

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES
Of the
COMMITTEE ON WOMEN'S ISSUES

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June 27, 2017
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HELD AT: Committee Room - City Hall

B E F O R E: LAURIE A. CUMBO
Chairperson

COUNCIL MEMBERS:

DARLENE MEALY
ELIZABETH S. CROWLEY
KAREN KOSLOWITZ
BEN KALLOS
HELEN K. ROSENTHAL

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

Cecile Noel
Commissioner of the Mayor's Office to Combat
Domestic Violence, OCDV

Martin Morales
Commanding Officer of the Domestic Violence Unit

Marlene Riquelme
Public Health Specialist at the Harry and
Jeanette Weinberg Center for Elder Abuse
Prevention at the Hebrew Home at Riverdale

Josie Torielli
Assistant Director of Intervention and Best Care
Programs with the New York City Alliance Against
Sexual Assault

Jae Young Kim
Supervising Attorney of the Urban Resource
Institute Domestic Violence Legal Education and
Advocacy Program or LEAP

Diane Johnston
Consumer Attorney with the Legal Aid Society's
Domestic Violence Project

Casey Adams
Deputy Director of City Legislative Affairs, New
York City Department of Consumer Affairs

Sharlena Powell
Member of Voices of Women Organizing Project

Quenia Abreu
President of the New York Women's Chamber of
Commerce

Cecilia Gaston
Executive Director at Violence Intervention
Program

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[gavel]

CHAIRPERSON CUMBO: Good morning, thank you all for being here today. I am Council Member Laurie Cumbo, I thank you for your patience. In my eighth month, I'm moving a little slower so I appreciate you being patient today. Good morning, I am Chair of the Women's Issues Committee. Today we are holding this hearing to consider Intro 1610, a local law to amend the New York City charter in the Administrative Code of the city of New York in relation to offering resources and trainings to hairdressers to help them recognize potential signs of domestic violence in their clients. Intro 1496, a local law to amend the New York City charter in relation to reporting on certain domestic violence initiatives and Resolution 1292, a resolution calling upon the New York State Legislature to pass and the Governor to sign legislation amending the Real Property Law to allow victims of domestic violence to terminate leases upon written notice to landlords. Domestic violence is a pervasive issue that we need to keep on speaking out about, it knows no face, it has no discrimination. Domestic violence can happen to anyone no matter your socioeconomic status, your

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2 race, or your gender. It can occur a couple of weeks
3 into a relationship or decades later. Domestic
4 violence comprises 15 percent of all violent crime in
5 the United States. More than ten million people per
6 year are victims of domestic abuse. While we know
7 that domestic violence has no face, we also know that
8 a disproportionate number of victims are women. Under
9 the current federal government immigrant women are
10 even less likely to come forward to report incidents
11 of domestic violence for fear of being deported and
12 when we think about our current administration on the
13 federal level we understand that this can be an even
14 greater barrier to individuals from our immigrant
15 community coming forward. In a time when women's
16 rights are under attack, where services for victims
17 of domestic violence have not been deemed priority by
18 the federal government, New York City must be a model
19 to champion the rights of our most vulnerable
20 including victims of domestic violence and their
21 children who also suffer consequences leading them to
22 be twice as likely to grow up to become abusers or to
23 fall into an abusive relationship. In leading by
24 example, we are considering a revolutionary package
25 of bills today which aim to empower victims of

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2 domestic violence. Intro 1610 would help provide
3 tools for those who are in a position to help a
4 victim of domestic violence. Research has shown that
5 most battered women never call the police or go to a
6 shelter because they are simply too afraid of the
7 possible repercussions but they do talk about the
8 abuse they're facing with someone they trust, this
9 can often be a hairdresser. I know for myself
10 personally I share almost every intimate detail with
11 my hairdresser, now it's my barber. The salon can be
12 an ideal environment for a victim of domestic
13 violence to seek out help because it could be one of
14 the only places a victim is allowed to go without her
15 abuser. Intro 1496 would increase transparency around
16 the ways in which the city is working to combat
17 domestic violence. This bill would provide valuable
18 data that will assist us in targeting and
19 prioritizing services to those truly in need.
20 Finally, many victims of abuse feel trapped in the
21 living situation and fear suffering financial
22 penalties or bad credit from breaking their lease.
23 Reso 1292 would call on the New York State
24 Legislature to guarantee that there is a safer and
25 faster avenue for domestic violence victims to

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2 terminate their leases, this has been a long time
3 coming. As a society, we need to commit to breaking
4 the silence, offering assistance and changing
5 attitudes that allow cycles of violence to endure
6 through generations. We need to implement policies
7 that not only assist victims but reduce incidents by
8 educating citizens as to how to break cycles of
9 behaviors and what healthy relationships look like.
10 This is one of the reasons that this council has
11 allocated many millions of your tax paying dollars to
12 services to help survivors of domestic violence.
13 Today's hearing is just another step in the right
14 direction which shows that women's history month
15 continues all year round. I'd like to thank the
16 sponsors of this legislation, Council Member's
17 Rosenthal and Salamanca. We will hear from Council
18 Member's Rosenthal and Salamanca shortly and of
19 course thank you to the members of the Committee on
20 Women's Issues that are present. I also want to thank
21 Committee Staff Council Aminta Kilawan and Policy
22 Analyst Joan Povolny and last but not least thank you
23 for all that have come here today towards the latter
24 part of June, we appreciate your diligence and your
25 fight to make sure that domestic violence is an issue

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2 that people feel more comfortable coming forward with
3 and we can break the cycles every single day. Now I'd
4 like to turn the floor over to Council Member
5 Rosenthal who will give a statement about her
6 legislation.

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COUNCIL MEMBER ROSENTHAL: Thank you so
8 much Chair Cumbo, thank you for holding this hearing
9 in your eighth month.

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CHAIRPERSON CUMBO: Thank you.

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COUNCIL MEMBER ROSENTHAL: I'm not sure
12 that's a... I think that's a first...

13

CHAIRPERSON CUMBO: It might be a first.

14

COUNCIL MEMBER ROSENTHAL: Yeah, so thank
15 you for that and as your Co-Chair of the Women's
16 Caucus it's been such a treat over the last year and
17 a half working with you, you never stop.. you never
18 stop working in thinking about how we can do more to
19 serve the women of New York and it's an honor to be
20 your colleague. Domestic violence is an issue that
21 has far too long been on the periphery of our public
22 debate. Relationship violence as opposed to other
23 more public forms of violence has too often been
24 viewed as a personal matter as opposed to the sort of
25 systemic issue that public policy must address but

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2 we've started to break through that dangerous myth
3 that family violence is just a private matter. When
4 we talk about how the personal is political this is
5 exactly what we're talking about. The importance of
6 insisting that we recognize our collective
7 responsibility to address even the most intimate of
8 issues. Advocacy groups including some that we'll
9 hear from today have taken this issue from the
10 shadows organizing women and those effected by
11 pushing policy makers to take it seriously. Here in
12 New York the Mayor's Office to Combat Domestic
13 Violence has done extraordinary work tackling this
14 issue with the broad vision and substantive attention
15 that it demands. Each of the three bills being heard
16 today are designed to build on that amazing progress.
17 Introduction 1496 would create new reporting
18 requirements for the Mayor's Office to Combat
19 Domestic Violence. This administration has offered a
20 number of constructive new strategies with I think
21 more to come from the task force and this bill will
22 help us measure their progress and commit future
23 administrations to continue this work. Resolution
24 1296 calls on the state to make it easier for a
25 survivor of domestic violence to break their lease to

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2 leave a dangerous environment even when a survivor of
3 domestic violence has made the difficult decision to
4 leave an abusive relationship logistical questions
5 about concerns like breaking the apartment lease all
6 too often act as barriers to leaving an abusive
7 environment. As lawmakers and everyday bystanders, it
8 is our responsibility to work whenever possible to
9 remove those barriers. And finally Intro 1610,
10 introduced by my colleague Council Member Salamanca
11 and myself would require that the Mayor's Office to
12 Combat Domestic Violence offer resources and
13 trainings to hairdressers to help them recognize
14 potential signs of domestic violence in their
15 client's lives. A salon is such an intimate space and
16 by empowering the workers on how to help when they
17 see signs of domestic violence we can help connect
18 people to what can be lifesaving resources and I'm
19 guessing that it's not just Council Member Cumbo and
20 I who have had a focus group of one to ask them if
21 this would be helpful and the resounding answer has
22 always been yes. So, let me thank Michelle Lee for
23 her work on these bills and in my office let me
24 especially thank Rachel Knowles and Emma Cloyd for
25 their efforts and of course Sean Fitzpatrick, my

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2 Legislative Director for all his work, thank you very
3 much.

4 CHAIRPERSON CUMBO: Thank you Council
5 Member Rosenthal. I want to now invite members of the
6 administration to deliver their testimony. I would
7 now like to have the Committee Council administer the
8 affirmation and swear the witnesses in.

9 COMMITTEE CLERK: Would you all please
10 raise your right hand? Do you affirm to tell the
11 truth, the whole truth and nothing but the truth in
12 your testimony before the committee today and to
13 respond honestly to Council Member questions? Thank
14 you.

15 CHAIRPERSON CUMBO: Thank you, you may
16 begin.

17 CECILE NOEL: Good morning Chairperson
18 Cumbo and members of the City Council Committee on
19 Women's Issues. I am Cecile Noel, Commissioner of the
20 Mayor's Office to Combat Domestic Violence, OCDV.
21 Thank you for the opportunity to speak with you today
22 about the Mayor's Domestic Violence Task Force's
23 efforts to raise awareness and provide education
24 about domestic violence and additional housing
25 protections for survivors. I am pleased to be joined

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2 today by my colleagues at the Mayor's Office of
3 Criminal Justice, MOCJ, the New York City Police
4 Department and the Department of Consumer Affairs.
5 The Mayor's Office to Combat Domestic Violence which
6 was established in 2001 oversees the citywide
7 delivery of domestic violence services, creates
8 innovative policies, develops crisis intervention,
9 and prevention based programs and works to increase
10 awareness through broad and diverse training and
11 outreach efforts throughout New York City. OCDV also
12 operates the city's five Family Justice Centers or
13 FJC's which provide comprehensive, multidisciplinary,
14 and trauma informed services for victims of intimate
15 partner violence, sex trafficking, and, and elder
16 abuse in one location. Last year, the FJC served over
17 62,000 client visits across the boroughs. The New
18 York City Family Justice Center, the largest network
19 of family justice centers in the country is just one
20 successful initiative that this city has implemented
21 to address domestic violence. New York City has
22 historically especially in the last 15 years been a
23 leader in our response to domestic violence through
24 ongoing and meaningful investments to address this
25 issue. In this administration alone we have among

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2 other things opened two new Family Justice Centers,
3 expanded domestic violence shelter capacity, and
4 launched new initiatives focused on public housing
5 and domestic violence, stalking, healthy
6 relationships education for youth in foster care,
7 increased access to mental health services for
8 survivors, and launched a new policy and training
9 institute within OCDV to expand domestic violence
10 education for agencies and community based
11 organizations. Yet, despite these achievements and a
12 marked decrease in many other crimes in the city, the
13 rate and impact of domestic violence remains
14 elevated. Domestic violence is a significant driver
15 of violent crime with 19 percent of the murders, 38
16 percent of rapes and 39 percent of felony assaults
17 related to domestic violence citywide. Additionally,
18 in 2016 there were over 83,000 calls to the New York
19 City Domestic Violence Hotline for assistance. It is
20 important to note that this data is just a snapshot
21 of what domestic violence looks like in New York City
22 as underreporting significantly limits the ability to
23 fully understand the scope of this issue. The
24 persistence of domestic violence even as the city has
25 become safer overall led the Mayor to create the New

1
2 York City Domestic Violence Task Force in November
3 2016. It was tasked with creating durable and
4 effective solutions to domestic violence by combining
5 both criminal justice interventions and social
6 service resources to ensure comprehensive and
7 innovative recommendations Co-Chaired by First Lady
8 Chirlane McCray and Police Commissioner James O'Neill
9 and co-led by the Mayor's Office to Combat Domestic
10 Violence and the Mayor's Office of Criminal Justice.
11 The task force brought together 120 experts and
12 leaders from a broad spectrum of city agencies,
13 elected officials, community organizations and
14 survivors to take a fresh look at how New York City
15 responds to domestic violence. The task force working
16 groups maintained a victim centered approach
17 throughout the process with a heightened focus on
18 marginalized communities including immigrants,
19 communities of color and LGBTQ people. The result was
20 a set of 27 recommendations released in April 2017
21 with a new seven-million-dollar investment which
22 aimed to both hold abusers accountable and ensure
23 that we are providing smart and effective pathways to
24 safety, economic empowerment, and trauma informed
25 services for survivors and their children. The

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2 recommendations comprised.. [clears throat] excuse me..
3 four targeted areas that include expanding child
4 youth prevention and intervention, enhancing criminal
5 justice system responses, strengthening New York
6 City's communities and improving citywide
7 coordination to maximize resources. One funded
8 recommendation that, that received resounding support
9 from across the task force membership was for the
10 domestic violence task force to continue its
11 operations. I am pleased to share with you that
12 currently we are in the process of hiring an
13 Executive Director of the task force as well as a
14 team of staff to in collaboration with MOCJ oversee
15 the implementation of the task force recommendations.
16 Instead of tracking mechanisms to analyze and assess
17 program data, outcome, convene members to continue
18 targeted discussions about specific challenges in
19 areas for improvement, research current trends in the
20 nationwide field to enhance services, and
21 interventions in the city for survivors, children,
22 youth, and abusive partners and develop additional
23 recommendations to continue to move the needle
24 forward in responding to domestic violence in New
25 York City. We anticipate meeting on a regular basis

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2 with the task force membership to accomplish these
3 goals and providing public progress updates on an
4 annual basis. Therefore, the city supports the goals
5 of Intro 1496 and we look forward to discussing a
6 version of the bill that is aligned with our existing
7 plan to report on the progress of the city's
8 implementation of the Domestic Violence Task Force's
9 recommendations. Several of the task force
10 recommendations specifically focused on increasing
11 training for targeted city employees at the
12 Department of Education, the Administration for
13 Children Services, the Fire Department and throughout
14 ThriveNYC programming. These recommendations also
15 included expanding access to healthy relationship
16 education for DOE students and, and youth served
17 through the Department of Youth and Community
18 Development, DYCD programming. OCDV in collaboration
19 with MOCJ is eager to implement the new training
20 initiatives with the leadership of OCDV's policy and
21 training institute which was launched... which was
22 launched in 2016 to build awareness, skills and
23 capacity around issues related to domestic violence
24 throughout New York City. The institutes training
25 team provides education to city agencies, community

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2 based organization staff to help them better
3 understand, identify, and address issues related to
4 domestic violence. Since inception the training team
5 has trained over 5,000 individuals throughout the
6 city including staff from DHS, NYPD, DOE and DOP as
7 well as a diverse group of community based
8 organizations. The institutes training team off...
9 often partners with experts in, in community based
10 organizations throughout city agencies to offer
11 individualized trainings for targeted audiences. The
12 institute also includes the New York City Health
13 Relationship Academy which provides interactive
14 workshops on dating violence and healthy
15 relationships that provide young people and parents
16 with a meaningful opportunity to learn from trained
17 peer educators. Training is also available for staff
18 that work closely... that, that word directly with
19 young people. Since its inception in 2005 the academy
20 has conducted over 3,300 workshops with 60,000 youth
21 participants. In addition to a strong focus on in
22 depth and comprehensive training and policy work OCDV
23 also has dedicated staff that conducts outreach and
24 training and information sessions with diverse
25 communities, businesses, educational institutions,

