

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON COMMITTEE ON PUBLIC SAFETY

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November 22, 2013  
Start: 01:09 p.m.  
Recess: 01:51 p.m.

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

B E F O R E:

PETER F. VALLONE, JR.  
Chairperson

COUNCIL MEMBERS:

ERIK MARTIN DILAN  
DANIEL R. GARODNICK  
JAMES F. GENNARO  
VINCENT J. GENTILE  
DAVID G. GREENFIELD  
ERIC A. ULRICH



[gavel]

CHAIRPERSON VALLONE: Okay good

afternoon everyone. Welcome to this hearing of the Public Safety Committee. Does anyone here who has a, wants to testify but hasn't filled out one of these cards please, please do so. Today we're looking at Intro 859 which amends the administrative code in relation to requiring the police department to submit to the council reports of crimes in all parks and playgrounds within the city that are greater than one acre in size. As I've said before one of our greatest assets is our parks. It's an, in-sprawling urban landscape like ours it's important we provide residents with a robust and safe park system to act as a, as a respite from the fast paced nonstop New York lifestyle. In order to ensure the people have a pleasant experience in our parks we have to be vigilant about the safety. Because the unfortunate truth is the parks are not immune to crimes. In fact we just got the latest parks crime report which we would not be getting if not for the bill I passed in 2006 I believe which shows that crime in parks is higher than it's ever been since we began

1 to receive those reports. It's clear that crime in  
2 parks is a serious issue and it's important for the  
3 public to be informed so we can adequately work  
4 together to address the problems. It's that, that's  
5 why I put forth the original bill in 2005 to  
6 require the NYPD to report on a quarterly basis the  
7 number of crimes committed in parks. This law is  
8 known as local law 114 of 2005 and it's because of  
9 that that we're able to look at the, the crime  
10 that's occurring in the city's largest 31 parks.  
11 However the city's park system is vast and we are  
12 not being provided with the complete picture.  
13 Initially the law required the NYPD to report on  
14 the 20 largest parks and they were to increase this  
15 on a gradual basis. By now pursuant to law, law 114  
16 the NYPD should be providing the counts with  
17 statistics for all city parks one acre or more in  
18 size a total of approximately 870 parks. That's the  
19 number that the NYPD testified to that they, that  
20 they agree exists. So the number may be even  
21 greater than that. At the time of the law's passage  
22 we worked with the NYPD and took into consideration  
23 the fact that there were some technological hurdles  
24 for the NYPD to overcome to be able to provide us  
25

1  
2 this information. So after negotiations with them,  
3 compromises that come in every bill, we included  
4 language to reflect that understanding.

5 Unfortunately it's now been seven years since the  
6 law went in to the, to effect and in addition to  
7 the original 20 parks, or 21 parks that they were  
8 giving us they're now giving 31 parks out of 870.

9 And I have been talking to them, negotiating with  
10 them, threatening them for years and they have not  
11 moved off that 31 parks, that, that number. And

12 I've said to them at the last hearing which I  
13 believe many people were at; well if you don't, if  
14 you don't move off that we're going to move  
15 legislatively and that's what we're doing. We have  
16 to move legislatively to eliminate that language  
17 that they rely on to not give us the information we  
18 need. It's my understanding that we invited the  
19 police department to this hearing but they will not  
20 be attending. Despite the importance of local law  
21 114 and the fact that this hearing would give them  
22 an opportunity to explain why they're still unable  
23 to fully comply with the spirit of the law enacted  
24 over seven years ago. We've got say, we've got a  
25 police department that's one of the most

1  
2 technically advanced in the world, they've got the  
3 real time crime center and comp stat and you name  
4 it but they can't figure out how to give us  
5 information regarding crime in parks. It would have  
6 been helpful to have the administration here so  
7 they could explain why and what other if they, if  
8 they needed any other assistance from us but  
9 they're not. So we are going to be joined by some  
10 advocacy groups and community groups and I would  
11 actually like to hear their thoughts on, on this  
12 legislation. I've already been informed that, I've,  
13 I've known for some time that they want this  
14 legislation to go further than it does and include  
15 parks that are under one acre in size. That's  
16 something I'd like to discuss today. And however  
17 as, as most people realize every bill is a subject  
18 of compromise both with the administration and with  
19 the speaker's office and the other council members.  
20 We can only pass what we can, what we can get  
21 enough support for to pass. You cannot always pass  
22 the perfect bill but at this point I do believe we  
23 can pass a bill that will, that will increase the  
24 number of parks from 30 to at least 870. But I  
25 would like to have a discussion on how we can make

2 the bill even better. That's why, why we have these  
3 hearings. So the first panel. Well since we only  
4 have three people now we might as well put them all  
5 up so we don't have to wait. Geoff Croft from New  
6 York Park Advocates, Joe Paulo from DC 37 local  
7 983, and Marlana Giga G-I-G-A from also, from local  
8 983. Okay I assume Joe will go first. Joe...

9 [interpose]

10 MARLENA GIGA: I'll go first.

11 CHAIRPERSON VALLONE: Oh you'll go  
12 first. How do I, how do you pronounce your name?

13 MARLENA GIGA: Marleen-uh gig-uh

14 [phonetic]

15 CHAIRPERSON VALLONE: Gig-uh okay. And  
16 you're a, you're a title is?

17 MARLENA GIGA: I'm a PEP sergeant and  
18 I'm currently working with 983 as a union delegate.

19 CHAIRPERSON VALLONE: Okay great. Well...

20 [interpose]

21 MARLENA GIGA: Okay. Good afternoon...

22 [interpose]

23 CHAIRPERSON VALLONE: Do you have, do  
24 you not have any written testimony to give to us?

25 MARLENA GIGA: No.

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CHAIRPERSON VALLONE: Okay.

