Time starts now.

13 COUNCIL MEMBER ROSENTHAL: It's so great to see
14 you [INAUDIBLE 6:31:04] Chair Lancman comments, just
15 really thank you for all the work you are doing
16 especially now. It is incredibly important and
17 incredibly helpful to all of us who frankly want to
18 push back on concerns. Some have had about the bail
19 program and really just appreciate all your efforts
20 there.

21 Two questions related to domestic violence
22 contracts that go through MOCJ. First, Batterer
23 Intervention Program, was that at all subject to a
24 PEG? Would it be?

25

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2 ELIZABETH GLAZER: So, the Batterer Intervention
3 Program, my understanding and my team will correct me
4 if I'm wrong is that we are moving forward on that.
5 There maybe somethings around the edges that we're
6 still working through in respect to funding. But my
7 understanding is that we are moving forward on that.

8 CHAIRPERSON ROSENTHAL: With respect to funding?
9 In the sense of - is any link to not having enough
10 revenue to cover the expense or because of
11 programmatic things you might fund it differently or
12 at a different level?

13 ELIZABETH GLAZER: That there are sort of some
14 programmatic additions or changes that we would be
15 interested in doing and figuring out how we identify
16 the funds for that I think what issue is.

17 CHAIRPERSON ROSENTHAL: Great, I'd love to talk
18 offline.

19 ELIZABETH GLAZER: Sure.

20 CHAIRPERSON ROSENTHAL: Whoever is working on
21 that and Chair Lancman has been so helpful on that as
22 well. And then secondly, you know, I know you've
23 been trying to move along -

24 SERGEANT AT ARMS: Time is expired.
25

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3 CHAIRPERSON ROSENTHAL: May I continue? I know
4 your office has been trying to move along the Safe
5 Horizon, Dove contracts. It sounds like you have one
6 more piece of paper you are waiting for and then it
7 goes to Comptroller, really appreciate that although
8 it's late in the year and the providers are nervous.

9 Would you just given the likely uptick in demand
10 for services around domestic violence after the you
11 know, as the city slowly opens up. Would you
12 consider helping to push the Administration to get
13 those Dove contracts perhaps funded earlier in the
14 year and perhaps get additional funding even that we
15 know that in other locations, the demand has increase
16 by as much as 30 percent.

17 ELIZABETH GLAZER: Yeah, I mean, I think the
18 domestic violence issue is really a critical one and
19 maybe one that's somewhat hidden from us right now.
20 So, we're very committed to trying to mobilize the
21 resources that we can and the resources that we
22 already have to be as effective as possible.

23 CHAIRPERSON ROSENTHAL: I'd appreciate that. I
24 am hearing from the Batterer Intervention folks that
25 there is more interest.

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CHAIRPERSON DROMM: Council Member, I am going
to have to ask you to wrap up.

CHAIRPERSON ROSENTHAL: I look forward to
talking with you or whoever is working on these
offline, because I think that there are interesting
opportunities but we will - fund them.

ELIZABETH GLAZER: Absolutely.

CHAIRPERSON DROMM: Thank you Council Member.
Okay, we have one last question I believe.

COMMITTEE COUNSEL: Yes, we will hear now from
Council Member Grodenchik followed by Council Member
Koslowitz.

CHAIRPERSON DROMM: Okay two.

COUNCIL MEMBER GRODENCHIK: I'll be brief, I'll
be brief Mr. Chair. Thank you both, thank you Chairs
Lancman and Dromm.

I met recently with a provider, works with
foster children and this is really a question that is
on the minds of providers throughout the city
regardless of services they are providing and all the
Council Members here and I'm sure you. How are we
going to make sure that these providers can sustain
their current operations as we go forward? You know,
my colleague Helen Rosenthal just kind of led into

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2 that regarding people and organizations are getting
3 funding but I'm worried also about having met with
4 these folks about those people that are dealing with
5 foster children. So, I just want to know how your
6 agency is prepared to handle that.

7 ELIZABETH GLAZER: Yeah, I mean, I think it's on
8 everybody's minds and obviously we have contracts
9 with people that will honor what the future holds
10 that you know, that's a big question.

11 COUNCIL MEMBER GRODENCHIK: Okay, we're going to
12 need at least a medium sized answer. So, I know that
13 you don't have a crystal ball but I just wanted to
14 put that out there because that's what we do.

15 Thank you Chairs. Thank you, Ms. Glazer.

16 CHAIRPERSON DROMM: Thank you. We actually have
17 two more questions Director. Let's call our next
18 Council Member please.

19 COMMITTEE COUNSEL: We will now hear from
20 Council Member Koslowitz followed by Council Member
21 Gibson.

22 SERGEANT AT ARMS: Time starts now.

23 COUNCIL MEMBER KOSLOWITZ: Thank you. I am
24 sorry, I am doing a million things here. I heard
25

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2 about the garage and what did you say the timeframe
3 is still the same for the jail as proposed before?

4 ELIZABETH GLAZER: So, you know, we're still
5 committed to a 2026 timeframe. You know, as you know
6 the RFP for the Queens Garage is in the field but
7 where we are right now is just assessing what all the
8 different pieces are given the financial situation
9 that we're in right now.

10 So, right now, we're committed to the timeline
11 that we set out. We obviously will work closely with
12 you and all the effected Council Members to make sure
13 that you are up to date on everything that we know as
14 soon as we know it. So, that's the information that
15 I have for Queens Garage right now in the field as
16 with so much in the city. You know, we're examining
17 the financial situation everywhere.

18 COUNCIL MEMBER KOSLOWITZ: Got it but don't you
19 think that before you know have advances, the garage
20 should also be postponed?

21 ELIZABETH GLAZER: So, I think that you know,
22 that RFP is already out. There will be some time
23 before things come back but right now, that's you
24 know, what we're thinking through.

25

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COUNCIL MEMBER KOSLOWITZ: Okay. I'd like to
keep in touch with you as time goes by.

ELIZABETH GLAZER: Yes, of course.

COUNCIL MEMBER KOSLOWITZ: Okay, thank you.

ELIZABETH GLAZER: Thank you.

CHAIRPERSON DROMM: Okay, let's go to our next
Council Member.

COMMITTEE COUNSEL: We will now hear from
Council Member Gibson.

SERGEANT AT ARMS: Time starts now.

COUNCIL MEMBER GIBSON: Thank you so much. Good
afternoon, thank you Chair's Dromm and Chair Lancman.
Good afternoon Liz, it's good to see you and your
team at MOCJ.

ELIZABETH GLAZER: How are you Council Member?
Nice to see you.

COUNCIL MEMBER GIBSON: Thank you, you too. I
know a lot has been going on and your staff has been
working hard remotely. I wanted to ask the question
about, of course as you know, one of my favorite
topics, preventing gun violence.

The Mayor's Office to Prevent Gun Violence and
the work of Eric Cumberbatch who has been doing
amazing work on the ground. As we prepare for

1 reopening this city and what we know will be a very
2 hot summer, you know that we are very adamant about
3 developing some sort of a mechanism for youth to be
4 employed. And many of us have been talking to our
5 crisis management system organizations, they are
6 doing anti-gun violence work. They are still working
7 remotely, remaining connected with their clients and
8 youth, so I wanted to understand what that
9 potentially could look like because of course budget
10 constraints are always a concern of not being able to
11 expand into more neighborhoods, but we're across 22
12 different catchment areas and I wanted to understand,
13 are we able to work with the Mayor's Office to
14 prevent gun violence on youth ambassadors as
15 potential DYCD, SYEP clients? How can we work with
16 our youth and the Crisis Management system during the
17 summertime on some of the alternative programs?

19 ELIZABETH GLAZER: Yeah, great question and
20 really front and center to what you know, Eric and
21 his team are really, really focused on. You know, as
22 you know the crisis management system has been you
23 know, just hard at work, even if we're now more
24 virtual than not and this issue of what do we do
25 during the summer and specifically, what do we do

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2 about employment, is really front and center. And
3 Eric, I wonder, do you want to sort of answer the
4 Council Members question in more detail?

5 SERGEANT AT ARMS: Time is expired.

6 COUNCIL MEMBER GIBSON: Hi Eric.

7 ERIC CUMBERBATCH: Sure, so hi Council Member
8 Gibson. So, we do operate an anti-gun violence
9 employment program through all the CMS sites and the
10 intent for FY21 is to have a youth stipend program.
11 So, all of the participants of the crisis management
12 system sites and the map development we intend to be
13 able to keep onboard and really put together a
14 virtual learning platform. We have a few category
15 areas, we're still ironing out what they would look
16 like, but right now, we are thinking about financial
17 literacy, youth empowerment, community engagement,
18 public speaking. A lot of different cohorts that the
19 youth will get credit for as they move through the
20 stipend program.

21 So, that's in development now. We are also in
22 conversation with NYPD around safe play opportunity.
23 So, as streets are opening up and other areas, how
24 can we prioritize young people in our communities
25 that may not have the resources and tools to stay

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indoors and/or properly socially distance due to
density.

So, we're working on both of those pieces now
but for your specific question around employment, we
are aim and launch a stipend program across the
summer.

COUNCIL MEMBER GIBSON: Oh, good. Great thank
you and let's keep talking offline if we can. Thank
you, guys, I appreciate it. Thank you Chairs.

CHAIRPERSON DROMM: Okay, thank you very much.
That will conclude this portion of the hearing. I
want to thank you Director for being here with us.
We will take a short break until, well, actually -
the DA is here?

We'll take a short break five minutes and then
we will come back with the District Attorneys in the
Special Narcotics Prosecutor.

I ask my colleagues who will be joining us for
this portion of the hearing to remain in Zoom with
your microphones muted until we are ready to begin.

So, we will take about a five minute break and
come back. Thank you.

ELIZABETH GLAZER: Thank you very much.

RECESS [6:42:54-6:49:17]

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SERGEANT AT ARMS: We are ready to begin, to
resume the hearing.

CHAIRPERSON DROMM: Okay, thank you very, very
much. [GAVEL] Good afternoon and welcome to the City
Council 5th day of hearings on the Mayor's Executive
Budget for Fiscal 2021. My name is Daniel Dromm and
I Chair the Finance Committee. We are joined by the
Committee on Justice System Chaired by my colleague
Council Member Rory Lancman and we will now hear from
the District Attorney's.

In the interest of time, I will forego an
opening statement but I'm going to turn it over to
our Committee Counsel to go over some procedural
items before we hear from Council Member Lancman.

COMMITTEE COUNSEL: Thank you. My name is
Stephanie Ruiz and I am Counsel to the New York
City's Council's Committee on Finance. Before we
begin, I want to remind everyone that you will be on
mute until you are recognized to speak, at which time
you will unmuted by the Zoom host.

If you mute yourself after you have been
unmuted, you will need to be unmuted again by the
host. I will now turn it over to Council Member
Lancman.

CHAIRPERSON LANCMAN: Thank you very much. Good
afternoon everyone. It is going to see some of you
again from yesterday and if I didn't see you
yesterday in person, it was good to see your offices
or to have your testimony.

The Fiscal Year 2021 Executive Plan did not
include major changes for our five district attorneys
and Special Narcotic Prosecutors for Fiscal 2021
budget. However, there are \$21.7 million in PEG's
across all offices for the remainder of Fiscal 2020
and \$2.6 million in PEG's for the District Attorney
of New York in Fiscal 2021.

Despite a total PEG of \$23.6 million across the
offices over fiscal years 20 and 21, the city's
Fiscal 2021 Executive plan for Prosecutors is \$455.8
million. Of which, \$34.1 million was added along
with 729 positions in previous financial plans to
support the state discovery reforms.

As I alluded to in my remarks prior to MOCJ's
testimony earlier, the coronavirus crisis required
New York City to rapidly reduce the population at
Rikers Island and the District Attorneys were full
partners in that effort.

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3 That effort has been a success in part because
4 of this Council's work in recent years with our DA's
5 lay the groundwork for such reductions. Many of the
6 DA's initiatives that this Council fought for or
7 specifically funded, in the last two budgets
8 including a Conviction Integrity Review unit in
9 Staten Island, diversion programs like HOPE, CLEAR,
10 Reset and ATI units and immigration collateral
11 consequences units have help fundamentally change how
justice is administered in our city.

12 The Council's concern that some of these
13 criminal justice reform programs that were funded in
14 the FY20 budget are not included in the Mayor's FY21
15 budget, including the Conviction Integrity Review
16 unit in Staten Island and the expansion of the
17 successful domestic violence stat program in Queens.
18 And we are eager to hear about your offices systems
19 for tracking cases in case outcomes based on race,
20 ethnicity, sex, and age and the resources you are
21 devoting to prosecuting cases that could be sent to
22 family court under the Raise the Age law and low
23 level nonviolent cases that some DA's aren't
24 prosecuting at all.

25

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2 I look forward to hearing your testimony and I
3 thank you very much Mr. Chairman.

4 CHAIRPERSON DROMM: Counsel?

5 COMMITTEE COUNSEL: At this time, we are ready
6 to call on the Administration or the District
7 Attorney's.

8 CHAIRPERSON LANCMAN: So, I don't know if have
9 discussed in advance or if you agreed amongst
10 yourselves. Usually what happens is the first person
11 who sits on the stage left side of the table goes
12 first but the person who is directly in front of me
13 on my screen is DA Clark, so DA Clark, would you be
14 willing to start us off?

15 CHAIRPERSON DROMM: They have to be sworn in.

16 CHAIRPERSON LANCMAN: I apologize, I got ahead -

17 COMMITTEE COUNSEL: Thank you. I will now
18 administer the affirmation one time and you will be
19 called on individually to so affirm at the end.

20 Do you affirm that your testimony will be
21 truthful to the best of your knowledge, information
22 and belief, Mr. Vance?

23 CYRUS VANCE: Yes.

24 COMMITTEE COUNSEL: Ms. Katz? Ms. Katz are you
25 there?

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2 CHAIRPERSON LANCMAN: We'll swear her in when
3 it's her turn. Let's keep going.

4 COMMITTEE COUNSEL: Absolutely. Mr. Gonzalez?
5 Mr. Gonzalez? I'll go back again. Ms. Clark?

6 DARCEL DENISE CLARK: I do.

7 COMMITTEE COUNSEL: Thank you. Mr. McMahon?

8 MICHAEL MCMAHON: I do.

9 COMMITTEE COUNSEL: Thank you and Ms. Brennan?
10 Please say that one more time.

11 BRIDGET BRENNAN: I do.

12 COMMITTEE COUNSEL: Thank you. Just circling
13 back to Ms. Katz, are you there? Okay.

14 CHAIRPERSON LANCMAN: The Queens DA told me that
15 she is having a little bit of a sound problem, so
16 let's try to work that out on the side.