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2 and advocacy groups throughout New York City.
3 Outreach is essential to the work of OCDV, we know
4 that in order to effectively respond to the incidents
5 of domestic violence in the city we must focus on
6 raising awareness about domestic violence not just
7 during domestic violence awareness month but every
8 day of the year. In 2016 OCDV participated in 418
9 outreach events in all five boroughs. One of the
10 industries that OCDV has been focused on for several
11 years and seeks to continue to expand our work with
12 is salons and cosmetologists. From 2012 through 2015
13 OCDV conducted over 125 outreach events throughout
14 the five boroughs focusing on hair and nail salons,
15 eyebrow threading shops, and beauty supply stores.
16 OCDV reached over 1,200 hair and nail... hair, nail,
17 and beauty businesses to raise awareness about
18 domestic violence and trafficking and connect victims
19 to services at the Family Justice Centers. While the
20 New York Department of State Division of Licensing
21 Services oversees the licensing requirements for
22 cosmetologists and barbers and beauticians, OCDV
23 welcomes the opportunity and is committed to
24 continuing outreach efforts and providing training
25 and partnership with community based organizations to

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2 staff in this profession and is regularly, regularly
3 seeking opportunities for collaboration. For example,
4 later this year OCDV will be... will be participating
5 in an expo for professional cosmetologists through
6 workshops, tabling, and promotional activities to
7 raise awareness about domestic violence for this
8 population and provide information to create linkages
9 to resources. We have an excellent working
10 relationship with professional cosmetologists in the
11 city and would have concerns about introducing a
12 punitive element to that relationship. We believe
13 that efforts to educate and inform cosmetologists
14 about the signs of domestic violence and the
15 resources available to victims are most effective
16 when they are the result of voluntary collaboration
17 and outreach rather than regulatory mandates. In
18 addition, the Department of Consumer Affairs does not
19 currently license or regulate... or regulate
20 cosmetologists and is not well situated to enforce a
21 training requirement through the... through the
22 issuance of penalties. In addition to a focus on
23 increased trainings the task force also put forth
24 recommendations to address the intersection of
25 domestic violence and housing. We know that

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2 approximately 25 percent of New York City sheltered
3 missions are due to domestic violence and that the
4 incidents of domestic violence can often directly
5 impact a survivor's ability to maintain or retain or,
6 or remain in stable housing. At the time of the
7 Mayor's announcement of the creation of the task
8 force there was also an announcement that the Family
9 Justice Centers in collaboration with the Human
10 Resources Administration and the Office of the Civil
11 Justice Coordinator were going to begin offering on
12 site housing legal assistance to help survivors... to
13 help survivors maintain their current housing,
14 prevent eviction and homelessness and address housing
15 financial related issues and provide increased access
16 to this critical service. One of our recommendations
17 of the task force is for these housing legal services
18 to continue to remain on site at the FJC's and we are
19 committed to ensuring that these essential services
20 are part of the FJC's service portfolio. We
21 understand that in addition to ensuring survivors
22 ability to advocate for current legal housing
23 remedies available, we also need to continue to
24 explore legislative and procedural mechanisms to
25 provide additional housing protections to help

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2 survivors remain in their homes. This is another
3 recommendation of the task force and we look forward
4 to exploring this issue further with our partner
5 agencies. I have highlighted for you several
6 recommendations from the DV task force that are
7 particularly relevant for today's hearing. If you
8 have not had the opportunity I encourage you to
9 review the 27 recommendations in their entirety and
10 am happy to review in depth any individual
11 recommendation with you. thank you for the
12 opportunity to speak to this issue and I welcome any
13 questions that this committee may have.

14 CHAIRPERSON CUMBO: I want to acknowledge
15 that we've been joined by Council Member Ben Kallos
16 of Manhattan, the, the only member... the only male
17 member of the Women's Issues Committee so we're
18 always very pleased to have his voice and his
19 participation and his perspective. I wanted to get
20 started with questions outside of the legislation I
21 wanted to know what has been the success of now
22 having five Family Justice Centers and the success of
23 the Staten Island new opening of that particular
24 center, how has that gone, how has that helped in
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2 your ability to further do preventative work in the
3 cases of domestic violence in the city of New York?

4 CECILE NOEL: In June of 2016 we opened
5 the Staten Island Family Justice Center and that
6 center has far exceeded in client visits, our
7 projected expectation by far. It has only... the
8 opening of that Justice Center along with the four
9 that we have, have only served to expand our reach
10 out into the community, enabled us to really offer
11 more services and really serve a much-needed borough
12 which was Staten Island here. The inclusion of now
13 new services to the Family Justice Center, housing as
14 I mentioned in my testimony also serves to expand the
15 reach also providing more services that, that, that
16 clients who come to the centers really need. We offer
17 comprehensive services and this is just an... another
18 way of doing that. So, it clearly has expanded...
19 expanded our reach across the boroughs.

20 CHAIRPERSON CUMBO: We talk a great... and
21 I'm happy to hear that because it, it has been an
22 underserved borough in that way and often individuals
23 from Staten Island would have to come to the other
24 four Family Justice Centers, it's important that they
25 have their own center and I'm glad that you have seen

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2 people coming forward in that way. In your testimony,
3 you stated domestic violence is a significant driver
4 of violent crime with 19 percent of murders, 38
5 percent of rapes, and 39 percent of felony assaults
6 related to domestic violence citywide. Additionally
7 in 2016 there were over 83,000 calls to the New York
8 City Domestic Violence Hotline for assistance, the
9 complication with that number is that when you're
10 doing great outreach, when you're doing the work you
11 have increased calls and so in any other form of
12 evaluating success you would want to see decreased
13 calls but this is an unusual situation because it's
14 such an underreported crime that exists with domestic
15 violence that more people coming forward is great but
16 it's hard to evaluate the success if the preventative
17 measures are taking root, how do you quantify calls
18 from the year before and the year before that, are
19 the calls going up, are they going down, how are you
20 seeing the success of the work that you're doing?

21 CECILE NOEL: As you... [clears throat]
22 excuse me... as you said before this is truly unlike
23 any other, other kind of crime because its, it's very
24 underreported and so that when our numbers are going
25 up we really view that as a huge success that people

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2 are in fact taking advantage, hearing the message and
3 coming forward. The hotline numbers have remained
4 about the same across the last couple of years and
5 recognize that the hotline calls are calling for a
6 number of things, they could be calling for
7 resources, they could be calling for shelter, they
8 could be calling for information, sometimes they're
9 just calling because they want... they want to know
10 someone's at the other end they can listen to them
11 for a moment and help talk them through whatever
12 they're going through right now so that the calls
13 themselves represent people reaching out for help and
14 we are happy that the city is there to provide that
15 service that can then... that can then link them when
16 they are ready to other services within the city.

17 CHAIRPERSON CUMBO: I have to do a
18 commercial here, what would be that number for those
19 that are watching at home, if they want to reach out
20 for services, their hotline number, what would that
21 number be?

22 CECILE NOEL: 1-800-473-HOPE I believe,
23 212... 629-HOPE...

24 UNIDENTIFIED FEMALE: 621-HOPE...

25 CECILE NOEL: 621-HOPE, thank you.

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CHAIRPERSON CUMBO: Can you say it once

more... [cross-talk]

CECILE NOEL: Alright, alright let's say

it again...

UNIDENTIFIED FEMALE: Its 1-800... [cross-

talk]

CECILE NOEL: Its 1-800... [cross-talk]

UNIDENTIFIED FEMALE: ...621... [cross-talk]

CECILE NOEL: ...621-HOPE.

CHAIRPERSON CUMBO: Okay, perfect and

then wanted to ask about we know a great deal that

we've been celebrating all throughout the city of New

York that crime is down all throughout the city of

New York, as was reported last year every form of

crime was down in the city of New, New York with the

exception of crime against women and I wanted to know

where are we at this current state as it pertains to

crimes against women, rape, sexual assault, domestic

violence, where are we in the city of New York where

it pertains to that?

CECILE NOEL: We as a city are really

aggressively implementing policies and programs to

really address this issue across the board. The task

force is representative I think of the city's

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2 commitment and believe of the city's commitment to
3 really looking at the issue through the broad
4 spectrum, we're looking at domestic violence, we're
5 looking at the intersection of sexual assault and
6 domestic violence, we are... we're working with our
7 partners at, at, at MOCJ and at NYPD to think about
8 strategies that make sense in this environment that
9 can really provide services and connection for
10 survivors across the spectrum.

11

CHAIRPERSON CUMBO: But do we have raw
12 data or statistics in terms of where we are as far as
13 violence as it pertains to domestic violence, sexual
14 assault, rape and most importantly murder as it
15 pertains to women in the city of New York?

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MARTIN MORALES: Good, good morning. My
17 name is Martin Morales, I'm the Commanding Officer of
18 the Domestic Violence Unit. I've been in this
19 capacity... [cross-talk]

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CHAIRPERSON CUMBO: Welcome... [cross-talk]

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MARTIN MORALES: ...since September of last
22 year. I'm happy to report that, that domestic
23 violence crime is down in the city right now, overall
24 crime domestic violence crime is down 5.6 percent,

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2 homicide specifically is down 32 percent, domestic...

3 [cross-talk]

4 CHAIRPERSON CUMBO: Homicides as it
5 relates to women?

6 MARTIN MORALES: As it relates to... when
7 we... when we define domestic violence we include
8 elderly and we include children too.

9 CHAIRPERSON CUMBO: Okay.

10 MARTIN MORALES: So, overall, we're down
11 32 percent, shootings we're down nine percent,
12 stabbings we're down 13 percent, and our rate of runs
13 are also down by 2.1 percent.

14 CHAIRPERSON CUMBO: What about as it
15 pertains to fatalities, one of the things that we
16 noticed is that there had been an increase early in,
17 in earlier years as it pertains to fatalities related
18 to domestic violence, what are the numbers now in the
19 city of New York compared to last year?

20 MARTIN MORALES: Are you saying like
21 intimate partner violence... [cross-talk]

22 CHAIRPERSON CUMBO: Correct... [cross-talk]

23 MARTIN MORALES: So, overall, we're down
24 21 versus 31, when it comes to DV fatal shootings
25 we're down two versus five, when we're down to DV

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2 fatal stabbings we're down six versus 15 and intimate
3 partner we're... accounts for 38 percent of the
4 homicides.

5 CHAIRPERSON CUMBO: Can you repeat that
6 one for me once more?

7 MARTIN MORALES: Intimate partner
8 homicides account for 38 percent of the all domestic
9 violence homicides.

10 CHAIRPERSON CUMBO: Okay, I, I thank you
11 for those statistics, what do you attribute the
12 decrease if you had to say in your professional
13 opinion, what would you say is the, the greatest
14 support in the way of decreasing many of the
15 statistics that you just provided us?

16 MARTIN MORALES: I don't think it's one
17 thing, I think it's a combination of a few things.
18 First and foremost, I think collaboration with all
19 the city agencies and advocacy groups getting the
20 word out through an outreach. One of the things that
21 we also instituted was a domestic violence
22 recidivists program where we, we, we basically... we,
23 we expanded our committed...

24 CHAIRPERSON CUMBO: I'm sorry, I didn't
25 hear you, a domestic violence...

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MARTIN MORALES: Recidivist program.

CHAIRPERSON CUMBO: Okay... [cross-talk]

MARTIN MORALES: ...a top offender program...

[cross-talk]

CHAIRPERSON CUMBO: Got it...

MARTIN MORALES: We basically... we want to combat domestic violence the way we do other crime in the city through precision policing... [cross-talk]

CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

MARTIN MORALES: ...so we have very specific approaches to target top offenders of domestic violence, the worst of the worst and, and we committed to stop the abuse and it seems by targeting the people who are committing the most violence it's, it's very data driven, it's very targeted and so far, it's working and, and that approach is working for other crimes in the city. As you know other crimes are also down so that approach is working towards domestic violence. The second part of this is home visits, we, we have a very aggressive... that's the cornerstone of what we do. Last year we, we took nearly 280,000 domestic incident reports and you know these reports are not just words on the paper, they tell a story, they tell a story of abuse in someone's

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2 home and, and each officer knows that, that each
3 victim, you know a fellow New Yorker is, is looking
4 for assistance so we do home visits. Last year we
5 were able to visit 90,000 households of domestic
6 violence and when we visit these households we, we
7 give them... we do several things; we assess the
8 situation, we, we take pictures if, if pictures
9 wasn't taken by patrol and when I say home visits I'm
10 talking about the domestic violence... let me take a
11 step back, I have 456 domestic violence officers
12 working for me citywide in, in, in the precincts and
13 the PSA's, 86 precincts and PSA's and they're the
14 ones that monitor and do the home visits. So, with
15 that we did 90,000 home visits last year and with
16 those home visits they, they have to pick which of
17 the 280,000 they're going to visit so they prioritize
18 them by felony violence, by stalking, by, by past
19 history, if the offender still lives there, if
20 there's any cases where, where the... they're, they're
21 threatening to kill the victim, strangulation cases,
22 we also last year incorporated six lethality
23 questions, these are risk assessment questions that
24 basically... they're kind of predictors of possible
25 future violence in a household. Now you can't predict

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2 everything but, but, but these six questions
3 specifically lets you know through, through a lot of
4 research that the more hits on these six questions,
5 more hits of yes that there is... there is a
6 possibility of... a high increase of violence, the six
7 questions are has the suspect ever threatened to kill
8 you or your children, has he strangled or choked you,
9 has he beaten you while you're pregnant, is he
10 capable of killing you or your children, is he
11 violently or constantly jealous, and has violence
12 increased in frequency or severity in the past six
13 months and we also ask if there's access to weapons
14 in the household, that's an important question that
15 we ask so... [cross-talk]

16 CHAIRPERSON CUMBO: Let me just... because
17 I'm fascinated by this, that... of this program, what
18 is the... how are you received coming into a home and
19 what is your... what is your goal in coming into the
20 home so is it to... is it to check on the family to see
21 how the family is doing, is it to put a little bit of
22 a, just want to let you know we could stop by anytime
23 so I hope that everything is going the way it should
24 be here or is it a, we want to keep monitoring you,
25 we want to bring you resources, we want to bring you

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2 help, we want to bring... because I would imagine if
3 you're going into a family's home, just thinking
4 about my own home and all of those sorts of things
5 and how this information would be received when
6 asking questions such as do you feel threatened, do
7 you feel that this person could potentially harm you
8 or, or the children, you know I see in real life that
9 acting out in terms of, you know the man also being
10 like well what about her, she's doing this and she's
11 doing that, could... she could potentially harm the
12 children, she could... and it would seem like it would
13 be a combative situation in terms of how that
14 particular man is going to feel or, or other partner
15 in the home?