MARLENA GIGA: I'll make a copy afterwards.

CHAIRPERSON VALLONE: Okay.

MARLENA GIGA: Okay. Good afternoon thank you for giving me the opportunity to testify. Thank you Mr. Vallone for stating that crime is higher in the parks than it, than it's ever been. The parks department is in denial that this is the case. They repeatedly deny that park is, they, they state that the parks are safe. They are indeed not safe. I've worked as a PEP officer for 13 years in every borough except for Staten Islands. I can tell you that crime is real in our parks. What I can tell you is that in our parks there is no way of giving a location inside of a park. For instance if I had to make an arrest or call for NYPD backup or for the fire department. And the reason being is because the cross streets do not go into the 911 system that are inside of the, the park. You have to give a location outside of the park in order to receive any, any backup, for NYPD to respond. The communication between the Park Enforcement Division and NYPD is at a bare minimum. I would find out on



1  
2 a weekly basis about crimes that took place in the  
3 parks that I patrol by reading the police blotter.  
4 The enforcement division is not made aware of the  
5 crimes that have taken place in the parks. Many  
6 times we would stumble across a murder, or rape, or  
7 robbery that has occurred on parks property and  
8 then we would call it into central that people were  
9 on the scene already or if we found something then  
10 we call it in. As a PEP sergeant we would do a  
11 weekly and monthly report with our summons count,  
12 our arrests, and any unusual occurrences that had  
13 happened on parks property. But I do not know what  
14 management would do with this information and who  
15 it was shared to. This may help in keeping track of  
16 things on our end for the Park Enforcement  
17 Division. I believe that it will be difficult to  
18 track crime but it is not impossible. There is  
19 currently a box that you can check on the NYPD 60,  
20 61 report that states if the crime happened within  
21 a park or a playgrounds. But the arresting officer  
22 must check this box aside from cross street. As PEP  
23 officers we are responsible for anything that  
24 happens in a New York City park and we would like  
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1  
2 to know what is going on in our parks as well as  
3 the public. Thank you.

4 CHAIRPERSON VALLONE: Do you know when  
5 that box was put on the UF 61?

6 MARLENA GIGA: I do not.

7 CHAIRPERSON VALLONE: Okay because you,  
8 you know, were you here at the last hearings we had  
9 on this? I mean their argument is that they have to  
10 manually go through every UF 61 to determine which  
11 cases occurred in parks and which didn't. Would you  
12 have any thoughts on that?

13 MARLENA GIGA: This is going, going  
14 backwards?

15 CHAIRPERSON VALLONE: Yeah when we  
16 started this in 2005... [interpose]

17 MARLENA GIGA: They would have to go  
18 through, physically go through each arrest report  
19 then?

20 CHAIRPERSON VALLONE: Yes.

21 MARLENA GIGA: Alright.

22 CHAIRPERSON VALLONE: And they still say  
23 they have to do that today which is why they can't  
24 give us all these parks because they don't want to  
25 take all these police off the streets to, to go

1 through the paperwork. Do you have any... Can you  
2 confirm that?

3 [crosstalk]

4  
5 MARLENA GIGA: I would say that  
6 administrate, an administrative person would be  
7 able to do that. All you're doing is looking at  
8 paperwork and seeing if there's a box checked next  
9 to park or playgrounds. Moving forward we should  
10 make it mandatory for arresting officers, whatever  
11 division it is to check that box where it states  
12 parks or playgrounds. I do not know if it is  
13 mandatory now because for the last couple of years  
14 that I've been working I've seen 61 reports where  
15 crimes have taken place in the park and it's not  
16 checked and this is in the last couple of years. So  
17 we should also make that box mandatory to check for  
18 police officers, PEP officers, etcetera.

19 CHAIRPERSON VALLONE: Okay so with a  
20 little bit more training they can... [interpose]

21 MARLENA GIGA: Definitely.

22 CHAIRPERSON VALLONE: ...check that box so  
23 it'll be easier to, for, for someone and we would  
24 be, someone in the police department to have to go  
25 through the, the papers. But I mean, in, in, in a

1  
2 perfect world, and what I envision here is that  
3 this all gets put on computers the way it should  
4 be.

5 MARLENA GIGA: Right.

6 CHAIRPERSON VALLONE: You know, and so  
7 that we don't have to go through you know like  
8 something out of a Hawaii 5-0 and go through papers  
9 sitting on peoples' desks to get information. We  
10 should be able to get this information out of a,  
11 out of a computer and yet we, it's been six years  
12 and we can't do that, six seven years. You work  
13 where right now I'm sorry. Do... [interpose]

14 [crosstalk]

15 MARLENA GIGA: Right now I'm working  
16 with the union. I'm on a leave of absence from the  
17 city.

18 CHAIRPERSON VALLONE: Okay and did, have  
19 you worked in Queens county?

20 MARLENA GIGA: Yes.

21 CHAIRPERSON VALLONE: Okay. How many and  
22 I know Joe knows the answer to these questions but  
23 how many parks officer or PEP officers are on duty  
24 in PEP, in Queens county or in any county that you  
25 are aware of at any, on any particular day.

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2 MARLENA GIGA: On any particular shift  
3 now we have in the last four months gotten some new  
4 officers. On any shift there probably are five to  
5 eight officers, the most. That would be the most.

6 CHAIRPERSON VALLONE: For the entire  
7 county?

8 MARLENA GIGA: Right. Correct. And the  
9 Bronx has the most parklands and same thing, six  
10 officers to cover the whole borough. In the borough  
11 of Queens six officers minimum to cover the whole  
12 borough. It's not like they're stationed to one  
13 particular park. These officers get a call from  
14 central they can go from one part of the borough to  
15 the other part of the borough.

