

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS JOINTLY  
WITH THE COMMITTEE ON GENERAL WELFARE

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May 11, 2015  
Start: 10:17 a.m.  
Recess: 12:21 p.m.

HELD AT: 250 Broadway - Committee Room  
16th Floor

B E F O R E:

BEN KALLOS  
Chairperson

STEPHEN T. LEVIN  
Chairperson

COUNCIL MEMBERS:

David G. Greenfield  
Mark Levine  
Ritchie J. Torres  
Steven Matteo  
Annabel Palma  
Fernando Cabrera  
Ruben Wills  
Donovan J. Richards  
Vanessa L. Gibson  
Corey D. Johnson  
Carlos Menchaca

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

Bonda Lee-Cunningham  
Policy Advisor  
Mayor's Office of Operations - MOO

Sonia Lin  
General Counsel  
Mayor's Office of Immigrant Affairs - MOIA

Allison Yurcik  
Legal Fellow  
LGBT Law Project, New York Legal Assistance Group

Levi Solimine  
Director of Programs  
Empire State Pride Agenda

Carrie Davis  
Chief Programs and Policy Officer  
NYC LGBT Community Center

Dr. Christian Huygen  
Executive Director  
Rainbow Heights Club

Sheelah Feinberg  
Executive Director  
Coalition for Asian-American Children and Families

Sumie Okazaki  
Policy Fellow  
Coalition for Asian-American Children and Families  
Professor of Applied Psychology at NYU Steinhart  
President of Asian-American Psychological Assoc.

Shahana Hanif  
CAAAV, Organizing Asian Communities

Khemara Nhann  
Campaign Coordinator  
Mekong

Jennifer Lang  
Faculty Member  
Immigrant Health and Cancer Disparity Service  
Memorial Sloan Kettering Cancer Center

Michael McFadden  
Director of Funded Programs  
Callen-Lorde Community Health Center

Richard David  
Inter-Caribbean Alliance

Shelby Chestnut  
Director  
Anti-Violence Project

Suzanne Ramos  
Board Chair  
PFLAG New York City

Simona Kwon  
NYU Center for the Study of Asian-American Health  
NYU School of Medicine

Bryan Ellicott  
Dan Ryckert

Nelson Acevedo  
Retired NYC High School Assistant Principal

[sound check, pause]

[gavel]

SERGEANT-A-ARMS: Quiet please.

CHAIRPERSON KALLOS: Good morning and--  
Good morning and thank you for joining us at this  
joint meeting of the Committee on Governmental  
Operations and the Committee on General Welfare. I'm  
Council Member Ben Kallos, Chair of the Committee on  
Governmental Operations. You can Tweet me at Ben  
Kallos, and I am joined by my Co-Chair for today's--  
for today's hearing, Council Member Levin of the  
Committee on General Welfare. We're also joined by  
Council Member Steven Matteo, who has a perfect  
attendance record, as well as the Chair of Public  
Safety, Council Member Gibson, as well as Council  
Member Cabrera, who is Chair of Juvenile Justice.

We're here to discuss four pieces of  
legislation regarding the City's collection of  
demographic data. It has become apparent that there  
is a lack of particularized demographic data  
regarding the many sub demographic groups represented  
in the city. Having more specific disaggregated  
data about the diverse population in the city will  
enable policymakers, such as myself, to better

1 identify issues and create targeted solutions that  
2 will hopefully better serve those communities. To  
3 that end, we will hear testimony on three bills and  
4 one resolution. First, we have Introductions 251 and  
5 250--and 552, both sponsored by Council Member Danny  
6 Dromm. Introduction 251 will collect data on  
7 numerous Asian-Pacific and American sub-demographic  
8 groups in the city. Intro 552 will gather and report  
9 on data collected related to sexual orientation and  
10 gender identity. Next, we'll hear testimony on  
11 Introduction 551 sponsored by Council Member Margaret  
12 Chin. This proposed legislation will require city  
13 agencies to collect data on individuals who are  
14 identified as multiracial where racial identification  
15 is required. Finally, we will receive testimony on  
16 Resolution 472, which calls upon the New York State  
17 and the federal government to amend their official  
18 forms in databases to allow for multiracial  
19 identification whenever racial identification is  
20 required. This resolution is also sponsored by  
21 Council Member Chin.

22  
23 At this time, I'd like to invite my co-  
24 chair Council Member Levin to say a few words about  
25 today's hearing.

CHAIRPERSON LEVIN: Thank you, Council Member Kallos. Good morning everybody. I'm Council Member Stephen Levin, Chair of the New York City Council's Committee on General Welfare. As my colleague, Council Member and Chair of Government Operations Committee Ben Kallos mentioned, today we are going to hear four important pieces of legislation that all seek to collect different types of demographic data from individuals receiving city services. Collecting this information will help policymakers and city agencies create and improve services to fit individual's needs. The piece of legislation today that is coming out of the General Welfare Committee, Introduction No. 552, sponsored by Council Member Danny Dromm and the entire--the entirety of the Council's LGBT Caucus would require the Mayor's Office of Operations to ensure that city agencies are collecting demographic data on individual's sexual orientation and gender identity. There is limited data available in the exact number of LGBTQ individuals living in New York City. A recent analysis of Gallup survey data found that four percent of the population of the New York Metro area identifies as LGBT. However, we have idea how many

1  
2 of these individuals are accessing city services. A  
3 2011 report from the Institute of Medicine found that  
4 current--that the current limited data collection on  
5 sexual orientation and gender identity creates  
6 difficulties in effectively identifying health and  
7 other disparities in the LGBT community and,  
8 therefore, hinders the ability to effectively address  
9 such issues.

10 In the recognition of the importance of  
11 having this information, last year Governor Andrew  
12 Cuomo announced the eight New York State agencies  
13 would begin collecting information on sexual  
14 orientation and gender identity. Intro 552 would  
15 expand on that important effort happening on the  
16 state level, and allow city lawmakers to have an idea  
17 of what is happening on the local level.  
18 Additionally, this data has particular importance to  
19 the area that this committee oversees, Social  
20 Services. Collecting this demographic information  
21 will allow city agencies providing public assistance,  
22 shelter, foster care, healthcare access, and other  
23 vital services to New Yorkers to better tailor such  
24 services for the LGBT population.

2 I want to thank the staff of the  
3 committee, Andrea Vasquez and Tonya Cyrus as well as  
4 everyone who is here today to testify, and the  
5 Government Operations staff as well. I would like to  
6 recognize all of the council members that are here  
7 today that Council Member Kallos recognized already.  
8 And the sponsor of the legislation--the sponsors of  
9 the legislation Council Member--Members Danny Dromm  
10 and Margaret Chin, who will now give their opening  
11 statements. Council Member Chin.

12 COUNCIL MEMBER DROMM: [off mic] I  
13 thought he said Dromm. [sic] Sorry.

14 CHAIRPERSON LEVIN: Chin.

15 COUNCIL MEMBER CHIN: Thank you. Good  
16 morning. I'm Council Member Margaret Chin, sponsor  
17 of Intro 551, and Resolution 472, which calls on the  
18 city government to modernize their forms in order to  
19 enable people of mixed race to identify as  
20 multiracial whenever information is requested. This  
21 is legislation I'm sponsoring along with Council  
22 Member Johnson, Kallos and Levine. Today, this  
23 Committee is hearing testimony three pieces of  
24 legislation that will improve the quality of  
25 demographic information that the government collects,



1  
2 which is essential for the city's ability to make  
3 policy and deliver services to those populations that  
4 needs it most. But, these bills are also about a  
5 fundamental principle that is enabling people to  
6 recognize their heritage and identity actively and  
7 fully. When a government form tells a person of  
8 multiracial heritage that they need to just check one  
9 box, it's like telling that person that we the  
10 government don't recognize that there are people of  
11 multiracial heritage. Forms like these seems to take  
12 us back to our country's dark days--dark history  
13 segregation and laws against mixed race marriages.  
14 Today, more than eight percent of marriages in the  
15 United States are now interracial. And our nation's  
16 multi-racial population grew by 32% between 2000 and  
17 2010. New York City has one of the largest  
18 multiracial populations in the country, more than  
19 320,000 residents. And, it's actually surprising,  
20 and a bit embarrassing that the government has not  
21 kept up with the times. So this hearing today is not  
22 just about mundane governmental forms. It's about  
23 our city's ability to embrace diversity, and to allow  
24 individuals to celebrate their heritage. I want to  
25 thank Council Member Kallos, and Levine and Levin for

1  
2 chairing this important hearing today. And thank you  
3 to all of you who have come to testify, and I hope my  
4 colleagues will support these bills. Thank you.

5 CHAIRPERSON KALLOS: Council Member

6 Dromm.

7 COUNCIL MEMBER DROMM: Well, thank you

8 Chairs Levin and Chair Kallos. We had a very  
9 beautiful speech right now for this morning and then  
10 our printer broke down. Then we got stuck on the BQE  
11 for an hour and a half coming in. So, I'm going to  
12 have to adlib it, but basically, I want to thank you  
13 for hearing this. We have a very large number of co-  
14 sponsors on the legislation, the piece of legislation  
15 that I am sponsoring, and all the pieces of  
16 legislation this morning. But, we've been working  
17 very hard on this issue since the last term. And,  
18 the collection of Asian-American data and  
19 demographics is vitally important especially in a  
20 district like mine where we have probably folks from  
21 every Asian country in the world. And breaking that  
22 down and finding out about the different languages  
23 that they speak the different customs and traditions  
24 that they follow. Knowing who our folks are

1  
2 throughout the whole city is vitally important to  
3 serving the continually growing Asian community.

4           When I started here in the City Council  
5 in 2010, there was an organization called Twelve  
6 Percent and Growing. That organization is now  
7 Fifteen Percent and Growing. So, it does continue to  
8 grow, and actually, the Asian area of my district,  
9 mostly Elmhurst and the western part of Jackson  
10 Heights has shown the largest increase of growth of  
11 any area of my district. In fact, during  
12 redistricting, my district was shrunk down. I am the  
13 smallest district geographically, but with the  
14 highest number of people in the Borough of Queens.  
15 And that is mostly in part due to the increase of the  
16 Asian communities in Jackson Heights and Elmhurst.  
17 So, we need this information so that we can learn  
18 better how to provide services to those communities.  
19 And then on the second piece of legislation, I'll  
20 just have to look at them for the numbers.

21           On the LGBT data collection, that would  
22 be Intro No. 552. It's amazing to note that the city  
23 has never, ever collected any information on LGBT  
24 folks. And yet, we purport to be providing services  
25 to the LGBT community. So, you know, those--some--

1  
2 some opponents might say, we're throwing money at a  
3 problem and not even knowing what we're doing with  
4 it. And to a certain extent, I kind of agree with  
5 those opponents because we just do not have that  
6 data. And this is something that I brought up in my  
7 first term in City Council as well. On numerous  
8 occasions, two commissioners particularly with the  
9 agency for--the agency for child--the Administration  
10 for Children's Services--excuse me--and DYCD, and it  
11 was met sometimes with some resistance to the  
12 correction. Now, as it relates to the Department of  
13 Education, I think that there needs to be some  
14 sensitivity toward how we collect data information  
15 from there. But, ultimately, unless we know who and  
16 where our LGBT folks are living, and what types of  
17 services they need, we are not going to be able to  
18 provide those adequate services. So, for the first  
19 time in history when this bill passes, and I hope  
20 that it will, we will have that information. I think  
21 it's really vitally important to providing those  
22 services. So I really want to thank you for hearing  
23 this and I look forward to hearing testimony of the  
24 Administration and from our advocates in the audience  
25 as well. Thank you very much.

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2                   CHAIRPERSON KALLOS: Thank you. Before  
3 we start, I'd like to thank my staff for the work  
4 they did to assemble this hearing including my  
5 Legislative Director Paul Westrick, Shijuade Kadree,  
6 Counsel for the Committee, and Laurie Wenn, Policy  
7 Analyst to the Committee. I would like to just  
8 mention that this is Shijuade Kadree's first hearing  
9 with Governmental Operations and we welcome her with  
10 open arms, and look forward to working closely with  
11 her. I would also like to--and she joins us from the  
12 Housing and Buildings Committee. I'm excited to have  
13 her as a member of the Governmental Operations team.

14                   With that said, I'm going to call up  
15 representatives from the Administration as our first  
16 panel. I would like to remind everyone that if you  
17 would like to testify today to please fill out one of  
18 these cards and hand it to the sergeant-at-arms.  
19 Just for the Administration, we'll be swearing you  
20 in. Do you affirm to tell the truth, the whole  
21 truth, and nothing but the truth in your testimony  
22 before this committee, and to respond honestly to  
23 council member questions?

24                   BONDA LEE-CUNNINGHAM: I will.

25                   CHAIRPERSON KALLOS: And--

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SONIA LIN: I will.

CHAIRPERSON KALLOS: And our first panel is Bonda Lee Cunningham from the Mayor's Office of Operations as well as Sonia Lin, the Mayor's Office of Immigrant Affairs.

CHAIRPERSON LEVIN: Before we begin, I just want to acknowledge two council members who have joined us, Council Members Mark Levine, Ritchie Torres, and Annabel Palma.

BONDA LEE-CUNNINGHAM: Okay. Good morning. Chairman Kallos, Chairman Levin and members of the Government Operations and General Welfare Committees. My name is Bonda Lee-Cunningham from the Mayor's Office of Operations, and I am joined by Sonia Lin, General Counsel of the Mayor's Office of Immigrant Affairs. I'm here today to give testimony regarding Introductions 251, 551 and 552, which seek to expand the breadth of demographic information collected by city agencies that collect demographic information in the course of their interactions with residents who are seeking and receiving city services.

Intro 251 proposes an expansion of categories under the broad racial group Asian and

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2 Pacific Islander because of the wide variety of  
3 cultures and languages among people whose origins are  
4 in that geographic area. Intro 551 proposes to allow  
5 agency clients to indicate that they are multi-racial  
6 when answering questions about race. Intro 552  
7 proposes to allow agency clients to indicate their  
8 gender beyond the typical options of male and female  
9 as well as sexual orientation data, which is  
10 currently not collected on most city forms.  
11 Provision of any of this demographic data will  
12 continue to be fully voluntary.