16 MARTIN MORALES: Right, our goal is to
17 provide safety and hope to the victim and we never
18 ask the questions in front of the, the offender
19 either, we always separate parties but I'm talking
20 about home visits so this is after, after 9-1-1
21 responded to a call... [cross-talk]

22 CHAIRPERSON CUMBO: Right... [cross-talk]

23 MARTIN MORALES: ...within the next day or
24 two one of my 456 officers citywide will respond and
25 do a home visit to some of these homes to see, you

1
2 know what happened maybe we could get more
3 information on the domestic incident report to, to
4 build a stronger evidence based prosecution for the
5 District Attorneys, if, if certain photos weren't
6 taken of injuries or any property damage we're going
7 to, you know request to take extra photos of any
8 property damage in the household...

9 CHAIRPERSON CUMBO: Do they come in... are
10 they uniformed when they come?

11 MARTIN MORALES: They're uniformed, yes.

12 CHAIRPERSON CUMBO: Do they bring any
13 other type of individual with them like a mental
14 health practitioner or someone else or is it only the
15 NYPD?

16 MARTIN MORALES: Majority it's the NYPD
17 but we, we, we did add the crimes victims assistant
18 program. I believe back in August, there's 29
19 precincts... 26 or 29 precincts that has two advocates
20 in each command, one specifically for domestic
21 violence and one for other crimes but they're
22 interchangeable and that's starting... we're, we're
23 training in proper equipment because we want them to
24 be safe so we make sure they have vests and stuff
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2 like that, they're, they're tagging along with the
3 officers and doing home visits too.

4 CHAIRPERSON CUMBO: Okay.

5 MARTIN MORALES: So, and, and that
6 program is going to be expended to another 26
7 precincts this year and by 2018 all 76 commands and
8 all the PSA's are going to have the advocates
9 assigned to the commands.

10 CHAIRPERSON CUMBO: I want to get to the
11 legislation but I'm so fascinated by how this process
12 is actually being implemented. Would you say that the
13 officers that are in your command you said its 456
14 that work specifically on issues surrounding domestic
15 violence?

16 MARTIN MORALES: Yes, that's a
17 combination of sergeants, detectives and police
18 officers.

19 CHAIRPERSON CUMBO: Do they get some sort
20 of special training that happens either at the
21 academy or does it happen later once they've been
22 assigned to that unit that they receive some sort of
23 special training that assists them in dealing with
24 domestic violence cases?
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2 MARTIN MORALES: Constant training, I'll
3 start that all recruits are trained in the academy
4 from the six-month training, my office is also
5 trained, all officers that are being promoted to
6 sergeant, lieutenant, and captain, our... all DNCL's
7 are also trained in domestic violence so they could
8 assist in home visits if, if we need them to but my
9 office is always constantly trained. We, we also do
10 a... two big trainings a year what we call an all in
11 conference where I have all hundred... we had about 500
12 domestic violence officers attend that and we went
13 over elder abuse, child abuse, stalking, you know
14 very topical domestic violence issues and every
15 October we host a, a, a domestic violence conference
16 in headquarters where we, we have not only our
17 domestic violence officers but the different agencies
18 and, and advocates that we, we collaborate with and
19 we have some guest speakers and you know we, we, we
20 go over some topical DV training on that too so
21 there's, there's always constant training but with
22 these home visits, you know when the officer goes in
23 not only do they provide services and referrals they,
24 they, they create a safety plan if need be and what I
25 mean by that is, is... if the offender still lives

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2 there then we talk about an escape plan, maybe have a
3 travel bag ready to go, maybe the victim should speak
4 to a neighbor or family member let them know what's
5 going on in the household that way, you know he or
6 she's not alone in the situation... [cross-talk]

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CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

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MARTIN MORALES: ...maybe come up with some
9 sort of single... some sort of like dialogue or some
10 sort of body language someone in the household if
11 they needed to escape. In, in situations where the
12 offender doesn't live there we strongly advise that
13 they change their phone number, cell number, the
14 doors on, on a lock if they have a wooden we, we
15 recommend a steel door, we recommend to... you know
16 when they park the car park it in a well-lit area,
17 change their routine everyday so we talk about these
18 safety plans and you know I could highlight, you know
19 a... we also tell them that, that, you know let your
20 employer or security at your place of employment know
21 what's going on because a lot of times in stalking
22 situations an offender will stalk their victim at, at
23 their workplace and, and I have a little bit of a
24 success story if I may...

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CHAIRPERSON CUMBO: Please.

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MARTIN MORALES: We had a, a situation recently in, in March at a department store in the city, I'm not going to name the department store to keep the... [cross-talk]

CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

MARTIN MORALES: ...victim's... you know privacy in place, she was a victim of domestic violence where... past history and, and now he's stalking her, he went to her place of employment at a department store and she feared for her safety and she knew... she knew that he has carried weapons in the past, carried guns in the past so with that she, she alerted security, security called 9-1-1 and the local precinct's domestic violence Sergeant and police officer responded to the department store, at that time he already fled the scene, they got more information from her, the domestic violence officer gave the victim her personal department cell phone number and said if he comes back tomorrow have security call 9-1-1, you call me direct. It so happens he came back the next day, they got him trying to escape from the store... [cross-talk]

CHAIRPERSON CUMBO: Oh my goodness...

[cross-talk]

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MARTIN MORALES: ...after a... he, he had a knife on him but after a, a... a debriefing he, he admitted to having seven more guns in his house and we were able to recover those seven weapons. So, these visits and safety plans are very effective and, and these are little stories that are out there that you don't always get to hear but you know it, it does happen, you know quiet, quite often.

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CHAIRPERSON CUMBO: Wow, thank you. I'm actually in the interest of time going to open it up to my colleagues and then we'll jump right into the legislation but I wanted to get some background in terms of some of the work that's already being done at this particular time. I'll turn it over to Council Member Rosenthal.

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COUNCIL MEMBER ROSENTHAL: Thank you so much Chair Cumbo. Can we just start with... I know you're going to send this over after the hearing but just for the public you both ran through some numbers very quickly and can I ask you to do that again more slowly, I think I'm set up to listen to it now but I think you were talking about domestic incident reports this year versus last year, when is this

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2 year, is that 2000... year to date 2017 versus that
3 period in 2006 so start me from the top?

4 MARTIN MORALES: That's correct, we're
5 talking about January 1st through June 25th.

6 COUNCIL MEMBER ROSENTHAL: Jan through
7 June of '16 versus '17?

8 MARTIN MORALES: Correct.

9 COUNCIL MEMBER ROSENTHAL: Okay, so half...
10 a half year, okay so what are the numbers?

11 MARTIN MORALES: So, domestic violence
12 index crimes are down by 5.6 percent... [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: Wait, domestic
14 violence index... [cross-talk]

15 MARTIN MORALES: The seven major crimes;
16 murder, rape, robbery, burglary, grand larceny, GLA's
17 and assault, felony assault, thank you.

18 COUNCIL MEMBER ROSENTHAL: Okay...

19 MARTIN MORALES: Those are the seven
20 majors, we're down 5.6 percent.

21 COUNCIL MEMBER ROSENTHAL: Down 5.6
22 percent, do you want to say from what to what or you
23 don't have to but...

24 MARTIN MORALES: Once, once again, I'm
25 sorry?

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COUNCIL MEMBER ROSENTHAL: From.. down from what to what number?

MARTIN MORALES: Its 5,170 versus 5,478, we're down 308 crimes.

COUNCIL MEMBER ROSENTHAL: Thank you.

MARTIN MORALES: Of the complaints of domestic violence which includes other felonies and misdemeanors we're down 6.3 percent, that's 29,574 versus 31,569 that's a difference of 1,995. Domestic violence homicides are down 21, 21 versus 31 which is 32 percent..

COUNCIL MEMBER ROSENTHAL: Hang on one second.. 21 versus 31 and then so on that one Commissioner your number must have been an annual number.. oh yours was annual, okay so on yours the percentage decreased, sorry, is what.. oh 50.. [cross-talk]

MARTIN MORALES: Thirty-two percent..

COUNCIL MEMBER ROSENTHAL: Thirty-two, okay, yep..

MARTIN MORALES: Our shootings are down 10 versus 11 so a nine, nine.. 9.1 percent decrease.

COUNCIL MEMBER ROSENTHAL: Okay..

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MARTIN MORALES: And our domestic violence related stabbings and slashings are down 13.5 percent, 518 versus 599.

COUNCIL MEMBER ROSENTHAL: Okay, is there... thank you. and then on the domestic incident reports...

MARTIN MORALES: We're down 2.7.

COUNCIL MEMBER ROSENTHAL: From what to what?

MARTIN MORALES: 130,426 versus 134,021.

COUNCIL MEMBER ROSENTHAL: And that's the number... that last one was the number in '16?

MARTIN MORALES: Correct.

COUNCIL MEMBER ROSENTHAL: Okay and domestic violence home visits?

MARTIN MORALES: We did nine... 90,000 this year... last year rather.

COUNCIL MEMBER ROSENTHAL: And this year?

MARTIN MORALES: I didn't bring those numbers with me for this year, 90,000 for the entire 2016 period.

COUNCIL MEMBER ROSENTHAL: Nine?

MARTIN MORALES: 90,000.

COUNCIL MEMBER ROSENTHAL: nine zero?

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MARTIN MORALES: Nine zero.

COUNCIL MEMBER ROSENTHAL: Ninety?

MARTIN MORALES: Ninety, yes.

COUNCIL MEMBER ROSENTHAL: Okay, I really
couldn't hear you. So, 90,000 in 2016 full year...

MARTIN MORALES: Calendar year, yes.

COUNCIL MEMBER ROSENTHAL: And do we know
year to date?

MARTIN MORALES: I didn't bring those...

[cross-talk]

COUNCIL MEMBER ROSENTHAL: ...for this
year... [cross-talk]

MARTIN MORALES: ...numbers with me.

COUNCIL MEMBER ROSENTHAL: Okay and the
DV officers you're up to 465, what was it... or sorry,
DV what should I call them?

MARTIN MORALES: The domestic violence
prevention officers.

COUNCIL MEMBER ROSENTHAL: Prevention
officers...

MARTIN MORALES: Currently at 456.

COUNCIL MEMBER ROSENTHAL: 456... [cross-
talk]

MARTIN MORALES: ...but that... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...sorry...

[cross-talk]

MARTIN MORALES: ...fluctuates depending, you know if people move on, they get promoted, they get transferred... [cross-talk]

COUNCIL MEMBER ROSENTHAL: Sure... [cross-talk]

MARTIN MORALES: ...but then the precinct fills them in but I would say roughly about 450.

COUNCIL MEMBER ROSENTHAL: Okay and the previous year?

MARTIN MORALES: I don't have last year's staffing with me.

COUNCIL MEMBER ROSENTHAL: Okay. So, I'd be interested... thank you for going through those numbers, I'd be interested in seeing them over a period of time so maybe... you know I don't want to make you do work, however you collect it for each of those categories for maybe '14, '15, '16, and '17...

[cross-talk]

MARTIN MORALES: Sure... [cross-talk]

COUNCIL MEMBER ROSENTHAL: Okay, great...

[cross-talk]

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MARTIN MORALES: ..we have that... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ..thank you...
[cross-talk]

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MARTIN MORALES: ..information we'll just
get that to you.

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COUNCIL MEMBER ROSENTHAL: And you know
I'll caution of course all of this with the
understanding that, you know you can't read too much
into the numbers, right, I mean you want people to
report more and... you know so it... so that complicates
I think all of the numbers, is that a fair statement?

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MARTIN MORALES: It's a fair statement.

COUNCIL MEMBER ROSENTHAL: I bring it up
because you talked about training officers on
preventing domestic violence or how to deescalate a
situation, is one of the new training programs more
victim centered, did you talk about that or I think
the Commissioner did, is that the training that
you're talking about, the new training for the PD
that its more victim centered?

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MARTIN MORALES: Well our training is
always victim centered. When I talk about the
domestic violence top offender program that was more

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2 active on the, the worst of the worst which is the
3 offender based.

4 COUNCIL MEMBER ROSENTHAL: Okay.

5 MARTIN MORALES: So, that's just more of
6 an apprehension tool... [cross-talk]

7 COUNCIL MEMBER ROSENTHAL: Okay... [cross-
8 talk]

9 MARTIN MORALES: ...to identifying the
10 worst domestic violence offenders in the city and if
11 they're currently wanted, you know we're going to go
12 after them.

13 COUNCIL MEMBER ROSENTHAL: Okay. When
14 you... if we could just look at the numbers for 2016,
15 134,000... well wait that's a half year number and then
16 the full year... the half year number for DV reports is
17 134,000 and the full year for DV home visits is
18 90,000, can I just for sake of numbers here today and
19 this is all draft and I'm not going to hold anyone to
20 anything let's just double up the 134 to call it 260
21 for a full year... [cross-talk]

22 MARTIN MORALES: ...last year we took
23 280,000...

24 COUNCIL MEMBER ROSENTHAL: Right, so of,
25 of those would you say that 90,000 is the subset,

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2 right that you did.. you got 280,000 incident reports
3 and you did 90,000 home visits by the way all of
4 which is amazing so thank you for this, I'm just
5 trying to understand it better. Is that... does that
6 mean roughly three visits per home, are there..

7 [cross-talk]

8 MARTIN MORALES: Well so... so, we... last...
9 I'm going to use last year's numbers because we have
10 both sets in front of us..

11 COUNCIL MEMBER ROSENTHAL: That's right..

12 MARTIN MORALES: So, 280,000 calls of
13 domestic violence about 40,000 were unfounded, we
14 still take a, a domestic incident report for
15 unfounded calls another word we get a call of a
16 husband and wife arguing on the corner of Chambers
17 and Broadway, the police respond, they, they look
18 around, they, they look for witnesses, they look for
19 anything, they still complete the, the domestic
20 incident report and it's, it's unfounded, they
21 complete those on their smart phones. So, of the 280
22 about 40,000 are unfounded anyway.

23 COUNCIL MEMBER ROSENTHAL: 40,000 are
24 what?

25 MARTIN MORALES: Unfounded.

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COUNCIL MEMBER ROSENTHAL: Unfounded..

MARTIN MORALES: Unfounded meaning we
can't... [cross-talk]

COUNCIL MEMBER ROSENTHAL: ...can't
confirm... [cross-talk]

MARTIN MORALES: ...there's no complainants
we can't confirm it.

COUNCIL MEMBER ROSENTHAL: Okay...

CHAIRPERSON CUMBO: Can I just get
clarity on that one just so that I understand, so
let's say you do arrive and that couple are arguing
and fussing and fighting or whatever and then you
arrive and then they say officers its nothing, we're
fine, go, go on your own way, what do you do then,
does that go in the unfounded category or does that
go into we have to report something here especially
if in the situation you can tell its obvious
something happened but they don't want to deal with
the fact that the police have been called by an
outside entity?

MARTIN MORALES: We, we, we get that a
lot because... especially in a public area like in a
street but the officers are trained to separate the
parties and... you know to see what's going on to see,

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2 you know what was the reason for the phone call. A
3 lot of times witnesses are calling so we get a lot
4 from that phone call of a... of a witness too but
5 either way we're going to complete a domestic
6 incident report now if the complainant of victim
7 refuses to give his or her name we can't force them
8 to either and, and if we believe at the situation the
9 victim wasn't assaulted we don't see injuries, we
10 don't see bleeding and it was a, a verbal dispute
11 that occurred in the street we're going to take a
12 report for that with without complainants named on
13 that domestic incident report.