17 COMMITTEE COUNSEL: Understood and we'll go back
18 to Mr. Gonzalez as well.

19 ERIC GONZALEZ: I do.

20 CHAIRPERSON LANCMAN: He does.

21 COMMITTEE COUNSEL: Thank you Mr. Gonzalez. Mr.
22 Vance, you may begin when ready.

23 CYRUS VANCE: Should I begin speaking at this
24 time?

25 CHAIRPERSON LANCMAN: Sure.

1
2 CYRUS VANCE: Alright, good afternoon Chair's
3 Richards, Dromm and Lancman, and members of the
4 Committees on Public Safety, Finance, and Justice
5 System. Thank you for the opportunity to speak
6 today.

7 Today's testimony is not what I was prepared to
8 deliver in March. The coronavirus has upended all
9 our lives in ways that we are still struggling to
10 comprehend.

11 Fiscally, we are grappling with unexpected
12 expenses. The fast moving nature of this virus
13 necessitated that our office make an emergency
14 purchases of protective equipment, cleaning supplies,
15 and computer equipment to have secure telework. At
16 present, we believe there will around \$2 million in
17 unanticipated costs this year with relation to the
18 coronavirus cost that we are asking the City, State,
19 and possibly Federal government to assist in
20 covering.

21 Secondly, in past years, I've had the fortune to
22 tell you that crime is at historic lows in Manhattan
23 each year that I've appeared before you. And for the
24 first time in ten years, unfortunately, I can no
25 longer make that assertion.

1
2 Based on a review of CompStat and data gathered
3 by our Office, the overall crime rate for the seven
4 major index crimes is indeed down in Manhattan, but
5 that's mainly because grand larcenies are down
6 between 50-75 percent, and felony assaults are down
7 by one third. On the other hand, burglaries and auto
8 theft are rising, and most troublingly, there have
9 been twice as many murders in Manhattan as this time
10 last year.

11 Gun violence is up during the pandemic compared
12 to pre-pandemic 2020 and to prior years at this time
13 of the year. In 2018, there were 31 murders in
14 Manhattan total. If we continue at the current pace,
15 2020 will see 71 homicides, a 229 percent increase –
16 Sadly, hate crimes targeting Asian immigrants and
17 Asian-Americans are also up during the pandemic.
18 There have been nine reported anti-Asian hate crimes
19 during the period and I am concerned a great deal
20 about how we can better protect this community.

21 With more time than ever being spent in the
22 home, we are also focused on the dwindling number of
23 domestic violence cases coming to us, including child
24 abuse. Citywide reports of domestic violence
25 felonies are down by almost 32 percent. In Manhattan

1 North, domestic violence felonies are down by 12
2 percent and down by 48 percent in lower Manhattan.
3 Violations of orders of protection are up by a
4 quarter in Manhattan compared to last year, and we
5 presume this increase has something to do with a
6 large network of services providers linking victims
7 with Law Enforcement.
8

9 So, with regard to present crime statistics, I
10 think there is much work that we need to do and pay
11 careful attention to trends as we go forward.

12 Beginning in March our office undertook a
13 comprehensive review of every person being held in
14 the Department of Corrections custody to assess
15 whether they were appropriate for release under
16 COVID-19 circumstances. We've also responded to
17 requests through mass writs, bail applications and
18 direct outreach in certain cases.

19 From March 19 to May 12th, there was nearly a 45
20 percent reduction in the number of people being held
21 in jail on Manhattan cases. We're going to seek ways
22 to drive that number lower without compromising
23 public safety and by combining prosecutorial
24 discretion with the use of diversion programming.
25

1
2 We decline as an office to prosecute arrests for
3 social distancing and other violations of the recent
4 emergency executive orders and our efforts are built
5 upon previous initiatives of ending the prosecution
6 of the thousands of cases, such as marijuana smoking
7 possession, subway fare evasion, unlicensed vending,
8 nonpayment of fines, loitering for prostitutions and
9 summons cases.

10 Because the success of the new criminal justice
11 laws hinge on New Yorkers attending court dates, our
12 office has fully supported the expansion of the
13 citywide supervised release program to the tune of
14 \$100 million.

15 In February, we also launched Manhattan justice
16 opportunities which is a new sentencing alternative
17 for misdemeanor and select felony cases. Up to this
18 point, members of the Committee's, we've been able to
19 use case generated revenues for Manhattan cases to
20 support our renovation, but this is not a stable
21 funding source or a long term solution for us.
22 Specifically, we have an existing personal services
23 deficit and leased warehouse space is more critical
24 than ever to help our office achieve discovery
25 compliance.

1
2 My testimony in recent years has sought to
3 highlight key investments through the Criminal
4 Justice Investment Initiative, 17 of those multiyear
5 grants are coming to an end in 2020. And we are
6 looking to the Council, the City, and others to
7 consider sustaining these deserving projects. In
8 particular, my office will not be able to continue to
9 self-fund Project Reset which has referred 2,200
10 individuals to successful dismissal of cases since
11 its initiation and Manhattan HOPE started in Staten
12 Island and modeled from Staten Island to Manhattan
13 much longer.

14 So, funding for Project Reset expires in January
15 2021. The Council generously funded Project Reset in
16 Brooklyn and the Bronx and we are now seeking the
17 same, so Manhattans program can continue.

18 Thank you for the opportunity Chairs to speak
19 today and for the continued support of our office.

20 COMMITTEE COUNSEL: Chair's, it appears that Ms.
21 Katz is on online and her audio issue has been
22 addressed.

23 CHAIRPERSON DROMM: So, Ms. Katz, we will swear
24 you in please.

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MELINDA KATZ: Hold on. I apologize for the
problem.

CHAIRPERSON DROMM: That's okay. How are you?

MELINDA KATZ: I'm doing well. How are you?

CHAIRPERSON DROMM: Good, thanks. Counsel,
would you please swear in District Attorney Katz?

COMMITTEE COUNSEL: Yes, Chair. Do you affirm
that your testimony will be truthful to the best of
your knowledge, information and believe?

MELINDA KATZ: I do.

COMMITTEE COUNSEL: Thank you.

CHAIRPERSON DROMM: Would you like to start with
your testimony?

MELINDA KATZ: Sure. First of all, to Chair
Lancman and to Chair Dromm, it's good to see all my
former colleagues before. It's good to see so many
people that are here. As you can imagine, I've had a
very interesting first five months or four and a half
months as the District Attorney of Queens County.

I think a year ago, no one could predict what we
are dealing with here today. I have online with me
who is the Jen Nyberg who is the Chief Executive,
Jackie Duckfield who does that budget and Camille who
is the Chief of Staff to the District Attorney. We

1 have a \$59 million budget here at the Queens District
2 Attorney's Office. We have an OTPS of \$10 million.
3

4 I will tell you that our spending for the
5 Criminal Justice reform has not been fully spent this
6 year and that is because clearly it was a seven month
7 allocation until the fiscal budget. As you can
8 imagine, I am getting up and running with all of my
9 units, all of my new bureaus and all of the criminal
10 justice reforms that we are putting in place,
11 pursuant to the state laws. Having said that, we are
12 also virtually doing all of our arraignments. We've
13 done about 2,000 arraignments since March virtually.
14 We have gone to the appellate division several times
15 by Skype. Most of our offices, most of our 318
16 attorneys are working virtually with many of them
17 coming into intake and rotating so that everyone
18 comes into the office at some point, but most are
19 working at home.

20 We have about 347 support staff and we have 68
21 investigators. All of them needed to be equipped
22 with all that needed to be done, so that they can do
23 their job from home. We've also spent finances on
24 the safety and well being of our employees. That's
25 Lysol, that's gloves, that's masks, and all that

1 comes with it. So, in addition to the remote
2 capabilities, also making sure that people are safe
3 here. To make sure that all of those arraignment and
4 intake procedures and the DA's they have to be here
5 and support staff are safe and we've made sure to do
6 that.
7

8 At the same time, we are trying to organize a
9 way to come back incrementally as we go live. None
10 of are sure as to when that is going to be, so in the
11 meantime, we are conducting preliminary hearings 100
12 percent virtually and making sure that from Rikers if
13 you have a preliminary hearing, the Defense Attorney,
14 the Judge, and the Prosecutor are all working
15 together.

16 What we have done over the last several months,
17 many of you know this, we've had daily conversations
18 with MOCJ and with Correctional Health and all of the
19 players here to make sure that we can run virtually.

20 We've done all of the lists that we've gotten
21 from MOCJ, many people have been let out because of
22 either health reasons, but a lot of DA's times and
23 ADA resources have been utilized to make sure that we
24 look case by case on all of the cases. But in the
25 meantime, as we have done everything virtually and as

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1 we've made sure that we didn't miss a beat by the way
2 from day one, when it comes to the courts or when it
3 comes to running this office.
4

5 With all of this going on, we have opened up a
6 Conviction Integrity Unit here at the Queens DA's
7 office. That has been up and running for several
8 months now. I'm excited at what is coming out of
9 there. I'm excited by the cases they have taken on
10 and I look forward to working in the future to make
11 sure that no one is in jail that is either innocent
12 or has a valid 440 claim.

13 We have opened up the worker and you know,
14 Housing Protection Bureau and that's to make sure
15 that when there is an accident on a work site, that
16 instead of depending upon the site inspector to tell
17 us expertise and to make sure that we know what
18 happened, we bring ADA's and investigators to the
19 scene to make sure that they know whether criminal
20 activity had happened.

21 We've also opened up a cold case unit. There
22 are cases here that have not been solved for several
23 decades and we have opened up a cold case unit and I
24 look forward to working hard on that as well and to
25

1
2 make sure that we are solving crimes that have stood
3 stagnant for many, many years.

4 We have also opened up a litigation support
5 unit. That is a support unit that has expertise in
6 DNA and will in the future have expertise on cyber-
7 crimes and all of those technical issues that need to
8 be resolved. That this office never had a unit to
9 do. At the same time, as you know, and this is not
10 going to be a secret to any one of you on this call.
11 We need space. We have four offices that we are now
12 working in. We are paying rent to two of those
13 offices. That is coming out of our budget. We are
14 in desperate need in order to hire new people, to
15 make sure that we have space and we simply just don't
16 have enough.

17 At the same time as you know all of you know,
18 we've talked quite a bit about it. The criminal
19 justice reform laws have taken up quite a lot of
20 resources in the DA's office. I have started from
21 day one but clearly you know that we are still
22 working towards finalizing a lot of the programs.

23 The Criminal Justice Reform, when it comes to
24 discovery, we figure the cost is about \$3 million,
25 \$947 million dollars. We had last year, about \$5.9

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2 allocated to this office. But it's really a \$10
3 million cost because that was only for the seven
4 months from November to July.

5 But in the meantime, to open up a Conviction
6 Integrity Unit, a litigation support unit alternative
7 to incarcerations and pre-arraignment diversion
8 programs and all that goes with those organizations,
9 it cost money. And so, I think that we are looking
10 towards getting a similar budget to last year but to
11 have the full allocation of the criminal justice
12 reform money would be extremely helpful in making
13 sure that can provide justice and fairness in Queens
14 County.

15 I want to thank all of you for the work that
16 you've done. I've been following a lot of it online.
17 I think it's amazing that you've managed this
18 virtually. Just so you know, I'm glad I'm not in the
19 Council trying to manage all of these different
20 hearings virtually. I give you a lot of credit.

21 I thank you for your time, I look forward to
22 answering questions and I'm sorry for the sound
23 issue.

24 CHAIRPEERSON DROMM: Thank you very much. Let's
25 give credit where credit is due to our staff, they

1 have made all this possible. Thank you, District
2 Attorney Katz.

3
4 Lets go to District Attorney Clark.

5 DARCEL CLARK: Good afternoon. Thank you to you
6 Chairman Dromm as well as Chairman Lancman and the
7 Committees on Justice and Finance for providing this
8 opportunity for me to speak with you today. And I
9 hope all of you and your families are safe and well.

10 Last year, I appeared before you to assert that
11 the DA office was not resourced to meet the demands
12 of criminal justice reform. The City Council, you
13 recognize this reality and support a significant
14 funding increase to meet this challenge and as a
15 result the Mayor's Office increased baseline funding
16 for anticipated expenses related to criminal justice
17 reform that took affect on January 1, 2020.

18 We work to receive \$6.1 million for salaries for
19 a number of staffers that would help us with criminal
20 justice reform and that being Assistant DA's, trial
21 prep assistance, Discovery Analysts, Interpreters
22 etc.

23 However, the baseline funding was represented
24 only for seven months of funding and that was for a
25 total of \$122 hires that we were to fund and that was

1 what was approved for criminal justice reform, 122
2 positions. In addition, we were supposed to receive
3 somewhere near \$14 million in capital funding for
4 technology improvements that were needed for criminal
5 justice reform.
6

7 Then of course, the global pandemic shifted the
8 priorities of the city, circumstances spiral beyond
9 anyone control and the funding that was authorized
10 that we desperately needed was cut.

11 I'm going to outline for you how this loss of
12 funding impacts the office and our ability to secure
13 public safety in the Bronx.

14 My ask in the end will be to restore the
15 Criminal Justice Reform funds and the Capital funding
16 that was taken from our budget and also parity for
17 the OTPS funding. And most importantly, to provide
18 funding for COVID-19 expenses.

19 So far, just in these last two months, we've
20 spent an excess of \$115 thousand just for the
21 equipment and we anticipate millions more dollars
22 being needed once we're able to fully reopen. As
23 expected, criminal justice reform initiated a tidal
24 wave of new litigation and stretched thin our
25 resources to comply with the expanded discovery

obligations in an impractical timeline for
compliance.

While necessary and well intentioned, these
reforms resulted in criminal justice system grinding
to a halt. A backlog ensued attrition at the office
crime to new heights as we lost 38 assistant DA's by
the time the end of January came about. And they
left for other agencies that were paying the more
money.

The office moral plunged to all-time lows.
Nevertheless, we, through unwavering professionalism
of this staff, the office persevered. We adapted, we
developed new systems and we met our obligations as
the entire staff worked at a feverish pace. Late
nights, weekends, holidays, and for the ADA's without
being paid overtime and more importantly, without the
much needed support staffing that we needed for the
criminal justice reform. And then in March, just as
we were catching our breath, after the sprint to meet
our discovery obligations, this was around the 45 day
mark of the criminal justice reform and we were in
the process fine tuning the systems to address
criminal justice reform and the newly formed backlog,
our landscape was un-ended by COVID-19.