13           The Administration is supportive of the  
14 goals of the proposed legislation. As reflected in  
15 the One NYC Report, the city is committed to  
16 systematically tracking metrics on opportunity,  
17 progress and livability across all of New York City's  
18 traditionally disadvantaged groups. We've committed  
19 to establishing a cross-agency group to oversee the  
20 collection, analysis and internal reporting of the  
21 data at the agency level. The City will use this  
22 data to support agencies in making decisions around  
23 One NYC and other initiatives designed to better  
24 support equitable outcomes. With these goals in  
25 mind, we have committed to issuing a mayoral

1  
2 executive order requiring the Social Indicator  
3 Report, which analyzes the social, economic, and  
4 environmental health of the city to break out  
5 measurements by traditionally disadvantages groups,  
6 and to gather that data where it is not being  
7 currently collected. This and additional reports  
8 will also bring attention to disparities. Through  
9 these reports, we can ensure that policy decisions  
10 advance the Mayor's equity platform.

11           While the plans outlined in One NYC  
12 relate to tracking progress over time, the collection  
13 of thoughtfully disaggregated data at the point of  
14 entry is consistent with the goals of better  
15 understanding the needs of and serving all New  
16 Yorkers. In a city as diverse as ours, it is  
17 important that agencies providing important social  
18 services be aware of and sensitive to the demographic  
19 and cultural characteristics of the populations to  
20 which they provide services. An individual's culture  
21 or identity may affect his or her awareness of or  
22 receptivity to services, ability to access those  
23 services and how outreach is conducted by the city.

24           The Decennial U.S. Census captures a  
25 great deal of detail in the city's racial and ethnic



1  
2 groups and the Department of City Planning provides  
3 very accessible ways for the public and city agencies  
4 to see who lives in the city and where they reside.  
5 The proposed collection of additional information to  
6 be implemented through this legislation would  
7 demonstrate our respect for individual's interest in  
8 defining their own identities. And go a long way to  
9 helping the city understand how to best connect a  
10 host of services to the people we aim to serve.

11 All three bills call for existing forms  
12 to be changed to collect new information. Some of  
13 the forms, however, which would likely yield the most  
14 comprehensive types of information, cannot be changed  
15 due to state of federal regulations. Even where  
16 allowed, the changes to existing forms would require  
17 modifications to agency case management systems and  
18 require the production of new forms by agencies. The  
19 Administration suggests an alternative approach to  
20 accomplishing the goals of the legislation. This  
21 approach would yield valuable information in a manner  
22 that is practicable and cost-effective, and would  
23 also guarantee protection of agency clients'  
24 confidential information.

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2                   We propose the use of a single page  
3 machine-readable questionnaire that applicants would  
4 be invited to complete on a truly voluntary basis  
5 when they complete other application materials or  
6 doing service provision. The single page could be  
7 easily completed like a test answer sheet with  
8 circles to be darkened next to the applicable  
9 category. This form would, of course, be  
10 standardized across agencies, would have instructions  
11 in the major languages used in the city, and would be  
12 designed by the Mayor's Office of Operations in  
13 consultation with the Mayor's Office of Immigrant  
14 Affairs and subject matter experts in city agencies.  
15 The form would enable collection of fully  
16 disaggregated racial and ethnic data for a range of  
17 ethnic groups from around the world. It could be  
18 easily modified and could be coded with the agency or  
19 origin. Geographic information about the client's  
20 neighborhood of residence could also be collected.  
21 The data collected would be kept separately from the  
22 agency--from the applicant's case file without any  
23 personally identifiable information recorded. The  
24 forms could be centrally read by a scanner programmed  
25 to build a sortable, searchable database. We are

1  
2 working with OMB to evaluate the cost of such a  
3 program and equipment, and hope to receive an  
4 estimate of the cost shortly. We will notify the  
5 state of the federal government of a change in a  
6 current intake process where that is required.

7           That said, we strongly believe that a  
8 robust system based on a standalone form is feasible,  
9 and is the best way to operate a multi-agency data  
10 collection program such as this. The implementation  
11 of the questionnaire should be focused on the major  
12 points of entry for primary human services such as  
13 public assistance, education, childcare, housing, and  
14 senior services. These are sectors, which already  
15 collect some demographic information, and which the  
16 numbers of applicants are substantial, potentially  
17 yielding a great deal of useful data. Accordingly,  
18 the Administration will work with the Council and  
19 advocates to develop a list of agency programs in  
20 which this data collection would be most effective  
21 and valuable.

22           Intro 251 asks that agencies incorporate  
23 greater detail with regard to those falling under the  
24 category of Asian-Pacific Islander. The  
25 Administration recognizes that the broad ethnic

1  
2 category is Asian, and Pacific Islander encompasses  
3 an immense diversity of individuals from different  
4 backgrounds with different languages and with  
5 different needs and concerns. Similar considerations  
6 could, in fact, indicate that data disaggregation  
7 would be similarly valuable among other commonly used  
8 ethnic categories like Hispanic, Black or African-  
9 American and White. The bill does not constrain the  
10 Office of Operations' authority to disaggregate an  
11 ethnicity country of birth and language data for  
12 additional non-Asian-Pacific Islander groups.

13           We have been working closely with MOIA to  
14 understand the needs and best practices in this area,  
15 and we will continue to work with MOIA to ensure that  
16 the goals of the legislation are met. As to the  
17 query related to the number of years in the United  
18 States, we feel that this inquiry might serve as a  
19 deterrent to city government engagement by certain  
20 immigrants, particularly recently arrived and  
21 undocumented immigrants. And we suggest that that be  
22 admitted--be omitted.

23           We also support Intro 551, which calls  
24 for providing an opportunity for those who are  
25 multiracial to indicate this when asked for

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2 demographic information. This could easily be  
3 incorporated into the single-page questionnaire. The  
4 respondent would first select multiracial and then  
5 select among the categories listed, which could  
6 include any combination of the broad racial  
7 categories and disaggregated categories.

8           Intro 552 provides that applicants for  
9 services be allowed to indicate gender identity and  
10 sexual orientation information. We support the  
11 collection of this important information, as it will  
12 lead to better understanding in addressing any  
13 disparities that LGBTQ New Yorkers face. We do,  
14 however, have some concerns. First, respondents'  
15 safety must be paramount when obtaining this  
16 information. We later describe training associated  
17 with those using this form, and recognize that this  
18 is necessary. Further, we recognize that data  
19 collection on these topics as it relates to minors  
20 could pose an issue, and we would seek input from  
21 experts on how to best move forward recognizing that  
22 some city services are specifically directed at  
23 meeting the needs of those who identify as other than  
24 male or female or of a specific sexual orientation.

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2           Second, it is critical that these  
3 questions are asked in a manner that allows for the  
4 greatest ready [sic] comprehension of the terms used.  
5 Because of the sensitivity of this question, we  
6 expect it will take some time for persons to feel  
7 comfortable responding, perhaps yielding unreliable  
8 results for some time. But we also recognize that if  
9 parents are involved in completing the forms that  
10 there may be danger for a minor who discloses, or  
11 they be parental answers that are contradictory to  
12 the minor's view. We understand that there is great  
13 value to service providers in knowing the answers to  
14 questions on these data points. But because of the  
15 issues cited above, and because terminology  
16 concerning general identity--gender identity and  
17 sexual orientation arena is constantly evolving.  
18 Rather than codifying the categories in the law, we  
19 ask that operations be given the latitude to develop  
20 an approach in the categories to be included and  
21 consultation with LGBTQ experts within city  
22 government and the advocacy community.

23           We appreciate this opportunity to testify  
24 with regard to these bills, and wholeheartedly  
25 support with the proposed operational modifications

1  
2 the goals that the Council seeks to achieve through  
3 them. We would also like to thank the advocates who  
4 have been pushing for these changes for years for all  
5 of their hard work, and the Council for its  
6 leadership on creating a more inclusive city. We  
7 look forward to a continuing dialogue on these  
8 important issues. Thank you.

9 CHAIRPERSON KALLOS: Thank you. Is that  
10 the--? I need it. Perfect. I would like to  
11 recognize Council Member Dromm followed by Chin for  
12 questions for the Administration, followed by Council  
13 Member Levine.

14 COUNCIL MEMBER DROMM: Thank you very  
15 much. I just want to start off by going through the  
16 Intro 552. It's interesting, although it's very  
17 unfortunate that although I believe in some ways--I  
18 understand where you're coming from. But we say that  
19 there may be a danger from a minor who discloses  
20 their sexual orientation [ringing phone], and that  
21 parental answers that are contradictory to the  
22 minor's views. I understand the concern to a certain  
23 extent about that, but I don't believe that it should  
24 prevent us from codifying it. Why exactly are you  
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2 concerned about codifying it or putting into law that  
3 this data collection needs to be collected?

4 BONDA LEE-CUNNINGHAM: Oh, our concern  
5 isn't about codifying the data collection. It is  
6 about codifying the categories because it's involving  
7 arena and terminology changes. So, it has nothing to  
8 do with the principle in actually saying that we  
9 should collect this data. We are in agreement with  
10 that.

11 COUNCIL MEMBER DROMM: So, I'm actually  
12 not exactly sure when you say the language. Can you  
13 just explain that further?

14 BONDA LEE-CUNNINGHAM: Well, there are  
15 different names for categories of sexual orientation  
16 and gender identity, and over time and even in--in  
17 very recent years there have been changes in--in the  
18 views of that community about how they choose to be  
19 identified. So what we would want to have is expert  
20 consultation. We would want to have the flexibility  
21 to adjust it as things change. As perhaps new  
22 terminology arises or a certain terminology becomes  
23 unacceptable, we want to be able to have the  
24 flexibility to do what is best in this circumstance.



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2 COUNCIL MEMBER DROMM: So, I'm a little  
3 bit confused by that because let's just take African-  
4 American for example. That was not a term that we  
5 used until more recently. Prior to that it was  
6 probably Black. What term do you use now?

7 BONDA LEE-CUNNINGHAM: Well, I think that  
8 people use a variety of terms, but that's the reason  
9 why--

10 COUNCIL MEMBER DROMM: [interposing] But  
11 which one do you collect?

12 BONDA LEE-CUNNINGHAM: What--I think  
13 different agencies now collect different--collect it  
14 in different ways. Many say Black or African or  
15 African-American, but one of the reasons why we'd  
16 like to even expand that category is because someone  
17 who is Black may well call themselves African-  
18 American. They maybe Caribbean-American. They may  
19 be African-American. So that kind of disaggregation  
20 we think is--is helpful. But, one of the reasons  
21 we'd like to have this freestanding format is it  
22 would give us an opportunity to adjust to changes  
23 like that.

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2 COUNCIL MEMBER DROMM: So I'm just a  
3 little confused about the freestanding format. What-  
4 -can you explain that further for us?

5 BONDA LEE-CUNNINGHAM: What we're  
6 speaking of is instead of trying to insert new  
7 categories in the middle of existing forms, which  
8 means new form generation, new form development. And  
9 in some cases it's not even possible because some  
10 forms cannot be changed by the city. They are  
11 governed by state of federal regulations. And so,  
12 some of the--probably some of the areas where we  
13 would most to get information like an application for  
14 assistance at HRA, which covers a broad range of  
15 services, that's a form that cannot be changed  
16 without permission. But, if we can add this  
17 freestanding form to collect this data outside of the  
18 actual form that's being used in that process, we can  
19 collect that information, and gather it in an area  
20 where we would get a lot of really helpful data.

21 COUNCIL MEMBER DROMM: So, could you walk  
22 me through how you would envision this? Let's say we  
23 passed something mutually agreeable according to what  
24 you're talking about for somebody who's going into a  
25 senior center. So, you know, the Catherine Sheridan

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2 Senior Center in Jackson Heights. How would that  
3 process work?

4 BONDA LEE-CUNNINGHAM: Well, in fact,  
5 we've consulted with people from various agencies.  
6 Now, actually, senior centers do not require people  
7 to provide information when they come. You're  
8 welcome to come. You may sign in just so you're  
9 there so they have a count of how many people are  
10 there. But they don't collect information when you  
11 just come for a senior center. But if you are a  
12 client for case management, that information is--is  
13 captured, and that would be a part of meeting with a  
14 social worker.

15 COUNCIL MEMBER DROMM: Uh-huh. So in  
16 the--in the meeting with the social worker, what--how  
17 would the social worker address actually not just  
18 the--my--the--my bill on 552, but all of the other  
19 pieces of legislation?

20 BONDA LEE-CUNNINGHAM: A client who's  
21 coming in, a client for service or getting service  
22 would be just as it's in the form and in some forms  
23 now where people can address the question or not.  
24 The person would be told this is an effort by the  
25 city to capture information to better serve all of

1  
2 the groups who are here, and encourage them to  
3 complete it. All of this is voluntary, as you know--

4 COUNCIL MEMBER DROMM: [interposing] Uh-  
5 huh.

6 BONDA LEE-CUNNINGHAM: --and so we would-  
7 -it would be explained what it was for. It would be  
8 explained that it doesn't travel with their case  
9 record. But, it is an effort by the city to  
10 determine who is here, and who is seeking what kinds  
11 of services.

12 COUNCIL MEMBER DROMM: But you would use  
13 the words, lesbian, gay, bisexual, transgender?

14 BONDA LEE-CUNNINGHAM: If those are--Yes.  
15 I mean as far as I know, those are certainly  
16 terminologies that would currently--that are  
17 currently acceptable. And if there's any variation  
18 in that, the form would be changed if it--if--if for  
19 some reason that changed, but yes. So our commitment  
20 is to cover the subject as fully as--as we can in a  
21 responsible way. And to capture that demo--that  
22 demographic information, but we are asking for the  
23 flexibility to determine the categories, the names of  
24 the categories in consultation with people who are  
25 expert in the field.

1  
2 COUNCIL MEMBER DROMM: And that's for the  
3 initial implementation of the law, or that would be  
4 up to change later on?

5 BONDA LEE-CUNNINGHAM: Well--

6 COUNCIL MEMBER DROMM: [interposing] I  
7 don't understand really what the issue is. It's  
8 lesbian, gay, bisexual, transgender, and that's how  
9 we have identified ourselves. So what other terms  
10 are you talking about?