14 CHAIRPERSON CUMBO: What do you do in the
15 case of someone who... I know this is getting very
16 detailed but you arrive on the scene and someone is
17 clearly hurt but they don't want to... they don't want
18 to press charges or report it, how does that get
19 handled, someone's got a black eye, someone's got a
20 bloody nose?

21 MARTIN MORALES: We, we have for, for
22 felony assaults it's a must arrest situation, there's
23 no discretion even if the victim doesn't want the
24 complainant arrested... the offender arrested, that's a
25 must arrest situation and misdemeanor assault... it's,

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2 it's, it's up to the officer's discretion but the
3 discretion is we want that arrest made anyway because
4 that misdemeanor assault will turn into something
5 violent in the future. So, although the officer has
6 that discretion even if the complainant doesn't want
7 him arrested I would say 90... 98 percent of the time
8 that arrest is being made we want that arrest made.

9 CHAIRPERSON CUMBO: I just have to ask
10 because... does that different from incidents of sexual
11 assault, it seems like they may be handled
12 differently in the sense of... [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: Right...

14 CHAIRPERSON CUMBO: Right?

15 COUNCIL MEMBER ROSENTHAL: Yes.

16 CHAIRPERSON CUMBO: This persons got a
17 bloody eye or a bloody nose and you've made that
18 arrest, the person does not want to press charges
19 maybe because they're an immigrant, maybe they fear
20 for their life, is it possible or are you capable of
21 still taking this and getting a conviction without
22 the participation of the victim even though you might
23 have witnesses that would testify in support of what
24 they saw?

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MARTIN MORALES: So, I, I could speak to...

on domestic violence specifically not, not so much

sexual assaults but what we do is we, we try to build

a very strong evidence based prosecution so... you know

as, as the Commissioner could attest to many victims

do recant and, and after they make the, the original

complaint they recant and they don't want an arrest

made but if we have the 9-1-1 tapes and we have good

pictures of the injury, we have threatening text

messages on her phone or his phone and we have on a

domestic incident report the, the victim is writing

the story in his or her own handwriting, in his or

her own language so, so... many DA's they will use that

as a supporting disposition to make the... to prosecute

the case regardless that the victim is recanting but

you know that's, that's a great question that you

could pose to the DA's office because I would

definitely like to see, you know more prosecution in

that area.

CHAIRPERSON CUMBO: Thank you because

there is a discrepancy that we've seen when we had a,

a presentation to the Women's Caucus as it relates to

sexual assault and rape that you could have all of

that evidence presented but if the victim does not

1
2 want to proceed or move forward that you could have
3 all of that information and it's still not lead to a
4 conviction.

5 MARTIN MORALES: Right.

6 CHAIRPERSON CUMBO: I apologize for
7 interrupting Council Member Rosenthal.

8 COUNCIL MEMBER ROSENTHAL: I, I think
9 we're going to be inviting you to the Women's Caucus
10 to, to come chat... [cross-talk]

11 MARTIN MORALES: Petition accepted..
12 [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: ...this has been
14 great, this has been really helpful.

15 MARTIN MORALES: Councilwoman if I may
16 clarify one thing with the home visits because I
17 don't... I don't want to... we had 90,000 home visits but
18 a big portion of that we, we have what we call a high
19 propensity and child at risk program, these are
20 households that we identified at, at... most at risk
21 that has a lot of, you know history of domestic
22 violence and we believe that there's a propensity for
23 reoccurrence or revictimization in these homes so we
24 have a, a, a... each precinct has multiple households
25 on the high propensity child at risk homes citywide,

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2 we have right now 651 household that are identified
3 as such and, and these are specialized visits where
4 they go there, they, they, they monitor the house,
5 they track the house and, and, and they offer any
6 services that they haven't offered in the past or the
7 continuation of offering services. They might be
8 aware of a new incident that they didn't want to call
9 us for... [cross-talk]

10 COUNCIL MEMBER ROSENTHAL: Uh-huh...

11 [cross-talk]

12 MARTIN MORALES: ...but they build some
13 sort of relationship and trust with the domestic
14 violence officers because these homes are visited
15 almost once every two weeks so a high propensity home
16 in, in a calendar year hopefully is visited at 24, 25
17 times at least so, you know you multiply that by the
18 620... 651 that's going to be a good portion of the
19 90,000 home visits. So, I just want to clarify that,
20 that... not every, every 90,000 was unique, we have you
21 know like on a top offender program we also have our
22 top, you know victims where we, we, we give them very
23 targeted home visits.

24 COUNCIL MEMBER ROSENTHAL: Great, yep.

25 So, if I could move onto the legislation, this is so

1
2 very helpful but... and let's actually start with...
3 let's start with this issue of homes where the victim
4 might be at risk, Commissioner you... when... in your
5 testimony about Reso Number 1292 which would make it
6 easier for victims to get out of a lease which is
7 something we hear from the advocates that victims
8 really... that's what they're looking for and, and the
9 hurdles right now are too high to get out of the
10 lease and then... so, they're stuck there, what is the
11 administration... that was really the point of this
12 Resolution not, not so much what we can do to help
13 them in their homes but this is to help them get out
14 of the situation, do you have any thoughts about that
15 piece... [cross-talk]

16 CECILE NOEL: One of the recommendations
17 of the task force was in fact to look at housing
18 remedies across the board for domestic violence
19 survivors including leases and what could we do to
20 ensure that protections are there to help survivors
21 in the long run so, yes, we are... we're clearly
22 supportive of looking at how we can do that in the
23 city not only from leases but in any other area
24 related to housing that can offer greater protection.

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COUNCIL MEMBER ROSENTHAL: What's the..

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I'm just looking at it again myself but current,

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currently I think they have to get a judge's order,

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right, in order to break a lease, is that right,

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what's the.. [cross-talk]

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CECILE NOEL: Yes, I believe.. [cross-

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talk]

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COUNCIL MEMBER ROSENTHAL: ...hurdle right

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now?

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UNIDENTIFIED MALE ONE: I think we can

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get back to you but there are some remedies you can

13

do in housing court for this but we don't have law in

14

hand unfortunately.

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COUNCIL MEMBER ROSENTHAL: So, here's the

16

problem is that when they can't get out of their

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lease, you know it becomes the reality of somebody

18

who faces eviction, right, from their landlord and

19

all of the sudden they have a bad record and you know

20

there's this tenant's black list going around so what

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we're trying to do is avoid the situation of getting

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that woman on that list so that when she's in a

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better situation she can easily find an apartment.

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I'm just wondering it sounds like there were no

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specifics on looking at that issue..

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UNIDENTIFIED MALE ONE: Well as the Commissioner mentioned it was... one of the recommendations was to look at state legislation, it is largely a state law issue, you know unfortunately the city doesn't have too much power over, over leases and things like that but it is one of the recommendations and we did have participation from legislators in Albany to look at this issue and try to figure out what are the best remedies for victims in order to get out of the leases as well as possibilities to keep them in their home safely, I mean that's something that we're also very interested in is, you know hopefully not having to flee if that can be done but that's, that's the continued work of the... of the task force.

COUNCIL MEMBER ROSENTHAL: Okay. Oh, please yeah, I want to cede my time to Council Member Crowley.

COUNCIL MEMBER CROWLEY: Thank you Council Member Rosenthal, thank you to our Chair, Council Member Cumbo for having an important hearing. I have a question about the average day of a domestic violence officer, if you could take me through the

1
2 day how the officer spends their shift, I'd like to
3 better understand that?

4 MARTIN MORALES: Sure, there's quite a
5 few things that they do. A sergeant when he first
6 comes in or he or she comes in in the morning they
7 check what we call is like the 9-1-1 log to take a
8 step back, every, every job that comes over as
9 domestic violence has to have the required
10 disposition so we know it's a domestic violence
11 situation even if it didn't start that way, if they
12 give a domestic violence disposition then we know a
13 domestic incident report should be prepared for that
14 call even if its unfounded. So, they... every, every
15 morning they check the 9-1-1 calls to make sure it
16 matches up with a domestic incident report because
17 without the domestic incident report we don't know
18 what, what happened in the prior 24, 48 hours and you
19 can't proceed the day's work. So, that's one thing
20 that they do, the other thing that they do is they
21 input the domestic incident reports into a, what we
22 call a domestic violence investigations management
23 system...

24 COUNCIL MEMBER CROWLEY: Just... I hate to
25 interrupt here but I might forget to ask once you

1

2 finish. So, when a domestic violence incident occurs
3 and from the numbers I see from my own precincts they
4 seem to be the number one occurring incidents of
5 crimes or reports...

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MARTIN MORALES: Say that again, I'm
sorry... [cross-talk]

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COUNCIL MEMBER CROWLEY: ...calls, reports,
crimes it seems to be the number one domestic
violence, the number one reason the police go for
calls.

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MARTIN MORALES: In your precinct or...

COUNCIL MEMBER CROWLEY: Yeah.

MARTIN MORALES: Okay...

COUNCIL MEMBER CROWLEY: Domestic
violence, I thought it was almost in every precinct.

MARTIN MORALES: Which, which precinct is
this... [cross-talk]

COUNCIL MEMBER CROWLEY: I'm at the 104
and the 102.

MARTIN MORALES: Okay.

COUNCIL MEMBER CROWLEY: I thought that
that... it was every precinct, I thought it wasn't just
alone... I mean this is... so a woman being abused at the
hands of her lover, it, it could be two brothers

1
2 arguing or an incident with a parent and child but
3 that was the impression I had it wasn't just my area
4 that it was citywide.

5 MARTIN MORALES: So... [cross-talk]

6 COUNCIL MEMBER CROWLEY: So, I was just
7 curious to know if at... in every precinct at any given
8 time of the day is there somebody who specializes in
9 domestic violence and then somebody who comes in and
10 then reviews the cases that happened the night before
11 or the shift previous that... you know that, that, that
12 there could be somebody immediately on call to be
13 dispatched to that incident that has that expertise?

14 MARTIN MORALES: If, if, if a domestic
15 violence officer is working they're going to go to
16 that call but patrols are going to respond to those
17 calls first because they're in a car already, they're
18 answering their radio, a call comes over like a
19 robbery or a burglary or domestic incident they're
20 going to respond to that call.

21 COUNCIL MEMBER CROWLEY: Okay and I'm
22 sorry for interrupting you, so if you can go back
23 into that day, they look at the... they come in, the
24 domestic violence officer... [cross-talk]

25 MARTIN MORALES: Right... [cross-talk]

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COUNCIL MEMBER CROWLEY: ...they're usually not one that's in a patrol car, right, they... that's their specialty there working with the overall number of domestic violence incidents so that they, they review the incidents that happen when they were not there and...

MARTIN MORALES: Correct, so, so they review the incidents and then based on history, stalking, maybe multiple violations or order of protection, other occurrences they may do a home visit to that household and, and provide any services or referrals, maybe take further documentation either in pictures or additional information on a domestic incident report of what occurred, you know in the last day or two. If, if an offender is present they're going to make an arrest, an offender is not present they're going to collaborate with the detective bureau to, to try to provide them more information, we, we do ask the victim four very specific questions that has helped us in the past to apprehend them, these offenders, you know and, and we give the responses to those four questions to the detective squad to assist in their apprehension at times. In addition to home visits the translate... the,

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2 the, the domestic incident report has to be put into
3 the... into the database as I mentioned many times the,
4 the victim's handwritten story is written in another
5 language other than English so that has to be
6 translated so that's a process in itself to find
7 someone in that specific language to process. So,
8 that's being done because we want to make sure that
9 we get the story right. In addition to that they're
10 going to visit the high propensity and child at risk
11 homes like I said every two weeks these, these
12 targeted homes are going to get visits, so it's
13 another part of their function. Another thing that
14 they do is... let me see if I'm missing anything here...
15 they, they do a lot of community outreach, I would
16 say each precinct... like I'm, I'm hoping they do at
17 least two or three if not more outreaches a month
18 where they might go to a, a senior citizen center and
19 talk about elderly crime and financial abuse, they
20 may go to a, a, a heavily travelled area, it could be
21 a subway stop, it could be a, a community center,
22 they also collaborate with their local advocates in
23 the housing developments, they collaborate with, with
24 Century for Families, the precincts they collaborate
25 a lot with Safe Horizon, there's a lot of reporting..

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COUNCIL MEMBER CROWLEY: Yeah, I've, I've seen your officers out and they do a lot of events. I just want to wrap up my question and just ask about when they enter the case in, in the log and they have all the information what warrants a visit and then what warrants staying in touch with that family and whose overseeing that to make sure that the officer is doing their due diligence to prevent incidents from happening?

MARTIN MORALES: Sure, sure so, I, I don't want to de-minimize the, the, the domestic incident reports but a lot of reports are taken over an argument over a remote control maybe a verbal dispute, those, those types of situations are not going to warrant much follow up unless there's a lot of past history in that household. What, what's going to warrant a follow up visit is there was a felony violence if... like a, a stabbing, it could be a... it could be a rape, it could be a robbery, if there's multiple... if there's stalking involved, if it's a strangulation case, if we have quite a few of those lethality questions which I mentioned earlier checked off yes that's going to warrant a visit. If we know there's access to guns that's going to warrant a

1
2 visit. So, if there's a multitude of, of... you know
3 it's, it's, it's not one thing, its, it's quite a few
4 things that has to be occurring in the household
5 because we have to pick which of the 280 or 240
6 founded domestic incident reports we're going to
7 visit so we've got to, you know choose wisely with
8 that and so it's very targeted and focused how we...
9 how we do the home visits.

10 COUNCIL MEMBER CROWLEY: That, that is
11 important and again I want to thank the Chair and my
12 colleague, Council Member Rosenthal and Council
13 Member Cumbo for having this important hearing. Women
14 who got killed or are more than likely to be killed
15 over 90 percent of the time at the hands of a lover
16 and that happens too often, I mean it should never
17 happen, we, we want to make sure we do everything we
18 can as a city to prevent incidents like this from
19 happening, thank you.

20 COUNCIL MEMBER ROSENTHAL: Thank you
21 Council Member. If I could just sort of follow up on
22 this notion... I, I really want to stick with the
23 Resolution for just one more second. We hear from
24 advocates that there are thousands of cases of women
25 who just can't get out of their lease and right now

1
2 they need an order of protection, they need to be
3 able to prove they've gotten an order of protection
4 in order to get out of their lease and sometimes as
5 you know this is all very nuanced these situations
6 and often times just getting the order of protection
7 can insight more violence so what this resolution
8 asked the state to do is to change the law so that a
9 police incident report would be sufficient for
10 breaking a lease, in... for, for really either of you
11 do you see that... do you see that could be relief,
12 are, are you seeing those situations or is this
13 something that, that you're not as aware of?

14 CECILE NOEL: In the Family Justice
15 Centers our housing attorney's really work with the
16 client to achieve a successful resolution. In terms
17 of this bill in particular we feel that it would be
18 important to take a look at all of the remedies that
19 we might be able to move forward on to be able to
20 achieve the goal of in fact creating safety for the
21 survivor and being able to do just what you're
22 saying, breaking the lease as well as other things
23 that could fall within that same domain.

24 UNIDENTIFIED MALE ONE: And, and what
25 we're looking at right now is sort of models in other

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2 jurisdictions of how to do this and really trying to
3 find the right balance for, for survivors so I... we
4 think this is one possibility, there's probably other
5 possibilities out there and we're, we're sort of
6 eager to look at what the landscape is and to be
7 prepared for the legislative session for next year.