1
2 New challenges now presented. We had to respond
3 to a global pandemic where the criminal justice
4 system had to remain operational while New York City
5 was on pause.

6 Again, our staff weathered the storm. We
7 changed our management strategies, made them more
8 flexible. We made significant strides in a short
9 period of time to change our office to work remotely
10 and we were able to do that with the procurement of
11 500 new laptops that we were given by DoITT and I
12 want to give credit to MOCJ and DoITT and the city
13 for providing that because that was essential in
14 order to help us to work remotely for about 700
15 people within a two week period.

16 IT and Operations worked quickly to give us the
17 virtual environment we needed to work remotely. We
18 moved the entire complaint room and arraignment
19 process to a virtual environment, ADA's and support
20 staff engaging with our victims, witnesses, and
21 police officers remotely and drafting charging
22 instruments necessary for the cases to move forward.

23 In arraignments, we converted the laptops and
24 mobile phones to utilize Skype for business which is
25 the way that the courts were operating. And again,

1
2 even though the Executive Order suspended criminal
3 procedure law, we were still able to get the work
4 done providing discovery for defense.

5 So, please understand this is no small feat.
6 Processing and drafting cases remotely with no lead
7 time for transition was very time consuming. It
8 required an increase in scheduling, including a
9 number of ADA's and support staff available to
10 process these cases. It was all hands on deck and
11 they were able to do it.

12 We've remained vigilant to keep the criminal
13 justice system functioning. However, challenges
14 still remain. The community resources for our
15 victims are closed and we have to still connect them
16 virtually in a system anyway that we can.

17 Alternative to incarceration programs are mostly
18 nonexistent now. Especially those for mental health
19 and substance use disorder. Lack of supportive
20 housing for those recently released from Rikers as
21 well as the newly arrested defendants. Project Reset
22 were not able the R-program. All of these things
23 make a world of difference and they are not available
24 at this time. And without the staffing that was
25 promised, we will not be able to deal with the

backlogs that were created by the Criminal Justice
Reform that was up until March and then now with the
added backlog that has been created at COVID.

You know, this is not a good time for the Bronx.
There is generational trauma experienced by so many
Bronx sites because of COVID-19. The rates have
climbed higher in the Bronx than in any other
borough. Some 4,000 lives lost to date but you know,
we still have to make sure that we protect the Bronx
community and unfortunately, we still suffer from
additional light of serious crimes and while citywide
crime data shows a decrease, unfortunately crime has
not decreased in the Bronx.

Prior to March of 2020, murders, robberies,
felony assaults and shooting incidents increased by
14 percent as compared by the same categories in
2019. And since March, we still have the numbers
that were consistent with 2019. So, the crime is
still here. We've had 26 homicides this year. 13 of
them happened after March 16th and only 3 of them,
all but three of these homicides were in public
places.

So, there is a need to protect the Bronx.
Shootings continue, this past weekend, we had six

1 firearms recovered and a total of nine were recovered
2 in the first week of May. Robberies, burglaries,
3 have increased in this community where unemployment
4 and poverty rates disparately impacted by the
5 financial fallout from COVID-19. We observed that
6 reports of child abuse has significantly decreased,
7 which raises concern that children maybe suffering in
8 silence during this period of increased isolation and
9 just the opposite, we have seen the domestic violence
10 cases increase here in the Bronx but it's important
11 that my Crime Victims Assistant unit is still making
12 themselves available during this quarantine. And
13 that we are assisting and referring our victims. We
14 had 846 new clients as well as 789 therapy sessions
15 by Zoom, Skype or over the phone with the clients.
16 We are making sure that we provide on average, 400
17 victims a week and no matter what the posture is, we
18 make sure that we keep in touch with our victims and
19 survivors.
20

21 This is the most important part of my job and I
22 have to still continue to do that even through a
23 pandemic because we need to make sure that they are
24 protected. And the concerns for our victims remain
25 the center of our focus but we're not blind to the

1
2 unprecedented health crisis facing incarcerated
3 defendant's in our prisons and jail and I would know
4 because as Bronx District Attorney, Rikers Island is
5 in my jurisdiction and it is one of the most serious
6 and devastating communities that I have to serve as
7 well.

8 So, those inmates are part of my constituents as
9 well. And we have made sure that we collaborate
10 extensively with the court with the defense bar and
11 with MOCJ and credit to MOCJ for all the work that
12 they have done throughout this crisis to deal with
13 the Rikers situation. So that we could identify
14 those individuals who we could responsibly release
15 into the community without compromising public
16 safety.

17 My bail policies before the bail reform happened
18 made it so that there were less individuals in Rikers
19 Island on Bronx cases than ever before. And I
20 believe we had the second lowest number of
21 incarcerated defendants in Rikers Island.

22 CHAIRPERSON DROMM: Madam District Attorney,
23 could I ask you just to summarize the rest? We need
24 to move on a little bit.

1
2 DARCEL CLARK: Okay. Well, what I am going to
3 say is this, now we have to move into virtual public
4 - virtual hearings, preliminary hearings to protect
5 defendants and we're going to do that.

6 And lastly, we are faced with the challenge of
7 reopening our office and we're going to need funding
8 to do that, to see what post-COVID-19 is going to
9 look like. We will need to improve the technology
10 for virtual work that we still have to continue.
11 We'll need the protection equipment. We're going to
12 have to hire screeners or train our workers to be
13 able to screen the public and our workforce issues
14 about childcare because the schools are closed,
15 overtime for staff if they have to work alternate
16 shifts and also, we have to worry about safe
17 transportation for our staff, victims and witnesses.

18 So, I'm committed to making sure that we protect
19 the community and administer justice and promote
20 fairness in this county but we will not be able to do
21 that unless we get the funding restored that we
22 needed for the criminal justice reform, the capital
23 funding that we need, parity for the OTPS and of
24 course, the funding future for COVID-19 needs.

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Thank you again for your support and I look
forward to your questions.

CHAIRPERSON DROMM: Thank you very much. Let's
now go to District Attorney McMahan.

MICHAEL MCMAHON: Good afternoon. Thank you
very much. It is an honor and pleasure to appear
before the City Council today. Never an easy task to
follow my colleagues who have gone already and I know
others behind me but it's an honor to sit virtually
at the dais together with my colleagues in justice
and fairness in the City of New York.

I want to thank the Chairs of the Committee,
Chair Lancman, Chair Dromm, Chair Richards and all
the members of the City Council and their staff for
presiding over this virtual Executive Budget Hearing.
And I want to acknowledge and thank Speaker Corey
Johnson for his continued leadership in our City and
I hope you and your families all stage safe and well
during these difficult times. And we look forward to
working with you to improve our criminal justice
system, not only in Staten Island but in the City of
New York, so that we all meet our goals and better
protecting and serving the people of this great city.

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2 I also want to thank my local Staten Island
3 Council delegation, Minority Leader Steve Matteo, my
4 own Council Member, Councilwoman Debi Rose, and of
5 course, Council Member Joe Borelli for their ongoing
6 advocacy for the people of Staten Island and the
7 Richmond County District Attorney's Office.

8 Like DA Katz, I am a proud alum of the City
9 Council, and like her, I thought and we all thought
10 that having lived through the instant tragedy and
11 economic hardship caused by 911 as well as the great
12 recession of 2008, and Superstorm Sandy just to name
13 a few. We though that we had seen it all and now
14 obviously we come before you in unprecedented and
15 uncertain times for this City, this State, and the
16 country.

17 And as we sit before you facing this terrible
18 pandemic that continues to threaten the health and
19 safety of New Yorkers, it also provides a very grim
20 fiscal outlook for the City, and that's particularly
21 true if we do not receive the critical necessary and
22 appropriate assistance from the Federal Government
23 and we will continue to advocate for that with you as
24 well. But we know that we have a difficult task
25

1 ahead of us to further reimagine the way that our
2 agencies and systems of government do business.
3

4 Two months ago, we prepared to come before this
5 body for Preliminary Budget hearings and my testimony
6 focused on how my agency had reacted, changed, and
7 produced in the wake of sweeping reforms made to the
8 criminal justice by Albany and that took effect on
9 January 1, 2020. And I am sure my colleagues and
10 fellow DA's would agree that 2020 was already a
11 challenging year for our agencies well before
12 coronavirus struck.

13 Without question, these reforms totally upended
14 the landscape and operations of our agencies, and
15 although we were proudly ready to report to you that
16 our agency had hired over 85 percent of the new
17 positions created with the funding provided by this
18 Council and the administration, I was also prepared
19 to tell you how worried I was that I would continue
20 to lose droves of talented and dedicated ADA's to the
21 private sector and better paying government agencies
22 because the change and burden of work placed on them
23 became too much.

24 I believe just as Clark spoke to this as well.
25 And in fact, we did lose many talented ADA's in

1 December, January, and February as these new laws
2 took effect. And as I said, I am not the only DA who
3 faces challenge. When I look at the timesheets of
4 ADA's from January and February, I see many who often
5 worked until 2 or 3 a.m., regularly putting in the 70
6 or 80 hours a week without receiving any overtime or
7 comp pay, unlike their public defender counterparts.
8

9 I am incredibly proud of these public servants
10 who embody the very best of what we all expect from
11 our assistants and the justice system. They
12 performed valiantly during a time of vast change, and
13 their work ethic then as well as now as they continue
14 to perform essential frontline duties during the
15 pandemic, deserves to be recognized by this City.

16 And I urge this administration and this Council
17 to remember and fulfill its commitment to finishing
18 and achieving the salary parity project for all
19 ADA's. They are critical to our mission to keep our
20 city safe and they deserve to be paid equal to other
21 city attorneys.

22 And with that said, I'll just focus on the
23 remainder of my testimony on the following subjects:
24 COVID-19's impact on RCDA's Operations and Public
25 Safety and I think you heard from my colleagues as

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2 they touched on that. How we've had to change
3 operations. There has also been to us a Fiscal
4 impact which we project to be an additional \$750,000
5 by the time this year is through.

6 Our Modest Priority Budget Needs for Fiscal Year
7 2021 and a few thoughts on the future.

8 Now as I mentioned and I think its been
9 discussed how we had to change our operations, go to
10 work virtually every day. We have 85 to 90 percent
11 of our staff working virtually but that was not
12 without great cost and great expense to get that
13 done. We rely right now on the flexible working
14 conditions that have been temporarily enacted with
15 many people working at home and this council needs to
16 look at that together with the Administration to
17 continue those rules and regulations so that we can
18 keep our staff safe but productive and as you also
19 heard, we went through a great process here in
20 working on the inmate roles at Rikers to make sure
21 that as many people as possible keeping public safety
22 in focus as well as the health of the individuals
23 that as many people as possible could be released.

24 And we've started to do preliminary hearings
25 virtually to make sure that we have judicial review

1 of the charges that we brought to individuals that
2 was done appropriately and that their constitutional
3 rights are protected.
4

5 I do want to talk to you about a few public
6 safety trends during COVID-19. DA Vance mentioned
7 how he seen some spike in some very troubling areas.
8 We seen that on Staten Island as well with increases
9 in grand larceny auto of close to 32 percent and
10 robberies up close to 20 percent this year.

11 We've also continued to have a terrible drug
12 addiction illness crisis here on Staten Island and
13 we've had this year so far 40 deaths that we are
14 investigating from drug overdoses and we continue to
15 worry about that.

16 Other areas that concern us are domestic
17 violence and child abuse and I know that my
18 colleagues have spoken to that. We believe that
19 there is under reporting and that the numbers will go
20 up. We have seen an increase in shootings and
21 violent crimes. Just last week, a pregnant woman and
22 her boyfriend were slaughtered through gun violence
23 and we've seen an increase in shootings as well. And
24 we also share, I know that my colleague in Queens,
25 Melinda Katz has spoken about increase in suicides.

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2 We have started to index and track suicides here and
3 we've seen some very alarming trends and so, that
4 mental health crisis and that intersection between
5 mental health and the work that we do every day
6 continues to be a focus of what we do.

7 Even despite the challenges that we face every
8 day, we continue our efforts on Staten Island to
9 connect individuals with services and be able to
10 divert cases out of the criminal justice system. I'm
11 happy to report with support that we received from
12 the City Council, my locals as well as Speaker
13 Johnson, we were able to launch a project reset
14 program modeled after those started in Manhattan and
15 Brooklyn and we thank them for their leadership and
16 we thank you for the resources and we've just started
17 that this month and we're hopeful that we continue to
18 build on the diversion work that we're doing already
19 with our HOPE 1.0. HOPE 2.0 our OAR and our overdose
20 outreach all helping those who suffer from addiction
21 illness and even despite the terrible times that
22 we're in and the problems we face, the success of
23 those programs is something that we're very proud of
24 as well as the work that we do with our EAC programs,

25

our mental health court, our veterans court and our
drug treatment court.

CHAIRPERSON DROMM: Mr. District Attorney, can
we ask you to summarize as well.

MICHAEL MCMAHON: Absolutely. I just want to
mention that we also continue to prevent crime and do
our community engagement doing meetings with the
youngsters in a local community center using Zoom and
beyond.

So, our remaining needs and challenges, we do
need to have the full funding for the new criminal
justice reform personnel that's been spoken to, we
only got seven months. We need it on an annual basis
and we need a baseline. We need a baseline rent for
additional space just like my colleagues. We are
right now, even before COVID, we were very close to
violating spacing rules and now with the COVID rules,
we will not be able to meet them. We need and you
heard the baseline our Conviction Integrity Review
unit. I think Chairman Lancman for bringing that up.
Body worn camera storage, we need funding of \$8,000
for storage and as I said, the money that we need to
deal with pandemic.

1
2 I do want to make one sort of notation; I know
3 that Liz Glazer mentioned in her testimony that
4 Staten Island has a community justice center. We
5 dream of having a community justice center. We do
6 not have one yet. We will work towards getting a
7 model like in Red Hook or Brownsville or Far
8 Rockaways and we look forward to having your support
9 to getting these things done.

10 Again, thank you for your time and on behalf of
11 the people of Staten Island, thank you for the great
12 work that all of you are doing every day.

13 CHAIRPERSON DROMM: Thank you very much and now
14 lets hear from District Attorney Eric Gonzalez.

15 ERIC GONZALEZ: Good afternoon. I want to
16 acknowledge Chair's Lancman, Dromm, and Richards and
17 my fellow district attorney's. Good afternoon.

18 So, like all businesses and all agencies in New
19 York City, my office has been overwhelmed and
20 consumed by trying to adjust to the new reality of
21 COVID-19. Unlike many other agencies and businesses,
22 we continue to function each and every day.