11 BONDA LEE-CUNNINGHAM: Well--

12 COUNCIL MEMBER DROMM: [interposing]  
13 Well, there is Asexual. I know that. There is two-  
14 spirited. I know that, but ultimately, the objective  
15 I think of the law is to capture the demographics for  
16 the LGBT community, right?

17 BONDA LEE-CUNNINGHAM: That seems to be  
18 the thrust of it although you--the way the  
19 legislation is written, it does seem to cover both  
20 sexual orientation and gender identity. I think I  
21 would defer to it. I'm sure there are going to be  
22 some people here who are going to testify--

23 COUNCIL MEMBER DROMM: [interposing] I'm  
24 sure there are.

1  
2           BONDA LEE-CUNNINGHAM: --later as to the  
3 breadth of the definitions in this arena. I'm not an  
4 expert on it, and we would certainly consult with  
5 people who are. I can't say myself what all of the  
6 right categories. I--we would certainly want to  
7 consult with people who work in this arena who--who  
8 would guide us on that.

9           COUNCIL MEMBER DROMM: Well, I think  
10 you're making the issue a lot more complicated than  
11 what it needs to be, and I hope it's not to be an  
12 obstructionist because these are some of the same  
13 arguments that I heard in the past, and I'm concerned  
14 about it. I actually kind of looked to this meeting,  
15 and as you know, we've had some conversations with  
16 the Administration moving forward on this. And I was  
17 under the assumption that the Administration was  
18 generally supportive of the legislation.

19           BONDA LEE-CUNNINGHAM: We are.

20           COUNCIL MEMBER DROMM: Okay.

21           BONDA LEE-CUNNINGHAM: We are.

22           COUNCIL MEMBER DROMM: So how are we  
23 going to get to the point if you're saying you're  
24 opposed to codifying the categories?

1  
2           BONDA LEE-CUNNINGHAM: We're--but we're--  
3 we are in--in support of codifying the questions in  
4 this arena. So if--if the law had some very specific  
5 categories, Councilman, and things change and need to  
6 be added to or modified, then we have to go back to  
7 stage one.

8           COUNCIL MEMBER DROMM: [interposing] So  
9 you would like something in the law to say that you  
10 can continue to modify those categories? Is that  
11 what you're asking for?

12           BONDA LEE-CUNNINGHAM: Yes.

13           COUNCIL MEMBER DROMM: Okay. So you're  
14 asking for something to be contained in the law that  
15 says that in the future if names changes or words  
16 change or the language changes, you'd be able to  
17 change those, but not eliminate or--?

18           BONDA LEE-CUNNINGHAM: No, we are  
19 committed to--to collecting this information.

20           COUNCIL MEMBER DROMM: Okay. All right.  
21 That makes it a little bit clearer to me. Thank you.

22           CHAIRPERSON KALLOS: Council Member Chin  
23 followed by Council Member Levine and Cabrera.

24           COUNCIL MEMBER CHIN: Thank you, Chair.  
25 Good morning.

BONDA LEE-CUNNINGHAM: Good morning.

COUNCIL MEMBER CHIN: I'm glad to hear that you do support Intro 551. Now, the law--the bill asks for all agencies forms to allow for multiracial identifications. And right now, for example, the DCAS employment form that you have to fill out when you apply to work for the city, in that form it does not allow multiracial. You can only check one race on that form. So, in the testimony you were talking about a single-page questionnaire. How does that apply at all? I mean we're talking about any agents, all the agencies that collect this demographic information would have to have the multiracial category.

BONDA LEE-CUNNINGHAM: Yes, and we are recommending that this form be a part of any intake or--or initial process that when someone interacts with city government. So instead of it just being in the form that the agency already uses, that it all--that it be--it would be a freestanding document. But that's because it would give us greater flexibility. If every form in the city has to be changed and modified as time goes because this is generally somewhere in the middle of a form, it--we see it as



1  
2 being perhaps, you know, really more difficult and  
3 disruptive to operations than it needs to be. By  
4 have the freestanding form, we have the capacity to  
5 expand it as need--as needed. And to collect a great  
6 deal more data than we feel we could do if we were  
7 inserting this in the middle of an existing form.

8 COUNCIL MEMBER CHIN: Are there any city  
9 agency forms right now that allows someone to check  
10 the multiracial category?

11 BONDA LEE-CUNNINGHAM: Not that I know  
12 of, but I can't say that I've done an exhaustive  
13 search, but I don't believe that there are.

14 COUNCIL MEMBER CHIN: Well, we--we also  
15 did a search and we weren't able to find that either.  
16 So your suggestion is that for every agency--so for  
17 every agency that do collect demographic data, then  
18 you would attach this one pager?

19 BONDA LEE-CUNNINGHAM: What we would like  
20 to suggest it certainly could be the case that every  
21 agency that collects data would do this. But we  
22 would like to suggest that Operations have the  
23 latitude to--in conjunction with consultation with  
24 the Council to select the agency interactions, which  
25 generally--which actually are the greatest in number.

2 And also the most important in terms of access to  
3 services, and focus no those initially. It certainly  
4 could be incorporated later in every city agency  
5 activity. But, we think certainly initially we  
6 should look for doing this where the greatest  
7 interaction occurs. As I said, applications for the  
8 broad range of services that come through HRA.  
9 Application for services to children, school  
10 information, housing information. These are places  
11 that have large catch--catchments of individuals and  
12 where we think we'll generate a great deal of  
13 information about who is here and what services they  
14 need.

15 COUNCIL MEMBER CHIN: That's really  
16 important, but I think the--the fact that the purpose  
17 of the legislation is no matter what form that a  
18 person come have to feel that, they have that option  
19 and that's important. So, we do want it across the  
20 board--

21 BONDA LEE-CUNNINGHAM: [interposing] I  
22 see, yes.

23 COUNCIL MEMBER CHIN: --of all, you  
24 know, all the city agencies that collect demographic  
25 information now, they need to allow people to check

1  
2 more than one, and they want to check the multiracial  
3 category.

4 BONDA LEE-CUNNINGHAM: Okay. Uh-huh.

5 COUNCIL MEMBER CHIN: Thank you, Chair.

6 CHAIRPERSON KALLOS: Thank you. I just  
7 have to apologize to my colleagues. I'm feeling a  
8 little bit under the weather, but Council Members do  
9 not get to take sick days especially on days with  
10 hearings as important as this one. We've been joined  
11 by Council Member Menchaca, Wills, Greenfield and  
12 Johnson, and next up is Council Member Levine  
13 followed by Council Member Cabrera.

14 [pause]

15 COUNCIL MEMBER LEVINE: Okay. Thank you  
16 very much, Chair Kallos. Ms. Lee-Cunningham, a  
17 pleasure to see you and hear your testimony today.  
18 I'm particularly excited about how the provisions of  
19 Intro 551 that would allow for the selection of more  
20 than one box on the demographic forms. As the father  
21 of two boys who have a White father and a Latino  
22 mother, I know that their identity is a melding of  
23 more than one box for sure. And I think a lot about  
24 them and how they would fill out these forms. I  
25 think it's a more accurate reflection of reality for

1  
2 the increasing number of New Yorkers, as you  
3 acknowledged. What happens today if someone checks  
4 off two boxes on a city demographic form? Is that  
5 information thrown out as invalid?

6 BONDA LEE-CUNNINGHAM: I honestly--I have  
7 to tell you I don't--I don't know. It goes into, you  
8 know, if an agency is generating a database from the  
9 form, I imagine it goes in there, but in terms of its  
10 use, I don't know that it generates some kind of  
11 meld--you know, there's some kind of melding [laughs]  
12 of those two checked boxes into one that then yields  
13 a multiracial category. I don't believe that that  
14 happens.

15 COUNCIL MEMBER LEVINE: In the one-page  
16 form you're proposing, do you categorize Latino  
17 status the way the census does? Are you proposing  
18 that we do it the way census does, and which is  
19 considered not a race but a separate identity, an  
20 ethnic identity essentially? Or, do you envision it  
21 being one of the five major categories equal with the  
22 others?

23 BONDA LEE-CUNNINGHAM: I'm going to defer  
24 to my colleague here from the Mayor's Office of  
25 Immigrant Affairs.

1  
2                   SONIA LIN: [off mic] Thank you, for the  
3 question-- [on mic] could you Could you ask the  
4 question again, please?

5                   COUNCIL MEMBER LEVINE: Do you currently  
6 do you propose that Latino status be considered an  
7 identity separate from race as it is considered by  
8 the census with all the inaccuracies that that  
9 brings? Or is that be considered a box that one can  
10 check from amongst the other racial categories?

11                   SONIA LIN: Thank you for that question.  
12 We would like to disaggregate ethnicity and ancestry  
13 information for a large number of ethnic groups. Not  
14 just Asian and Pacific Islanders, as provided by one  
15 of these bills. And this would allow us to obtain a  
16 full picture of additional populations including  
17 Latino populations. Particularly where place of  
18 birth information alone would not speak to ethnicity  
19 and ancestry. And so, for example, and this doesn't  
20 go to your question specifically, but I think it  
21 illustrates the point. There are many Trinidadian  
22 Americans of Indian ancestry who have concerns and  
23 needs that are existing from Trinidadian Americans of  
24 African ancestry. And so asking for full ethnicity  
25 and ancestry information would help us understand the

1 needs and concerns of each of those groups. And so,  
2 yes, we would like to capture that full information,  
3 and we'd like the legislation to delegate authority  
4 to the Administration to determine which groups to  
5 include in consultation with experts. And this would  
6 give the Administration the necessary flexibility to  
7 make changes as needed as the population changes in  
8 the city's immigrant communities.

10 COUNCIL MEMBER LEVINE: Am I--am I to  
11 understand by your examples there that there be one  
12 question on racial identity and one question on  
13 ethnic identity? In a sense it's currently the first  
14 four boxes under racial identity don't offer Latino  
15 choice. You must check African America, White,  
16 Native American or Asian-Pacific Islander. And then  
17 you can ask whether or not you're Latino. And that--  
18 that probably doesn't often match the identities that  
19 people experience it in the real world. And the  
20 example you gave of two individuals from Trinidad--  
21 with Trinidadian roots, are you saying they would  
22 answer one question about their racial identity that  
23 could be either of African ancestry or of Asian  
24 ancestry, and then on ethnic identity with  
25 Trinidadian. So it would be two different questions?

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BONDA LEE-CUNNINGHAM: Yeah, I--

COUNCIL MEMBER LEVINE: [interposing]

How--how do those two examples distinguish their answers no your form?

BONDA LEE-CUNNINGHAM: My country of origin would be different from cultural identity. Clearly, there are people of a particular culture who were born or live--come from a country that is not their culture predominantly. And we feel that people should have an opportunity to indicate that. We think that services are going to be driven by culture perhaps more than where you came from. In some cases it will be driven by culture. It will be driven by language lots of times more so than where you were-- where you came from.

COUNCIL MEMBER LEVINE: So--so just to understand, it seems like you've got one question on the cultural or the racial identity and then the other is nationality or origin?

BONDA LEE-CUNNINGHAM: Yes.

COUNCIL MEMBER LEVINE: Is that right?

BONDA LEE-CUNNINGHAM: Yes.

1  
2 COUNCIL MEMBER LEVINE: So, in the--the  
3 top question, we have a very limited number of  
4 categories I presume. The usual five or more?

5 BONDA LEE-CUNNINGHAM: Oh, no. Those  
6 five categories and then disaggregation of those  
7 categories--

8 COUNCIL MEMBER LEVINE: [interposing]  
9 Right, but so---

10 BONDA LEE-CUNNINGHAM: --is what we're  
11 proposing to do even though the intent of the  
12 legislation was particular to Asian and Pacific  
13 Islander groups, we feel very strongly that there are  
14 other groups in the city who are lumped together in  
15 one broad category who should not be. So, our  
16 intention, our proposal is that we have the capacity  
17 to really do this kind of disaggregation for any  
18 number of groups including Hispanic, including Black,  
19 including White, including Asian-Pacific Islanders  
20 that there be disaggregation so people can more  
21 finely identify who they are.

22 COUNCIL MEMBER LEVINE: So the final  
23 question I want to say Iraqi origin. On the second  
24 question you would list Iraqi as--as one of the  
25 options, which makes sense. But on the first



1  
2 question then am I still forced to pick either White,  
3 Black, Asian or Iraqi and Latino? And if so, where  
4 would a person from Iraq fit in those five  
5 categories?

6           BONDA LEE-CUNNINGHAM: Well, I think it's  
7 an interesting question. I think that's something we  
8 would certainly want to get some expert advice about.  
9 People sometimes describe themselves in certain ways  
10 that are separate from identity and describe their  
11 race in a way that suits them. We feel that people  
12 should have the opportunity to describe themselves in  
13 a way that they choose to. So, if someone wants to  
14 pick from the broad categories, they can. They will  
15 have the option, though, to fine-tune it with the  
16 more specific categories of culture and origin. And  
17 we think that will help kind of break a lot of this  
18 out.

19           COUNCIL MEMBER LEVINE: I'm going to  
20 close so I don't want to take up too much time. I  
21 just want to finish with the thought that the--the  
22 five categories that we just talked about in a sense  
23 are somewhat anachronistic. They--if they were ever  
24 accurate, perhaps that might have been true in the  
25 50s, but today we're just a far, far more diverse--

1  
2 BONDA LEE-CUNNINGHAM: [interposing]  
3 Absolutely.

4 COUNCIL MEMBER LEVINE: --society. And I  
5 think how is the time to allow if you have any  
6 question to reflect that. Thank you very much.  
7 Thank you for the time, Mr. Chair.

8 BONDA LEE-CUNNINGHAM: Thank you. Uh-  
9 huh, uh-huh.

10 CHAIRPERSON KALLOS: We have questions  
11 from Council Member Cabrera and Menchaca. I just  
12 want to note that we have 14 members of the public  
13 who would like to testify today before 1 o'clock. So  
14 that, and also I'd like to direct the Sergeant-at-  
15 Arms if you can try to pull in four or five more  
16 chairs. We have people who are standing, and we  
17 prefer to make sure that they have a place to--

18 SERGEANT-A-ARMS: [off mic] I can open  
19 the overflow room. [sic]

20 COUNCIL MEMBER LEVINE: Okay, perfect.  
21 There's a--for those of you who are standing or need  
22 a place to sit, we have opened up the overflow room.  
23 We'd like to now go to Council Member Cabrera and  
24 Menchaca.