8 COUNCIL MEMBER ROSENTHAL: So, what are
9 some of the other remedies, I know people have argued
10 that a social worker's letter... [cross-talk]

11 UNIDENTIFIED MALE ONE: Uh-huh... [cross-
12 talk]

13 COUNCIL MEMBER ROSENTHAL: ...should be
14 sufficient for breaking a lease, what else are you
15 seeing out there?

16 UNIDENTIFIED MALE ONE: I, I think
17 there's a lot of different kinds of evidence you can
18 use, I... and ultimately its... you know you have to look
19 a little bit of a balancing, right because it, it, it
20 has to be... like I say... you know easy for victims... you
21 know you have to make sure it's also sort of legally
22 viable so I, I think there's a lot of different
23 models out there, I don't have the full, you know 50
24 state survey at my hand but we're happy to talk to
25 your office, you know after the hearing to go over

1
2 some of the things that are particularly attractive
3 to us.

4 COUNCIL MEMBER ROSENTHAL: Do you want to
5 add to that?

6 MARTIN MORALES: I really don't look at
7 the lease situations so I can't, you know comment on
8 that.

9 COUNCIL MEMBER ROSENTHAL: Do you think
10 that the police incident reports are meaningful
11 enough to tell a story to be able to tell the story
12 of a, a woman being in an abusive situation.

13 MARTIN MORALES: Absolutely, but it... I, I
14 wouldn't say any domestic incident report, I, I think
15 you have to build some parameters with that because
16 as I stated earlier we, we would take a domestic
17 incident report if they fought over a remote control
18 so I don't know if that's the parameter you want to
19 use or you want to say that's, that's a... [cross-talk]

20 COUNCIL MEMBER ROSENTHAL: But of course
21 it would say that in the incident report...

22 MARTIN MORALES: Right...

23 COUNCIL MEMBER ROSENTHAL: Right, so
24 that... [cross-talk]

25 MARTIN MORALES: Yes, yes... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...no one would be able to go to court... or be able to break a lease because they fiddled with a remote control... [cross-talk]

MARTIN MORALES: Correct... [cross-talk]

COUNCIL MEMBER ROSENTHAL: ...obviously the content matters...

MARTIN MORALES: Absolutely and that's... [cross-talk]

COUNCIL MEMBER ROSENTHAL: Right... [cross-talk]

MARTIN MORALES: ...that's what I would... [cross-talk]

COUNCIL MEMBER ROSENTHAL: ...so, what I'm asking is in the situation that's thorny, right, is seriously scary and the police write that in the incident report do you think that... so think of your worst-case scenarios, do you think that those police reports should be enough short of a court order of protection, right, they don't have that but would a police incident report be sufficient to tell the story?

UNIDENTIFIED MALE TWO: I, I think... I think that as the Chief said that those reports are

1
2 fairly accurate that in the sense an officer coming
3 to the scene of one of these incidents is going to
4 record what the victim is saying now to the... to the
5 extent that that could be used to better serve
6 victims of domestic violence, I mean I think that
7 would be a good thing.

8 COUNCIL MEMBER ROSENTHAL: Okay... [cross-
9 talk]

10 CECILE NOEL: Might I... [cross-talk]

11 MARTIN MORALES: If, if I... if I also... you
12 know may I also say remember it's, it's the victim's
13 words on that so you don't... you don't want the
14 offender to get a copy of that either and now have
15 privacy issues if... [cross-talk]

16 COUNCIL MEMBER ROSENTHAL: It's not part
17 of the resolution...

18 MARTIN MORALES: Okay, okay...

19 CECILE NOEL: And might I also add that
20 I... you know that survivors sometimes don't call the
21 police and we know that, right, they don't call but
22 they could be seeing a service provider. I think that
23 all we're saying is that, that the intent of this is
24 something that we support and we would love to sit
25 down and really look at the best way to achieve that,

1
2 that's I think all that we're saying but because I
3 think there could be multiple ways and other things
4 in addition to this that we might be able to achieve
5 through our collaboration on that.

6 COUNCIL MEMBER ROSENTHAL: I'm sorry,
7 really quick. Okay, so... really quickly on the... thank
8 you very much, I appreciate that, I look forward to
9 working with you. on the DV task force report do you
10 sense in addition to the things we've talked about in
11 the bill you, you get the sense there might be
12 additional things you'd want to report on as well to
13 include... [cross-talk]

14 CECILE NOEL: Yes... [cross-talk]

15 COUNCIL MEMBER ROSENTHAL: ...in there?

16 CECILE NOEL: Yes.

17 COUNCIL MEMBER ROSENTHAL: Can you give
18 just even a little bit of an example?

19 CECILE NOEL: I think as we begin to one
20 hire the staff that will be really supporting the
21 task force work and the recommendations we will be
22 looking at the data points across the board that we
23 need to collect and would be happy to discuss as we
24 move this forward, what are the data points that you
25 would like to see in this that we'll be reporting on

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2 that would be important, I, I think for us it's
3 important to show that we're reaching communities,
4 showing success in those interventions and I would
5 hope that those are some of the same things that you
6 would like to see as well... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: Of course...

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[cross-talk]

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CECILE NOEL: ...and so together we can

10 craft something that really makes sense once we bring
11 on the staffing for the task force and really begin
12 to look at the metrics of each program, there are 27
13 different recommendations and the metrics might not
14 all be the same for every single one depending on
15 what it is so... in one where we're looking at child
16 trauma for example the metrics there might be a
17 little bit different of what we're collecting versus
18 something that's based on education and training.

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COUNCIL MEMBER ROSENTHAL: Of course...

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[cross-talk]

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CECILE NOEL: Okay... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...but one of

23

24 the metrics interestingly is timing between having a
25 vision and reality... [cross-talk]

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CECILE NOEL: Right... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...so it sounds
like you have the budget... [cross-talk]

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CECILE NOEL: Uh-huh... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...for staffing...
[cross-talk]

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CECILE NOEL: Yes... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...but if we
don't fill those positions...

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CECILE NOEL: We will still be collecting
and we will... we're, we're still going... we won't be
moving forward and our goal is to have transparency
around what we're doing as well as what we're
collecting with you and, and the public overall in
terms of the... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: I just...
[cross-talk]

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CECILE NOEL: ...the, the data... [cross-
talk]

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COUNCIL MEMBER ROSENTHAL: I guess I'm
saying I would hope that fully staffing this unit
doesn't keep us from writing a good piece of
legislation with real... [cross-talk]

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CECILE NOEL: No... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...specific...

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[cross-talk]

4

CECILE NOEL: No... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...goals that

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are different for each area.

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CECILE NOEL: We, we, we agree with that.

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COUNCIL MEMBER ROSENTHAL: You're ready

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to move forward now in terms of working on it, we

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don't have to wait until you're fully staffed...

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[cross-talk]

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CECILE NOEL: That is correct, that is

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correct... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: Then lastly on

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the, the hairdresser bill you talked about not

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wanting to have a punitive part, you know aspect for

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the... [cross-talk]

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CECILE NOEL: Uh-huh... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...the

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hairdresser what do you think some incentives could

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be?

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CECILE NOEL: I would love to give that

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some thought and get back to you but I do think

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ultimately being able to maybe structure something

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where... I don't know, we're giving them more of our

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2 resources than we are right now linking them up with
3 community partners that are readily available even
4 outside of the Family Justice Center rubric and my
5 office, there are many, many community partners who
6 would love to be a part of that relationship and have
7 them feel like there's a real partnership within
8 their own community, with folks who speak their own
9 language, who can come in and actually do that work,
10 I think that would be a great thing to be able to
11 offer with... [cross-talk]

12 COUNCIL MEMBER ROSENTHAL: is that
13 something... [cross-talk]

14 CECILE NOEL: ...within that... [cross-talk]

15 COUNCIL MEMBER ROSENTHAL: ...that the task
16 force would have the capacity to do throughout the
17 city?

18 CECILE NOEL: I think that with the, the
19 partnership of the many agencies that we have, yes, I
20 think they would be very willing to talk about what
21 that would look like.

22 COUNCIL MEMBER ROSENTHAL: Do you think
23 that the... that someone in government would have the
24 capacity to do the appropriate training?

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CECILE NOEL: I think that our office definitely has... does this kind of training, it's, it's, it's unclear to me of the overall number, I, I mean I gave a number in, in, in my presentation here that's 1,200 over the scope now, now the, the number of cosmetology and nail and all of those salons I don't have the number and I'd have to evaluate what that is against our own capacity as a... as the government entity that does a lot of this training, right, that does a lot of the training both for city entities and what that would look like out in the... [cross-talk]

COUNCIL MEMBER ROSENTHAL: For the licensed... [cross-talk]

CECILE NOEL: ...community... [cross-talk]

COUNCIL MEMBER ROSENTHAL: Thank you, for the licensed store...

CECILE NOEL: Uh-huh...

COUNCIL MEMBER ROSENTHAL: The stores that have... retail outlets that have licensed cosmetologists and hairdressers and barbers, how... does DCA know how many of those there are?

CECILE NOEL: We have DCA.

COUNCIL MEMBER ROSENTHAL: Okay.

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CASEY ADAMS: Hi Council Member, my name is Casey Adams, I'm from DCA. We don't currently license salons and barber shops... [cross-talk]

COUNCIL MEMBER ROSENTHAL: Right... [cross-talk]

CASEY ADAMS: ...the... [cross-talk]

COUNCIL MEMBER ROSENTHAL: ...but do you track, do you know how many there are in the city, I understand you guys don't, it's a state responsibility?

CASEY ADAMS: So, we don't track that but it is understanding that some data may be available from the state entities that do license barber shops and cosmetologists.

COUNCIL MEMBER ROSENTHAL: And... so, do you... so, you don't have a sense yet of... you know if you're hitting 50 percent, 80 percent, two percent of the people out there who could be helping?

CASEY ADAMS: Could you clarify what you mean by hitting?

COUNCIL MEMBER ROSENTHAL: I don't know... the work that you do in outreach...

CASEY ADAMS: So, to clarify DCA does inspect about... salons and barber shops along with

1
2 many other types of retail establishments for certain
3 requirements to which they're subject including for
4 instance gender pricing for services and.. as well as
5 the posting of refund policies and accurate price
6 lists..

7 COUNCIL MEMBER ROSENTHAL: When you do
8 the inspections do you know that you're inspecting a
9 beauty salon when you check it off in the box versus
10 a shoe shiner?

11 CASEY ADAMS: The types of establishments
12 that we are inspecting are generally recorded on..
13 when we design the inspection route but we don't have
14 our enforcement staff here today so I can't get too
15 much into the detail.. [cross-talk]

16 COUNCIL MEMBER ROSENTHAL: I guess the
17 question would be to DCA do you.. can you.. using your..
18 the inspections you do for the things that you, you
19 are required to do which you just listed here using
20 that information could you identify the number of
21 establishments that provide this service?

22 CASEY ADAMS: We, we don't have a picture
23 of the complete universe of salons and barber shops,
24 we do know the number of establishments that we have
25 inspected over a certain year and the number of

1
2 violations that we've issued, the legislation that's
3 being discussed here today does speak directly to
4 cosmetologists as opposed to salons and barber shops
5 so there is a little bit of a distinction between the
6 individual cosmetologist and the establishment at
7 which they work.

8 COUNCIL MEMBER ROSENTHAL: Okay, thank
9 you very much, thank you for your time, thank you
10 Chair Cumbo.

11 CHAIRPERSON CUMBO: Thank you. Thank you,
12 Council Member Rosenthal, and thank you for the
13 legislation you've put forward. I just want to get
14 right to the... so that we can have it on record, is
15 the administration in support of Intro 1610, a local
16 law to amend the New York City Charter in the
17 Administrative Code of the city of New York in
18 relation to offering resources and trainings to
19 hairdressers to help them recognize potential signs
20 of domestic violence in their clients?

21 CECILE NOEL: We are in support of
22 training, we have concerns about our mandate as well
23 as a punitive piece to this legislation that is our
24 concern. We believe in training and, and want to do
25 as much of that as possible.

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CHAIRPERSON CUMBO: Now my question with that is in terms of the punitive nature of it is it that during the licensing process this training would happen and it would be a normal part of any aspect of their training in order to get the license that they would need in order to practice cosmetology?

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CASEY ADAMS: So, again the licenses for cosmetologists are like... are issued by the state of New York through the Department of State so the city and DCS specifically doesn't have a role in designing the training programs that they need to attend in order to receive that license.

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CHAIRPERSON CUMBO: So, where does the discrepancy in that and the punitive nature of this legislation where do they meet?

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CASEY ADAMS: So, our concern is centered on the fact that DCA as an agency doesn't currently have a regulatory relationship with the cosmetologist so the first point of contact that the cosmetologist would have with the city of New York and with DCA specifically would be that they would receive a fine from the agency for failing to attend a training.

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CHAIRPERSON CUMBO: I see. Now would this also extend to... because I don't understand the, the

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2 licensing of these, does this also extend to barber
3 shops?

4 CASEY ADAMS: My understanding is that
5 barber shops are licensed pursuant to state law by
6 the city Department of Health but I can't speak on
7 their behalf here today.

8 CHAIRPERSON CUMBO: Does that go under
9 cosmetology when we're talking about cosmetology do
10 barbers go under that or do they go under a separate
11 designation?

12 CASEY ADAMS: The distinction is between
13 the place of business and the individual practicing
14 the trade so cosmetology is as individuals are
15 licensed by the state and there are separate
16 licensure requirements for barber shops as
17 establishments that employ those people.

18 CHAIRPERSON CUMBO: Because I think that
19 this legislation should certainly be extended to
20 barber shop owners as well and practitioners because
21 hair changes, styles change and women are going to
22 barber shops also now and I also think that from
23 living on both sides of that world I see that it's
24 really an excellent place as well, I use to go to a,
25 a Dominican salon to get my hair done and that was

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2 one kind of conversation and now that I go to a
3 barber shop where there are mostly men I get a whole
4 different type of perspective and a different type of
5 advice when I go there and so a lot of women
6 particularly women of color are also getting their
7 hair done in a natural way and so that's also a place
8 but what I do find is that many men go to barber
9 shops for the purposes of having the same discussions
10 we do when we go to hair salons so it's also a very...
11 it's also a very safe environment for many men to
12 talk about relationships and issues that they're
13 facing in relationships and a barber can often be
14 someone who can speak to someone reasonably about
15 situations of domestic violence or relationship
16 disputes and would want to see that be a major part
17 of how this whole discussion is happening.

18 CASEY ADAMS: Certainly, I would say I've
19 been part of some lively conversations or heard
20 lively conversations when I've gone to a men's barber
21 shop Council Member.

22 CHAIRPERSON CUMBO: How much expertise do
23 you believe would be needed to implement these
24 trainings?

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CECILE NOEL: We, we have already on a voluntary basis worked with some of the nail salons and hair salons and left information as has many of the domestic violence partners in the community in terms of outreach, it is a normal part of an outreach effort and so in terms of just organizations and or agencies like ours really steeped in an understanding with a victim centered approach understanding the issues of domestic violence I think would be holy equipped to be able to do training and offer resources in those environments.

CHAIRPERSON CUMBO: Are you familiar with other jurisdictions that are offering such trainings and resources to hair dressers?