23 People continue to commit crime. We continue to
24 generate new investigations and as people are
25 arrested, those cases have to be processed

1 immediately. The fact that the courts are down and
2 largely arrests are down in the city, I think has
3 lend a perception that we can move forward with less
4 resources. This is actually a dangerous illusion.
5 We have a tremendous backlog here in Kings County of
6 cases, hundreds if not thousands of cases that are
7 waiting for the courts to reopen and once they do
8 reopen, they will be flooded with all of these new
9 cases.
10

11 And one of the biggest issues we've been dealing
12 with right now is a backlog of felonies that we
13 haven't been able to indict because there are no
14 grand jurors. We have begun to do preliminary
15 hearings in these cases but technology has been
16 grindingly slow and we haven't had the ability to do
17 these hearings without a lot of technological
18 difficulties. It's difficult for our ADA's to
19 socially distance themselves from witnesses and also
20 communicate effectively with the court, the judge,
21 stenographer, court staff, the defendant and other
22 participants including the defense attorney. It
23 seems like these types of hearings; these virtual
24 practices will continue for a long time and it may
25 actually expand beyond preliminary hearings as more

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2 and more proceedings happen virtually. In order to
3 do that, we're going to need additional investments
4 on both capital and otherwise to conduct these
5 proceedings. These investments also include
6 infrastructure investments to be able to have these
7 communications happen in ways that are not
8 interrupted repeatedly from slow service and so,
9 there's a lot of money that needs to be spent in
10 order to do this work virtually.

11 We've transitioned our office from about 1,200
12 people to fewer than 25 people onsite. The rest of
13 our employees are working at home. That has been
14 expensive to do so, DA Clark talked about it. We've
15 spent over \$1.2 million in Fiscal Year 20, half of
16 that was just on technology upgrades alone. While
17 some of these are one-time costs, we all are aware
18 that a lot of technology has ongoing maintenance cost
19 and so, those are costs that we won't be able to
20 absorb. They were not predicted moving into this
21 fiscal year.

22 Additionally, as the city starts to return to
23 normal and employees come back to the office you
24 know, we're going to actually have to spend a lot of
25 time thinking about how do we redesign our office

1 space to ensure the safety of staff, visitors, and
2 our witnesses.

3
4 That's going to impact the budget in a very
5 significant way. These are costs that we could
6 anticipate prior to the pandemic and these are not
7 costs that we can absorb by ourselves.

8 Now, I'm aware that the health crisis has
9 presented a real serious fiscal crisis for the City.
10 But it is essential that, as we do this belt-
11 tightening, that our funding not be reduced to the
12 point where we are unable to do the work that has
13 kept our communities safe while making the Brooklyn
14 DA's Office a model of progressive committed to
15 fairness and equal justice for all. And I'm
16 specifically talking about all the work my office
17 does to reduce incarceration, to reduce reliance on
18 jail and reduce reliance on criminal convictions.
19 Also, to reduce the lasting impact of criminal
20 justice system involvement on individuals and
21 communities of color. The things like drug
22 counseling and mental health treatment, job training,
23 job referrals, re-entry programs, and even our
24 nationally renowned Conviction Review Unit in our
25 young adult court. All of these things could be said

1 to be outside of the core function of the DA's
2 office, the prosecuting of crime, and thus vulnerable
3 to being cut when times are hard.

4 I don't see it that way, and I know you don't
5 either. These things are not ancillary to the core
6 mission of public safety. They are essential to it.
7 These reforms will make us more safe, not less. But
8 this increase in safety doesn't happen by magic, it
9 only happens if we're able to offer people accused of
10 crimes the resources necessary to deal with the
11 underlying cause of their criminal behavior.

12 If our financial crisis causes us to make short-
13 sighted decisions to eliminate or sharply reduce our
14 ability to do that, we will just be back to being
15 case processors, pushing cases through the court
16 system, increasing our dependence on jail and in
17 short, dispensing junk justice.

18 This is not why I ran for DA and this is not why
19 the City Council has supported the various reforms
20 in my office and in all of my colleagues offices.

21 So, I want to paint a picture where we are at
22 with our budget. When the legislature passed the
23 criminal justice reform last year, everyone
24 recognized that compliance would cost money. We
25

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2 surveyed the needs of our office and worked very hard
3 to come up with a request that we felt genuinely
4 reflected our anticipated needs. The November plan,
5 my office received \$7.3 million in total funding,
6 much less than what we requested. And I'm going to
7 be honest with you, before the COVID crisis, our
8 capacity to handle our pending cases was severely
9 strained at the beginning of the year because of the
10 changes to the bill and discovery laws.

11 ADA's were buried under new discovery
12 obligations. We experienced record attrition, of our
13 Assistant DA,s. They got burned out and they sought
14 less demanding jobs and other city agencies that paid
15 more. The health emergency, while temporarily
16 reducing court appearances and caseloads, has had
17 additional burdens placed on ADA's to obtain
18 discovery. Our police officers have gotten sick,
19 agencies have where we have to subpoena and receive
20 information from have been shut down. So. we're
21 actually not able to catch up with our prior
22 discovery obligations, while people are getting
23 arrested, and as we start to ease back into something
24 like what a normal life will be, our ADA's will be
25 buried once again.

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2 This is why it is critical that we hire the
3 additional staff we were promised to be able to hire
4 in order to comply with the discovery and to keep up
5 with staff attrition. As I noted, our office
6 received \$6.1 million in Personal Services to
7 implement the new criminal justice laws. And also,
8 we received the money for OTPS. This funding was
9 provided so that Brooklyn could hire 175 new
10 employees. Unfortunately, that funding was only
11 partially given for the remainder of the year as the
12 other DA's talked about. This, slow with the onset
13 of the pandemic meant that we could only onboard 40
14 people. We have another 35 people in sort of limbo
15 where they made offers but they haven't been
16 officially onboarded. We are looking for the entire
17 175 people that OMB authorized in order for us to be
18 able to continue to do this. And we're going to ask
19 that the money that we didn't receive, the \$1.5
20 million be added to the baseline, so we can move
21 forward with all of these critical hires. That's a
22 total of 100 additional at the start of Fiscal Year
23 2021.

24 In addition to the OTPS funding, we received
25 \$8.4 million in capital funding for upgrades to

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1
2 technology. All critical infrastructure required for
3 us to comply with the law and our new discovery
4 obligations and quite frankly, COVID. But most of
5 that has been suspended temporarily as any new
6 projects, Capital projects unrelated to COVID have
7 been placed on hold. So, I'm asking that the City
8 Council work to make sure that we have OMB allow us
9 to move forward on our projects and we have a request
10 of \$126,000 in funding necessary to do virtual
11 capabilities for COVID. We are also, you know, we've
12 been responsible managers in terms of our finances
13 during the Executive Budget OMB asked us to give back
14 \$3.5 million. We were able to do that with
15 identified accruals in personnel funding which
16 allowed us to reach that PEG target. They then came
17 back and asked us for additional money and we were
18 able to find another \$1.6 million that was in Fiscal
19 Year 20 allocated for a lease of an unnecessary
20 warehouse.

21 So, in total we made cuts of \$5.1 million to
22 help achieve the PEG target that we were asked to get
23 to. I'm glad that due to the management of the
24 office, we were able to make these cuts however,

25

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2 additional cuts to the budget going forward are
3 unsustainable.

4 I want to thank the City Council for your
5 support each year. I come before you to thank you
6 year after year for the funding for the DOVE program,
7 that's Domestic and Other Violence Emergency Program.

8 I also want to thank DCAS and OMB for continuing to
9 move forward for our Family Justice Center which
10 plays a critical role in protecting vulnerable
11 populations and to serve domestic violence victims.

12 I also want to thank the City Council for the one
13 time funding that you provided for our Brooklyn Young
14 Adult Court and for our Brooklyn Rising Against
15 Violence Everyday Program the BRAVE program, for a
16 total of \$458,000. I am going to ask that the
17 Council provide this one time funding again in Fiscal
18 Year 21 through the Adopted Budget. These critical
19 programs that were previously funded by Federal
20 grants but they are necessary and particularly for
21 our young adults in Brooklyn.

22 So, thank you and I look forward to working with
23 you and I ask that all of the funding that you guys
24 make possible through your advocacy with OMB
25 continue.

2 Thank you.

3 CHAIRPERSON DROMM: Thank you very much and
4 let's go to Special Prosecutor Brennan.

5 BRIDGET BRENNAN: Thank you very much. I would
6 like to thank the City Council for all of the
7 assistance you have provided during a tumultuous
8 year. As we are in the midst of a life threatening
9 pandemic now, it is easy to forget that one year ago
10 our concerns were very deep but very different. We
11 needed significant resources to comply with the
12 requirements of the Criminal Justice Reforms, which
13 became effective Jan. 1st.

14 Chair Lancman, you asked the right questions,
15 and along with Chairs Richards and Dromm, you
16 understood our needs and you came to our aid,
17 advocating on our behalf. Working with the Mayor, we
18 were provided with resources in the November 2019
19 Plan to meet our new obligations for the current
20 fiscal year. OMB was also extremely flexible and
21 helpful to us. And at this time, I also couldn't go
22 any further without acknowledging your exemplary work
23 of MOCJ, which has assisted prosecutors, the courts,
24 and defenders, first on Criminal Justice Reforms, and
25 now during the COVID-19 crisis.

1 Director Liz Glazer has been thoughtful,
2 responsible and an effective moderator during
3 discussions about Criminal Justice Reforms and has
4 provided guidance and leadership during our current
5 crisis. Deputy Director of Crime Strategies Deanna
6 Logan has been our point person and she has been
7 knowledgeable, tireless, and responsive. If you
8 contact her during the weekend, she will get right
9 back to you. She is amazing. There have been many,
10 many amazing people who have been just exhibited
11 tremendous work ethic during this crisis and that
12 includes the Council, the Council Members, the
13 Chairs, and all of the District Attorneys.

15 Everything that the District Attorneys have so
16 articulately described about the demands of criminal
17 justice reform and the challenges of the COVID crisis
18 apply to our office as well. And I will not try to
19 repeat that. I will focus on Special Narcotics.

20 As you know our top priority, is to protect
21 public safety and prevent overdose deaths by removing
22 bulk quantities of dangerous drugs at the highest
23 level of the supply chain. We target major
24 traffickers, identifying the sellers of drugs causing
25 overdose deaths, and investigating medical

professionals who prescribe addictive drugs to make
money, not for medical treatment.

Also, of great importance is our prevention
work, where we have managed to fund safe recreational
opportunities for at risk youth and have also funded
substance use prevention programs. Most of our
programs are now funded with city funds provided
originally in Fiscal 2012 as part of our Safe
Neighborhood Initiative and ultimately those funds
were baselined. The federal forfeiture is now not as
available as it once was for those types of program.

New York City serves as a regional hub for the
distribution of narcotics produced by international
trafficking organizations. Shipments flow through the
city to drug networks throughout the state and in
surrounding states. And even in the midst of the
corona pandemic, large loads of narcotics are being
brought into our city and distributed locally and
throughout the Northeast.

Since mid-March, when most of our office staff
went to work remotely, we have been involved in the
confiscation of more than 125 pounds of heroin and
fentanyl in the metropolitan area, more than a half
million dollars. And the disruption of a Bronx-based

fentanyl distribution ring caught with a million
dollars' worth of heroin/fentanyl packages, some
stamped with a coronavirus logo.

Our challenges are many as deadly drugs continue
to flood our city and we are deeply concerned about
those who currently need substance treatment services
and are unable to access them. In addition, people
are isolated facing loss of loved ones, facing job
losses, and substance use may increase as a result.
Many law enforcement resources typically devoted to
addressing narcotics trafficking have been diverted
to other important uses. Drug dealing within
residential buildings in the city is always a source
of concern for neighbors, and now residents also fear
the spread of disease as a result of drug-related
foot traffic where they live. We have already begun
to initiate more long term investigations.

We understand the city's difficult fiscal
situation in the current year and are committed to
making necessary budgetary adjustments. We have
tried to work with OMB in the current situation.

Just to give you a little insight into our
situation, the city allocated \$1.587 million in CJR
funding to hire additional personnel and procure up

1 to date IT resources required to comply with the new
2 Discovery Reform. This includes approximately
3 \$783,000 for OTPS and a baseline \$804,000 for PS.
4 Computed based on a seven month period for Fiscal
5 2020. We're grateful to the city for recognizing our
6 significant needs and that seven month allocation is
7 in the 2021 but like the other DA's we need the full
8 allocation.
9

10 That funding commitment preceded the
11 unprecedented challenges posed by COVID-19 pandemic
12 including the dire financial situation now
13 confronting the city. So, we have been working with
14 the Office of Management and Budget since March to
15 generate savings in various areas of our operation,
16 so we can help the city close its budget gap for
17 2020.

18 These discussions did result in the mid-year cut
19 of over \$1.34 million from our fiscal year 2020
20 budget. A portion of the reduction came from this
21 year's CJR funding which remained in reserve due to
22 the short timeframe we had to receive - between
23 receiving the funds and the start date of the reforms
24 for the COVID out Family COVID outbreak.
25

1
2 Currently, we've suspended efforts to recruit
3 and hire staff for obvious reasons and the remainder
4 of the cut has been absorbed by attrition and
5 retirements and people not replaced again due to the
6 COVID hiring descriptions.

7 At the prompting of OMB, we have submitted
8 actual and projected costs of \$292,000 for COVID
9 needs. We have begun planning for an eventual
10 reopening, this gradual process will involve careful
11 information of procedures and protocols to guide our
12 staff to safe, clean, and secure workspace and it
13 will be costly.

14 Our projected COVID-19 funding request to OMB is
15 \$292,000, covering the time period March 20 to
16 December 20 split between FY20 and an estimated
17 \$215,000 in FY21 and an estimated \$77,000. And that
18 would be for the purchase of personal protective
19 equipment, Information needs such as laptops and
20 remote access for staff members working offsite, and
21 modifications for a workspace, such as cubicles,
22 partitions, and construction costs.

23 Our understanding is that this funding would
24 come from the federal CARES Act. However, we have
25 not received confirmation from OMB that we will

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3 indeed receive this funding. We have so far incurred
4 COVID-19 expenses at \$97,000 in FY20, with the rest
5 of the costs projected to be split between FY20 and
6 FY21. We hope OMB will either increase funding in
7 our budget to cover these costs or reimburse us for
the costs.