1  
2 COUNCIL MEMBER CABRERA: Thank you, Mr.  
3 Chair, and I'll be, of course, mindful [sic] of my  
4 time. I have two different questions. It's more for  
5 clarification. In Danny Dromm's Bill 552, are you  
6 saying that the Administration is in full support as  
7 long--of codifying--as long as you're free to change  
8 the categories? Is that what I heard?

9 BONDA LEE-CUNNINGHAM: Yes, essentially,  
10 that's-- that's what we're saying--

11 COUNCIL MEMBER CABRERA: [interposing]  
12 Okay.

13 BONDA LEE-CUNNINGHAM: Yes, we fully  
14 collection of that--that information.

15 COUNCIL MEMBER CABRERA: And to codify,  
16 to make it law?

17 BONDA LEE-CUNNINGHAM: Yes, to make it  
18 law--

19 COUNCIL MEMBER CABRERA: [interposing]  
20 Okay.

21 BONDA LEE-CUNNINGHAM: --that we  
22 collected.

23 COUNCIL MEMBER CABRERA: Okay, good, very  
24 good. The second question was on Intro 551, Council  
25 Member Chin's bill, has anybody thought of maybe

1  
2 having, you know, some way that you could create that  
3 says multiracial, and then under multiracial--that  
4 way there's no--there's no confusion. There would be  
5 no confusion in terms of yeah there was no mistake in  
6 terms of clicking to it perhaps by mistake. And that  
7 that in itself would be a category, and then under  
8 that category we could see. Is that the way that are  
9 you thinking of--of implementing it, executing?

10           BONDA LEE-CUNNINGHAM: Yes, that is  
11 exactly it. We see like someone having the  
12 opportunity to first say like multiracial and then  
13 within all of the disaggregated categories or the  
14 broad categories, selecting those races that comprise  
15 their makeup. So this then gives people a much  
16 broader range of describing what their racial makeup  
17 is. They're not going to just be able to say I'm--  
18 I'm Black and White or I'm Hispanic and White or what  
19 have you. They'll be able to actually select among  
20 the full disaggregated list to show what their racial  
21 makeup is. But after selecting multiracial then that  
22 sort of ties it all together.

23           COUNCIL MEMBER CABRERA: Beautiful.  
24 Thank you so much. I said I was going to make it  
25 short for the sake of time, and if I could please

1  
2 added to 552, I would like to be in it. If I could  
3 be added to 551.

4 CHAIRPERSON KALLOS: Thank you. Council  
5 Member Menchaca.

6 COUNCIL MEMBER MENCHACA: Thank you Chair  
7 Levin and Chair Kallos, and I'll try and make it  
8 short, too. I know there are a lot of advocates that  
9 want to--that want to talk a little bit about the  
10 importance--talk a lot actually about the importance  
11 of this work. And my first question really is on  
12 IDNYC. We've just been--you know, we're in our first  
13 month of IDNYC capturing information there. Having  
14 the same dialogue with so many different people  
15 including our immigrant community. And my question  
16 there, the bill that we eventually passed allowed for  
17 the transgender community and really all New Yorkers  
18 to be able to express their gender on this card. How  
19 has this card in particular informed how you think  
20 about all these bills in discussion today?

21 BONDA LEE-CUNNINGHAM: Well, the--the  
22 reception for IDNYC has been, you know, overwhelming  
23 and it has given a lot of people I think a stake, of  
24 feeling like we have a stake in city government and  
25 life in the city. And being able to ask a broader

1  
2 range of questions than even would have been asked a  
3 few years ago I think has been really very helpful in  
4 our determination where to go with regard to this  
5 legislation. That's question that would not have  
6 been asked before. And so we think it's--you know,  
7 it's a great step in the right direction that that's  
8 been a part of IDNYC. So, I--I think it will--it--  
9 the trend is going in the right direction.

10 COUNCIL MEMBER MENCHACA: Great, and it's  
11 really good to hear how legislation as--as over and  
12 far reaching as IDNYC has been able to kind of shape  
13 these discussions. So thank you for that. I'm also  
14 looking at the timeline. So I'm on this. Is that  
15 parts of this legislation as well, and the 120 days I  
16 think is that enough time for you to--or could it be  
17 even shorter in the kind of restructuring of the city  
18 agencies? How quickly can we get this up and going  
19 post-passing this legislation. [sic]

20 BONDA LEE-CUNNINGHAM: Okay, I'm--I'm  
21 really glad you asked that question. Frankly, I  
22 think we might need a little bit more time. I don't  
23 know exactly how long. I think it would take longer  
24 if we were going to insert new questions in existing  
25 agency forms quite frankly because it would mean

1  
2 changing a lot of forms, and changing a lot of  
3 databases. We're talking here about building a form  
4 that can be used universally. It would be coded by  
5 agency or origin, but it--by it being freestanding it  
6 gives us a lot more flexibility to move forward  
7 quickly. We have some inquiries now with IT folks  
8 about the equipment and the kinds of software that we  
9 would need to read and--and--and capture this  
10 information. So, I would say, but we would also need  
11 some time to consult with the subject matter experts  
12 both in the culture and ethnicity arena as well as in  
13 the LGBT arena. To make sure that what we're putting  
14 in the form is appropriate. So I would say that we  
15 would probably want a bit more time than 120 days but  
16 not a whole lot of time. [laughs] And I can't give  
17 you a specific number. But I would hope that if  
18 whatever time you set if we can keep in touch with  
19 the Council and let you know how we're doing, and  
20 where we stand in the process that that would suffice  
21 for, you know, compliance with the timeline that you  
22 set.

23 COUNCIL MEMBER MENCHACA: And for my  
24 final question and just to kind of capture the  
25 essence of the last question, I feel like IDNYC and

1  
2 with the multi-agency collaboration really showed  
3 that things can happen quickly when there's  
4 motivation from all ends, the Council, the Mayor and  
5 the agencies. And so, we're going to be pushing for  
6 a more streamlined timeline--

7                   BONDA LEE-CUNNINGHAM: [interposing] Uh-  
8 huh.

9                   COUNCIL MEMBER MENCHACA: --a shorter  
10 timeline, and so-- But let's continue to have those  
11 conversations. And finally, in the interim time that  
12 we have before we finally get these databases changed  
13 and this captured information, there are current  
14 contracts that we give due to discretionary funding  
15 where people or organizations are reporting data. I  
16 guess data comes in so many different forms, and  
17 they're capturing it the way we're asking you to  
18 eventually capture it. A lot of that data gets  
19 collapsed. Gender, for example, is probably the most  
20 easy to kind of see how things are collapsed as the  
21 LGBT--LGBT organizations are capturing different  
22 information. And so, what can we do in the interim  
23 to--to begin to take some of that now, and allow that  
24 to kind of inform the contracts today in the interim?



1  
2 Is there anything we can do to enforce them to  
3 collapse?

4                   BONDA LEE-CUNNINGHAM: I really don't  
5 think I can answer that question today to be honest  
6 with you. I would really need to do some checking  
7 around and speaking to some agencies. You're saying  
8 that where people are currently now collecting  
9 certain kinds of information can we capture it in the  
10 interim is that--

11                   COUNCIL MEMBER MENCHACA: [interposing]  
12 Yeah, that's--

13                   BONDA LEE-CUNNINGHAM: --your question?

14                   COUNCIL MEMBER MENCHACA: --that's what  
15 I'm asking in the interim, and really just thinking  
16 about the end of fiscal year where contracts are  
17 closing. So a lot of this data is valuable, and I'm--  
18 -I'm even thinking. I don't know how--how we go just  
19 kind of looking at testimony, talking to some of the  
20 advocates. They've been collecting this for years.  
21 And so how do we go back in time? How do we--how do  
22 we take some of this data that has been rich, and  
23 integrated into city policy before we pass the bills.  
24 And if you can't answer that today, I'm hoping that

1  
2 you can think about that and work with our--work with  
3 our committees to--to find a solution for that.

4           BONDA LEE-CUNNINGHAM: We, as I'm sure  
5 you know, in Operations we do have an Office of Data  
6 Analytics, and that's something I could certainly  
7 raise with them. They have a full knowledge of a lot  
8 of the databases in the city, and how we can perhaps  
9 key some information up. But I--I don't feel that  
10 I'm competent to answer the question today.

11           COUNCIL MEMBER MENCHACA: Well, we'll--  
12 we'll come back to that, and I'll ask the advocates  
13 if they can in their testimony talk a little bit  
14 about their history of data collection. And how we  
15 can go back and really look at those archives, and  
16 allow that to inform history as well, and not kind of  
17 start from--from scratch essentially. Thank you.

18           BONDA LEE-CUNNINGHAM: Thank you.

19           CHAIRPERSON LEVIN: Thank you very much,  
20 Council Member Menchaca. I just have a couple of  
21 questions of my own here. In terms of the number of  
22 forms that we're talking about to be addressed by  
23 these bills, has the Mayor's Office of Operations  
24 done an assessment of how many forms we're talking  
25 about?

1  
2           BONDA LEE-CUNNINGHAM: Well, we've done--  
3 we've looked at it several different ways. Actually,  
4 Operations did a study several years ago on this  
5 issue and looked at, you know, across city government  
6 how many agencies are collecting some kind of  
7 demographic information. And it's a broad range.  
8 Some very small programs, some really big programs.  
9 But they also looked at whether these forms can be  
10 modified or not and that kind of thing. What--the  
11 conclusion we've come to in working through this  
12 process with this current legislation is that if we  
13 were to take the approach that I described today that  
14 we could hone in on probably somewhere in the  
15 neighborhood of eight to ten processes that are going  
16 on in city government. We call them forms, but  
17 basically we're talking about intake processes--

18           CHAIRPERSON LEVIN: [interposing] Right.

19           BONDA LEE-CUNNINGHAM: --where this could  
20 be applied and really yield really a substantial  
21 amount of information. It wouldn't--

22           CHAIRPERSON LEVIN: [interposing] Wait,  
23 just taking one step back. If we were to pass this  
24 legislation as is, you know, this week without any

1  
2 changes, how many forms would it--would it--would  
3 have to be changed by New York City's government?

4 BONDA LEE-CUNNINGHAM: If we're talking  
5 about forms, it can be changed without getting  
6 permission--

7 CHAIRPERSON LEVIN: [interposing] Is that  
8 state--

9 BONDA LEE-CUNNINGHAM: --or what have  
10 you. You're talking about--

11 CHAIRPERSON LEVIN: --state and federal?

12 BONDA LEE-CUNNINGHAM: --20 or 25.

13 CHAIRPERSON LEVIN: Okay.

14 BONDA LEE-CUNNINGHAM: Some of them,  
15 though, may not be areas that would concern the  
16 committee greatly, or that would generate a huge  
17 amount of information. So, you know, that was our--  
18 that was partly our concern--

19 CHAIRPERSON LEVIN: [interposing] Okay.

20 BONDA LEE-CUNNINGHAM: --and our concern  
21 was that, you know, a couple of the ones that would  
22 generate, you know, the greatest amount of  
23 information had these limits. So to kind of get  
24 around the fact that we could not change those forms,  
25 we are proposing this addition to the process as

1  
2 opposed to trying to insert ourselves into those  
3 forms.

4 CHAIRPERSON LEVIN: Well, on the state  
5 level, they've--they've changed their forms already,  
6 right?

7 BONDA LEE-CUNNINGHAM: For some. Yes, in  
8 some categories, yes.

9 CHAIRPERSON LEVIN: And that is--

10 BONDA LEE-CUNNINGHAM: [interposing] And  
11 they're collecting the information separately. Let  
12 me just put it that way. I haven't seen what their  
13 forms look like.

14 CHAIRPERSON LEVIN: Uh-huh.

15 BONDA LEE-CUNNINGHAM: So I don't know if  
16 they've done something that's an attachment to the  
17 process or whether they've actually expanded within  
18 the forms themselves. I haven't seen them.

19 CHAIRPERSON LEVIN: Okay. In terms of  
20 following up on Council Member Dromm's point or line  
21 of questioning, in terms of codifying categories as  
22 it relates to Intro 552, the legislation identifies  
23 heterosexual, gay, lesbian, bisexual, queer,  
24 cisgender, transgender, intersex, and gender non-  
25 conforming. Which of those--I understand--I know you

1  
2 said that there's, you know, there's an evolving--  
3 it's an evolving forum in terms of that. But, you  
4 know, those are identifications that have been  
5 largely adopted by the community and it's--I don't  
6 see which of those is going to--is going to be  
7 outmoded, you know, any time soon. And, you know,  
8 we're a legislative body. We are responsive to, you  
9 know, changes out in the world, and we could always  
10 as a legislative body, as a City Council change those  
11 terms if they were to be kind of updated. But are  
12 any of those in particular I mean is it raising a  
13 concern that they're not--that they're not--that they  
14 could become outdated in some way?

15           BONDA LEE-CUNNINGHAM: Not specifically  
16 but we have spoken to some degree with--with people  
17 within City government who--who focus on these kinds  
18 of issues. And they have expressed some concerns  
19 about it being kind of hard and fast because there  
20 are changes occurring in terms of how people  
21 categorize themselves, or being categorized, and so--

22           CHAIRPERSON LEVIN: [interposing] Okay. I  
23 mean, I just think it's showing that--

24

25

1  
2                   BONDA LEE-CUNNINGHAM: --the real point  
3 of that is that it's not that there is one particular  
4 red flag there.

5                   CHAIRPERSON LEVIN: [interposing] Okay.

6                   BONDA LEE-CUNNINGHAM: It's just that we  
7 felt that that the flexibility would be important  
8 going forward.

9                   MALE SPEAKER: They've raised objections,  
10 too.

11                   CHAIRPERSON LEVIN: Who has raised  
12 objections and what have they--what have they raised,  
13 or what have they raised them, or what have they  
14 raised objections to?

15                   BONDA LEE-CUNNINGHAM: Well, there was--  
16 there was one question about people really  
17 understanding, for instance, what does gender mean,  
18 as an example. Again, if you--if--part of this means  
19 that you have to put in a whole bunch of explanations  
20 for things. Then--then that just sort of makes this  
21 process even more, you know, more cumbersome. We  
22 want it to be clear. We want it to be clearly  
23 understandable and people, you know, feel that there  
24 is a clear choice for them when they're completing  
25 this form. And so, we just--we're just saying that

1  
2 we'd like the flexibility to be in regular contact  
3 with consultation with people who know this arena.  
4 So that if something should change, we have the  
5 capacity to make the change.