16 CHAIRPERSON VALLONE: Okay, I'm going to  
17 have some more questions but I want to get to Mr.  
18 Paulo's testimony first. We have worked together  
19 many many times and one of the things that we were  
20 able to get done was the hiring of all, of all  
21 those new PEP officers that you just mentioned. And  
22 that was because Mr. Paulo and I worked together to  
23 get that done. I can't tell you how disappointing  
24 it is to see a press release put out by an elected  
25 official who never gets anything done claiming that

1 this bill, with a quote from Mr. Paulo claiming  
2 that this legislation, the legislation we're  
3 discussing today which increases the amount of  
4 parks that we will get information from, from 30 to  
5 870, continues to put the lives of the public and  
6 our officers in jeopardy by not requiring the city  
7 track crime in park properties including all parks  
8 and playgrounds and recreation centers. If you want  
9 to testify, I mean I want to hear testimony about  
10 how we can make this bill better but to say that  
11 this bill endangers anyone, anyone's, anyone's  
12 life, that is irresponsible. It's clearly put  
13 together by a state senator who's never passed any  
14 legislation. I know that you like to stand with him  
15 and so does Mr. Croft if he's showed up yet and  
16 have press conferences that never go anywhere but  
17 here we have actual legislation which is going to  
18 move. And I, and I'd like your, your constructive  
19 criticism of how to make it better without talking  
20 about how this bill endangers peoples' lives but  
21 you know feel free to say it if you want but it was  
22 in a press release. I don't know if you actually  
23 said it or if they made it up for you and put it in  
24

1  
2 here but it is completely irresponsible to say  
3 that.

4 JOE PUALO: Okay.

5 CHAIRPERSON VALLONE: Thanks.

6 JOE PUALO: Good morning. Good morning  
7 city council people. Good morning chair Vallone. My  
8 name is Joe Paulo. I'm president of local 983 which  
9 represents approximately 3,000 city workers  
10 including Parks Enforcement Officers. Okay our  
11 concern is as always is the safety of the parks and  
12 our officers. Okay as it stands now the current  
13 legislation as you know does not encompass all the  
14 city parks and most of the violent crime that  
15 occurs, occurs in small parks, these little  
16 playgrounds. Like you'll hear about shootings that  
17 happen in basketball courts. These will not be  
18 shown on these statistics, you know in, in this  
19 legislation. We, we need a true depiction of  
20 what's, what's happening out there. A lot of these  
21 things get swept under the rug. I mean I, I, I've  
22 been to parks where there's been shootings and the  
23 blood hasn't even dried and the people are back on  
24 their playground playing basketball. These  
25 statistics have to be put in the equation. To do so

1 that is irresponsible you know. And our recreation  
2 centers are part of our park system. That's where  
3 our Parks Enforcement Officers work. They're not in  
4 this equation. So you can, I mean we've made steps  
5 forward. I appreciate all your help in the past you  
6 know. And I continue to appreciate the work that  
7 you're doing now but we, we have to, we have to  
8 resolve this issue. Like you said it's been seven  
9 years and we're still not even one tenth of one  
10 percent there. You know when are we going to get  
11 there? That, that's the real issue. Are we going to  
12 like do this in phases because the police  
13 department doesn't want to comply with this?  
14 They're not even here you know. I know you're here.  
15 I know you took an act of interest in this. I know  
16 your views are a little more different. They're not  
17 as proactive as perhaps the union is but we want to  
18 get this resolved. People, people are dying you  
19 know and if the truth is not there and if we're in  
20 denial we're part of the problem. So again it's not  
21 against you, it's not against any, any, any person  
22 here. I appreciate whatever help you offered  
23 currently, in the past, and for the future but we  
24 have to get this issue resolved. I don't want to  
25



1  
2 hear about another child being shot as an  
3 unattended target and they're not included in the  
4 statistic. You know this is shame on all of us.  
5 Thank you.

6 MARLENA GIGA: What I'd like to also  
7 add, I believe that there is a glitch in the  
8 paperwork, in the arrest paperwork, in the online  
9 paperwork. Currently in the 61 report which is the  
10 paperwork that the arresting officer fills out. The  
11 cross streets do not allow the officer to put the  
12 park name on the paperwork. So that has to be  
13 changed. We're never going to get it right. It's  
14 been seven years. It's going to be another seven  
15 years. We have to change that paperwork. And that,  
16 with the, you know that has to be changed from the  
17 probably the police commissioner. They can't do  
18 that in the local precincts.

19 CHAIRPERSON VALLONE: Yeah.

20 MARLENA GIGA: It has to be through the  
21 computer system.

22 CHAIRPERSON VALLONE: So on the UF 61,  
23 and, and I've seen thousands of them but I haven't  
24 seen them recently it has the cross streets?

25 MARLENA GIGA: Correct.

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2 CHAIRPERSON VALLONE: And it also has a  
3 box to be check whether it's in a park or not?