8 I would like to thank the Chair's for their past
9 assistance, the Council Members for their deep
10 commitment, and all of you, including the DAs for the
11 passion and wisdom they will bring to the challenges
12 ahead.

13 Thank you very much.

14 CHAIRPERSON DROMM: Okay, thank you. I'm going
15 to – forego my questions and go straight to Council
16 Member Lancman.

17 CHAIRPERSON LANCMAN: Thank you Danny. Good
18 evening everyone. I think it's safe to call this
19 either late afternoon or evening. So, it's two days
20 in a row that some of us are spending an awful lot of
21 time together but I assure you it's always enjoyable
22 on my end.

23 DA Gonzalez, I want to compliment you on your
24 flag game. I felt a little bit of intimidated and

2 so, I changed by virtual background so we could at
3 least meet on somewhat of an equal playing field.

4 We had sent a letter to each of your offices
5 asking for some background data and some of you
6 responded and a few of you didn't, so I'd like to go
7 over that. We had asked three things. One, a
8 description of the resources that you are using to
9 measure the outcomes and metrics of your
10 prosecutions, of your decisions as it relates to
11 race, ethnicity, sex, etc. I think most of you know
12 that Speaker Johnson has a bill that would require
13 the District Attorneys to produce this data. That
14 bill hasn't moved forward. There has been some
15 robust conversation back and forth, so we made that
16 request.

17 DA Vance, you had indicated that your office
18 does devote some resources. I know in the past; I
19 believe you had even contracted out or had an outside
20 organization examine your work and indicate where
21 there might be bias or discriminatory choices or
22 outcomes. Can you tell us what you do, what your
23 office does in a little more detail than you gave in
24 your testimony to measure bias and outcomes in your
25 office?

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2 CYRUS VANCE: The report Chairman Lancman that
3 you referred to was initially done by Vera some years
4 back. We actually have an update to that report
5 which we hope to be able to publish within the next
6 six month. And so, that will take the measures that
7 we gathered in 2012 and update it through today.

8 I don't have the details of that report but to
9 answer your question, I was very concerned when I was
10 elected DA that I would be able to measure bias
11 implicit and otherwise if it was - if it came out in
12 any of our case charging and bail decisions. I think
13 the Vera report revealed overall that we were doing a
14 good job but there were areas where we could do
15 better. The purpose of our review, the update of
16 that report is to present a public accounting of
17 where we are today versus where we were in 2012.

18 Preliminarily, I think there have been
19 significant improvements but in this area of dealing
20 with bias and implicit bias, I think we all know you
21 can always do better. We have had our entire office
22 received implicit bias training, mandatory lawyers,
23 non-lawyers. We have had lecturers come in from
24 outside to education all of us on the impacts of
25 bias, on decision making.

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1 So, Chairman, it's still very much a part of our
2 work. We have a Chief Diversity officer that is
3 providing essential leadership in this area and I
4 hope to give you a more full report really within the
5 next couple of months.

7 CHAIRPERSON LANCMAN: Thank you very much. You
8 know, there are two other questions I mentions that I
9 had asked. Let me do each District Attorney, all
10 three questions, it will probably make it easier.

11 The second question we had asked was to give us
12 information on the number of cases your office
13 prosecuted in FY20 in the youth part of Supreme Court
14 that could have been removed to Family Court under
15 the Raise the Age Law. You gave us information that
16 there were 2 against 17 cases arraigned in the
17 Manhattan youth part in FY20, 141 cases were
18 transferred to family court and 76 cases remained in
19 Supreme Court. I know we all understand the
20 distinction broadly that the more serious the charge,
21 the more authority there is to keep the case in
22 Supreme Court, but is there anything you could share
23 with us in terms of your policy or analysis as why
24 you will keep some cases and allow others to go to
25 Family Court?

1
2 CYRUS VANCE: Some of the cases, there is
3 jurisdiction that remains in Manhattan Supreme Court
4 based upon statutory factors. So, for example, we
5 had a recent tragic homicide of a young woman who is
6 a Columbia student. One of the individuals who was
7 charged in that crime with homicide was at his
8 statutory age. A case that resides jurisdictionally
9 in Supreme Court in Manhattan and that is why a case
10 like that stays with us.

11 Principally, Chairman it's an assessment
12 obviously of statutory factors as well as we are
13 paying attention to any prior history of which we may
14 become aware and that's not always the case where we
15 can become aware of it.

16 CHAIRPERSON LANCMAN: Well, I guess we were
17 interested mostly, maybe I should have been more
18 precise, in that category of cases where it could go
19 to family court or supreme court and there is some
20 discretion and there is an opportunity for the DAs to
21 object. For the cases that could go to family court,
22 but you held onto them in Supreme Court, anything you
23 can tell us about broadly about the analysis that you
24 apply to those cases and it's what I'm going to ask
25 each of the DAs.

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1
2 CYRUS VANCE: Broadly, Chairman, it's the degree
3 of violence involved in the crime. That's the broad
4 issue that we are looking at.

5 CHAIRPERSON LANCMAN: Okay.

6 CYRUS VANCE: And criminal history as I say, to
7 the degree that we become aware of it.

8 CHAIRPERSON LANCMAN: Right, okay. Alright, and
9 the data is what the data is in terms of the cases
10 that you brought for the various what we would
11 describe as low level offences, I appreciate your
12 sharing that data with us. The other office that
13 provided that information was Queens. I know DA Katz
14 to a large extent, you were talking about, at least
15 as it relates to these questions, the work of your
16 predecessor. But anything that you can share with us
17 in terms of what your office does on a regular basis
18 and an ongoing basis to measure outcomes as they
19 relate to, and decisions as they relate to race,
20 ethnicity, sex, age?

21 MELINDA KATZ: So, we have taken clearly in a
22 careful view, every day since I've come into office,
23 especially since its only been five months. There is
24 a lot of things I would still like to do that got
25 diverted by the COVID virus. But I would say to you

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1 that we are very careful about the bail asks. As you
2 know, Mr. Chairman, I am against cash bail. You
3 know, we have talked about the fact and it's been
4 very public that there were very few tools that were
5 available to the District Attorneys on January 1st,
6 up until now I might add, instead of cash bail.
7

8 And so, we have lowered all of our cash bail
9 asks. I have to tell you that last year 52 percent
10 of the qualifying offenses were ROR. Under my
11 administration since January 1st, 75 percent of the
12 cases have been ROR'd or had supervised release.
13 They were qualified offences, we're not talking
14 misdemeanors, we're not talking non-qualifying
15 offences but 75 percent of them. About 24 percent of
16 them had supervised release and the rest were just
17 simply ROR'd.

18 We are starting to keep track of the bail asks
19 every single day. When we don't feel that there is a
20 choice but to ask for bail, it is not my go to. It
21 is not where I want to be. It is my hope with part
22 of the money that we are asking for, that we move it
23 all towards electronic monitoring, curfews, pretrial
24 diversion. And so, we're starting to keep those
25 stats very carefully now.

2 Where I have seen any diversion or any type of
3 bias that comes into the system, we put a stop to it
4 and one of those would be the COVID virus arrests.
5 You know, it took the first arrest for me to decide.
6 We're simply not going to prosecute for not social
7 distancing and for the masks. There are other ways
8 to do that, one would be you know the handout the
9 masks, make sure you go across the city. In all
10 fairness throughout the entire city.

11 So, we are keeping track of those stats. We are
12 working hard. We are also making sure that we get to
13 a place where all of our treatment courts, veterans
14 courts, drug rehab court, mental health court don't
15 require a guilty verdict in order to get a pretrial
16 diversion and we are all well on our way to doing
17 that and well on track.

18 When we got diverted by all of the COVID issues
19 that had to be dealt with in an office of 700 people.

20 CHAIRPERSON LANCMAN: I know that you shared
21 with us the data on the low level prosecutions, we
22 appreciate that and you shared with us the data on
23 the Raise the Age question. I'll ask you the same
24 question I asked DA Vance. How do you determine
25 which cases to keep and which ones to consent to go

1 to family court for those category cases where it can
2 go one way or the other?

3
4 MELINDA KATZ: Well, clearly you look at the go
5 to for having it in family court or -

6 CHAIRPERSON LANCMAN: Melinda, we can't hear
7 you?

8 CHAIRPERSON DROMM: District Attorney Katz, we
9 can't hear you. District Attorney Katz, we cannot
10 hear you.

11 CHAIRPERSON LANCMAN: Couldn't hear you. Why
12 don't we go - we'll try to work out that sound issue
13 and let's go to the next District Attorney and Danny,
14 I got your texts, so I can mind the store for a
15 little bit. I will do my best.

16 Next, let me ask DA Clark, we don't have written
17 testimony from you yet, I don't have your testimony.
18 I don't believe I recall, I know we've cut you off at
19 one point but can you tell us what, if anything your
20 office does on a regular basis to track decision
21 making and outcomes based on race, ethnicity, age,
22 and sex?

23 DARCEL CLARK: Alright, thank you Mr. Chairman.
24 We have an inhouse case management system that tracks
25 the outcomes of our cases but the data that we have

1 is very limited because the case management system is
2 somewhat antiquated and we've been trying to build
3 it. One of the things that we were going to do is
4 use the money for criminal justice reform to upgrade
5 the case management system.
6

7 So, what we have is that we can tell the outcome
8 of the cases but we have very limited data as far as
9 the self-reporting on race, ethnicity, sex, and age
10 and etc. We have mostly relied on NYPD's numbers to
11 help us with that but we're hoping to upgrade the
12 case management system so that we will be able to
13 provide that information that we can run reports as
14 needed when we get questions like this, so that we
15 can make sure that we are compliant in what we should
16 be doing as an office.

17 CHAIRPERSON LANCMAN: Do you compile the data on
18 any regular basis monthly or yearly and you know,
19 take a look and see if there are any disparities that
20 needs addressing?

21 DARCEL CLARK: We do it, but again, I said our
22 ability to do it is limited because of the management
23 system we have. We can't pull the information; it
24 may be there but our management system is not capable
25 of pulling it in the way that we would want. So, we

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2 are working you know, slowly to do it. It's almost
3 like manually we have to do it because the case
4 management system doesn't have the capability of
5 doing it.

6 So, we're building the case management system to
7 be able to pull those things out but, in the
8 meantime, we have to do it manually comparing with
9 the NYPD etc. So, you know, our hope is to get the
10 right - we were approved for the case management
11 system. We were planning it, we were in negotiations
12 with the city etc., when the COVID came.

13 CHAIRPERSON LANCMAN: Alright, do you have any
14 information for us today on how many cases your
15 office prosecuted in adult court that could have gone
16 to family court under the Raise the Age law?

17 DARCEL CLARK: Yeah, so since October of 2018,
18 in our youth part, we have 86 active cases, so those
19 are young people who have either committed murders,
20 attempted murders, assaults, the significant injury,
21 gun cases, pattern robberies, sex crimes, and a
22 kidnapping. We transferred 424 cases to family
23 court. We declined to prosecute 177 cases and 60
24 cases were voided.

25

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2 CHAIRPERSON LANCMAN: So, the cases that could
3 have gone to family court but that you chose to hold
4 on in supreme court, what is the analysis that you
5 apply in determining whether or not to keep the case
6 or let it go to family court?

7 DARCEL CLARK: It's the level of violence and
8 the seriousness of the case. I could tell you the 86
9 cases are made up of murders, attempted murders,
10 assault with a significant injury, gun cases, pattern
11 robberies, sex crimes and a kidnapping.

12 CHAIRPERSON LANCMAN: And we had asked each
13 office to give us the number of cases in FY20 for the
14 following offenses, death of services, misdemeanor
15 marijuana etc. Do you have that handy or is that
16 something that you want to get to us?

17 DARCEL CLARK: Yeah, our policy is not to
18 prosecute those offenses unless there is other
19 charges that are attached to them. They impact
20 public safety. I could tell you we had a total of
21 169 faces for theft of services, which was charged
22 but we charged them only because they had other
23 charges attached to them.

24 CHAIRPERSON LANCMAN: So, while you might have
25 the numbers at your fingertips, let me just ask you,

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1
2 misdemeanor marijuana charge 22105, 10 or 15. Do you
3 know how many of those you charged or prosecuted last
4 year?

5 DARCEL CLARK: I don't have it handy but I could
6 tell you based on the runs that we did; it was really
7 on the theft of services that had the additional
8 charges. But I will go back and get that to you to
9 clarify that.

10 CHAIRPERSON LANCMAN: Thank you. Yeah, if you
11 could look at the letter that we sent and get back to
12 us there I would appreciate it.

13 DA Gonzales, what can you tell us about what
14 your office does, if anything to track outcomes in
15 terms of race, ethnicity, etc.?

16 ERIC GONZALEZ: So, we have some exciting
17 development in terms of being able to do some of this
18 work in tracking equity and fairness in the cruel
19 justice system.

20 So, we're fortunate enough to receive a grant
21 from the Arnold Foundation. That grant allowed us to
22 look at our data systems. That was all part of the
23 request that we also made to the city because our
24 data system is fairly old. You know, 15, 20 years

25

1 old and then technology terms, that's like you know,
2 prehistoric.

3
4 So, they were here, they did some work, they
5 made some recommendations of what we needed to invest
6 to bring our system up. They also allowed us to join
7 in the partnership with the CUNY Institute for state
8 and local governance.

9 So, they are going through some data right now
10 to track these things. They looked at sort of
11 implicit biases and other things as DA Vance
12 described his project with the Vera Institute. So
13 that's ongoing now as we like to have some you know,
14 soon forward looking reporting in the near future.

15 We obviously with COVID, everything kind of
16 stopped and not here and because none of our files
17 are digitized, all of our past work, you know, we
18 have to do it person. So, that has put a hold on the
19 project but it's ongoing. The grant money made that
20 possible to get that ongoing and so, I'm really
21 excited about that. We also were able to bring on a
22 research director very recently. That research
23 director for example was one of the people who were
24 able to run the arrests for social distancing in our
25 office. Again, that could not be done by a data

2 system. That had to be done by actually pulling each
3 case and we had released some of that information to
4 the public about the number of you know, disparity in
5 arresting racial distancing in Brooklyn.

6 So, I think we're moving very quickly in that
7 area. We also have a program happening with NYU
8 that's looking at some of our diversion programs, in
9 particular looking at diversion programs that deal
10 with people charged with violent crime and they are
11 looking at that for the terms of effectiveness and
12 fairness in the processes. So that report also will
13 be ongoing. So, we have that.

14 We also look at our reset program and clear
15 programs and the overwhelming majority of the
16 participants in those programs that get arrested, get
17 a DAT and are eligible for those programs come from
18 communities of color.