CASEY ADAMS: So, we know that for instance Illinois has a state law that requires cosmetologists to attend domestic violence training similar to what's been discussed here today as part of their licensure requirements that is I think closer to what you had described earlier where the cosmetologist simply has another hour of training that is added onto what they're already required to attend pursuant to state law. So, we know that that model exists and has been effective since January of

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2 this year and we're also aware that Colorado has
3 contemplated a, a similar scheme again we would
4 emphasize... we, DCA would emphasize the distinction
5 there is that the... those schemes are enshrined in
6 state laws opposed to local law and we do already
7 have a, a comprehensive scheme for licensure and... at
8 the state level here in New York.

9 CHAIRPERSON CUMBO: And maybe you both
10 could answer this and this will be my final question
11 on Intro 1610, has there been a, a, a marketing
12 campaign that would distribute on a regular basis, we
13 know where the hair salons are, the nail salons, the
14 barber shops, is there a regular marketing campaign
15 that comes with posters, that comes with flyers,
16 brochures, a business card, something where that
17 licensed professional can already say, you know we're
18 having this conversation maybe you should check out a
19 Family Justice Center, I have a card right here for
20 you, you know that's all I'm going to say on that,
21 something that would allow an individual just to have
22 the information at their fingertips if they just... if
23 it's well beyond their level of expertise?

24 CECILE NOEL: All of our outreach efforts
25 includes leaving material about the Family Justice

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2 Center, about the services offered, cards just as you
3 have mentioned in different languages as well and for
4 our community partners who also do this work they
5 also leave their material there so again you don't
6 have to have the expertise, you simply have to be
7 able to say here, I think this is resource that might
8 be helpful to you and all of our outreach efforts be
9 it in salons or, or nail salons or any other venue
10 will include leaving materials about our services.

11 CHAIRPERSON CUMBO: I think that's great
12 I would just say I go to my fair share of salons and
13 barber shops and nail salons I just haven't... maybe
14 because it's not what I'm looking for I just haven't
15 seen that presence yet so I'd like to talk with you
16 more to see how we can make it more robust because
17 that is a very fertile place for us to be able to
18 have that type of campaign implemented.

19 CECILE NOEL: We agree and I look forward
20 to having that conversation with you about how we can
21 strengthen and do more so that you'll see our
22 materials in your barber shop.

23 CHAIRPERSON CUMBO: I don't want those at
24 home thinking that I spend all my time in nail salons

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2 and hair salons but... I'll turn it over to Council
3 Member Rosenthal... [cross-talk]

4 COUNCIL MEMBER ROSENTHAL: Really quickly
5 it sounds like the hiccup here, you have all the
6 material, that's not the issue it sounds like the
7 hiccup is getting the list of places that could
8 benefit from this and being able to... being able to
9 track have we hit all of them. So, the first question
10 being does DCA have that list, it sounds like the
11 answer is no, it... am I... [cross-talk]

12 CASEY ADAMS: Again... [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: ...correct?

14 CASEY ADAMS: You're correct, salons and
15 barber shops again are not licensed or registered
16 with the city except with the exception of barber
17 shops pursuant to state law through the Department of
18 Health so we don't keep a comprehensive list.

19 COUNCIL MEMBER ROSENTHAL: Right, so
20 let's start with as a first step what you do have,
21 let's start with seeing that as we move forward in,
22 in thinking about this as a city together, let's
23 start by seeing what you do have and, and then
24 thinking about sort of side by side have we hit all
25 of those locations, its one approach to doing it, I'm

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2 sure there are other approaches and you're doing a
3 great job but similarly, you know that material is so
4 great but when I walk in to get my hair cut its not
5 there, when I get... walk in to get the... you know my
6 nails done which is not frequently it's not there and
7 those are opportunities that are so ripe, I think
8 that's the whole point of the bill is that we don't
9 know what we're missing, we know we're missing a lot.

10 CASEY ADAMS: So, certainly we'd be happy
11 to have a conversation with your office and of course
12 to have a conversation with our colleagues about what
13 data we do maintain that would be useful to getting
14 that information where it needs to be.

15 COUNCIL MEMBER ROSENTHAL: And similarly
16 what could easily be changed on a form or data entry
17 in order to get the information we need, right...

18 [cross-talk]

19 CASEY ADAMS: Again we're happy to have a
20 conversation with you.

21 COUNCIL MEMBER ROSENTHAL: Okay, thank
22 you very much, thank...

23 CHAIRPERSON CUMBO: Thank you, I'm going
24 to come back to 1610 with one other question but I
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2 want to go onto 1496, is the administration in
3 support of Intro 1496?

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CECILE NOEL: In terms of 1496... [cross-
talk]

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CHAIRPERSON CUMBO: Yes... [cross-talk]

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CECILE NOEL: ...we support the reporting
and look forward to aligning the legislation of our
work of, of, of the DV task force with this bill.

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CHAIRPERSON CUMBO: Have the findings of
the Mayor's Domestic Violence Task Force impacted the
operations of the Family Justice Centers or the
Mayor's Office to Combat Domestic Violence already,
some of it you outlined can you go a little bit more
into detail in terms of the findings of the Domestic
Violence Task Force and how it's impacted your work
already?

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CECILE NOEL: Certainly in terms of the
27 recommendations and I think I outlined in my
testimony... [cross-talk]

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CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

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CECILE NOEL: ...that the, the four major
areas of work that we will... that the recommendations
have fallen into are really one about how do we
expand and, and, and we have recommendations in there

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2 that really speak to expanding youth prevention and
3 intervention work how, how do we do that better, I
4 think you mentioned too that... also that we know that
5 children who witness violence who are around violence
6 are much more likely to be perpetrators or victims
7 themselves so intervention early on is important, we
8 know that thinking about children... our, our youth are
9 engaging in relationships and how do we promote
10 healthy relationships, how do we give them or talk
11 about the behaviors that they need to have the
12 boundaries, the respect within that relationship
13 early on, we are also thinking about another category
14 or targeted area we'll be enhancing criminal justice,
15 how do we align our district attorney's offices in
16 terms of their processes and procedures, how do we
17 think about both abuser prevention programs and
18 probation and what role they play within this whole
19 arena and how can we strengthen that better, how can
20 we make some of those programs a little more trauma
21 informed and much more responsive to the communities
22 that they happen to serve. We're also talking... we're,
23 we're also looking at how we can strengthen
24 communities, we understand that in this political
25 environment that often a survivor may, may not choose

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2 to come to a Family Justice Center and may want to
3 seek services from a trusted entity within their
4 community, how can we help that trusted entity
5 understand domestic violence as well, it might not
6 have to do with domestic violence, it might be a
7 feeding program, how do we help that feeding program
8 also understand domestic violence, understand some of
9 the remedies that are available to survivors who are
10 in fact immigrants and also experiencing domestic
11 violence and, and then finally maximizing our
12 resources thinking about how we can coordinate better
13 across agencies to, to be able to have the same
14 definition when we're all talking about the issues..
15 [cross-talk]

16 CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

17 CECILE NOEL: ...have similar numbers, be
18 able to strategize not just in our own little agency
19 but across agencies, a survivor's touching so many
20 agencies in the course of really pursuing justice and
21 if we can do that better I know that we, we will have
22 better outcomes for that survivors.

23 CHAIRPERSON CUMBO: Let me ask you, this
24 is the number one question that always comes up in so
25 many of these conversations in town halls, I see

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2 representatives from Connect here Quentin Walcott,
3 what types of programs are available for batterers,
4 that's a question that constantly comes up and an
5 issue that we greatly want to tackle because we want
6 to break the cycles and breaking the cycles has
7 everything to do with programs that are established
8 and created for the batterers and I'm... as I'm hearing
9 all of the testimony from all of you it has a lot to
10 do with how do we get help for those individuals that
11 are perpetrating the, the violence that we're seeing?

12 UNIDENTIFIED MALE ONE: Yeah, so we, we
13 have the same concern, I'm sure as you do. There
14 really is a dearth I think of programs for batterers
15 and not a lot of it works that's out there we know.
16 So, one thing the task force has... that's a lot of
17 time is, is discussing sort of what are the various
18 models out there that we think can do a good job. One
19 area that's a little bit more sort of criminal
20 justice involved in some of the other options is, is
21 utilizing probation. Probation has a long history in
22 other jurisdiction of working very closely with
23 batterers to both connect them to services and in the
24 event that they do reoffend to do sort of swift and
25 certain sanctions in order to sort of have an

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2 immediate effect on that behavior so the task force
3 was given funding to expand probation and to have a,
4 a dedicated unit there that's devoted to, to
5 probation and we brought in some national experts in
6 order to advise us, a lot of buy in at probation as
7 well, you know the Commissioner is, is, is in pretty
8 much every meeting on this particular topic so a lot
9 of excitement there but we're definitely not done. I
10 think there's a bit... there was a lot of discussion
11 during the task force and I think it, it merits
12 further work on other models, more community based
13 models, restorative justice models that we see sort
14 of sprouting up in other places but are still, still
15 kind of too early to tell how they're going but I
16 think the city wants to be an innovator there so, so
17 a lot of work to be done I think in that area.

18 CHAIRPERSON CUMBO: Where do you see...
19 this will be my last question on 1496, where do you
20 see success in New York City in terms of programs for
21 batterers and where do you see nationwide models that
22 are effectively working that we should be looking to,
23 to implement in the city of New York because I feel
24 that is... that is the heart and foundation of the
25 conversation that we're having here today, we, we, we

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2 have to make sure that individuals that are
3 perpetrating this level of violence don't just go on
4 to new relationships where those issues still have
5 not been addressed and you see it happening time and
6 time again where someone gets in a new relationship
7 but its already been documented that they had a
8 previous history of this in relationships prior?

9 UNIDENTIFIED MALE ONE: Yeah and I think
10 that touches on sort of part of what we see in
11 domestic violence as... you know things start out... they
12 can start out kind of low level and then they can
13 quickly escalate and everyone always thinks well why
14 didn't we do something at the start when we saw it.
15 so, you know I think... not to repeat myself but I
16 think probation does have a lot to offer, you know we
17 all actually together went to Westchester who has
18 sort of one of the better models of probation in the
19 country and it's a very victim focused model so in
20 addition to doing the supervision of offenders they
21 do a lot of connections in helping victims access the
22 services they need and actually some of their
23 probation officers are specifically designated as
24 being, you know for victims which I think is
25 different than how we normally think of a... of a

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2 probation department. So, that's one, I think there
3 is a lot of interesting... we were luckily blessed to
4 have B. Hanson who was the Executive Director of the
5 Task Force and prior to her work on the task force
6 she headed the DOJ's balance against women office and
7 was really charged with investing in sort of
8 innovative models across the country, she's very big
9 on restorative justice which I think is sort of
10 getting a lot of sort of more attention, its
11 historically been kind of a, a difficult topic in the
12 DV just because of that victim offender dynamic but
13 there's a lot to be done there I think and so we're,
14 we're looking at restorative justice sort of as a... as
15 a key area for possible expansion going forward.

16 CHAIRPERSON CUMBO: And this is the final
17 question, rather than tackle this issue and this is
18 going back to 1610 rather than tackle this issue as
19 related to cosmetologists licensed by New York State
20 why not view hair salons as businesses of New York
21 City and in the same way as they are visited to check
22 on whether they post refund policies or have fair
23 pricing etcetera can we not also check whether
24 resources are being provided to domestic violence
25 victims can we look at it as a city issue versus as a

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2 state issue the same way we do for many initiatives
3 that we roll out.

4 CASEY ADAMS: Council Member as I
5 mentioned to Council Member Rosenthal we're always
6 willing to talk to you about how our resources could
7 best be used to combat this problem and how we can
8 best work with our sister agencies. As I mentioned it
9 is much closer to our normal operating procedure to
10 be able to check for posted signs or disclosures of
11 required information again I would emphasize that
12 salons and barber shops while they are subject to
13 certain city laws that we do inspect for compliance
14 with, they're not required to maintain a registration
15 or a license with DCA at this time but again we are
16 open to having a conversation about how... about other
17 approaches and how our existing tools could be
18 leveraged.

19 CHAIRPERSON CUMBO: Okay, thank you. Yep,
20 we're going to hear from Council Member Rosenthal and
21 then we'll end the testimony and then we'll begin to
22 hear from the advocates.

23 COUNCIL MEMBER ROSENTHAL: If I can just
24 say, I mean I want to thank everyone for coming today
25 and your preparation, we're doing a lot of work,

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2 there's no question about it, you know in my mind's
3 eye this is another one of those situations where
4 we're looking at this issue from an agency
5 perspective instead of from the perspective of the
6 victims and I think what this package of bills tries
7 to get at is say so let's try to look at it from the
8 victims perspective what do they need from government
9 and is government doing all its... all it can and
10 that's what this package of bills tried to achieve
11 and I really appreciate you're saying that you'd be
12 happy to work with us as it moves forward, we
13 appreciate that. Thank you.

14 CHAIRPERSON CUMBO: Thank you and thank
15 you for your testimony today. We appreciate your
16 honesty and frankness and we look forward to
17 continuing to work collectively so that we can end
18 and break the cycles of domestic violence in our
19 communities. Thank you so much. If the agency could
20 make sure that someone remains to hear the testimony
21 of the individuals that are coming that would be
22 preferred. I'm going to bring forward Diane Johnston
23 from the Legal Aid Society, Jae Young Kim, Urban
24 Resource Institute, Marlene Riquelme, the Harry and
25 Jeanette Weinberg Center for Elder Abuse Prevention

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2 at the Hebrew Home at Riverdale and Josie Torielli,
3 New York City Alliance Against Sexual Assaults. And I
4 apologize we're going to have to do a three-minute
5 clock on the testimonies followed by questions so we
6 will begin my right, your left and we'll set the
7 timer and if you could just introduce yourself and
8 then to present your testimony. There we go.