4 MARLENA GIGA: Correct.

5 CHAIRPERSON VALLONE: But the only  
6 location you could put is the nearest cross street?

7 MARLENA GIGA: Correct.

8 CHAIRPERSON VALLONE: So inside the  
9 only, and, and, and so the only way right now to  
10 know if it, where in a park it occurred would be to  
11 read the little synopsis of the events inside the  
12 UF 61 which has to then be read by each  
13 administrator... [interpose]

14 MARLENA GIGA: Right.

15 CHAIRPERSON VALLONE: ...and to see if it  
16 happened in a park.

17 MARLENA GIGA: Right.

18 CHAIRPERSON VALLONE: Yeah and by now as  
19 you said they should have fixed their 61 and, and  
20 made it better, made it more easily decipherable  
21 so, so we can figure out when they, things, things  
22 happen in parks or wherever they happen. And, and  
23 when they don't... We have been joined by council  
24 member Eric Ulrich and I want to thank my staff for  
25 working so hard on this for so many years to get to

1  
2 this stage where we can, with the bill before us  
3 increased from 30 to 870 parks. Mr. Paulo I am more  
4 than happy to listen to how, what definition you  
5 think we should use... [interpose]

6 [crosstalk]

7 JOE PUALO: Well then, then my number  
8 one concern is, is not you know, not only my  
9 officers that are in the parks that are out there  
10 to prevent this sort of stuff from happening but  
11 also you know to, to, to conveyed a, a lot of stuff  
12 that's out there, those parks aren't labeled as  
13 parks you know

14 CHAIRPERSON VALLONE: But how do we  
15 define the park in, in this bill? How would you  
16 define it?

17 JOE PUALO: Well under one acre because  
18 if we have a lot of these little playgrounds that  
19 children attend where lots of crime you know is, is  
20 happening that, well you know that aren't done in,  
21 in, in this, in this legislation. If we included,  
22 why does it have to be under one acre? You know? If  
23 it's, if it's... [interpose]

24 [crosstalk]

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COMMITTEE ON PUBLIC SAFETY

CHAIRPERSON VALLONE: Well it, it has to  
be,...[interpose]

[crosstalk]

JOE PUALO: But see why does it have to  
be over... [interpose]

[crosstalk]

CHAIRPERSON VALLONE: ...has to...  
[interpose]

[crosstalk]

JOE PUALO: ...one acre? I'm sorry.

CHAIRPERSON VALLONE: It has to be  
something. It can't be five feet by feet.

JOE PUALO: It should be anything,  
anything that has a leaf on it. If it has a leaf on  
it it's parks property.

CHAIRPERSON VALLONE: That's not...  
[interpose]

JOE PUALO: We're there, our, our  
officers have to respond to it.

CHAIRPERSON VALLONE: That's not really  
helpful is it?

JOE PUALO: Yeah.

CHAIRPERSON VALLONE: Because the police  
department has to track, they can't track a five

1  
2 foot by five foot location. We have to have some  
3 definition that's workable, [crosstalk] that the  
4 police department can actually... [crosstalk]  
5 [interpose]

6           JOE PUALO: Well that's, I think that, I  
7 think, I think that's part of the problem. It's  
8 always this technological thing that the police  
9 department says they don't have. I mean in, in  
10 today's era we have Google Earth you know and you  
11 can locate anything anywhere. You know the police  
12 department can locate a park. You know it's, it's  
13 almost ludicrous.

14           CHAIRPERSON VALLONE: I've asked you for  
15 a definition of park.

16           JOE PUALO: Park, a park is anything  
17 that's owned by the parks department. You know, you  
18 know if they're, they're responsible for that area,  
19 my officers are responsible to address that issue  
20 then it should be listed in, in, as, as, as  
21 criteria as being a park. You know that includes  
22 recreation centers. A lot of the city's children go  
23 to these recreation centers you know after school.  
24 They have a lot of these after school programs.  
25 They have a lot of swimming courses, tennis courses

1  
2 that these children take. They're not included in  
3 this. You know if a crime happens there what it  
4 didn't happen in a park?

5 CHAIRPERSON VALLONE: Of, of course  
6 they're included if they're within a park that's  
7 one acre or more. And many of these... [interpose]

8 JOE PUALO: Well...

9 CHAIRPERSON VALLONE: ...recreation  
10 centers are... [interpose]

11 JOE PUALO: ...no, not, not, not...  
12 [interpose]

13 CHAIRPERSON VALLONE: ...some aren't.

14 JOE PUALO: ...not all are.

15 CHAIRPERSON VALLONE: Yeah. Right.

16 JOE PUALO: You know I, I don't, I don't  
17 see why we, we can't include these other, these  
18 other smaller areas where they're highly utilized  
19 in these communities. Like these, you go to any  
20 neighborhood you know and you'll see, you'll see  
21 small parks you know within, within, within, within  
22 the community. And that's, that's the only park a  
23 lot of these kids get to see unfortunately is that  
24 park on their block you know. So if you don't  
25 include them in and this is where the really

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2 violent stuff is happening. This is where the  
3 shootings, the stabbings are happening you know and  
4 then for not, for them not to be even, even a  
5 glitch on a radar, a bleep on a radar or whatever  
6 you want to call it, you know it's, it's, it's not  
7 I think the right thing to do.

8 CHAIRPERSON VALLONE: Oh, there, if, if  
9 we can come up with a way to find a definition that  
10 would include some of these larger recreation areas  
11 no one wants to include I don't know except maybe  
12 you it is, is a five foot by five foot location. We  
13 want, we want stats that are going to be helpful to  
14 the public and helpful to us and not just you know  
15 make political points in a press release. We want  
16 stats people can use and if something happens next  
17 to a three feet away from a ten foot area and  
18 that's not a park but the ten foot area is a park  
19 that's not helpful to anyone.

20 JOE PUALO: We're talking more or less  
21 like basketball courts, tennis courts, things you  
22 know we out the neighborhood, like in the  
23 neighborhood playground where, where the swing sets  
24 are there. That's what we're talking about. We're  
25 not talking about a tree that was planted.

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[pause]

JOE PUALO: I mean, I mean I'm not going as far as saying I'm, I'm considering a tree that's planted on a green street you know.