6           CHAIRPERSON LEVIN: Yes, but there's a  
7 difference between having options that--that people  
8 might not understand versus not having an option for  
9 somebody. So if there's--if--if the prescribed--if  
10 what's identified in the bill are insufficient that  
11 would be one concern. But if it's--but if there's--  
12 if it's a question of one of those not being either  
13 not being able to be understood or to--that it's an--  
14 that it's an outdated identification, that would be  
15 something very different. And--and I don't think  
16 that, I mean, you're not saying that there--Are you  
17 saying that there should be more identification that  
18 are there so that everyone has the opportunity to  
19 feel like they're properly being able to put down  
20 their self-identification or--?

21           BONDA LEE-CUNNINGHAM: I think we should  
22 be able to put in as many as are appropriate, and I--  
23 I cannot judge whether there should be more or less  
24 because I'm not expert in that arena. I'm just  
25 saying that--



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CHAIRPERSON LEVIN: [interposing] But--

BONDA LEE-CUNNINGHAM: --there should be room for consultation and for modification should they be necessary.

CHAIRPERSON LEVIN: Okay, but--but what we want to make--what we want to ensure or the legislature is that--is that all those that we deem to be appropriate as a legislature are included. And we can only--we can only do that through law. If we are going to defer to the Mayor's Office of Operations, then we hand over that authority to the Mayor's Office of Operations. And then the Mayor's Office of Operations can come back and say well, cisgender is not necessary or appropriate. And we would--we would if we were to hand over that authority to the Mayor's Office of Operations, we wouldn't have the ability to go back and say no cisgender is important to have as an identification on these forms.

BONDA LEE-CUNNINGHAM: I understand.

CHAIRPERSON LEVIN: So I think that that's--you know, I think that there's--I think that that's something that we are, again, we are a responsive legislative body. If there's a concern,

1  
2 we could--there would be nothing that could prevent  
3 us from--from going back and changing the legislation  
4 if there was something that in a couple of years we  
5 saw as insufficient in the legislation after we  
6 obviously are talking to the community. This is a--  
7 this is a bill that's sponsored by the entire LGBT  
8 Caucus. So, you know, I think that that's--that's  
9 our concern.

10 BONDA LEE-CUNNINGHAM: Okay.

11 CHAIRPERSON LEVIN: All right, in the  
12 legislation there is also a provision that no later  
13 than November 1st, 2015, your Office of Operations  
14 will submit to the Mayor and the Speaker of the City  
15 Council a plan to provide a mandatory training  
16 program. And, develop a manual for city agency staff  
17 on how to appropriately conduct intake regarding  
18 sexual orientation and gender identity. Such  
19 training in the manual shall include, but not be  
20 limited to the following:

21 (A) An overview of the categories of  
22 sexual orientation and Gender identity.

23 (B) Provide constituency option of  
24 completing all paperwork in a private space and  
25

1  
2 filling out any paperwork without verbal guidance--  
3 without verbal guidance from the city agency staff.

4 (C) Explain to constituents that  
5 providing such information on sexual orientation and  
6 gender identity is voluntary.

7 (D) Explain to constituents that any  
8 data collected from such information will not be  
9 connected to the individuals specifically; and

10 (E) Addressing constituents by their  
11 self-identified gender.

12 Does the Mayor's Office of Operations  
13 currently have a mandatory training program for city  
14 agency staff? And if not, is that--why not and is  
15 such a--is such a training program in the works?

16 BONDA LEE-CUNNINGHAM: We don't, the  
17 Mayor's Office of Operations does not. Some agencies  
18 I believe do.

19 CHAIRPERSON LEVIN: Do you know which  
20 agencies specifically?

21 BONDA LEE-CUNNINGHAM: I think HRA  
22 might. I'm not entirely sure, but certainly if the  
23 legislation was--is passed and it is written we would  
24 ensure that an agency is implementing this because  
25 now we would be, you know, in much more widespread

1  
2 way asking these questions. The staff have to be  
3 trained. The frontline staff have to be trained to  
4 handle this appropriately.

5 CHAIRPERSON LEVIN: If this legislation  
6 were to not be passed, would the Mayor's Office of  
7 Operations implement that provision on its own  
8 without--without legislation?

9 BONDA LEE-CUNNINGHAM: What do you mean,  
10 just in--

11 CHAIRPERSON LEVIN: [interposing] As is  
12 indicated here, the mandatory training program and  
13 you develop a manual for city agency staff outlined  
14 as I said that's in the legislation. Would it--if we  
15 were to--if we were to not pass the legislation, and  
16 say defer to the--the plan that you laid out for the  
17 separate form for example, and you did something that  
18 wasn't through the legislative process, would the  
19 Mayor's Office of Operations do this on their own  
20 without--without a legislative mandate?

21 BONDA LEE-CUNNINGHAM: Well, I--I don't  
22 know. I don't know that I can--that I can answer  
23 that question today, quite honestly. I'm not  
24 entirely clear on what the context would be for-

CHAIRPERSON LEVIN: [interposing] Well,  
it would--

BONDA LEE-CUNNINGHAM: --for using that  
training because right now I don't think that  
agencies in providing services raise this issue  
unless it's germane to the kind of service that a  
person is--is seeking--

CHAIRPERSON LEVIN: [interposing] But you  
said in your testimony that the Mayor's Office of  
Operations is-- Instead of what's being proposed in  
this legislation, the Mayor's Office of Operations is  
proposing this additional form, this voluntary form  
that people can fill out. Agency staff still need to  
be properly trained.

BONDA LEE-CUNNINGHAM: Oh, to, to, yes  
and we're not saying that we wouldn't do that part of  
the legislation. I wasn't saying that.

CHAIRPERSON LEVIN: Are you saying that  
you would affirmatively do that part of the  
legislation?

BONDA LEE-CUNNINGHAM: Yes.

CHAIRPERSON LEVIN: Okay.

1  
2           BONDA LEE-CUNNINGHAM: We're not saying  
3 that we wouldn't do that part of the legislation. I  
4 wasn't saying that.

5           CHAIRPERSON LEVIN: [interposing] Are you  
6 saying that you would affirmatively do that part of  
7 the legislation?

8           BONDA LEE-CUNNINGHAM: Yes.

9           CHAIRPERSON LEVIN: Okay.

10          BONDA LEE-CUNNINGHAM: Absolutely, it--  
11 especially if we are standardizing the asking of  
12 these questions even if it's voluntary, certainly  
13 frontline staff need to be trained to handle it.  
14 Even if you're giving it to someone, and they're off  
15 their own, questions can arise. People can--want to  
16 know what you're going to do with this information  
17 and how you're going to handle it. Frontline staff  
18 have to be prepared to answer those questions.

19          CHAIRPERSON LEVIN: Okay.

20          BONDA LEE-CUNNINGHAM: So, I--we weren't  
21 saying that that part shouldn't happen.

22          CHAIRPERSON LEVIN: Okay.

23          BONDA LEE-CUNNINGHAM: We're just talking  
24 about the--the mechanism for capturing.

1  
2 CHAIRPERSON LEVIN: Right, I understand  
3 that you are saying it will happen. Regardless of  
4 whether legislation is passed, that part will--will  
5 happen.

6 BONDA LEE-CUNNINGHAM: Training will  
7 happen where--where agencies have to do this kind--  
8 ask questions related to someone's sexual orientation  
9 or gender identity in the course of providing their  
10 services. If I don't know that it's going to be  
11 something I can commit our office to do in--in  
12 general--

13 CHAIRPERSON LEVIN: [interposing] Uh-huh.

14 BONDA LEE-CUNNINGHAM: --if we're not  
15 doing this. Because it's not necessarily germane to  
16 some services that people seek from city government  
17 and would not come up I don't think in certain  
18 interactions.

19 CHAIRPERSON LEVIN: Well, it could--I  
20 mean I could think of a lot of interactions outside  
21 of HRA where it would happen. So it could happen  
22 with HPD if someone is doing a housing application  
23 for instance.

24 BONDA LEE-CUNNINGHAM: Yes. No, I'm not  
25 saying that there aren't other instances where--where

1  
2 it--all I'm saying is whether it's germane to the  
3 service that's being rendered, then--then staff  
4 should be trained--

5 CHAIRPERSON LEVIN: [interposing] Uh-huh.

6 BONDA LEE-CUNNINGHAM: --to handle those  
7 issues related to that service provision.

8 CHAIRPERSON LEVIN: And then lastly, is  
9 there a--any concern on the part of the Mayor's  
10 Office of Operations about if it's a totally--you  
11 know, if it's a voluntary separate sheet that, you  
12 know, you have the option of filling out this form,  
13 this additional form, an additional piece of paper or  
14 not. You know, is there any concern that people will  
15 just kind of discard that--that form because it's  
16 just an extra piece of paper? For example, you know,  
17 I--when I, you know, call the bank or something like  
18 that, and they just say hold. Can you take, you  
19 know, can you hold to take this survey? You know,  
20 like--

21 BONDA LEE-CUNNINGHAM: [laughs] Click.

22 CHAIRPERSON LEVIN: I actually do  
23 honestly. I do but--but that's because I'm like  
24 wondering whether it's going to like, you know, like



1  
2 I don't know if it's going to affect my--my  
3 experience with the bank or something like that.

4 CHAIRPERSON KALLOS: Why don't you do a  
5 fish bowl? [sic]

6 CHAIRPERSON LEVIN: But--but I'm--but I  
7 mean, you know, people often they hang up, and is  
8 there any concern that there's just going to--people  
9 are just not going to fill it out because it's just  
10 an additional form to fill out. And, you know, it's--  
11 --it's not--it might not be collecting the--the data  
12 that we want to collect.

13 BONDA LEE-CUNNINGHAM: That's certainly a  
14 possibility, but we feel that particularly if we go  
15 in the direction of providing this kind of  
16 opportunity to--to give disaggregated information for  
17 a wide range of races and ethnicities, if it's  
18 inserted in the middle of the form, but it's still  
19 voluntary, people can still skip over it. It also  
20 might slow up the process or even kind of stop the  
21 process of--of doing what the person came to the  
22 agency to do. So, we think it's very important that  
23 people (a) be able to get the service that they're  
24 seeking, and not feel in any way intimidated by it.  
25 Right now the questions are about like this big on a

1  
2 form, and you can skip over if you want to. A lot of  
3 people do, I think, even with just the five basic  
4 categories. We think that giving people an  
5 opportunity to say something that's maybe more  
6 meaningful to them and more specific to them, might  
7 be really more attractive. But we think that there's  
8 always--because it's voluntary people can say no.  
9 And people can say no to certain parts of it. That's  
10 their option as well. But we feel that offering it  
11 and offering it with the right kind of language and  
12 that would be part of the form itself. So that the  
13 form would stand on its own to explain why we are  
14 encouraging people to do this, will go a long way to  
15 getting people to cooperate and provide the  
16 information.

17 CHAIRPERSON LEVIN: Thank you very much.

18 CHAIRPERSON KALLOS: We're about to do  
19 our second round of questions. For those in the  
20 audience I do want to note that we've received  
21 testimony for the record from Brooklyn Community  
22 Pride Center, Women for Afghan Women, Asexual  
23 Visibility and Education Network. The hearing will  
24 end at 1:00. We have 14 folks on four different  
25 panels. If you do--are not able to wait to 1:00, you

1  
2 may submit your testimony and it will get stamped for  
3 the record. It will go online. So I just want to  
4 make sure you have that option. Now, I'd like to  
5 recognize Council Member Dromm for a second round.

6 COUNCIL MEMBER DROMM: Thank you very  
7 much, and I will not be long. I just want to say  
8 that there's no option as it exists currently in the  
9 City of New York for me to say yes, and I have since  
10 the time I was 16 years old wanted to put down on a  
11 form that I'm a proud out gay man. And I've never  
12 had that opportunity to do that. And a little bit  
13 inherent in terms of what you're saying and in terms  
14 of what some other people may be telling you  
15 indicates some shame around the issue of sexual  
16 orientation and gender identity. And I think we need  
17 to shrug that, and we need to get rid of that, and  
18 there are hundreds of thousands of people in the city  
19 of New York who want to self-identify in one of the  
20 ways that we have listed in the legislation. And so,  
21 I can hardly wait for this legislation to pass. We  
22 have over 35 sponsors on it. I am confident that it  
23 will pass either with or without the Administration's  
24 support. We will refine it, and it is about time  
25 because as it exists now, we have no information on

1  
2 LGBT gender identity or anything in the city of New  
3 York in a comprehensive manner. Any data or  
4 statistics that we have is guesstimated by people who  
5 either go to agencies that provide some service, and  
6 we guess or we don't guess. Or, sometimes we do and  
7 sometimes we don't. This bill is vitally important  
8 to get--to get that data. Thank you very much.

9           BONDA LEE-CUNNINGHAM: If I could just  
10 say that we are in agreement with you, and we're  
11 committed to capturing this information. Thank you.

12           CHAIRPERSON KALLOS: Thank you very much  
13 for your testimony. Seeing no further questions, we  
14 will invite our next panel. Levi from Empire State  
15 Pride Agenda; Terry Davis from LGBT Community Center;  
16 Allison from New York Legal Assistance Group; and  
17 Christian from Rainbow Heights.

18           [pause]

19           CHAIRPERSON KALLOS: Because the alleged  
20 number--

21           CHAIRPERSON LEVIN: [interposing] Oh,  
22 sorry. I'm sorry. If the administration could have  
23 somebody remain at the hearing just to be able to  
24 hear public testimony that would be good.

25           [pause]

CHAIRPERSON KALLOS: Because of the  
alleged number of people we have testifying we'll ask  
you to confine your testimony to two minutes. Please  
know that your written testimony will be entered into  
the record, and available to the public and will be  
scanned. If you want to make sure that your  
testimony can be found by somebody like a Google,  
please feel free to email me with your testimony, and  
we'll post the digital version online. If the first  
panelists could please begin your testimony.