19 And so, all of that stuff should be reported on
20 publicly. I should say to you Councilman that you
21 should send the letter again, because I didn't see
22 it. I don't have a lot of these numbers available
23 but we have a lot of ongoing projects here. There is
24 a lot of emphasis on trying to understand you know,
25 equity in our justice system here in Brooklyn.

2 In terms of our juvenile court, we've done a
3 really tremendous job there. I think it was publicly
4 reported a few months ago that 92 percent of the
5 cases that come in in Brooklyn are sent to family
6 court. So, there's an 8 percent you know, I guess
7 cases that we keep as in adult court but 92 percent
8 was the highest, I think level in the state at the
9 time when the report was released.

10 In terms of what we look for, I think we look
11 obviously for public safety concerns but I also think
12 that we look at other things. There are some cases
13 that could have gone to family court that we keep
14 because the defense attorney and our office agree
15 that there are better outcomes for the accused in
16 courts because there are programs and services that
17 aren't available in family court.

18 And so, there has been a number of cases where
19 the defense attorney has asked us, could you hang
20 onto this because I think our client will do better
21 here and accountability and service would be better
22 here. And sometimes they have another case that's
23 here, that's already in the DAs office that's not
24 eligible for family court and they want to keep both
25 cases here. But 92 percent of the time, we're

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1 sending our cases over to family court and we can get
2 you the ward numbers. I don't have them in front of
3 me.
4

5 I'm not sure if there was another question, I
6 think there was three.

7 CHAIRPERSON LANCMAN: Yeah, I appreciate that.

8 Sorry that the letter didn't make it to you. We will
9 resend it to you. If you could send us that
10 information and also the information on about four or
11 five offenses that we had asked for how many
12 prosecutions you brought under those offenses. If
13 you can get that to us in writing, specific data on
14 the juveniles, that would be great.

15 ERIC GONZALES: Yeah, absolutely you know, but
16 in terms of that low level offending cases, you know,
17 the office policies is normally not to prosecute
18 those types of cases, but we will get those numbers
19 to you. Sorry that we didn't respond to that.

20 CHAIRPERSON LANCMAN: That's okay. I want to
21 expedite this a little bit. Let me just ask DA
22 McMahan, if you could tell us what your office is
23 doing regarding the monitoring and measuring of
24 outcomes as it relates to race, ethnicity, etc. And
25 then if you would just commit to get us in writing

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2 correspondence to our letter, the numbers to the
3 questions.

4 MICHAEL MCMAHON: Sure Mr. Chairman and in fact,
5 we submitted with our testimony response to your
6 questions. We thought that was the timely time to do
7 it.

8 CHAIRPERSON LANCMAN: Oh, absolutely. I'm
9 sorry.

10 MICHAEL MCMAHON: That's okay. I do want to
11 speak to your question about tracking cases and case
12 outcomes based at race, ethnicity, sex, and age and
13 like my colleagues, we would be thrilled to be able
14 to do that here on Staten Island and we've submitted
15 requests for the data unit staffing and the resource
16 manager like DA Gonzalez spoke about and the reason
17 that that data, I think it's important that you know
18 that the reason that that data has to be mine so to
19 speak, is because where we would get it from are
20 really two places, the police department which does
21 an identification but unfortunately it's rarely
22 accurate. It's really not something that I would be
23 comfortable on relying to say to you, yes, I've
24 tracked this.

25

1
2 And then there's the self-reporting that we get
3 in from the analysis that's done by CJA.
4 Unfortunately, those are filed into the system as
5 PDF's and someone has to go into it manually and look
6 for them. So, as you try to fine tune your
7 approaches to this issue, I think the sort of
8 systematic and you know, the practical hurdles are
9 there but we would love to be able to provide that
10 information. We think it is very important when we
11 speak to issues of fair and equal justice to all here
12 on Staten Island.

13 And then, I also just real quickly on the issue
14 about family court versus supreme court or whether we
15 prosecute cases or turn them over to the court
16 counsel. Staten Island, our youth part which in the
17 other counties is located in their supreme court
18 building is actually located in our family court.
19 But why would we hold onto cases, felony cases that
20 we would prosecute is because as was mentioned, the
21 seriousness of the charge and we've had, in fiscal
22 year 2020, 63 cases that fit under Raise the Age. 24
23 we kept to prosecute, the rest were sent to family
24 court and they were all violent felony cases, the
25 ones that we accepted. That we retained.

1
2 I invite you to come out to Staten Island to
3 come visit the horrible, deplorable condition of our
4 family court. Where these very serious cases are
5 still being processed. It is a disgrace. It is
6 unsafe and if we could, I would keep those cases in
7 supreme court because safety is an issue.

8 So, and then as to specific charges that you
9 asked about, we provided that information to you on
10 our sheet. Do you have that?

11 CHAIRPERSON LANCMAN: I don't but that might be
12 a mistake I made. Our staffs will figure it out.

13 MICHAEL MCMAHON: But it's in the testimony.

14 CHAIRPERSON LANCMAN: Okay, good, I appreciate
15 it. I overlooked it, I'm sorry. And Ms. Brennan, I
16 don't want you to feel excluded. The question -

17 BRIDGET BRENNAN: The questions don't really
18 apply to us.

19 CHAIRPERSON LANCMAN: In low level offense it
20 doesn't apply to you but I think the issue of
21 tracking outcomes for race, ethnicity, age, sex, that
22 would apply to you as well. Do you have any system
23 in place to evaluate outcomes in decision making
24 processes?

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BRIDGET BRENNAN: We would have the same issues
as described by the other DAs. In addition, we work
a lot with federal agencies. Our arrests are
generally investigation based and so, they are not
summary arrests. We do work cases with the NYPD in
which case we would have the NYPD reports. But you
know, there are all the problems with that. That
have already been described.

CHAIRPERSON LANCMAN: Okay. Alright, well, I
have colleagues who have questions and we're going to
get to them now. So, Committee Counsel, if you could
tell us who is up.

COMMITTEE COUNSEL: Absolutely, we have
questions from Council Member Rosenthal.

SERGEANT AT ARMS: And time will start now.

COUNCIL MEMBER ROSENTHAL: Great, thank you very
much and boy is it a pleasure to see all of you. We
really appreciate your work. I have four questions
actually as it has to do with domestic violence and
what you are seeing during the pandemic.

The first question came up at a hearing we had
the other day with the NYPD and the city's office to
end women and gender violence and what came up was
the sheriff talking about how orders of protection

1 have been extended I guess, until you know,
2 indefinitely. And he was saying that not all DAs
3 were abiding by those orders of protection. Now, he
4 was saying that that included upstate as well. So,
5 I'm not sure if he was referring to New York City and
6 that's why I am asking the question here. Am I
7 accurate in saying that all orders of protection have
8 been extended through the pandemic? And has that
9 been something that you've been able to enforce?
10

11 CYRUS VANCE: Council Member, good afternoon. I
12 was unmuted so I am going to jump in. I think the
13 answer to your question is yes, we are in fact very
14 actively reaching out to victims of domestic violence
15 and who have orders of protection protecting them. I
16 think it's one of the ways in fact in this pandemic
17 period that we can do a lot of work virtually and
18 maintain a lot of contact with survivors who have
19 this need.

20 So, I'm not aware of the problem that you are
21 alluding to in our office. But I am very much aware
22 that our witness aid services that our lawyers are
23 constantly engaged in outreach.

24 COUNCIL MEMBER ROSENTHAL: I saw DA Gonzalez and
25 Clark.

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1
2 DARCEL CLARK: Hi, yeah. As far as in the
3 Bronx, we are asking for the orders of protection.
4 They are being issued and we also are using our crime
5 victims assistant unit to stay in contact with our
6 victims to make sure that their needs are being met,
7 whether it's the order of protection. Whether or not
8 they – whatever resources they may need. If they
9 need to move. You know, whatever is needed. We are
10 keeping in contact with them. So, we're doing it in
11 the Bronx, absolutely.

12 COUNCIL MEMBER ROSENTHAL: Great, thank you.

13 MELINDA KATZ: We also are extending them and as
14 we are extending them making sure that they have all
15 the resources they need and every time we plea or
16 every time we look at releasing people as well during
17 this pandemic, we would reach out to the victims,
18 make sure they knew that there has been an
19 application for their release and see whether or not
20 they thought that there was still a serious threat by
21 the individual.

22 In our Queens courts, the orders of protections
23 have been automatically extended and we have been an
24 advocate for them to be automatically extended. And
25 it also gives me an opportunity if I can, Council

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1
2 Member Rosenthal to talk, you know, I heard at the
3 beginning of the hearing Chair Lancman was asking
4 about the domestic violence program that we have
5 here. We have a strategic threat alert team and it
6 has been extremely active and what that does is, once
7 a complaint is filed or once they go into the family
8 justice center, we have an algorithm which tells us
9 which victims may need more help. There is where
10 they path to filing the complaints making sure that
11 we are getting them services and I believe this
12 program has literally saved lives.

13 In the meantime, we knew that it was
14 underreported during this pandemic. We have created
15 a hotline here at the Queens DAs office. Someone
16 answers 24/7. They are asked to call 911 if it is
17 truly an emergency to please hang up, call 911. If
18 not, they could ask to speak to either an ADA or to
19 Safe Horizon so they can just get services is they
20 don't want to file a complaint.

21 COUNCIL MEMBER ROSENTHAL: Yeah, got it, thanks.

22 ERIC GONZALEZ: Alright, so Council Member, I
23 think the conversation that you are probably
24 referring to deals with - so, it sounds like all the
25 DAs offices including the Brooklyn DAs office are

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2 automatically extending. The problem is and there's
3 been a lot of conversations about this on the state
4 level and even nationally, that they won't have any
5 legal binding status.

6 SERGEANT AT ARMS: Time is expired.

7 COUNCIL MEMBER ROSENTHAL: Chairs, may I have an
8 extension?

9 ERIC GONZALEZ: So, the issue is that they've
10 been automatically renewed and we wouldn't be able to
11 prove that, you may not be able to prove in a lot of
12 these cases that the abuser new or had proper notice
13 of service of that extension and so, there's an issue
14 that's illuming over all of these extensions as how
15 can we prove them if we needed to prove beyond a
16 reasonable doubt in court. I think that's what they
17 were probably raising concerns about.

18 COUNCIL MEMBER ROSENTHAL: Thank you. Thank you
19 for that education. DA McMahon, did you want to -

20 MICHAEL MCMAHON: Yeah, I was going to say
21 exactly what DA Gonzalez said, that the issue that
22 has come up is having a service of the extension.
23 Our judges and our defense counsel, we're trying to
24 cooperate with them. Everyone is trying to sort of
25 make sure that service is being effectuated and

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2 recognized but it is an illuming issue and obviously
3 because the Sheriff helps us with the service. So,
4 and I would just say this Councilwoman and I really
5 appreciate you bringing up the issues of domestic
6 violence but in our office, so the one bureau that is
7 still running on all cylinders, sometimes against my
8 directive coming to work every day is the Domestic
9 Violence Bureau and so we, all of us, all of us, and
10 all the DAs take this issue extremely seriously and
11 do everything we can on those programs we heard and
12 we look forward to partnering with you in the future
13 to even doing and better job.

14 COUNCIL MEMBER ROSENTHAL: Well, and so, the
15 Chair has kindly given me a small window extension,
16 so I really want to wrap this up. But DA Vance, you
17 mentioned that there has been an increase in the
18 number of orders of protection violated. Could we
19 just offline if each of you could send the Committee
20 Staff information about that? You know; maybe
21 however you think to demonstrate what's happening
22 with orders of protection. Whether or not there have
23 been more violations during the pandemic, that would
24 be very helpful.

25

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2 And then lastly, just as we move forward and
3 everyone is saying that as pause is lifted, every
4 office will be flooded with DV cases with increases
5 as much as 30 percent. You know, you've mentioned
6 that you've gotten some funding from the City Council
7 previously. Would you consider asking the
8 Administration to baseline and in fact, increase that
9 funding?

10 You know Liz Glazer was very aware that you know
11 there is this expectation that the need for survivors
12 will be greater. Are you working with MOCJ about
13 that and yeah, is your office prepared?

14 And I'm going to ask everyone to keep their
15 answers a little bit short and tight because that's
16 my last question as I say, I was given an extension,
17 I don't want to abuse it.

18 MICHAEL MCMAHON: Yeah, this is Mike McMahon, we
19 would certainly - we are in conversations constantly
20 with MOCJ and we have the EVE program as DA Katz
21 described, we call it the EVE program. The early
22 outreach, so these things are happening. We just
23 established an adult advocacy center, so we continue
24 to rethink how we address this issue and monitor
25 arrests, monitor orders of protection violation and

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3 as I said, we take this issue very seriously here as
4 do my colleagues and we appreciate your advocacy on
it as well.

5 COUNCIL MEMBER ROSENTHAL: Thank you.

6 CYRUS VANCE: Council Member, this is Cy Vance.
7 Our orders of protection violations are up 26 percent
8 in Northern Manhattan and we would welcome in any way
9 to make sure that our office is resourced. As I know
10 all my fellow DAs, I think we're all facing the same
11 crush of caseload work when the courts come back to
12 some kind of normal functioning.

13 COUNCIL MEMBER ROSENTHAL: Yeah, and I just want
14 to confirm DA Vance that you had said that DV
15 misdemeanors have gone down by one-third. I think
16 also Northern Manhattan and are you referring to the
17 NYPD radio runs where they take a complaint? Is that
18 where you are getting that data?

19 CYRUS VANCE: Council Member, I don't have that
20 statistic in my mind, as you asked the question but
21 if you permit me, we'll get back to you with an email
22 promptly.

23 COUNCIL MEMBER ROSENTHAL: Okay, no rush. I
24 just, I'm looking I think at the same data you are
25 and I just wanted to confirm that.

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2 MELINDA KATZ: So, to be clear, we believe the
3 numbers have gone up, even though the stats don't
4 show it. We think people are not reporting. They
5 are in their homes, they are trapped. They don't
6 have the excuse to go to work, go to the grocery
7 store. We have one case of DV that happened here
8 simply because the abuser said to the abusee, wait a
9 minute, you were out so long, where were you? All
10 the stores are closed, all the restaurants are
11 closed, how could you be out that long? So, I think
12 that there is a real issue there in reporting which
13 is why we developed a hotline. But I just want to
14 make sure that it's clear that when we look at the
15 stats, we just think that it's much higher.