CHIARPERSON VALLONE: That's parks property. That's part of the problem. That's parks property so we have to come up with a definition that's workable for the police department, useful for us, and by the way that can pest. That we all just have press conferences about that will become law and you know this administration likes to work with a speaker and they've done it very well. Sometimes to a fault and sometimes not, to get things passed so they don't get vetoed so that we can override them. There's a lot to do to get legislation passed. It is not always perfect but we have to get done what we can get done. And we have a month left and I think we can get this done. If I can make some improvements to this to get more done I would. And if I can't then I won't but I want to get something done while we're all still...

[interpose]

JOE PUALO: I, I, yeah.



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2 CHAIRPERSON VALLONE: ...here working on  
3 this. You know again I'm not a, a, a, the same time  
4 of elected official that Tony Vella is. I don't  
5 just have press conferences. I get things done. I  
6 get legislation passed. I don't just stand around  
7 and call the, call the press and then nothing ever  
8 happens. I get things done. I passed this original  
9 law. I promised I'd get this done and I'm getting  
10 it done. If we can make it better, we can work  
11 together and make it better let's do that.

12 JOE PUALO: Okay.

13 CHAIRPERSON VALLONE: But, but you know.  
14 I understand your frustration with the police  
15 department because I'm as frustrated as you are.

16 JOE PUALO: Thank you. Thank you.

17 CHAIRPERSON VALLONE: But I'm trying to  
18 help here. I'm trying to get as much done..  
19 [interpose]

20 JOE PUALO: No I appreciate your help.

21 CHAIRPERSON VALLONE: ...as we can get  
22 done you know.

23 JOE PUALO: This, this, this is not  
24 intended as any personal attack on you.

25

1  
2 CHAIRPERSON VALLONE: Oh. Oh council  
3 member Garodnick how are you. I just saw you on  
4 T.V.

5 MARLENA GIGA: Mr. Vallone well I'd just  
6 like to add that we're not tracking the statistics  
7 on the, the pools, the many pools, the beaches, and  
8 also now the ice skating rinks. We have officers  
9 stationed now at our new York City ice skating  
10 rinks. And we are building more ice skating rinks  
11 on parks property.

12 CHAIRPERSON VALLONE: We actually were  
13 just discussing that on the way here how we could  
14 make, improve this bill to capture pools and ice  
15 skating rinks. Do you have any, any advice or to  
16 how we can do that or?

17 MARLENA GIGA: I think that it would be  
18 in the best interest of all of us if...

19 [pause]

20 CHAIRPERSON VALLONE: So if it is on  
21 parks property now, like say a story or pool, we're  
22 not tracking crime in the pool?

23 MARLENA GIGA: It's the same thing on  
24 the 61 report. The arresting officer would have to  
25 check parks property and that's why the one acre,

1  
2 it doesn't make sense to me because a building is a  
3 building. In other words there's a crime in a  
4 building, in an apartment or a private house. It's,  
5 it happened in a building and it gets tracked  
6 through that precinct. It should not matter. Parks  
7 property is parks property whether it's a pool,  
8 whether it's a beach, whether it's an ice skating  
9 rink. It should not matter. We should be able to  
10 find out where these crimes are taking place. And I  
11 can assure you I were, I was the park enforcement  
12 sergeant and the majority of my calls in any of the  
13 boroughs that I worked in were at these smaller  
14 playgrounds. In particular shootings majority of  
15 the time were taking place in these small  
16 playgrounds. One acre is pretty large in New York  
17 City. So it, I don't, I don't see what, how the one  
18 acre comes into play to be honest with you.

19 CHAIRPERSON VALLONE: One acre, well the  
20 one acre would increase the amount of parks from 31  
21 to 870 which we could really do a lot with that  
22 information. There are apparently and if you guys  
23 may know differently probably 1700 if you include  
24 less than an acre, would you guys have any better  
25

1  
2 statistic than that or would, does that sound about  
3 right?

4           JOE PUALO: Well I, I think the point  
5 she's trying to make that's easibly[phonetic], more  
6 easible[phonetic], easy to track is that simple  
7 check off box on the 61 report. Because if  
8 something happens there they would have to  
9 automatically check that box and that would parks  
10 property. So you wouldn't need this one acre  
11 criteria. Anything that happens that's park related  
12 would be checked off and the statistics would  
13 automatically be follow, followed through.

14           CHAIRPERSON VALLONE: Well they should  
15 check that now regardless of the size of the park.  
16 There's no size on the UF 61... [interpose]

17           JOE PUALO: So I, I, I think...  
18 [interpose]

19           CHAIRPERSON VALLONE: ...it's just whether  
20 they, whether there is someone has to go and  
21 assemble that information and give it to us, and  
22 whether it's useful information to us depending on  
23 the size of the park. I'd, you know I would like to  
24 know every crime that happens... [interpose]

25           JOE PUALO: Yeah.

1  
2 CHAIRPERSON VALLONE: ...but the police  
3 department only has down 7,000 people. They've got  
4 to compile this information. So we have to make  
5 sure they're able to do it. It's useful to us and  
6 we can get it passed. I know we can get this  
7 passed. Maybe we can make some changes to encompass  
8 some of what you guys are... [interpose]

9 JOE PUALO: I don't know.

10 CHAIRPERSON VALLONE: ...are giving us  
11 now. You, you're, you're the experts in this. And  
12 you know I'd like to take a look at what we can,  
13 what we can put in there that the police will be  
14 able to comply with and that we will be able to  
15 pass that will be able, that we can get a majority to  
16 pass the city council and get this into law. And  
17 then we can, you know you got a whole new council  
18 coming in in a month.

19 JOE PUALO: I know.

20 CHAIRPERSON VALLONE: We, you can keep  
21 working on this.

22 JOE PUALO: And again we don't want to  
23 be here seven years from now talking about this,  
24 how we could have led it better.