9 UNIDENTIFIED MALE: Press the red button.

10 CHAIRPERSON CUMBO: And bring it closer
11 to you, yep there you go.

12 MARLENE RIQUELME: Hi, good morning my
13 name is Marlene Riquelme and I'm the Public Health
14 Specialist for the Weinberg Center for Elder Abuse
15 Prevention. Thank you to the Chairperson and all the
16 members of this committee for inviting the Weinberg
17 Center to address you as you consider a law to amend
18 the New York City Charter Administrative Code of New
19 York to mandate hairdressers to be trained on
20 recognizing potential signs of domestic violence and
21 to provide resources when appropriate. The Weinberg
22 Center, the first comprehensive elder abuse shelter
23 in the nation was launched at the Hebrew Home at
24 Riverdale by Riverspring Health in 2005 to provide
25 emergency shelter for victims of elder abuse living

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2 in all five boroughs of New York City and to increase
3 professional public awareness about elder abuse. All
4 of our clients are acute elder abuse victims forced
5 to leave their homes because they are unsafe due to
6 ongoing or imminent danger. Elder abuse is a public
7 health issue that has been characterized as a chronic
8 health condition that affects one out of ten older
9 adults living in the community. Research has shown
10 that regardless of correlativity victims of elder
11 abuse have a 300 percent higher risk of death than
12 those who have not been abused. A victim of elder
13 abuse is also more than twice as likely to use... to
14 use the hospital emergency room and to be admitted to
15 a nursing home. Elder abuse victims are often hidden
16 and isolated by their abusers and without a trained
17 community network they remain invisible. Similar to
18 the 32 BJ Building Service employees including
19 doorman and city Meals on Wheels volunteers the
20 Weinberg Center team has trained to recognize signs
21 of elder abuse; hair dressers are a resource in the
22 community who may be one of the few if not only
23 contacts older adults have outside their homes. One
24 of the most salient features of elder abuse is that
25 victims are often isolated; friends, family, and

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2 intimate partners pass away, children for school or
3 work and older adult's mobility may be restricted
4 from visiting loved ones. Cognitive impairment may
5 also be a factor which might affect an older adult's
6 ability to make a disclosure or to report. Most
7 people don't know about elder abuse so they may not
8 think to pay attention to the signs or symptoms that
9 they may normally pay attention to in younger
10 victims. Analogous to support groups, hair salons
11 also become a safe space where women can sit among
12 other women and confide about their lives as they get
13 their hair done. Often hair dressers will hear
14 anecdotes or comments that hit at abuse or see a
15 bruise in an unlikely spot, without proper training
16 hair dressers may not feel comfortable to provide
17 resources or know what to say. In the Weinberg
18 Center's experience working with victims of elder
19 abuse over the last decade by the time they come
20 through our doors they have usually been seen by a
21 variety of professionals in the health care, legal,
22 social services, and law enforcement fields over an
23 extended period amount of time. It is often the
24 inaction of these professionals that has allowed the
25 situation to fester and escalate until the victim

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2 must take the drastic step of having to leave their
3 home to seek safe shelter. For these reasons, it is
4 of utmost importance to make... to mandate at least one
5 hour of training every two years to the hundreds of
6 thousands of licensed cosmetologists in New York
7 City. Hairdressers already give advice, a friendly
8 ear, or suggestions to their clients considering one
9 in four women experience violence in the hands of a
10 partner in their lifetime it is probable that these
11 victims have spent time talking with their
12 hairdressers already. With New York being the only
13 state in our country that has not yet implemented
14 some kind of mandating reporting regime hairdressers
15 have an incentive intervening when elder abuse is
16 suspected as no one else is legally required to.
17 Thank you again for this opportunity.

18 CHAIRPERSON CUMBO: Thank you so much for
19 your testimony, thank you for your time.

20 MARLENE RIQUELME: Thank you.

21 CHAIRPERSON CUMBO: And we'll follow up
22 with additional questions, next.

23 JOSIE TORIELLI: Good morning, I... oh,
24 make it closer... good morning, I'm Josie Torielli and
25 I'm the Assistant Director of Intervention and Best

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2 Care Programs with the New York City Alliance Against
3 Sexual Assault here after I'll call us the Alliance
4 since that's a long name. Thank you to the Committee
5 on Women's Issues for allowing us to address you on
6 these important subjects. The Alliance supports
7 legislation that will reduce barriers that victims of
8 intimate partner violence and sexual assault face
9 when accessing the services, they need and encourage
10 you to consider how intimate partner and sexual
11 violence intersect. The Alliance supports the
12 dissemination of information and the removal of
13 obstacles that will allow more people to act in
14 response to domestic abuse and sexual assault. Often
15 the link between intimate partner violence and sexual
16 assault goes unaddressed. As the city council
17 considers these bills the Alliance strongly urges you
18 to consider the intersection of these issues. It is
19 estimated that 25 to 55 percent of women in the
20 United States experiences physical domestic violence
21 and also experience sexual assault by the same
22 partner. Those experiencing these multiple forms of
23 abuse are prone to longer lasting trauma, increased
24 financial dependency on the perpetrator and safety
25 issues, they are even more likely to be killed.

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2 Furthermore, we ask that the council consider the
3 research that disclosures of sexual assault are more
4 likely to occur with informal support sources
5 especially if the perpetrator is known to the victim.
6 Intimate partner sexual violence creates additional
7 barriers to reporting given the many myths and
8 misconceptions around this issue creating a greater
9 need for available resources. In cases of intimate
10 partner violence abusers may monitor their victim's
11 daily activity and limit their movements, this
12 creates a significant barrier to someone accessing
13 the services they need to potentially escape the
14 cycle of abuse or to mediate its harms. In cases of
15 sexual assault victims may feel more comfortable
16 disclosing to a trusted source rather than a formal
17 structure, visits to a salon may be one of the places
18 where victims can find respite. Long term
19 relationships are established with professionals
20 creating a safe atmosphere for conversations with
21 people they trust. Therefore, we believe that the
22 goal of supplying appearance enhancement
23 professionals hereafter AEP's with the tools and
24 resources to adequately respond to disclosures of
25 sexual assault and intimate partner violence

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2 extremely important. These professionals could be a
3 crucial link to services and support for people
4 experiencing intimate partner violence. For this
5 reason, the Alliance is very supportive of Intro 1610
6 which would provide education and training for AEP's
7 in order to adequately and positively respond to
8 their clients who disclose. As in the previous
9 testimony we asked the city council to consider this
10 concept with thoughtfulness about implementation and
11 impact. One consideration would be the financial
12 burden on professionals who would be mandated to
13 receive this training in order to maintain licensure,
14 this can cause undue stress on this professional
15 community. A second consideration would be an
16 implementation, the Alliance would ask the council to
17 include CBO's in the training and implementation so
18 that it could be a link between the salons and the
19 community and they could access support and
20 information that's culturally appropriate and endemic
21 to the community rather than something mandated by
22 the city. Thank you.

23 CHAIRPERSON CUMBO: Did you have
24 additional recommendations?

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JOSIE TORIELLI: I did. In addition, we ask the council to consider integration of the topic within the existing structure so within the existing cosmetology and beauty schools that exist around the city to make this a part of curricula.

CHAIRPERSON CUMBO: Okay, thank you.

JOSIE TORIELLI: Thank you. Next presentation.

JAE YOUNG KIM: Good afternoon city council members... [cross-talk]

CHAIRPERSON CUMBO: Good afternoon... [cross-talk]

JAE YOUNG KIM: My name is Jae Young Kim, I'm the Supervising Attorney of the Urban Resource Institute Domestic Violence Legal Education and Advocacy Program or LEAP for short and I'm actually here to testify as well on behalf of the domestic violence early lease termination subcommittee of the domestic violence and consumer debt working group. Just to provide some background, the Urban Resource Institute was founded in 1980 in Brooklyn, New York and they provide services to individuals with developmental disabilities, the homeless population, and survivors of domestic violence. Our domestic

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2 violence programs are currently operating five
3 emergency domestic violence facilities and one
4 transitional domestic violence facility servicing
5 approximately 1,600 individuals annually. The LEAP,
6 the program that I participate in provides in house
7 legal services to the residents of all of our
8 domestic violence shelters and provides technical
9 assistance to the staff as well. The domestic
10 violence and consumer law group was actually founded
11 because several domestic violence service providers
12 had indicated that financial abuse was a growing
13 issue amongst the population of survivors of domestic
14 violence but they felt they lacked the capacity and
15 the resources to address that need so we came
16 together and participated in a variety of programs
17 such as DV CLARO, which provides onsite legal
18 services at domestic violence facilities and the
19 subcommittee specifically was founded and the
20 partners of the subcommittee are the Urban Resource
21 Institute Sanctuary for Families Northern Manhattan
22 Improvement Corporation Her Justice and the Legal
23 Society... the Legal Aid Society to convene
24 specifically to examine how real property law section
25 227C could be improved to provide relief to a wider

1
2 range of survivors of domestic violence. Currently as
3 RPL227C stands it has a huge burden that most
4 survivors are, are unable to meet, it requires that
5 an individual be current on their rent, that they
6 have a pending order of protection, and then beyond
7 that they must notify the landlord and the co-tenants
8 in writing and then the landlord may determine that
9 they can terminate the lease just based on the
10 written request but if they choose not to do so then
11 the survivor must actually go to either criminal
12 court of a family court or supreme court I suppose if
13 they have an order of protection and a divorce
14 proceeding and ask that judge to terminate their
15 lease and so I'd like to just speak specifically on
16 two issue... two crime stories that address why this is
17 so problematic. So, as you may guess because I'm in
18 the shelter system often times I'm meeting people who
19 have fled, who have chosen to leave their homes and
20 they come to me and ask how am I able to terminate my
21 lease. One individual had actually already attempted,
22 Miss A, to ask her landlord to terminate the lease
23 and he was aware of 227C and told her unless you have
24 an order of protection and you go to court I'm not
25 going to terminate... [cross-talk]

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CHAIRPERSON CUMBO: Continue..

JAE YOUNG KIM: So, she was current on her rent but I explained to her if she were to file for an order of protection she would likely be litigating the order of protection for a year in addition to the motion she would have to file to terminate her lease and she immediately was terrified because she had completely altered her entire schedule to avoid any contact with the abuser and felt really frustrated because she knew that having this lease could potentially lead to credit issues if the landlord decided to sue her for unpaid rent or file any sort of proceeding in housing court and ultimately decided not to file the family offense petition but felt it was unfair. So that was one individual who had an issue and even if you do have an individual who has an order of protection and is current on their rent the legal process is so slow and burdensome. There was one individual Miss S who had reached out to Mr. Ether who is unable to be here today so I'm sharing the story and she filed a motion in criminal court asking the criminal court judge to allow her to terminate her lease and the landlord asked for an adjournment to allow himself to file

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2 papers and obtain counsel and the problem is during
3 that time the, the survivor has to actually be
4 current on their rent so they... she was living in
5 another apartment and she decided ultimately not to
6 proceed because she couldn't afford to pay rent for
7 two different apartments and so we are asking... I just
8 want to be able to propose the amendments that we
9 would ask that the city council consider in addition
10 to what's already in the resolution that they allow
11 individuals to submit other forms of proof of their
12 status as survivors of domestic violence beyond an
13 order of protection or a police report such as a
14 letter from a social worker, a letter from a health
15 care provider, a letter from any domestic violence
16 service provider and we would also ask that there not
17 be a requirement that they be current on their rent
18 in order to proceed.

19 CHAIRPERSON CUMBO: I want to thank you
20 for your testimony, the recommendations that you all
21 are providing are very helpful. The bureaucracy and
22 the red tape is the difference between someone being
23 able to live safely or even to be alive and so the
24 bureaucracy that you're describing compounded by the
25 mental stability or the lack of stability in your

1
2 mental state and trying to navigate a system that you
3 are completely unfamiliar with has got to be one of
4 the most challenging, I mean to be physically,
5 domestically, violently, sexually attacked by someone
6 that you love has got to be the greatest heartbreak
7 and mental destabilizer in addition to having to
8 navigate a very tough and slow bureaucracy in trying
9 to achieve help. We are certainly committed here in
10 the city council to expediting that process, we take
11 those recommendations seriously. I want to just, you
12 know push away all the bureaucracy that exists on our
13 end from this city, this is state and this is... we're
14 all human beings and we shouldn't... the state
15 shouldn't be an entity that we look at it as where
16 legislation or resolutions go to die, this should be
17 a place where we should all recognize that the safety
18 of, of a... of an individual, a woman, a man, a family,
19 a brother, an elder can go to for expedited help.
20 Thank you, we'll hear from the next person, thank
21 you.

22 DIANE JOHNSTON: Thank you for the
23 opportunity to testify today. My name is Diane
24 Johnston and I'm a Consumer Attorney with the Legal
25 Aid Society's Domestic Violence Project. Annually the

1
2 Society handles roughly 300,000 individual cases and
3 legal matters for low-income individuals in New York.
4 My practice works at the intersection of domestic
5 violence and consumer law and aims to address the
6 unique financial issues that domestic violence
7 survivors face. An estimated 98 percent of survivors
8 have experienced financial abuse, I litigate these
9 issues as well as other consumer matters including
10 rental arrears cases on behalf of domestic violence
11 survivors in all five boroughs. RPL227C recognizes
12 the need of domestic violence survivors to vacate
13 their apartments to seek safety and while well
14 intentioned there are significant deficiencies. The
15 eligibility requirements of being current on rent and
16 having an order of protection bar countless survivors
17 from relief and the current process is long and
18 burdensome as Miss Kim testified. A survivor's
19 inability to properly terminate a lease can have
20 serious consequences. In recent years New York City
21 has seen a sharp increase in cases filed by landlords
22 to collect on past due rent. In Brooklyn, Civil Court
23 the volunteer lawyer for the day program has handled
24 55 unique rental arrears collection cases so far, this
25 year alone. Civil court clinics in three boroughs

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2 have seen a spike from one such case in 2009 to 125
3 in 2016. These cases involved significant amounts of
4 money averaging 10,428 dollars in 2016 and keep in
5 mind that these numbers only represent the defendants
6 who have found their way to a legal services clinic
7 and found assistance. Because of ongoing problems
8 with service many of these defendants find out about
9 these cases only after a default judgement has been
10 entered against them. these judgements create a black
11 mark on the survivor's credit report one that hinders
12 access to safe permanent housing as well as future
13 credit, insurance, and outside of New York City
14 employment opportunities as well. I'd like to share
15 the story of one of my clients who was unable to
16 terminate her lease under RPL227C. She moved in with
17 her ex in 2009 and at the time he convinced her to
18 sign the lease in her name along with one of his
19 friends because he had poor credit. After moving he
20 became increasingly abusive and nearly killed her in
21 March 2011. A concerned neighbor intervened, came
22 into the apartment and helped her flee to safety and
23 obtain an order of protection from criminal court.
24 She returned to the apartment only once under police
25 escort and was given 15 minutes to collect what she

1
2 could while Mr. R was present making threats and
3 required physical restraint by the officers. She
4 eventually moved into a domestic violence shelter
5 after he violated the order of protection and tracked
6 her down at a friend's apartment. Unbeknownst to her
7 because of improper service in March 2014 her
8 landlord filed a civil court action seeking 8,400
9 dollars in rental arrears because her co-tenant and
10 Mr. R had stopped paying the rent and remained in the
11 apartment well past the expiration of the lease. She
12 never proceeded lease termination because she feared
13 notifying her landlord and returning to court would
14 expose her to more violence by Mr. R. however because
15 she did not follow the last procedures the
16 circumstances did not provide her with a defense to
17 the action. We represented her and we're currently
18 awaiting the court's decision as to whether she'll
19 have to pay thousands of dollars for months she
20 didn't live in the apartment, she fled to save her
21 own life. Again, we commend the city council for
22 taking actions on this resolution, we have similar
23 recommendations to what Miss Kim laid out but we do
24 think this is an important step in protecting more
25 domestic violence survivors in allowing them to

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2 safely.. to safely leave these relationships. Thank
3 you.

4 CHAIRPERSON CUMBO: Thank you. Thank you.
5 Council Member Rosenthal has a few questions and then
6 we'll call up the next panel.

7 COUNCIL MEMBER ROSENTHAL: Okay, this
8 will be fast. Thank you so much for the work that you
9 guys do every day in trying to do right by these
10 people who have no resources really and nowhere to
11 turn and are in impossible situations so thank you
12 for that. Do you have a sense of how many people
13 Resolution.. the resolution would.. 1292, how many
14 people they could benefit; are we talking about tens
15 or hundreds in New York City?