16 COUNCIL MEMBER ROSENTHAL: Same. Could someone
17 unmute.

18 CHAIRPERSON DROMM: District Attorney Clark, we
19 can't hear you. Okay, there you go.

20 DARCEL CLARK: Okay, here we are. It appears to
21 me that we are seeing more. Maybe it looks that way
22 because in comparison to the other arrests that are
23 happening, those are lower, so the cases that we do
24 see coming through, most of them are domestic
25 violence so it kind of looks like it is up. But in

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1 reality, because people are behind closed doors and
2 there is nobody that can really keep an eye on them
3 or report it if they see it, it may be down. But we
4 are ready, willing, and able to work on behalf of
5 survivors of domestic violence to make sure that we
6 have safety plans. The orders of protection or
7 whatever they need to give them the resources. We,
8 you know, relocation, whatever safety plans they are
9 and we welcome the support from the Council and NYPD
10 and my fellow colleagues to make sure that we get
11 that done on behalf of survivors.

12 COUNCIL MEMBER ROSENTHAL: Great.

13 ERIC GONZALEZ: In terms of Brooklyn, the City
14 Council has funded us in Fiscal Year 2020 about
15 \$500,000. It was funding for the BRAVE program,
16 there was funding for DOVE, all of those go directly
17 to helping support you know, victims of violence and
18 survivors of intern partner violence. We used that
19 money for victim services to hire victim advocates
20 and counseling and social workers. So that money is
21 something that I come before the Council every year
22 and ask for that and we would love to have the city
23 also baseline it.
24
25

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1
2 COUNCIL MEMBER ROSENTHAL: Great, thank you very
3 much and I think the Mayor is going to announce
4 tomorrow additional funds for doing the work that you
5 were all but DA Clark, you were just describing where
6 if survivors need additional resources now, there
7 might be funding available.

8 So, I just want to make sure we're all on the
9 same page on that. Thank you very much for your
10 service.

11 CHAIRPERSON DROMM: Okay, anybody else? No,
12 okay, good. Alright, Council Member Lancman, you
13 want to close us out?

14 CHAIRPERSON LANCMAN: Yeah, just to close it
15 out. Thank you all for being here. We're going to
16 send you a follow up letter. I know we were a little
17 bit rushed asking for some details on the kind of
18 case management system or a system that you need to
19 put in place to be able to track this demographic
20 data to the great interest to the Council, as I think
21 I said before, the Speaker has a bill on this issue.
22 And we're going to challenge you to challenge us to
23 tell us how much money and resources you need to make
24 that happen and maybe we can work together on that.

25

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1
2 Alright, thank you all for the great work that
3 you are doing and stay safe.

4 CHAIRPERSON DROMM: Yes, thank you very much. I
5 also echo the Council Members sentiments. This will
6 conclude this portion of today's hearing. Thank you
7 to the District Attorney's for being here. We will
8 move right into our next hearing with Legal Aid.

9 PANEL: Thank you.

10 CHAIRPERSON DROMM: And just give us five
11 minutes or so, not even to set up. And this meeting
12 is adjourned. [GAVEL]

13 **Break 8:32:43-8:33:14**

14 CHAIRPERSON DROMM: Okay, I think we are ready
15 to go. Do we need Sergeant at Arms to introduce or
16 just move forward?

17 Okay, I'm going to assume we are just going to
18 move forward.

19 [Gavel] Good afternoon and welcome to the City
20 Council's 5th day of hearings on the Mayor's
21 Executive Budget for Fiscal 2021. My name is Daniel
22 Dromm and I Chair the Finance Committee. We are
23 joined by the Committee on Justice System, chaired by
24 my colleague Council Member Rory Lancman and we will
25 now hear from Legal Aid. In the interest of time, I

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1 will forego an opening statement but I'm going to
2
3 turn it over to our Committee Counsel to go over some
4 procedural items before we hear from Council Member
5 Lancman.

6 COMMITTEE COUNSEL: Thank you Chair. My name is
7 Stephanie Ruiz and I am Counsel to New York City's
8 Council Committee on Finance. Before we begin, I
9 want to remind everyone that you will be on mute
10 until you are recognized to speak. At which time you
11 will be unmuted by the Zoom host.

12 If you mute yourself after you have been
13 unmuted, you will need to be unmuted again by the
14 host.

15 I will now turn it over to Council Member
16 Lancman for a statement.

17 CHAIRPERSON LANCMAN: Thank you very much. Good
18 evening everyone. This is the last panel that we
19 will be hearing this afternoon, this evening on the
20 Mayor's FY21 Executive Budget. This panel will be
21 the Legal Aid Society's Criminal Defense Practice. I
22 do see Ms. Holder there, so if the Civil Practice is
23 going to say a few words, that's perfectly fine as
24 well.

25

1
2 The Fiscal 2021 Executive Budget for indigent
3 defense includes \$313 million, \$4.5 million more than
4 in Fiscal 2020 Adopted Budget. \$267 million comes
5 from the city with state and federal funds accounting
6 for \$46 million. Over \$9.3 million was baselined to
7 support the defenders in implementing discovery
8 reform.

9 The total budget covers institutional defenders
10 around the city at both the trial and appellate
11 levels. The 18 [INAUDIBLE 8:35:26] Council Program
12 and Family Court attorneys. During FY20 budget
13 negotiations, the council successfully fought for pay
14 parity across many public sectors including for
15 public defense providers. The November 2019 plan
16 included \$7.3 million for pay parity across the
17 public defense provider contracts that are managed by
18 MOCJ and HRA's Office of Civil Justice with \$3.7
19 million for each offices contract.

20 Although the Council fought for parity for all
21 attorneys, the adjustment only impacted those with
22 zero to four years of experience working on baseline
23 contracts. It is our understanding that there are
24 still attorney's working on state funded and City
25 Council funded contracts that are not included in

1 this salary adjustment. Furthermore, it is our
2 understanding that the current contracts have yet to
3 be amended delaying the distribution of these funds.
4

5 Like MOCJ and the District Attorney's, the
6 Defense providers have been critical in the release
7 of individuals during COVID-19 and fighting for
8 individuals health and rights.

9 We look forward to hearing about funding
10 requests and any challenges facing your organization,
11 as well as criminal justice programming moving
12 forward.

13 Thank you and with that, Committee Counsel, if
14 you could swear folks in and do your thing.

15 CHAIRPERSON DROMM: I was going to skip the
16 swearing in and just move into testimony. Is that
17 alright with you Chair Lancman.

18 CHAIRPERSON LANCMAN: Yes, sir.

19 CHAIRPERSON DROMM: Okay, thank you. I will now
20 call on Legal Aid to testify. We will hear testimony
21 from the Attorney and Chief Janet Sable who is joined
22 by Justine Luongo, Attorney in Charge of the Criminal
23 Defense Practice and Adriene Holder, Attorney in
24 Charge of the Civil Practice. Would you like to
25 begin your testimony please.

1
2 JANET SABEL: Yes, thank you so much. I'm Janet
3 Sabel Attorney and Chief of the Legal Aid Society and
4 I really want to thank you both Chairman Dromm and
5 Lancman and Members of the Finance and Justice System
6 Committee for allowing us to have this time today.

7 I have the pleasure today of testifying on
8 behalf of the Legal Aid Society, along with our
9 terrific sister defender organizations throughout New
10 York City.

11 We have a unified appeal to you today because
12 we're working together on the frontlines fighting for
13 justice for low income Black and Brown New Yorkers
14 who are bearing the full brunt of this pandemic.

15 Before COVID-19, our clients faced racial and
16 economic disparities resulting in health inequities,
17 unstable employment, unaffordable housing, over
18 policed communities, and aggressive immigration
19 enforcement. And these problems have only been
20 exacerbated by the pandemic and they have affected
21 our legal system. Which continues sadly to target
22 and ensnare low income New Yorkers.

23 Social distancing has become the latest pretext
24 for Black and Brown New Yorkers to be profiled,
25 harassed, and arrested by the NYPD. The

2 Administration for Children Service is still
3 separating children from their parents, rather than
4 providing them with the support they need. ICE
5 continues to enforce the federal administrations
6 anti-immigration policy and while evictions are on
7 pause, longer term relief is needed for tenant and
8 people are living under very active fear of losing
9 their homes.

10 Though Public Defenders, we have all stepped up
11 to the impossible challenge of the pandemic, that the
12 pandemic poses. We mobilized to meet the immediate
13 and ever changing needs of our clients in their
14 communities and we did this all after creating remote
15 office like, you know, within a week as has every one
16 else.

17 We sounded the alarm on the humanitarian crisis
18 unfolding on Rikers Island and within ICE detention
19 facilities and within the New York State prisons.
20 And we worked around the clock to secure the release
21 of literally hundreds of medically vulnerable people
22 from in carceral settings which were just completely
23 dangerous during this pandemic.

24 Our clients are essential workers who have put
25 themselves and their families in harm's way. They

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2 are newly employed people trying to figure out how to
3 stretch their dollars to pay their rent and feed
4 their families. And our clients are the most
5 vulnerable among us. The incarcerated, the homeless,
6 and people in need of mental health services.

7 Our roles have always been to advocate for low
8 income people, to help them to navigate a system that
9 was simple not set up to serve them and the defender
10 organizations working on criminal immigration, family
11 and civil advocate are doing more than just providing
12 free legal services.

13 We are providing a crucial lifeline for
14 vulnerable New Yorkers making sure that no one has to
15 go through the nightmare of this pandemic alone.
16 That's why we, the Defender Organizations in New York
17 City are urging the City Council to maintain the very
18 important funding that you've always stood behind us
19 to maintain. To maintain the funding for public
20 defender organizations and civil legal services
21 organizations to help ensure that low income New
22 Yorkers have the support and services that they need
23 so that their access to justice is not taken for
24 granted.

2 And when we speak about keeping the need for
3 funding intact, we know that this comes at a very
4 hard time but we are the frontline for so many of the
5 most vulnerable New Yorkers and it is just imperative
6 that we be able to maintain our frontline role for
7 them.

8 And this extends, thank you Chair Lancman for
9 mentioning the parity work that you all supported
10 because it really does extend to the need for
11 maintaining the parity funding that we got from the
12 city last year which we have not yet received. I
13 will just point out. But it means maintaining at
14 least that funding, so that we can go forward. Our
15 contracts, our organizations, have all built that
16 funding into our salary structure and our staff, our
17 junior lawyers are counting on that money as we are,
18 as we face this pandemic and huge additional COVID-19
19 related expense.

20 So, we ask you to keep what we call the phase
21 one of parity funding intact going into the next
22 Fiscal Year and we'd also ask the City Council to
23 step up to as well, to provide the rest of the City
24 Council funded programs are more particularly the
25 NYIFUP program, to provide us with the parity dollars

1
2 for again that phase one parity group, the zero to
3 four most junior attorneys.

4 While we understand that this pandemic has
5 interfered with the city's ability to follow up with
6 the rest with us. With the rest of the parity
7 commitment that it made to defender and legal
8 services organizations for our more senior attorneys
9 and our supervising attorneys, we do look forward
10 after when the pause is over to reconvene and renew
11 those discussions with the city and we look to the
12 City Council for support in those renewed efforts at
13 the right time.

14 Our staff deserve parity with the city lawyers
15 before the pandemic and they absolutely will deserve
16 it after.

17 And finally, on behalf of all the defenders, we
18 ask the city to honor each organizations requests for
19 COVID-19 related expenses. We've already submitted
20 some budget requests to the city which we've share
21 with the Council with the Finance staff and we're
22 formulating and getting a better handle on what those
23 additional expenses will be going forward.

24 But you know whether it's from making sure that
25 everyone has a laptop to figuring out how we're going

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1 to reorganize our space, to making sure that we have
2 PPE for everyone of our staff members all the time.
3 The expenses are really quite extraordinary and
4 needless to say, they were not budgeted for.
5

6 So, we really hope that you will respect and
7 help to honor those requests and get whatever federal
8 dollars are available to then pass onto us because we
9 need to do right by our staff and by our clients to
10 make sure that we set up really safe and healthy work
11 environments, so that our staff are ready, willing
12 and able to assist vulnerable New Yorkers.

13 With that, I'd like to turn this over to Tina
14 Luongo, who is the Attorney in Charge of the Criminal
15 Defense Practice and then after Tina, Adriene Holder
16 will speak about our Civil work.

17 I think Tina is still on mute, okay.

18 TINA LUONGO: Hi everybody and thank you very
19 much. Janet, thank you. Chairman Dromm and Chairman
20 Lancman and hello everybody. It is good to see
21 everybody, even if it is in this form.

22 We've come to the Council as Public Defenders
23 many, many times posting about the incredible work of
24 our staff, but I'm going to share that never in my
25 time since 2002, and certainly not at the Attorney in

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2 Charge of this practice have I ever been more proud
3 of the staff of Legal Aid Society but also, our
4 sister organizations. I mean, literally around the
5 clock. And when we say this, we mean around the
6 clock. There are people drafting writs for city but
7 also for people who are convicted of crimes upstate
8 and in prison to try and get them out. There are
9 strategies in figuring out how to activate hotlines,
10 to answer the calls that came in from family members
11 and from Rikers and from upstate prisons, begging for
12 help.

13 There are social workers and investigators
14 trying to figure out how to still connect to these
15 communities we serve while still not being able to
16 connect in the ways in which we do. You know, Public
17 Defenders are proximate people. We want to be near
18 our clients and so, it really to the bone, disturbs
19 us that we cannot and have to act in a remote way.

20 And so, when you think about arraignments and
21 moving to a remote arraignment system, just the
22 magnitude of that alone, but also, the feeling that
23 that brought for our lawyers who by the way, as I
24 read the stats, in every borough, arraignment are
25 going in some cases until 2:30, 2:45 in the morning.

1
2 And that's driven by us wanting to be again with
3 our client. And so, it's never more evident I hope,
4 certainly not to us and I hope not to all of you that
5 we are literally there for our clients every step of
6 the way.

7 Since Janet talked about funding, I wanted to
8 sort of take a moment to actually talk a little bit
9 about a big fear we have, which is that the
10 suspension of the CPO by the executive order of the
11 Governor has really created an issue that as a city
12 and as a state, we have to grapple with.

13 While we are fighting to get our clients out of
14 Rikers and upstate prisons, the fact remains that
15 many are still in and still are facing the health
16 issues surrounding that. But more importantly their
17 due process has been suspended and while yes, the
18 prosecutors talked a little bit about the prelims
19 that they are doing, by and large, we have suspended
20 almost all of the ways in which due process gets our
21 clients a hearing in front of a judge where we can
22 make an application for a clients release.