[pause]

ALLISON YURCIK: Thank you Committee  
Chairs Levin and Kallos, Intro 552 sponsored by  
Council Member Dromm and members of the Committee on  
Governmental Operations for spearheading this  
important bill. My name is Allison Yurcik, and I am  
a legal fellow with the LGBT Law Project of the New  
York Legal Assistance Group. We offer our strong  
support for the proposed amendment to New York City  
Charter in relation to collecting and reporting data  
related to sexual identity and gender identity.  
Launched in 2008, the LGBTQ Law Project provides low-  
income LGBTQ communities with free comprehensive  
legal services delivered in a affirming culturally

1 sensitive manner. The project protects and expands  
2 the rights of LGBTQ communities to address the unique  
3 legal needs of the city's LGBTQ population, and help  
4 those most vulnerable including transgender people  
5 and youth rise above poverty and escape violence.  
6 The project pursues gender, racial and economic  
7 justice through direct legal services, systemic  
8 advocacy and community education.  
9

10           The LGBTQ Law Project focuses on removing  
11 discriminatory barriers and increasing our clients'  
12 access to employment, housing, public assistance,  
13 legal name changes, life planning, immigration and  
14 family law. While we recognize the challenges  
15 inherent in the proposed bill, we believe the overall  
16 intent and goal of this bill is important. Without  
17 accurate numbers of the legal and social service  
18 needs of the LGBTQ community especially among those  
19 seeking services through city agencies it is  
20 difficult to ensure that the need for services and  
21 support are being met. Capturing this information  
22 will enable city agencies to adequately serve all of  
23 those in need especially those who have been  
24 marginalized and until now not fully recognized by  
25 the agencies serving them. With a better sense of

1  
2 the community's needs, advocates and government  
3 agencies can leverage funding and develop programming  
4 to meet those needs. While stigma against the LGBTQ  
5 community may be gradually eroding [bell] and from  
6 social spaces, violence and discrimination is still a  
7 regular threat for the most vulnerable members of the  
8 LGBTQ community.

9 CHAIRPERSON KALLOS: If you're able to  
10 address that, [sic], include that as your final  
11 sentence, please.

12 ALLISON YURCIK: It is important that the  
13 questionnaire should include an option that is to be  
14 checked off, which states that the applicant has  
15 designed to answer. And include multiple boxes,  
16 which reflect the wide diversity of identities within  
17 the LGBTQ community as well as the mandatory  
18 trainings for staff members. Thank you.

19 CHAIRPERSON KALLOS: Thank you. Please  
20 rest assured, we'll be reading the whole testimony.

21 LEVI SOLIMINE: Okay. Good morning  
22 Chairman Kallos, Chairman Levine and members of the  
23 City Council Committee on General Welfare. My name  
24 is Levi Solimine, and I'm the Director of Programs  
25 for the Empire State Pride Agenda, New York statewide

1  
2 LGBT civil rights and advocacy organization. And  
3 I'm here to discuss our support for Introduction 552.  
4 In specific, I'd like to thank all of you for  
5 convening this hearing, and specifically thank you  
6 Council Member Dromm for introducing this very  
7 important piece of legislation. The Pride Agenda  
8 supports Introduction 552, which mandates that city  
9 agencies collect data on LGBTQ people that they  
10 serve. And this bill would ensure that New York City  
11 has more accurate and relevant public records of  
12 populations on specifically by sexual orientation and  
13 gender identity for determining public policies and  
14 funding priorities.

15           The Pride Agenda has been the proud  
16 coordinator of the LGBTQ State Health and Human  
17 Services Network, which you may know of, consisting  
18 of over 50 service providers. The network provides  
19 cost-efficient preventive health and human services  
20 that address many of the urgent and unmet needs of  
21 LGBT New Yorkers. And we play a key role in the  
22 collection of statewide LGBT data. Data is critical  
23 to identifying and meeting the needs of LGBTQ New  
24 Yorkers. And one of the things that we want to  
25 focus on today given the lack of time is specifically



1 we support this bills and the categories, the  
2 response categories. However, we have some questions  
3 and concerns particular around gender identity, and  
4 that includes that the categories may be confusing to  
5 those filling out forms, which means that data may be  
6 inaccurate, and might not at best inform our needs.  
7 It intersects and cisgender may be particularly  
8 confusing folks. They also don't necessarily meet  
9 the needs of individual agencies. And so we want to  
10 make sure that there are ways that we are capturing  
11 differences between different trans communities,  
12 particularly transgender, non-transgender women. The  
13 bill is asking for using pronouns, but doesn't ask  
14 for that, and doesn't have enough categories to even  
15 kind of indicate that direction. So we wanted to  
16 make sure that we're collecting data that's going to  
17 be the most useful for the different populations.  
18 [bell] So on that, we thank you, and we support the  
19 bill and we recommend some changes. [laughs]

21 CHAIRPERSON KALLOS: Thank you, and we'll  
22 make sure we review the changes.

23 CARRIE DAVIS: My turn? Good morning.  
24 Thank you for this opportunity to address and  
25 strongly support the issues and the bill Intro 552.

1  
2 My name is Carrie Davis and I'm the Chief Programs  
3 and Policy Officer at New York City's LGBT Community  
4 Center where I've worked since 1998. I've been very  
5 fortunate over these last 16 years to be able to  
6 collaborate with the City and Council as they work to  
7 develop legislation, practices and policies to serve  
8 LGBT New Yorkers better. I've also participated in  
9 working groups since 1998 to advocate for better  
10 collection of LGBT specific data. And it's about  
11 time that this bill comes forward. Most recently in  
12 collaboration with New York State's Interagency LGBT  
13 Task Force, and with New York City Department of  
14 Health and Mental Hygiene, in particular where I'm  
15 collecting information on gender identity. While  
16 some LGBT people have a safe and healthy journey to  
17 self sufficiency and future employment, others are  
18 placed at risk by substantial social stigma and  
19 developmental disruptions.

20                   These often cascade to lifelong  
21 difficulties with health, educational attainment and  
22 economic productivity leading to significant  
23 disparities. The LGBT Community Center where I've  
24 worked--where I work, was founded to help address  
25 these concerns in 1983. Collecting population level

1 data on these and other social, economic,  
2 educational, safety and health disparities associated  
3 with LGBT people is essential for it to adequately  
4 serve all New Yorkers. And I would strongly advocate  
5 that this not be optional. In this information rich  
6 era, demographic data is also an indicator of social  
7 value and inclusion. The Center strongly supports  
8 the collection of sexual orientation and gender  
9 identity data as proposed by Intro 552, and we feel  
10 this would be stronger if it were amended to  
11 coordinate and share data with other ongoing efforts.  
12

13           So what I'm really focusing on is the  
14 fact that I would like our data to connect to data  
15 sets being created by the federal government in  
16 SAMHSA, HHS. So that we can actually really improve  
17 the lot of LGBT people across the nation. And I  
18 think we have a lot of powerful data to share. We  
19 have one of the best Departments of Health in the  
20 world. And I think that if we can connect our data  
21 set to those data sets, I think we would be that much  
22 stronger. And the Office of the National Coordinator  
23 for Health and Information Technology has issued a  
24 data set that they would want to try to coordinate  
25 with. I think it would also save us money so we

1 don't have to reconfigure our system in a few years.  
2 [bell] So in short, I think Intro 552 reflects the  
3 City's growing commitment to the diverse needs of  
4 LGBT New Yorkers by showing us that our lives have  
5 value. Thank you.

7 CHAIRPERSON KALLOS: Thank you.

8 CHRISTIAN HUYGEN: Good morning, My name  
9 is Dr. Christian Huygen and for the past 12 years, I  
10 have served as the Executive Director of Rainbow  
11 Heights Club. Which provides mental health services  
12 to low or no income people who are living with a  
13 serious mental illness who are also lesbian, gay,  
14 bisexual and transgender. Nearly 100% of the people  
15 we serve live on disability, and our services help  
16 94% of our clients stay out of the hospital and in  
17 the community. Thus, saving New Yorkers hundreds of  
18 thousands if not millions of dollars every. And all  
19 of the agencies represented on this panel, all of the  
20 agencies represented in this room are doing similar  
21 work. But we can't provide services to people if we  
22 don't know who they are exactly, not just vaguely.  
23 Invisible populations don't get counted, and needs do  
24 not get met. That's why I and all of us strongly  
25 support I think-- Well, I'll speak for myself. All

1  
2 of these introductions here today, but particularly  
3 the introduction mandating the collection of  
4 information around sexual orientation and gender  
5 identity. I also want to second the concerns of my  
6 colleagues that these categories-- This information  
7 is precious and groundbreaking. For it to be really  
8 valuable, it has to link up to federal and statewide  
9 mandates that already exist for data collection.  
10 Otherwise, we're either being redundant or we're  
11 going to produce data that's not directly comparable  
12 and doesn't really tell us how New York City  
13 residents compare with residents elsewhere in New  
14 York State and throughout the United States. These  
15 introductions are good for clients, good for  
16 providers, good for the city, and good for the state.  
17 They're good for clients. Because people benefit  
18 when their backgrounds and needs are clearly  
19 understood. They're good for providers because  
20 providers benefit when they're given clear guidance  
21 about what categories to ask about, and exactly how  
22 to ask. So I'm particularly happy that Intro 552  
23 contains a mandate for training. Because people--if  
24 people don't understand why it's important to ask  
25 these questions, and how exactly to ask them in a

2 sensitive way, the questions won't get answered and  
3 the data won't be accurate. And these are going to  
4 save all New Yorkers millions of dollars every year,  
5 which is a good reason to do something. So thank you  
6 very much.

7 CHAIRPERSON KALLOS: Sure. I will just  
8 say that I would not want the federal government's  
9 slowness--to be as progressive as we can be in the  
10 city--be an obstacle. I think that one of the amazing  
11 things we've been able to do here is be a leader in  
12 the nation, and then watch the rest of the country  
13 catch up. I'd like to turn it over to Council Member  
14 Dromm for a comment.

15 COUNCIL MEMBER DROMM: Just very quickly  
16 to say that obviously all of the recommendations that  
17 you've been making will be taken into consideration  
18 as we move forward in negotiating the bill with the  
19 Administration. So thank you very, very much.

20 CHAIRPERSON KALLOS: I'd like to  
21 recognize that we've been joined by Council Member  
22 Donovan Richards, and that being said, I'd like to  
23 call the next panel. The next panel is--

24 CHAIRPERSON LEVIN: And thank you to this  
25 panel very much.

CHAIRPERSON KALLOS: The next panel is Sheelah Feinberg from CACF, Sumie Okazaki , from Coalition for Asian-American Children and Families, Shahana Hanif from CAAAV, and Khemara Nhann from Mekong.

[pause]

CHAIRPERSON KALLOS: I want to thank all the panelists for their cooperation. Again, if you're a latecomer please fill out one of these slips if you wish to speak, and I believe we are now to 16 folks who are going to be providing testimony. You may begin.

[pause]

SHEELAH FEINBERG: Good morning. My name is Sheelah Feinberg and I'm the Executive Director of the Coalition for Asian-American Children and Families. We would like to thank you for holding this important hearing. So, since CACF is the nation's only Pan-Asian Children's advocacy organization and works to improve the health and wellbeing of the APA of the Asian-Pacific American Children and Families in New York City in three key policy areas: Education, health and child welfare. We have collected--because this bill is so important

1  
2 to us, Intro 251, we've been working with our  
3 national partners and our local partners, and we have  
4 generated--I just gave it to the sergeant-at-arms--  
5 national and local testimony. We have a sign-on  
6 letter of over 100 organizations again representing  
7 national groups and local groups that support this  
8 bill. Coalition members employ thousands of New  
9 Yorkers and serve hundreds of thousands of New  
10 Yorkers. Currently, the Asian-Pacific American  
11 community is by percentage the fastest growing group  
12 in New York City. Nearly doubling every decade since  
13 1970, and is nearly 15% of the city's population.  
14 The CACF strongly supports Intro 251 to amend the New  
15 York City Charter to ensure that city agencies  
16 utilize a standard approach to data collection,  
17 disaggregation, and reporting out on Asian-Pacific  
18 Americans.

19 I just want to go into a little more  
20 detail about APAs in New York City. They are  
21 incredibly--we are incredibly diverse. We have a  
22 wide variety of cultures, religions and languages.  
23 APAs in New York City speak more than 40 different  
24 languages and dialects, and represent at least 23  
25 ethnic groups. CACF's 50 Asian serving member



1  
2 organizations are located in the Bronx, Queens,  
3 Brooklyn, and Manhattan, and serve the largest Asian  
4 subgroups in New York City. Chinese at 48%; Asian-  
5 Indian, 19%; Korean, 9%; Filipino, 7%; [bell] Oh, my  
6 God, that's it? Okay. Really quickly I just wanted  
7 to say--I guess I'm used to three minutes. I just  
8 wanted to just--if you will allow me just one--one--  
9 two more seconds. I just wanted to speak on personal  
10 experience that when I was applying for--Okay, all  
11 right, Council Member just--Can I? okay. Two quick.  
12 Just one quick second.

13 CHAIRPERSON KALLOS: [off mic] I'm sorry  
14 if I'm laughing. [sic]

15 SHEELAH FEINBERG: Thank you, Council  
16 Members.

17 CHAIRPERSON KALLOS: [off mic] It's  
18 okay. [sic]

19 SHEELAH FEINBERG: When I was applying  
20 for college, this is--I don't want to date myself,  
21 but it was a while ago--I wasn't able to find a box  
22 that I could check. And it was frustrating because I  
23 was worried how they were going to receive my  
24 application just based on my name. They wouldn't  
25 know my heritage, my religion or my faith. So, they

1  
2 could have guessed I was from New York City because I  
3 filled that part out, but they wouldn't know that I  
4 was South-Asian. So it was particularly frustrating  
5 and hard, and I guess I just wanted to stress that  
6 that shouldn't be the case any more. Everyone should  
7 be able to find a box that they could self-identify  
8 and voluntarily check. And that's why we support  
9 Intro 251. Thank you for allowing me the extra ten  
10 seconds or a minute.