1  
2 CHAIRPERSON VALLONE: But this is more  
3 than, more than half the parks in New York City if  
4 we do this the way it stands now. We go from 30 to  
5 850, 870 and it's about 1700, so it's about half  
6 the parks. Do, do you know how many parks would be  
7 under an acre that, that you would consider  
8 parkland?

9 JOE PUALO: There's probably more than...  
10 [laughter]

11 CHAIRPERSON VALLONE: Thousands? The  
12 city said 1700 total. And then they said eight, at  
13 the last hearing, years ago I'm trying to remember  
14 and they said 875 over an acre. Wish they were here  
15 so that they could give us this information.

16 MARLENA GIGA: I would say that 1700 is  
17 more like one borough.

18 CHAIRPERSON VALLONE: Interesting.

19 MARLENA GIGA: I can go pretty much in  
20 every borough and drive every couple of blocks and  
21 run into parks property. We also didn't talk about...  
22 [interpose]

23 CHAIRPERSON VALLONE: No, it parks  
24 property, every green street is parks property...  
25 [interpose]

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MARLENA GIGA: I'm well...

CHAIRPERSON VALLONE: ...there's, there's  
a lot of parks property out there yeah.

MARLENA GIGA: Particularly I'm talking  
about playgrounds, small playgrounds... [interpose]

CHAIRPERSON VALLONE: Okay.

MARLENA GIGA: ...neighborhood playgrounds  
and also historic houses would fall under parks  
property as well.

CHAIRPERSON VALLONE: Okay. Who, who's,  
who are you, not that I, it's just so you know who  
are you working with?

[crosstalk]

JOE PAULO: ...officers. Do you want to,  
you want to talk about...

[laughter]

[crosstalk]

CHAIRPERSON VALLONE: You said that...  
[crosstalk] Identify yourself.

PAIGE LENER: Oh yeah Paige Lener and I  
work for the Parks Department as well. I'm on four...

[interpose]

CHAIRPERSON VALONE: Say, say you're  
name again.

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PAIGE LENER: Paige Lener.

CHAIRPERSON VALONE: Okay.

PAIGE LENER: The problem with, with, with the NYPD 61s and the online booking is obviously they were created for the NYPD and not outside agencies. So until you're able to input a park name rather than cross streets you're never going to be able to track it. The box that they were referring to is a check off box that has many different options; parks, playgrounds, street, basement. It's not trackable that way. The only way you're going to truly track crime in the parks is if the whole system gets redone.

CHAIRPERSON VALLONE: I agree. We've given them... [interpose]

PAIGE LENER: Yeah.

CHAIRPERSON VALLONE: ...seven years now to fix that system and they still haven't.

PAIGE LENER: I work in, well I'm a Staten Island resident and that's, that's where I work.

CHAIRPERSON VALLONE: You're an officer now or?

PAIGE LENER: Correct.



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CHAIRPERSON VALLONE: Okay.

PAIGE LENER: Yeah. I work... Yeah I think it was two years ago Mariners Harbor Mini Pool, a lifeguard and CSA were, were on the pool deck and a kid, I don't remember his age off hand, and the kid brandished a gun and that park is definitely under the acre, the acre rule, I mean...

CHAIRPERSON VALLONE: Tell, tell us, any, any one of you, how you, again we only started to get into statistics in '08 after I passed a bill in '06 with, with your help. So how has this information been useful to you? And how would having more information make this even more useful to you? As, as, as a union.

JOE PAULO: Well we, we now have some sort of parameter you know with the passed legislation. But it, all that tells us is, is how much we don't know you know. It tells us in these numbers of parks which is very limited that crime has skyrocketed. So if these skyrocketed here in, in, in, in this group of park, what about all the other parks you know that, that the statistics aren't yet in. And what about again the smaller parks where most, most, most people use more than

1 the big parks you know because of economic reasons.  
2  
3 And I think, and I've take, I think they've taken a  
4 backseat. I think that parks that are not you know  
5 in the well to do neighborhoods are not being  
6 reported and it's just escalated yeah. And, and  
7 it's going to continue to escalate and if we don't  
8 recognize them you know it's going to only get  
9 worse.

10 CHAIRPERSON VALLONE: Does anyone else  
11 want to talk about how these statistics could be  
12 useful to you? [interpose]

13 PAIGE LENER: [crosstalk] ...can go on and  
14 on all day. We have undeveloped wooded areas. You  
15 know we have these little green streets. I don't  
16 know that we'll have a true answer of how to track  
17 it so I... [interpose]

18 CHAIRPERSON VALLONE: It looks like the  
19 maximum, just said that we went on the website and  
20 if you include 800 athletic fields, 1,000  
21 playgrounds, 550 tennis courts, 66 pools, 48  
22 recreation centers, 17 nature centers, 13 golf  
23 courses, I'm not sure that's, that's going to be  
24 useful, 14 miles of beaches, and 23 historic  
25 houses, going to leave out the 12,000 monuments

1  
2 because I'm not sure, 1,200 I'm sorry, it's 1,200  
3 monuments and we get about 2500 of all of those  
4 properties added up. So we're all, you know we're  
5 in, we're in the area, we're in the ballpark.

6 JOE PAULO: And, and, and I just want to  
7 remind you there's only about 160 PEP officers that  
8 cover all of this you know. It's that, that also  
9 goes into the statistics or how many PEP officers  
10 are hired. You know I mean if you don't include  
11 them then you know there's, there's no reason to  
12 have PEP officers there in the first place.

13 CHAIRPERSON VALLONE: So that's 160  
14 citywide?

15 JOE PAULO: Yeah. And that's with the  
16 100, with the 80 new officers. So our numbers are  
17 still way way behind.