23 The fact is that only 35 preliminary hearings of
24 that, over 300 backlog cases for clients who are
25

2 incarcerated have actually taken place as of today
3 and all of them are remote.

4 The fact also remains that all of our out
5 clients cases have been absolutely adjourned. And I
6 hear what Council Member Rosenthal talks about sort
7 of being concerned about domestic violence. That of
8 course, we have to worry about everybody's safety.
9 But I also want to sort of raise the counterbalance
10 to that, which is that the contempt, I sort of want
11 to pause at this. That the increase in the criminal
12 contempt matter is not associated with a further
13 allegation of violence but that their contempt cases,
14 because we have walked in people into requiring a
15 pause with very little places for people to go for
16 safe shelter. And when we talk about the
17 overcriminalization of Black and Brown families with
18 domestic violence cases and using the criminal
19 justice system, instead of the mental health and
20 family therapy systems, this is what we have.

21 And so, I worry about that. I actually worry
22 about orders to protection getting unilaterally
23 extended and breaking apart families when we talk
24 about separating families. So, I worry and my sister
25 defender leaders worry always about the idea that we

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1
2 are simply creating a backlog of out cases that's
3 more than just backlog. It's about the collateral
4 damage. The not having being able to reunite with
5 your family. The suspension of a job when you get
6 arrested for something and now you can't go back
7 because you can't resolve that matter or dismiss it.

8 So, all to say this, we're going to be there
9 long past COVID, and we are going to continue to
10 press for justice. And obviously, our staff walk
11 back and forth but again, this city should be mindful
12 that we have got to return to court when it is safe
13 to do so and when there is a plan to do so.

14 And I ask the City Council to be mindful as we
15 sort of look to reintegrating into our court system
16 that you play a leadership role in ensuring the OCA
17 does that in a safe way for everybody. Us, the
18 District Attorney's, the court staff and more
19 importantly the people that have to come to that
20 court to get justice.

21 I thank you for your time.

22 CHAIRPERSON DROMM: Thank you very much. Ms.
23 Holder.

24
25

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2 ADRIENE HOLDER: Thank you and good evening
3 Chair Dromm and Chair Lancman and Committee Members,
4 it's so wonderful to see you and be here today.

5 I cannot more - I just would like to second what
6 Tina ended with. Transparency from the court, from
7 OCA would be wonderful to really understand and I
8 know that they are going through it. They have been
9 hit hard. Their staff has been hit hard but there
10 really needs to be a process where the courts
11 actually talk more with the folks who actually have
12 to work in the courts, their staff, their staff's
13 unions and our attorney's and also, keep in mind on
14 the civil side, the unrepresented have to go through.
15 We really need to really figure out what we're going
16 to do because this pause, whenever the pause is over,
17 we all know that what we're going to have to live
18 with in terms of dealing with COVID-19 and this
19 pandemic, it's going to last more than just a few
20 more weeks or even a few more months. It will
21 probably be for the next year or so and we really
22 need to work together and in collaboration and really
23 figure out how best we are going to do that.

24 So, I'm again Adriene Holder, I'm the Attorney
25 in Charge of the Civil Practice. I just - I'm very

1 happy to be here with you all this evening. I just
2 wanted to just highlight a few things on the civil
3 practice side.
4

5 You know, while a lot of individuals in
6 organizations can and have spoken about the
7 disproportionate impact of the pandemic on
8 communities of color and low income communities, we
9 actually at the Legal Aid Society represent those
10 individuals and the communities hardest hits. We are
11 on the frontlines and we're there as first
12 responders. And together with our partners, the
13 Bronx Defenders and Brooklyn Defender Services, the
14 Legal Aid Society has continued to fight on behalf of
15 New York City's immigrants and we have advocated
16 strongly to ensure the safety of our immigrant
17 clients held in detention following the rapid spread
18 of infection through many detention facilities in New
19 Jersey and in upstate New York.

20 We sounded alarm that those detention centers
21 will ill-equipped to navigate the highly infectious
22 disease and took immediate action and since mid-March
23 together with our NYIFUP partners, the Bronx
24 Defenders and Brooklyn Defender Services, we have
25 successfully secured the release of more than 150

individual immigrants held in immigration and forced
in detention through in group – petitions when in
bond hearings and directly advocating with ICE.

Tomorrow, our immigration law unit and our
partners will testify about the impact of our
comprehensive services.

The Legal Aid Society rapidly responded that the
housing and homelessness crisis is exasperated by the
COVID-19 pandemic. We swiftly developed a new remote
single point of access for clients seeking housing
related services. We began staffing online to answer
housing helpline to screen and advise callers on
eligibility for a range of emergency and ongoing
benefits during this pandemic and we've appeared
emergency matters referred to us by the courts that
include illegal lockouts and emergency repair cases.

Moreover, we've been at the forefront of
advocacy to provide homeless shelter residence and
street homeless individuals with hotel, isolation
accommodation due to the risk inherent in congregate
housing provided by the Department of Homeless
Services.

While in our most recent advocacy, DHS staff
have made numerous changes to their procedures

including conducting follow up interviews remotely
and no longer discharging family units they find
ineligible during the crisis.

The Legal Aid Society has amplified our efforts
to advise and train on key employment law issues.

Given that this unprecedented public health crisis
has brought our economy to a virtual halt, with
unemployment rates soaring through the roof, request
for services from our Employment Law Unit have
exploded as well.

Legal Aid Staff are working around the clock to
share their technical expertise. I think we've had
numerous trainings with partner agencies and the New
York State Bar Association after announcing their
COVID-19 recovery task force, we trained close to a
1,000 volunteers remotely.

But our staff has also been working around the
clock to share their technical expertise with other
groups working with whistle blowers and other low
wage workers who are experiencing retaliation for
seeking a safe work environment.

Increased health and safety standards, we've
been pushing for including increased use of personal
protective equipment, rules and requirements around

testing and tracking and innovation of workers
through misclassification as independent contractors
and even so much more.

The Legal Aid Society has also successfully
advocated at the federal level to expand the group of
people to whom federal CARES Act recovery rebate
checks are automatically issued, including veterans
and recipients of SSI. This has resulted in many of
the most vulnerable New Yorkers getting much needed
funds far more expeditiously and for low income
clients ineligible for automatic recovery rebate
payments, we are developing a program to assist their
use of the IRS online non-filer tool for the recovery
rebates.

In addition, the low income tax practice has
conducted training on access and recovery rebate
funds and has created materials to help guide clients
of community organizations in obtaining the benefit.

And at a time when the lowest income New Yorkers
are at their most vulnerable, the Legal Aid Society's
Public Benefits Practice has been steadily
advocating at the federal, state and city levels to
expand access to benefits both for clients currently
in receipt of cash assistance and SNAP and also for

1 those suddenly unemployed as a result of the
2 pandemic.

3
4 Not only has our staff assisted current clients
5 with increase benefit but they've managed to assist
6 new clients access benefits, a task made all the more
7 challenging given the closure of work centers and the
8 barriers presented by having now to serve clients
9 remotely.

10 So, we know that it's a tough time. We need
11 your support because what we're experiencing with
12 this pandemic and what our clients are seeing, it's
13 grave. People are dying. We've had clients that are
14 dying but we also know that how our clients are
15 having to survive is an issue for all of New York.
16 We need your continued support to ensure that we can
17 continue to provide these comprehensive legal
18 services to low income communities of color across
19 the city.

20 We're conscious of the incredibly difficult
21 decision that you all have to make as the deals with
22 the fall out of the current crisis. However, it is
23 essential that we maintain our momentum. We are
24 doing great things here in New York, whether it's
25 right to council, whether it's really protecting

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immigrants and so many other marginalized New Yorkers
and people of color. And we really want to continue,
so that we can be guided by our fundamental
commitment to advocating for those New Yorkers least
able to advocate for themselves.

Thank you.

CHAIRPERSON DROMM: Thank you very much. I'm
going to turn it back over to Council Member Lancman.

CHAIRPERSON LANCMAN: Thank you very much and I
really can't express enough my appreciation and
admiration and here I am very confident that I am
representing the views of the Committee and the
Council for all the work that both the criminal side
and the civil side has done and I think as you
alluded to, we'll have to do once we come out of this
crisis and the courts open up more fully. People
will need you more than ever.

Let me drill down just on a couple of items.
The pay parity issue, I had asked the Criminal
Justice Coordinator whether there was any particular
roadblock, a bump or is there anything that you can
tell us or is this just sort of the bureaucratic
inertia of the city.

1
2 JANET SABEL: Well, so if I may, and thank you
3 for those kind words Chair Lancman. You know, the
4 pay parity, we were kind of gearing up with the city
5 with respect to the second round of pay parity. That
6 round is going to be harder than the first because of
7 you know, being able to determine what is really
8 comparable from the corporation counsel pay scale to
9 other pay scales. And just with things that were
10 happening, those conversations really didn't start up
11 before the pandemic hit.

12 So, you know, the city has represented to us
13 that they were doing a lot of work behind the scenes.
14 We have no reason to disbelieve that. We hope that
15 they have made progress and that as soon as there is
16 a moment for people to breathe that we'll be able to
17 focus again on phase two, the expansion.

18 What we're concerned about though, we just
19 haven't heard is phase one and making sure that we
20 are - that that money that we received last year for
21 fiscal year 2020, is carried over into FY21. There
22 has just been no discussion about that and we
23 couldn't see anything in the city budget that was
24 particularly called parity dollars. And you know, we
25 had a firm understanding that these dollars were

1 going to be on top of our different funding streams
2 and our programmatic funding. So, we haven't seen it
3 in the budget, we're deeply concerned about it. But
4 you know, we fully hope that the city will honor that
5 commitment.
6

7 CHAIRPERSON LANCMAN: Okay. MOCJ had also said
8 that they had not received anything from the Public
9 Defenders on the issue of forensic parity, any
10 estimates of how much money, how many resources, what
11 kinds of tools you will need? I know from my staff
12 that one of the public defenders provided something
13 and I just want to know, do you know if Legal Aid has
14 put something together or if you are working with the
15 other public defenders, to put together some kind of
16 common wish list?

17 JANET SABEL: So, obviously based on you all
18 recall that we do have a digital forensics lab, both
19 in our Manhattan office and our Bronx office and
20 talked with the other defenders. So, we have in our
21 budgeting for FY21 for Legal Aid Society, I have
22 continued that and have asked to be able to now
23 increase that to other offices. As to the other
24 defenders, I am sure they understand the need for
25 forensics. We all do and I'm sure that they were in

1
2 the middle of putting their plans together when COVID
3 hit and I will say, it's hit a pause on many of the
4 things that I think we have to build out to be
5 prepared again, sort of as we move forward.

6 You know, I think technology in of itself
7 certainly, I think the big conversation and the big
8 ask of the prosecutors to all of you was for more
9 money for discovery. Clearly, we have asks going
10 into 21 for discovery. The continuation, I will say
11 like the pay parity, we have not seen the dollars.
12 We have expended to put systems for discovery and
13 were in the middle of rolling out further plans like
14 cloud storage which is very costly and have to still
15 do that because everything is going to continue and
16 has continued.

17 So, that will require money carrying over and
18 annualize going into the following years. We can't
19 believe that sort of the discovery and reform money
20 was one shot. It certainly wasn't but again, we have
21 been given the dollar amounts but the contracting
22 process as we often have said to this Council, is
23 very delayed and that means the dollars don't flow
24 in.

1
2 So, as things get tighter it's harder for us to
3 be able to then plan for bringing on other stuff.

4 All to say, I am sure the Defenders, my colleagues
5 are watching and are noting to themselves to pull
6 their plans together but certainly with ideas
7 continuing to remind everybody that this forensics
8 technology is critically important.

9 CHAIRPERSON LANCMAN: Those are all the
10 questions that I have. I have to jump off on a
11 neighborhood Zoom. We're fighting cuts to youth
12 programs. My and my 50 colleagues are all fighting
13 the same fights. So, if I have to disappear, let me
14 just thank you again. Thank all the staff. Thank
15 you, Danny and all my colleagues. I got to jump off,
16 you may not see me again on this one but you will see
17 me on a future Zoom I promise.

18 JANET SABEL: Great thank you.

19 CHAIRPERSON LANCMAN: Thank you very much.

20 CHAIRPERSON DROMM: Okay, thank you. I'm just
21 going to go, a couple of quick questions that I have.
22 I don't believe there are any other Council Member
23 questions so I think this will be it.

24 Although COVID-19 is devastatingly negative,
25 something positive that has occurred is that the city

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3 has seen a decrease in our jail population in the
4 past eight weeks that is greater than what we saw in
5 all of last year demonstrating that incarceration may
6 not always be the answer.

7 Are there any changes in the criminal justice
8 system that the city is considering to pursue in
9 Fiscal 21 that you are aware of?

10 TINA LUONGO: I certainly hope.

11 CHAIRPERSON DROMM: You are breaking up a little
12 bit. Tina?

13 TINA LUONGO: Hi, yes, how are you. Can you hear
14 me now?

15 CHAIRPERSON DROMM: Yeah.

16 TINA LUONGO: Sorry, thank you. I certainly
17 hope that this is a lesson that we can decarcerate
18 continue to decarcerate and do it very quickly.
19 Because if you think about it, we were talking about
20 trying to get the population at Rikers down to 5,000
21 over the ten year period to close Rikers. We did it
22 in seven weeks right, it's at the low end, it's at
23 3,800 less. Right now, again, I'm a firm believer of
24 we should not be stopping. There is more to do. I
25 think really looking at sentencing and city

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3 sentencing certainly, certainly, we have to and of
4 course - [Inaudible 9:06:54]

5 CHAIRPERSON DROMM: She is broken up.

6 TINA LUONGO: [INAUDIBLE 9:07:00-9:07:10] more
7 being able to release people on their own cognizant
8 and to recognizing programming is the answer here.

9 So, I think there is a lot we can learn and
10 certainly, I think there is a lot we can improve on.

11 CHAIRPERSON DROMM: Okay, great. So much more
12 could be asked but it's getting late and we've been
13 at this since ten o'clock this morning, so I'm going
14 to end it. A very, very long day tomorrow believe
15 me, we have hundreds of people who want to give
16 testimony tomorrow.

17 So, I want to thank you for coming and I think
18 we are - yeah, this concludes today's hearing and we
19 will see everybody tomorrow. I'm going to just gavel
20 us out and it is 6:41 p.m.

21 Thank you again to everybody.

22 PANEL: Thank you. Good night everybody. Thank
23 you. Thank you for your support.

24 CHAIRPERSON DROMM: Okay, thank you. [GAVEL].
25 Thank you.

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 April 1, 2018