11 [laughter]

12 SUMIE OKAZAKI: Good morning. My name is  
13 Sumie Okazaki, and I'm a Policy Fellow at CACF. I'm  
14 also a Professor of Applied Psychology at NYU  
15 Steinhart as well as the current President of Asian-  
16 American Psychological Association. My research  
17 expertise is in the areas of education and mental  
18 health concerns facing immigrant Asian-American  
19 families. I'd like to thank Chairs Kallos and Levin  
20 and members of the committee for holding this  
21 important hearing on collection of disaggregated  
22 demographic data. Speaking from a researcher's  
23 perspective, I urge the committee to support and pass  
24 Intro 251. In my brief remarks, I'd like to use  
25 research examples from New York City's DOE data that

1  
2 I have obtained about its Asian Students, illustrates  
3 just how much more we can learn about this population  
4 of the city were to collect disaggregated ethnicity  
5 information. In my testimony there are a couple of  
6 figures that I'm just briefly mentioning, my  
7 analyses. So I used the data that came from DOE for  
8 the 2013-14 New York State Common Core Line Math and  
9 ELA Test Scores for students enrolled in grades 3  
10 through 8. And as a context, ethnic comparison for  
11 the Math in the ELA proficiency from the four major  
12 ethnic groups that are collected today are Asian,  
13 Black, Hispanic and White. And figure 1 in my  
14 testimony shows the familiar figure of Asian-American  
15 students out-performing a lot of ethnic groups in  
16 math and doing comparably on ELA tests.

17           Now, although DOE does not collect  
18 disaggregated ethnicity information, they do  
19 routinely collect data about language spoken at home.  
20 So I used the language data to disaggregate the  
21 population, and this captures about 70% of Asian  
22 students who come from non-English language speaking  
23 homes. So my testimony contains figures 2 through 5  
24 that shows the diversity of seven language groups for  
25 Asian student population, and there's just great

1  
2 [bell] variability with respect to eligibility for  
3 free lunch or this status, English language learners  
4 and performance on Math and ELA tests. And so, I  
5 hope this analysis show that there is great diversity  
6 in student performances if you actually are able to  
7 disaggregate the Asian population. That our data  
8 will serve all--the data will help all of us identify  
9 new themes in our community. And thank you for this  
10 opportunity to speak today.

11                   SHAHANA HANIF: Hi, good morning. My  
12 name is Shahana Hanif and I'm here on behalf of  
13 CAAAV, Organizing Asian Communities. We are Pan-  
14 Asian and profit organizers in New York City's low-  
15 income immigrant communities for racial, gender, and  
16 economic justice. About a year ago, CAAAV launched  
17 its newest project in New York City's public housing  
18 development, assessed the needs and experiences of  
19 low-income, limited English proficient Asian tenants  
20 around language access and access to repairs. Our  
21 members in this project include the Bangladeshi  
22 Chinese and Korean residents as these communities  
23 populate New York City Housing Authority, NYCHA  
24 developments including Queensbridge, Ravenswood and  
25 Smith Houses. Because NYCHA does not track nor keep

1  
2 a census of tenants based on ethnicity, CAAAV  
3 canvassers use the Voter Access Network, VAN database  
4 to track Asian residents. While the VAN has an  
5 option to reach populations based ethnicity and  
6 language, these responses are inaccessible as voters  
7 leave the pumps empty. We separated tenants'  
8 ethnicity manually by way of last name.

9           Door knocking and visiting tenants  
10 further helped us track tenants' ethnicity on  
11 language, which was otherwise unknown. In creating a  
12 better city, in which these communities exist and  
13 have been living, it is important that we strive to  
14 provide resources. The Underrepresented Asian  
15 communities that are not captured in city data, are  
16 the communities who keep the city going. They are  
17 our street vendors, nail salon workers, cab drivers  
18 and restaurant workers. They helped build New York  
19 City and contribute to this economy greater. The  
20 least we can do is collect the data to adequate serve  
21 the communities. This collection will help to  
22 improve. For example, the city's health services and  
23 research capturing a better idea of what health  
24 issues exist for specific groups. We can then  
25 proactively address health disparities before and

1  
2 during their progression. This will also help the  
3 city save funding in the long term. And I don't want  
4 to say anything else because it's just long, and I  
5 hope that this testimony will be read in its full  
6 brevity. [bell] Thank you.

7 CHAIRPERSON LEVIN: Thank you, and we  
8 note for the record your support of Intro 552, as  
9 well.

10 SHAHANA HANIF: Yes. Thank you.

11 KHEMARA NHANN: Hello everyone. My name  
12 Khemara Nhann. I'm Campaign Coordinator at Mekong.  
13 Mekong aims to the improve the quality of life for  
14 the Southeast Asian community in the Bronx and  
15 throughout New York City by achieving equity through  
16 community organizing and healing, promoting arts,  
17 culture and language, and creating a safety net by  
18 improving access to essential social services.  
19 Specifically, the community that we serve is the  
20 Cambodian and Vietnamese community in the Bronx.  
21 This year marks the 40th anniversary of the Vietnam  
22 War and the Khmer Rouge Regime. But the Southeast  
23 Asian community continues to suffer from the legacy  
24 of war and violence. We have often been undercounted  
25 and underserved. We have been invisible because

1  
2 there has not been any real comprehensive data that  
3 distinguishes the different ethnicity and race we  
4 organize. We often get lumped or mixed into  
5 groupings who receive the disconnect in valuable  
6 data. [sic]

7                   Some of the different levels of  
8 disparities that are lost because of the groupings  
9 hide some of the key issues and challenges our  
10 community faces. Specifically for the Cambodian-  
11 Vietnamese community we are the bottom of all  
12 national and local data statistics from the high  
13 levels of poverty, dropout rates, government  
14 assistance, which tackles only the social and  
15 economic issues. But there is also the high levels  
16 of chronic and physical--chronic and physical and  
17 mental illnesses as the result of war and violence.  
18 The trauma and struggles, which lead to the high rate  
19 of--which lead to high rates of depression, post-  
20 traumatic stress disorder, sleep deprivation and  
21 substance abuse. There are two perpetuating cycles  
22 here that our community often faces: Poverty and  
23 intergenerational trauma of mental illnesses. So not  
24 only do we have to organize the community through  
25 social and economic barriers that isolate our

1  
2 vulnerable communities. But we have to build through  
3 intergenerational trauma and mental illness of war,  
4 violence and genocide.

5           This is through years of working and  
6 building relationships and trust within the community  
7 that we serve. We are currently engaging in the  
8 campaign to help keep and expand our existing inter-  
9 Chinese mental health clinic in the Bronx. There  
10 will always be a lack of services or needs. One of  
11 the missing links that we identified is the lack of  
12 data [bell] and information that really has been at  
13 the forefront of discussion. Disaggregation of data  
14 or the concept of providing actual data and  
15 evaluating these are specific--are specific  
16 communities that the needs are met are essential to  
17 providing the quality of care that we deserve. This  
18 means by having culturally competent healthcare  
19 providers with the language skills and effectively  
20 serving the community. We need to heal our community  
21 both internally and externally. We can do this with  
22 disaggregation of data, and inform--and information  
23 that supports and warrants the community's need.  
24 Language access has always been a challenge for our  
25 community, but the data cannot continue--



2 CHAIRPERSON KALLOS: [interposing] Can  
3 you wrap it up with your last sentence, please?

4 KHEMARA NHANN: Yes, sir. So this bill  
5 is not only the first step in the right direction,  
6 but it will help create the open dialogue between  
7 community spoke--community-based organizations, other  
8 governmental or non-governmental agencies. And we  
9 understand and are fully supportive of this bill  
10 passing forward. So I'll end it at that, and I think  
11 you again for the opportunity, and I hope that you  
12 read this--this and more. Thank you very much.

13 CHAIRPERSON KALLOS: Thank you.

14 CHAIRPERSON LEVIN: Thank you to this  
15 entire panel for--for your work out in the  
16 communities, and inspiring the tremendous amount of  
17 work that you're doing. And we look forward to  
18 working with you. I don't know if any of the  
19 sponsors of the bills have anything to add, but we  
20 look forward to--to your input as we move forward  
21 with this legislation. Thank you.

22 KHEMARA NHANN: Thank you.

23 CHAIRPERSON KALLOS: Thank you. Our next  
24 panel will be Jennifer Lang from Immigrant Health;  
25 Richard David from Indo-Caribbean Alliance.

[pause, background noise]

CHAIRPERSON KALLOS: Michael McFadden  
from Callen-Lorde Community Health Center; Shelby  
Chestnut from Anti-Violence Project and Suzanne  
Ramos, PFLAG NYC.

[pause]

JENNIFER LANG: My name is Jennifer Lang  
and I'm a faculty member in the Immigrant Health and  
Cancer Disparity Service, led by Francesca Gany from  
Memorial Sloan Kettering Cancer Center. Thank you  
for holding this hearing about this important issue,  
and we are also in support of Intro 251. The  
Immigrant Health and Cancer Disparity Service works  
to address disparities in access to cancer treatment  
and other healthcare services at the local, national,  
and global levels. And we use a cross-disciplinary  
community engaged approach where we identify key  
areas of need and provide health education, and other  
needed services to immigrant and medically  
underserved communities. We work to identify and  
eliminate disparities in health and cancer treatment  
among immigrants and minorities. And one of the  
largest populations we serve is the Asian-Pacific-  
American community. We have several areas of

1  
2 programmatic work, and these include addressing  
3 socio-economic determinants of health; working with  
4 diverse communities; eliminating language and  
5 cultural barriers to care; increasing diversity in  
6 cancer research, and reducing health risks in  
7 immigrants and minorities.

8           We strongly support Intro 251 to amend  
9 the New York City Charter to ensure that city  
10 agencies utilize a standard approach to collect  
11 disaggregated data. The groupings of Asian-Pacific  
12 Americans often mask the diverse heterogeneous groups  
13 within this large population. And our work is often  
14 impaired by the lack of availability of disaggregate-  
15 -disaggregated data on Asian-Pacific Americans. This  
16 lack of data often limits our ability to accurately  
17 target the health needs of APAs. So we strongly  
18 support Intro 251 and also support the  
19 recommendations made by the Coalition for Asian  
20 American Children and Families, which we reiterate in  
21 my testimony. Which include partnering with  
22 community-based organizations to identify priority  
23 needs; using best practices that have been identified  
24 to ensure proper implementation; and also the passing  
25 of additional related legislation that will better

1  
2 address the need for improved data collection. Thank  
3 you. [bell]

4           MICHAEL MCFADDEN: Good morning. My name  
5 is Michael McFadden. I'm the Director of Funded  
6 Programs at Callen-Lorde Community Health Center.  
7 [coughs] Callen-Lorde is--would like to thank the  
8 Council of the City of New York Committees on  
9 Governmental Operations and General Welfare for this  
10 opportunity to provide testimony on Intro 552. The  
11 mission of Callen-Lorde is to provide sensitive and  
12 quality care to the lesbian, gay, bisexual and  
13 transgender communities regardless of ability to pay.  
14 Callen-Lorde has a 40 plus year history in providing  
15 medical, mental health and dental care to New York  
16 City's LGBT communities, and in 2014 provided care to  
17 over 15,000 patients most of whom identified as LGBT.

18           Callen-Lorde has seen countless examples  
19 of increased illness due to our patients avoiding or  
20 delaying care because of perceived or actual  
21 discrimination. We strongly support the proposed  
22 legislation, which is an important first step to  
23 identifying our community's needs and barriers to  
24 care. Collecting data on sexual orientation and  
25 gender identity, SOG data, is health--in healthcare

1  
2 settings is essential to understanding, addressing,  
3 and reducing LGBT health disparities. Without this--  
4 without this information, it is not possible to  
5 assure that the quality of care provided to LGBT  
6 patients is appropriate and is consistent with the  
7 level of care provided to the general population.  
8 There are numerous studies, which show the impact of  
9 discrimination and lack of access--that lack of  
10 access has on physical and behavioral health of the  
11 LGBT communities. A number of important studies were  
12 cited in the proposed legislation itself. However,  
13 while these studies validate the need for specific  
14 physical and behavioral health interventions, the  
15 interventions cannot be made unless the person's  
16 identity is known. The need to implement appropriate  
17 interventions to reduce LGBT health disparities--  
18 Well, I'll submit my full testimony, but I just want  
19 to say that Callen-Lorde applauds and is grateful to  
20 the sponsors of this important legislation, and to  
21 the City Council as a whole in protecting and  
22 supporting all of the residents of its city. Thank  
23 you. [bell]

24 [background noise]

1  
2                   RICHARD DAVID: [off mic] Good morning.  
3 My name is. Oh, I'm sorry. [on mic] Good morning.  
4 My name is Richard David. I'm from the Inter-  
5 Caribbean Alliance. I'm here to show support for  
6 Intro 251. I'm also here to say that I'm  
7 disappointed that the initial draft of the  
8 legislation does not include the Inter-Caribbean  
9 community. We feel that this is a large oversight,  
10 because the Inter-Caribbean community is the single  
11 largest South Asian community living in New York  
12 City. Based on the Newest New Yorkers Report from  
13 2010, which was published in 2013, Guyanese and  
14 Trinidadians, but Chinese are the second largest  
15 immigrant group in all of Queens. They're the fifth  
16 largest group in all of New York City. And a lot of  
17 these residents look like me. A lot of them are  
18 Inter-Caribbeans.

19                   And today, we're here to talk about  
20 legislation that will unmask and show the true  
21 identities of the Asian-American community. And this  
22 is one of the largest groups that's left out. This  
23 legislation is not just critical for--for us to  
24 provide services, and for us to provide programs, but  
25 it's important for us even within the Asian-American

1  
2 context to acknowledge our individual identities, and  
3 the broader diversity within this group. The Inter-  
4 Caribbean community consists of residents from  
5 Guyana, Trinidad and other countries who moved here  
6 in the 1960s, who are in their second or third  
7 generations. They left the Caribbean due to  
8 political prosecution, and other issues that followed  
9 independence in these countries. A lot of these  
10 residents reside in Richmond Hill and Queens and, in  
11 fact census data shows that they are the single  
12 largest immigrant group--immigrant group in every  
13 single neighborhood in Southern Queens. They are  
14 also a significant population in the Castle Hill  
15 section of the Bronx, and in East New York, Flatbush,  
16 and Canarsie neighborhoods in Brooklyn. We urge you  
17 to pass this legislation. We urge you to revise it  
18 to include the Inter-Caribbean as a category in the  
19 draft text. Thank you for holding this--holding this  
20 important hearing, and thank you to CACF, and the  
21 sponsors of this legislation for bringing us together  
22 around this very important issue. Thank you, and we  
23 hope that this can pass very quickly.