18 PAIGE LENER: We have an, we have an  
19 academy that's in now and I believe when they  
20 started it was 52, they're now down to 44.

21 CHAIRPERSON VALLONE: Okay.

22 PAIGE LENER: And they haven't graduated  
23 yet. Staten Island alone on one day I could...

24 [crosstalk] [interpose]

1  
2 CHAIRPERSON VALLONE: And what...

3 [interpose]

4 PAIGE LENER: You'll have either a solo  
5 unit or have a partner to cover the entire borough.

6 [crosstalk]

7 CHAIRPERSON VALLONE: Wow, so their  
8 either meeting you alone... [interpose]

9 PAIGE LENER: Sometimes it's me and a  
10 partner. There could be two people, three people  
11 and that's the borough of parks right.

12 [crosstalk]

13 CHAIRPERSON VALLONE: And we've had  
14 entire hearings on this, on increasing... [interpose]

15 PAIGE LENER: Yeah.

16 CHAIRPERSON VALLONE: ...our, our PEP  
17 officers. And no one's a bigger supporter of that  
18 than I am and then we've... [interpose]

19 PAIGE LENER: The problem is is...  
20 [interpose]

21 CHAIRPERSON VALLONE: ...worked together  
22 to get the, them, at least 80 new ones but see we,  
23 that, that barely keeps up with attrition.

24 PAIGE LENER: Well for every 80 that  
25 come in we can lose 50 percent of that pride to the

1  
2 academy I think because they're going on to other  
3 jobs.

4 CHAIRPERSON VALLONE: You mean  
5 attrition, to where the people that are actually on  
6 the job now?

7 PAIGE LENER: [off mic]Right. You can  
8 up...

9 CHAIRPERSON VALLONE: You have to talk  
10 into the mic or you don't get on the...

11 PAIGE LENER: Oh, I'm sorry.

12 CHAIRPERSON VALLONE: You're not on the  
13 record.

14 PAIGE LENER: You know out of that 52  
15 we're down now 44. Where did the rest go? Another  
16 city agency... [interpose]

17 CHAIRPERSON VALLONE: You mean the 52  
18 that entered the academy?

19 PAIGE LENER: At this current moment  
20 there's 52, there was 52 people at the beginning of  
21 the academy. As of today there is 44.

22 CHAIRPERSON VALLONE: That, I mean that  
23 happens in every academy. Class...

24 PAIGE LENER: Oh.

25

1  
2 CHAIRPERSON VALLONE: ...dwindles during  
3 the you know that, that, that's normal but the  
4 bigger problem is while you're training people,  
5 people are retiring, people are getting better  
6 jobs, people are, are leaving the force. Yeah Joe?

7 JOE PAULO: I just want to speak briefly  
8 on that. I've never seen academy classes in parks  
9 with the PEP officers where I ask people how do you  
10 like the job and they tell me the job is great I'm  
11 on the NYPD list, I'm on the fire department list,  
12 I'm on the sanitation list, I'm, I'm, I'm on the  
13 corrections list. The truth of the matter is the,  
14 the pay is so low. We haven't had a contract in  
15 five years. These guys make 35 thousand dollars a  
16 year, actually 32 thousand dollars a year to start  
17 and they only go up to 30, 37 thousand. So it's,  
18 you got, and, and they have a high degree of  
19 requirements. They have to have you know a clean  
20 background check, they have, to have present 60  
21 college credits as I'm just tolds and security  
22 background. They have to maintain a driver's  
23 license. All the, all the requirements that, that  
24 an NYPD officer has but, but with like a third to,  
25 to half their salary.

1  
2 CHAIRPERSON VALLONE: Okay we have one  
3 more person to testify. Geoff Croft is not here yet  
4 and so we have Alyson, so, so you guys were going  
5 to stay in touch with the, with my committee, we're  
6 going to, we're going to work on what we can...

7 [interpose]

8 JOE PAULO: Definitely.

9 CHAIRPERSON VALLONE: ...make this any  
10 better. And if we don't it's only because we can't  
11 because we have to get this done within a month and  
12 we have to hopefully not have the mayor veto it or  
13 it's going to go to the next city council. And that  
14 we'd like to work out something with the  
15 administration so they don't veto it, it happens,  
16 and we, and we can continue to work on it even when  
17 I'm not here. I'm still going to be an advocate.  
18 I'm still going to be working with you to get your  
19 thoughts.

20 JOE PUALO: Right well we appreciate  
21 your help.

22 CHAIRPERSON VALLONE: So while I, so  
23 thank you for coming down.

24 JOE PUALO: Thank you.  
25

1  
2 CHAIRPERSON VALLONE: And let me, let's  
3 hear from Alyson, is it Bay-hah[phonetic] it's B, I  
4 believe it's B-E-H-A from New Yorkers for Parks.  
5 Did I get it right? Okay good. Thanks.

6 [pause]

7 CHAIRPERSON VALLONE: Alyson thank you  
8 for coming. Welcome to our cafeteria.

9 [laughter]

10 CHAIRPERSON VALLONE: And we do have a  
11 copy of your legislation, not of your legislation,  
12 of your testimony and you can begin thanks.