16 JAE YOUNG KIM: I would say thousands, I
17 mean honestly because I think that given the fact..
18 statistics show that approximately.. I actually looked
19 into this in New York State about one out of three
20 individuals do suffer from domestic violence so I, I,
21 I.. I'm.. and I believe that often times what happens
22 in terms of when I see individuals in our shelters
23 that you or I often times I don't really pursue it
24 because I ask them are you current on your rent and
25 the answer is no so that's a huge barrier and then

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2 there are many individuals who choose not to either
3 pursue an order of protection or even file a police
4 report, often times immigrant survivors are afraid
5 especially to engage in those systems or
6 alternatively if the abuser is an immigrant they may
7 choose not to go forward with a criminal case because
8 they know that they... that may end in deportation of
9 the abuser so I think often times, yes, absolutely. I
10 would... I would... I believe that saying thousands is
11 not an exaggeration because I think this would
12 include not just individuals who speak with service
13 providers but if there was greater awareness because
14 of programs in salons and things like that I think if
15 individuals knew then they would pursue it, if they
16 had access to those services so I would say
17 thousands.

18 COUNCIL MEMBER ROSENTHAL: And, and is
19 that... it's the woman's name on the lease?

20 JAE YOUNG KIM: Yes.

21 DIANE JOHNSTON: Yeah and I would add, I...
22 you know dealing with financial abuse I often see
23 situations where all of the bills, all of the
24 liabilities are in my client's name, the abuser may
25 have the assets in, in their name but my clients are

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2 usually left on the hook for... you know they're on the
3 lease because they're credit is better, they're on
4 the utilities, they're on the credit cards, you know
5 so at the end of a relationship they're often left
6 saddled with all of this debt.

7 COUNCIL MEMBER ROSENTHAL: And you
8 mentioned that in 25 states as well as the District
9 of Columbia they have provisions allowing survivors
10 of domestic violence to break their lease early...

11 [cross-talk]

12 DIANE JOHNSTON: Yeah... [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: ...and is... are
14 those provisions easy, easier than an order of
15 protection?

16 DIANE JOHNSTON: Yes. So, New York is the
17 only state according to the research that we've done
18 that requires the survivor to go back to court to
19 terminate the lease, all of the other states allow it
20 on written notice but in addition to that there are
21 nine states that allow something beyond an order of
22 protection or a police report, there are only I think
23 three other states that restrict it to an order of
24 protection only in addition to New York, most states
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1
2 allow at least a police report, a lot of states allow
3 some other form of documentation as well.

4 COUNCIL MEMBER ROSENTHAL: This research
5 is incredibly helpful, thank you for your time and
6 for your testimony.

7 JAE YOUNG KIM: And we would be happy to
8 share the research that we have with city council as
9 well.

10 DIANE JOHNSTON: Yes...

11 CHAIRPERSON CUMBO: Thank you because
12 you're going to allow us the opportunity to
13 strengthen our legislation but also to create
14 different forms and mechanisms of legislation and to
15 connect with our sisters on the state level to carry
16 these legislative matters forward, so I appreciate
17 the research that you're bringing its got our wheels
18 turning. Thank you.

19 DIANE JOHNSTON: Thank you.

20 CHAIRPERSON CUMBO: Our next panel will
21 be... I apologize if I mispronounce your name, Sharlena
22 Powell, Voices of Women Organizing Project Not for
23 Profit; Quenia Abreu, New York Women's Chambers
24 Commerce, and Cecilia Gaston, Violence Intervention
25 Program, if I have... please correct in your

1
2 introduction, thank you. We'll start here and if
3 you'll just introduce yourselves and we have a three-
4 minute time clock because I know we have to leave
5 this room at one o'clock so I will begin on my left
6 and thank you all for being here and for sticking it
7 out, I know it's been a long hearing but we
8 appreciate your presence and your diligence in
9 staying here and putting your testimony on the
10 record. You may begin.

11 SHARLENA POWELL: [off-mic] Good
12 afternoon my name is Sharlena and I'm a survivor,
13 survivor as I am fortunate to be standing here before
14 you... [cross-talk]

15 CHAIRPERSON CUMBO: Is your microphone
16 on, is the red button on?

17 SHARLENA POWELL: No...

18 CHAIRPERSON CUMBO: Okay and then just
19 bring the microphone a little closer to you.

20 SHARLENA POWELL: May I start again?

21 CHAIRPERSON CUMBO: Please.

22 SHARLENA POWELL: Okay. Good afternoon,
23 my name is Sharlena and a survivor of domestic
24 violence. I would like to emphasize survivor as I'm
25 fortunate to be standing here before you to speak

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2 with you today. There are many victims who
3 unnecessarily meet a, a tragic fate. I'm a member of
4 the Voices of Women Organizing Project, a grass roots
5 organization of survivors of domestic violence who
6 organize to improve the systems that abuse victims
7 rely on for safety and justice. There are many
8 systems whose response to survivors of domestic
9 violence can stand to be improved however I'm here to
10 advocate for the passage Intro 1610 for OCDV to
11 provide training to cosmetologists on the signs of
12 domestic violence and available resources for its
13 victims and their clients. It's important for us to
14 acknowledge the crucial role that the hairstylist has
15 and can play in a victim's life. They have... they can
16 notice signs of abuse like bald spots where the hair
17 once grew or bruises covered up by makeup. For many
18 hairstylists is a confidante and individuals may
19 disclose their abusive relationships with. It is
20 important for the cosmetologists to receive the
21 proper training on the effects of abuse, its cycles
22 and engaging of victims so they are able to provide
23 them with information on where to go for help. The
24 information provided to survivors should be clear on
25 steps as navigating New York City's domestic violence

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2 response teams can be extremely confusing. In
3 furtherance, we recommend that all trainings provided
4 by OCDV includes survivors of domestic violence to
5 provide participants in the trainings with a
6 comprehensive understanding that what it means to be
7 a victim of domestic violence, its cycles and how it
8 effectively engage victims of domestic violence from
9 a... from a survivor's perspective. Lastly every
10 survivor's story is different, every circumstance
11 surrounding the story is uniquely written therefore
12 we cannot have a one size fits all solution to, to,
13 to such complex problems. It is crucial to continue
14 to explore ways of clearing the pathway to safety for
15 survivors of domestic violence. We thank you Council
16 Member Salamanca and Rosenthal for sponsoring this
17 important legislation and thank you all for
18 listening.

19 CHAIRPERSON CUMBO: Thank you, thank you
20 so much for your testimony, thank you for your
21 courage, thank you for speaking out about a very
22 important issue and utilizing your own experiences to
23 do so, thank you.

24 QUENIA ABREU: Good morning or is it...
25 [cross-talk]

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CHAIRPERSON CUMBO: Good morning... [cross-talk]

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QUENIA ABREU: ...afternoon already...

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CHAIRPERSON CUMBO: Good afternoon, that's right.

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QUENIA ABREU: My name is Quenia Abreu and I'm the President of the New York Women's Chamber of Commerce, thank you so much for allowing me to testify today as, as an advocate of, of women in business. We have been working with women in the cosmetology industry since 2007 specifically with immigrant women that have come from Latin America that have studied and have worked abroad... in, in the country of origin helping them, educating them on the regulations of the city and state and also helping them get their license to practice cosmetology. We have trained more than 6,000 women and we have helped around 3,500 get their license here in New York... in New York State. And I understand your goal and I applaud your efforts to, to encourage their participation in, in identifying and providing information to women that are victims of domestic violence and I would even say further than that to not only to the... to the ones that have been victims

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2 but also to... for prevention in, in, in domestic
3 violence but I cannot support the legislation as, as
4 it stands, the proposed legislation because my
5 concern... I have several concerns about it. One is
6 that these women, the, the women in the cosmetology
7 industry they themselves have been victims of, of
8 many different things; landlords, vendors,
9 relationships themselves so I have that concern. So,
10 we have to be aware of, of that, the cultural as
11 well, we have to be concerned, we have women in the
12 cosmetology industry that come from a lot of
13 different countries and so that's, that's a concern
14 that I have and also that they're... the possibility
15 of, of fining them if they don't take the training,
16 as it is they already get fines from the Department
17 of Consumer Affairs as you heard a lot which is
18 something that we deal with every day pretty much and
19 I think it will be unfair to do that. I think that we
20 want... if we want them to participate... I mean as
21 already it is they... they're in fear a lot of times
22 when somebody walks, walks... somebody from the city
23 walks into their place of business and that's
24 something to take into consideration as well. So, I
25 think that if we want this to work it has to be a

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2 different type of approach, it has to be a program
3 and it has to be not same as regulation, it has to be
4 educational, it has to be as part of a... something
5 that they're doing for the community to give back and
6 also as women to identify with women that have been
7 victims of domestic violence and also I think that if
8 there's a way to compensate them economically even
9 with a stipend that would also help because if
10 they're taking time to do the training I think it's
11 important and I don't think one hour it's enough that
12 will never... you know training that's another thing
13 it's just not possible for you to learn how to
14 identify victims of domestic violence with one hour.
15 We, as the New York Women's Chamber of Commerce want
16 to bring that forward to you to take into
17 consideration and I think the training should be
18 provided by those organizations that already work
19 with these women that know them, that deal with them
20 every day and also with... should be also be provided
21 in collaboration with those organizations that are
22 already provide training on domestic violence to the
23 community. Thank you.

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CHAIRPERSON CUMBO: I appreciate those recommendations as very interesting insight and a different perspective that we haven't heard.

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QUENIA ABREU: Yeah and, and just to... and I know that we're pressed for time, I, I have here someone who works in Queens, she has a beauty salon herself, she's the President of the Queens Women's Chamber of Commerce and she wanted to let you know that also she's willing to work with you on this and what we are proposing maybe having a meeting with some of the cosmetologists we would be more than happy to bring them forward so that you can hear from there and maybe work on some... on, on making this really something that can work for everybody.

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CHAIRPERSON CUMBO: Thank you, thank you for your recommendations.

CECILIA GASTON: I'm very honored to be here and I thank you for the time that you are giving us to do this. My name is Cecilia Gaston, I'm the Executive Director of the Violence Intervention Program and I'm excited to be here today to pledge my support to Intro 1610. The creative and strategic thinking behind this legislature... legislation aligns with the approaches that we know are successful at

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2 VIP. For years we have been conducting grass roots
3 and nontraditional outreach to places like churches,
4 nightclubs and beauty salons as a way to reach those
5 victims and survivors that may not otherwise have
6 been able to access information about domestic
7 violence and available services. Many clients are
8 referred to our program by word of mouth and
9 undoubtedly hairdressers are among the people making
10 those referrals. By providing formal domestic
11 violence training and resource information to
12 hairdressers throughout New York City this
13 legislation can effectively engage thousands of
14 people many of whom already play a supportive role...
15 play a supportive role in the life of victims and
16 survivors. In addition to voicing my support for this
17 legislation however I am also here to urge the
18 committee to consider giving culturally profession
19 nonprofits as opposed to city employees the resources
20 and responsibility to provide these trainings. I say
21 this with the utmost respect for city employees and
22 with the years of experience in the anti-domestic
23 violence movement here in the city of New York. this
24 training should be facilitated by people doing work
25 around domestic violence within the communities where

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2 the hair salons are located. Hairdressers in the
3 neighborhoods where we work have deep ties to the
4 local community and to be able to tap into their
5 network and build relationships with them would be
6 invaluable to service providers, advocates, victims,
7 and survivors alike. There is one thing I have
8 learned all these years is that the most effective
9 social justice strategy are grass roots and community
10 led. Through this legislation the city has a real
11 opportunity to invest in an approach of combatting
12 domestic violence that promotes the community
13 solidarity necessary to bring DV out of the private
14 sphere and into the light to be treated as a public
15 health issue that it is. I thank you for the
16 consideration.

17 CHAIRPERSON CUMBO: Thank you, Council
18 Member Rosenthal do you have any additional
19 questions?

20 COUNCIL MEMBER ROSENTHAL: I just really
21 want to thank you all, Quenia it's always great to
22 see you and I appreciate your insights, you're right,
23 we would love it if you could help us sit down with
24 some cosmetologists you work with, with the Queens
25 Women's Chamber of Commerce, thank you for offering

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2 that and Sharlena thank you for coming and
3 testifying. I hope you'll consider sending that... your
4 testimony and Quenia for you to send it to the city
5 council, we can give you the contact information, so
6 what you said can be put into the record for the
7 city... this hearing... [cross-talk]

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CHAIRPERSON CUMBO: Definitely... [cross-
talk]

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COUNCIL MEMBER ROSENTHAL: ...would be very
powerful.

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CECILIA GASTON: It... I would like to... I
would like to express the issue that... we have been
getting... trying to get some funding to work with
Connect, they have round tables for men and they have
a model of working with barbers already... [cross-talk]

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CHAIRPERSON CUMBO: Right... [cross-talk]
CECILIA GASTON: ...its already been
invented... [cross-talk]

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CHAIRPERSON CUMBO: Right... [cross-talk]

CECILIA GASTON: ...we have been already
trying to get funding so that we can actually do this
type of community education together, the men and the
women together because that's what's important.

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CHAIRPERSON CUMBO: Thank you...

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CECILIA GASTON: It's not just a women's issue its... [cross-talk]

CHAIRPERSON CUMBO: Right... [cross-talk]

CECILIA GASTON: ...a community issue.

CHAIRPERSON CUMBO: Right. So, so I definitely want to thank all of you for being here today, your testimony gave us new perspective, new light and we want to make sure that we expedite the process, when, when a victim of domestic violence comes forward it's our role and responsibility throughout the city to make sure that that courage is met with rapid response and that everything from leases are expedited. We have to just make sure that it's not legislation that we're putting forward that's not actually being expedited so we want to make sure that the, the, the testimony that you've put forward, the ideas that you've put forward, the critiques are all encompassed to make this stronger legislation. So, I thank you all for being here today, Council Member Rosenthal, yes?

COUNCIL MEMBER ROSENTHAL: Right before you do that last... [cross-talk]

CHAIRPERSON CUMBO: Uh-huh... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...sentence...

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[cross-talk]

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CHAIRPERSON CUMBO: ...yes... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...Cecilia, you

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know I... we've been doing so much work together on the

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human service contracts and making sure that they're

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fully funded but perhaps what we should be pushing

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for is that as the administration writes their new

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contracts and goes into new three-year cycles that

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this becomes part of the work and that, you know we

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pay... you... I mean you're right, you're just the right

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organization or a grass roots organization, your

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community would be different than in Queens or in

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mine so putting the workload there... [cross-talk]

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CECILIA GASTON: Uh-huh... [cross-talk]

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COUNCIL MEMBER ROSENTHAL: ...really makes

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most sense. I appreciate your testimony very much.

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CECILIA GASTON: We work with the

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Chamber... with the Women's Chamber of Commerce in

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order to do the financial empowerment that we do with

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our communities anyway because they very often are

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the entry level positions for many of our women to

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own their own businesses. If you're undocumented you

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are not allowed to be hired by anybody, developing

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2 your own entrepreneurial activity is the only way to
3 make money. So, this is a critical entry level
4 position for many, many immigrant women and about 42
5 percent of the city of New York of women and girls
6 above 15 years old are foreign born so these are
7 really places where our... you know immigrant
8 communities really do their work and earn their pay.

9 CHAIRPERSON CUMBO: Thank you so much.
10 This has been inspiring, thank you very much, we
11 appreciate your testimony, we appreciate your time
12 and we appreciate your ideas and we're going to
13 transform them into reality. Thank you.

14 SHARLENA POWELL: Thank you

15 CHAIRPERSON CUMBO: We are now going to
16 adjourn this hearing, thank you for all being here
17 today, thank you.

18 [gavel]
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C E R T I F I C A T E

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



Date

July 26, 2017