13 ALYSON BEHA: Thank you. Good  
14 afternoon. My name is Alyson Beha and I'm the  
15 Director of Research Planning and Policy at New  
16 Yorkers for Parks, a citywide research and advocacy  
17 organization, championing quality parks and open  
18 spaces for all New Yorkers in all neighborhoods.  
19 New Yorkers for Parks has closely followed the  
20 issue of safety in parks for decades and played a  
21 central role in advocating for the 2005 legislation  
22 mandating that the NYPD begin to track crimes in  
23 New York City parks. Many New Yorkers are surprised  
24 to learn that until eight years ago crime in parks,  
25 crimes in parks were not reported as occurring on



1  
2 park land. Instead the NYPD attracted them to the  
3 nearest street address. Responding to a strong  
4 advocacy campaign by New Yorkers for Parks and  
5 other groups the city council with leadership from  
6 council member Vallone and Mayor Bloomberg passed  
7 local law 114 mandating that the seven major felony  
8 crime complaints be tracked in city parks. This  
9 legislation marked a first step toward increasing  
10 transparency, accountability, and public awareness  
11 about parks. The legislation allowed for a phased  
12 implementation beginning with the city's 20 largest  
13 parks. In 2008 the tracking was expanded to 30  
14 parks and the law called for it to expand to the  
15 100 largest parks one year later. The 200 largest  
16 parks two years later and all parks measuring one  
17 acre or greater three years later. The reality has  
18 fallen short in two important respects. Most  
19 significantly no expansion of reporting has taken  
20 place since 2008 and the NYPD is still tracking  
21 crime in only 30 city parks due to what they  
22 describe as technological constraints. With such a  
23 limited sampling of parks it is difficult to  
24 accurately analyze citywide crime trends and  
25 patterns or draw meaningful conclusions about

1 resource deployment or other safety initiatives.  
2  
3 Secondly the city does not make the data publically  
4 available. New Yorkers for Parks website is one of  
5 the only places providing the public with the crime  
6 data collected on the 30 parks. It is our hope that  
7 making this data available will help New Yorkers  
8 assess the safety of their parks. New Yorkers for  
9 Parks will continue to act as a clearing house for  
10 crime data as it becomes available updating our,  
11 our website regularly on a quarterly basis as the  
12 NYPD releases new data but again the small body of  
13 data has limited utility and we would strongly  
14 prefer that the city make the data publicly  
15 available itself. Reporting crimes in all parks  
16 over one acre is everybody's best interest. It will  
17 help New Yorkers better understand the reality of  
18 perceived concerns about safety in parks both  
19 generally and specifically. And it could lead to a  
20 more informed and efficient distribution of police  
21 resources. We urge the council to work with the PD  
22 to identify technological issues hindering the full  
23 implementation of the mandate to develop and  
24 release a timeline for overcoming these restraints  
25 and to work closely with the PD to ensure that the

1  
2 full program is implemented within the revised,  
3 within a revised time frame.

4 CHAIRPERSON VALLONE: Thank you Alyson  
5 and actually as you were testifying about making  
6 this publically available you reminded me that  
7 we're going to do that. We just, we added that to  
8 the bill to put this on the web.

9 ALYSON BEHA: Great.

10 CHAIRPERSON VALLONE: Yeah this is  
11 insider baseball but when we started these  
12 recording bills I was the first one to do this  
13 bill, schools, couple other areas. Eight, eight  
14 years ago it was the legal thought that we didn't  
15 have the power to force the agencies to put it on  
16 the web. Separation of powers. We can, we can't,  
17 then we can't mandate a copy of a recording. We  
18 can't mandate a teacher to use red crayons we can't  
19 tell them to put on the web. Since then it's  
20 changed. We passed a bunch of bills which require  
21 it, this information to go on the web. They haven't  
22 challenged it, we've made some sort of arrangement  
23 where it's okay so we were one of the first which  
24 is why it didn't go public it went to us. I always  
25 gave it to you as soon as I... [interpose]

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ALYSON BEHA: Right.

CHAIRPERSON VALLONE: ...got it anyway.

ALYSON BEHA: Right.

CHAIRPERSON VALLONE: You made it public. You did a great job of it but now if we can get this passed, which is why I want, I would like support from parks groups this will go on the web also. We were, we're trying to think of better ways to define parks so it does include a five by five stretch of grass but it does include a playground.

ALYSON BEHA: Right.

CHAIRPERSON VALLONE: We were thinking perhaps including locations that have athletic equipment like you know a basketball court or some sort of playground equipment. Do you have any thoughts on that that you could share with us?

ALYSON BEHA: I think that you could probably expand your definition a little bit. I mean you could, in order to exclude things like a green street or a plaza where there's fairly insignificant amount of space sometimes people can't even get into it. You could probably use some sort of definition where you say all properties under the jurisdiction of parks that provide a

1  
2 space for active recreation which would include any  
3 court, field, ice rink, anything like that. But  
4 then you'd have to address the passive as well. I  
5 mean you'd have to think about how to get that  
6 included.

7 CHAIRPERSON VALLONE: Well the passive  
8 would be everything over an acre... [interpose]

9 ALYSON BEHA: Right so you could say  
10 everything over an acre... [interpose]

11 CHAIRPERSON VALLONE: ...the present  
12 report acts, active, yeah.

13 ALYSON BEHA: ...and also maybe...  
14 [interpose]

15 CHAIRPERSON VALLONE: Yeah that's  
16 exactly what we were thinking, something like that  
17 is, is, is a way to improve this. Again I have to  
18 deal with what I can actually... [interpose]

19 ALYSON BEHA: Right.

20 CHAIRPERSON VALLONE: ...get passed the  
21 council, hopefully get passed the veto if not, and  
22 override a veto. There's, there's a lot that goes  
23 into pet bills in addition to press conferences to  
24 actually get things done. Anything else for Alyson?  
25 Okay well thank you very much. I don't have any

1  
2 other cards for people testifying but thank you all  
3 for coming in today and I hope to move on this  
4 quickly. Maybe we'll be able to make some changes  
5 to make it better based on the testimony we just  
6 heard so thank you for, for coming down and I look  
7 forward to working with all of you to get this done  
8 in the, the small time we have left to make New  
9 York City even safer. Thank you all.

10 [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            November 29, 2013