24 [pause]

25

1  
2           SHELBY CHESTNUT: Good afternoon or good  
3 morning. I don't know what hour we're in yet. My  
4 name is Shelby Chestnut. I'm one of the Co-Directors  
5 of community organizing and public advocacy at the  
6 New York City Anti-Violence Project. And I'm here to  
7 testify in support of Intro 552 introduced by the  
8 committees. I thank you to the Council for letting  
9 me provide this testimony today. And as many of you  
10 know, AVP empowers lesbian, gay, bisexual,  
11 transgender, queer and HIV affected communities in  
12 all forms of violence through organizing and  
13 education and support survivors through counseling  
14 and advocacy. We envision a world in which all LGBTQ  
15 and HIV affected people are safe, respected, and are  
16 free of violence. The passage of Intro 552 would  
17 greatly improve New Yorkers--improve New York City's  
18 ability to provide culturally specific services to  
19 LGBTQ and HIV affected survivors of violence and  
20 better assess the overall needs of the LGBTQ  
21 community as it relates to the vital services like  
22 the Administration for Children's Services, the  
23 Department for Aging, the Department of Corrections,  
24 the Department of Education, Department of Health and



1  
2 Mental Hygiene, the Department of Homeless Services,  
3 HRA and NYCHA.

4           AVP knows first hand the impact gender  
5 identity and sexual orientation can have on one's  
6 likelihood to experience violence as well as the  
7 denial of services based on their gender identity and  
8 sexual orientation. We have funded to collect this  
9 data on this local, state and federal level. And are  
10 one of the only agencies to collect data on sexual  
11 orientation and gender identity and include it in our  
12 national reports annually as it relates to LGBT  
13 violence. As noted in our most recent report on hate  
14 violence against LGBTQ and HIV affected people, AVP  
15 saw a 21% increase of reports of hate violence  
16 against transgender and gender non-conforming people.  
17 Traditionally--that was in New York City.  
18 Additionally, in our most recent report on intimate  
19 partner violence within LGBTQ and HIV affected  
20 communities [bell]-- I thought I was--the only thing  
21 I would add I think you know the spiel, but the  
22 training and education component that we do really  
23 need to take seriously, the implementation of how  
24 these services will translate to people interacting  
25 with these different agencies. And we're--we're

1  
2 equipped and able to provide technical assistance as  
3 needed for agencies that need support in asking these  
4 difficult questions.

5 CHAIRPERSON LEVIN: This is a different  
6 question. Ha--has AVP been approached or involved  
7 with any city agencies to date on implementing any  
8 type of training programs that they're doing on their  
9 own?

10 SHELBY CHESTNUT: I mean we do. We have  
11 worked with different city offices to do training. I  
12 mean more recently in the last year we've worked very  
13 closely with the Mayor's Office to Combat Domestic  
14 Violence to talk about the need for gender identity  
15 and sexual orientation as it relates to services that  
16 they're provided. I think certainly we're in support  
17 of this, but also realize that we--it can't be--I  
18 think it was happening earlier that it was sort of  
19 the conversation of people are uncomfortable asking  
20 these questions. And, you know, we I think a lot of  
21 these agencies, particularly Callen-Lorde more so  
22 than AVP are experts in how do you ask someone who is  
23 in a very difficult situation what's your gender  
24 identity, and what's your sexual orientation without  
25 sounding like a very insensitive person. And

1  
2 certainly the Wayne [sic] Institute and the Veer  
3 Institute have done a great deal of national research  
4 on best practices around that. Which we adhere to at  
5 our agency, and would love to provide any city agency  
6 with those trainings and technical assistance.

7 CHAIRPERSON LEVIN: Thank you, and  
8 Michael, you were raising your hand. So Callen-Lorde  
9 has--

10 MICHAEL MCFADDEN: Yes, thank you.  
11 Specifically Callen-Lorde has been working with the  
12 Department of Homeless Services to do some trainings  
13 in four different shelters that I've identified.  
14 They're women's shelters, but have been identified as  
15 perhaps to--to specifically trans identified as kind  
16 of a like a safety net for trans identified  
17 individuals who have experienced discrimination  
18 within the--within homeless services. And we've done  
19 some initial trainings at those four shelters.  
20 They've been extremely beneficial. And again, to  
21 highlight the importance of doing these trainings  
22 within these city agencies because the reason for  
23 this, the impetus is because the people were  
24 experiencing discrimination at these city agencies.  
25 And we're find that city-based employees aren't

1  
2 necessarily--don't have the cultural competency  
3 trainings to be able to provide kind of the care that  
4 we are identifying as needed--as being needed. So  
5 the training will be really beneficial.

6 CHAIRPERSON LEVIN: Thank you.

7 SUZANNE RAMOS: Thank you. Chairs of the  
8 Committee and other Council members, thank you for  
9 allowing me to submit testimony on behalf of PFLAG  
10 New York City in support of Intro 552. And I've done  
11 everything to cut my seven pages down to two minutes.  
12 My name is Suzanne Ramos and I'm the Board Chair of  
13 PFLAG New York City. I'm here to talk about the  
14 importance of this legislation to families such as  
15 those represented by our organization, PFLAG. PFLAG  
16 is the largest family-based, grassroots network of  
17 people working to protect the dignity of, and secure  
18 equality for our loved ones who are lesbian, gay,  
19 bisexual or transgender. I'm also the mother of a  
20 gay child. My son John came out to me when he was in  
21 college in the early '90s. I thought I was the only  
22 mother in New York who had a gay child until I found  
23 PFLAG and its--and its wonderful support groups.

24 Soon after John came out, I asked--I  
25 asked him what his experience had been like as a gay

1  
2 student at Stuyvesant High School, a school with over  
3 3,000 students. John told me that except for one or  
4 two students, whose demeanor suggested they may be  
5 gay, he knew no other gay students. And he got the  
6 clear message that the subject was taboo. Being gay  
7 was something that in his words would not be well  
8 received. So he did everything he could to conceal  
9 his sexual orientation from his teachers, his  
10 coaches, and his friends.

11           After that conversation with John, I  
12 thought that through PFLAG New York City, we might  
13 have the ability to go beyond the parent support  
14 groups we worked with, and actually go out and  
15 support and educate young people in the schools. The  
16 LGBT students, the straight students who had LGBT  
17 loved ones, who were many. And even the straight  
18 students who may be ill-informed and could be prone  
19 to bullying, to give them a new perspective. And  
20 then thus was developed the PFLAG New York City Safe  
21 Schools Program. When we first began to approach  
22 schools just over 10 years ago, and offered to send  
23 in trained parent speakers [bell]--I'll be just a few  
24 seconds--principals and other school officials turned  
25 us down. Denying flat out that they had any LGBT

1  
2 students. Many said to me, Oh, we don't need a  
3 program like that. We don't have any gay kids in our  
4 schools. As parents of LGBT children we knew that  
5 was not the case, and I'll just say in a school  
6 system of 1.1 million students, any estimate will say  
7 that there are probably 50 to 100,000 LGBT students  
8 in the system. But, of course, the data is fuzzy and  
9 inadequate, which is part of the reason we need this  
10 legislation that can put--change that, and better  
11 address the needs of the--of this very significant  
12 and vulnerable population. I just would like to add  
13 that PFLAG is also acutely aware of the importance of  
14 the provision of healthcare services, and services  
15 for transgender. And, we feel very strongly about  
16 the necessity for the training and privacy provision  
17 in this--in this legislation. Thank you very much  
18 for allowing me to testify.

19 CHAIRPERSON LEVIN: Thank you very much  
20 to this entire panel. Thank you for your good work  
21 that you do out in the communities everyday. And  
22 for--and for you assistance in developing this  
23 legislation, and we look forward to--speaking on  
24 behalf of Council Member Dromm--look forward to  
25 working with you as we continue to work on 552 to

1  
2 work towards its passage. And I want to speak on--on  
3 behalf of Council Member Chin because she's here.

4 Thank you.

5 CHAIRPERSON KALLOS: Thank you to this  
6 panel. Our final panel will be Simona Kwon from NYU  
7 CSAAH, as well as individuals Brian Ellicott, Dan  
8 Ryckert [sp?] and Nelson Acevedo. If you still wish  
9 to testify, please make sure to fill out one of these  
10 cards. And the record is not closed at the end of  
11 this hearing. If you have testimony you'd like to  
12 submit, please make sure that you mail it into us.  
13 And thank you everyone. [coughs] Please feel free  
14 to begin.

15 [pause]

16 SIMONA KWON: [off mic] Good afternoon.

17 SERGEANT-A-ARMS: Fix you mic.

18 SIMONA KWON: [on mic] Good afternoon,  
19 everyone. My name is Simona Kwon and I am the  
20 Director of the NYU Center for the Study of Asian-  
21 American Health at NYU School of Medicine. We would  
22 like to thank the Committees on Governmental  
23 Operations and the Committee on General Welfare for  
24 holding this hearing, and to pass this legislation on  
25 data collection for Asian-Americans and Pacific

1  
2 Islanders. I am in support of Intro 251. Just a  
3 little bit of background on our center. We are NIH  
4 funded. We are a research center of excellence that  
5 was established in 2003. And we are the only center  
6 of excellence dedicated to research and evaluation on  
7 Asian-American health and health disparities. The  
8 main challenge of our work is the ability to address  
9 and identify Asian health disparities at the subgroup  
10 level. There is a real lack of granular and  
11 disaggregated data. And that affects our ability to  
12 be able to provide and identity health information  
13 and health programming for our communities.

14           As you've heard previously, we are a very  
15 diverse community, and our diversity has  
16 exponentially grown over the past ten years. Several  
17 South Asian and Southeast Asian groups including  
18 Bangladeshi, Shri Lankans and Asians have grown over  
19 100% in the past decade. Two groups, the Nepali and  
20 Bhutanese populations have--were insignificant  
21 numbers in 2000, and have increased more than a  
22 hundred fold.

23           In terms of some work that we do in  
24 public health, often the practice is to aggregate the  
25 data on Asian-Americans, which significantly hides



1  
2 and masks the different health disparities within our  
3 population, and leads to incorrect assumptions that  
4 the communities are healthy. Just to examples the  
5 New York City Department of Health and Mental Hygiene  
6 used in a New York City community health survey to  
7 track the health of New Yorkers. Looking at smoking,  
8 this survey pointed out that Asian-Americans were  
9 smoking at prevalence rate of 11,000, which was  
10 significantly lower [bell] than the other groups.  
11 Our disaggregated data showed that when you look at  
12 subgroups 23% of Koreans, 11% of Chinese, and 5% of  
13 Asian-Indians were smoking. So large differences,  
14 and this is true of diabetes as well where 22% of  
15 Asian--Asian-Indians were prevalent with diabetes  
16 compared to other groups. So we strongly encourage  
17 and need the data to be able to effectively treat and  
18 provide services for our communities.

19 CHAIRPERSON KALLOS: Thank you.

20 BRIAN ELLICOTT: Okay. Good afternoon,  
21 Council members, Chairperson Kallos, Chairperson  
22 Levin, Council Member Chin. My name is Bryan  
23 Ellicott and I'm an advocate in my own person for the  
24 LGBTQIA community, and I self-identify, my identity  
25 expression is transgender, female to male, F to M,

1 but my sexual orientation is bisexual. I'm here.  
2 I'm a born and raised New Yorker, born and raised in  
3 Staten Island and I'm here to speak in support of  
4 Intro 552. It's seven pages long. I'm just going to  
5 skim through it. I come here often every time  
6 there's some supportive LGBT legislation that I feel  
7 very strongly about, and I find it really hard to  
8 come here and accurately--and accurately talk about the  
9 need. We don't have numbers, and the number is junky  
10 and it's hard to come here and talk about the need  
11 for LGBT services in Staten Island or in Lower  
12 Manhattan or the North Bronx, and we don't know. So  
13 that's why I think this is very important to have.

14  
15 So I just want to talk about the  
16 categories, because I was sitting in my chair with  
17 that lovely barrier between me thankfully for--just  
18 thinking about them. So, I want to talk about sexual  
19 orientation. I have suggested to the committee--  
20 we're recommending to the committee that this--that  
21 the New York City Council push for the following  
22 categories to be added to demographic information for  
23 data collection within the agencies I've mentioned.  
24 The sexual orientation being heterosexual/straight,  
25 gay, lesbian, bisexual, queer, other with a line

1  
2 underneath with the ability to fill in. And the  
3 decline/not specified. For gender identity: Male,  
4 cisgender, female cisgender, F to M, female to male,  
5 male transgender all on the same line. M to F, male  
6 to female, transgender woman, gender non-conforming,  
7 intersex and then other with the ability to fill in  
8 as well. I want to stress that the two important  
9 parts of my recommendations to this committee and the  
10 Council are the categories I recommend in my  
11 testimony.

12           The term cisgender needs to be included  
13 in the definition of male and female as the  
14 following: A person whose identity conforms to the  
15 gender they were assigned at birth. This gender--  
16 this definition affirms [bell] a lot of the people  
17 without the need to draw more stigma moving forward  
18 and allowing people to conform to self-identifying  
19 themselves. The benefit for the transgender, the  
20 gender non-conforming community without having to  
21 feel like they're being segregated from everyone  
22 else. And just the other fill in. So people have  
23 the ability to--as the woman from the administration  
24 had mentioned as terms expand pan-sexual, asexual  
25 that they have the ability to fill those in without

1  
2 taking up so much space. And you can enter those in  
3 manually. It's not that big a deal, and that's just  
4 like in the Hope Survey that we do for homeless  
5 services every year to just--question number 10 in  
6 that survey is male, female or unsure. That's why  
7 I'm really hear for this legislation is doing that  
8 survey this year. I was doing it and it just irked  
9 me. So thank you.

10 CHAIRPERSON KALLOS: Thanks, Bryan.

11 BRYAN ELLICOTT: You're welcome.

12 DAN RYCKERT: Good afternoon. My name is  
13 Dan Ryckert. I'm here to testify specifically in  
14 favor of Intro 551 and Resolution 472. I'd like to  
15 thank the City Council for taking up this important  
16 issue, and specifically those of you who stayed long  
17 enough to hear my testimony. Thank you. My mother  
18 is half--my mother is half Jamaican, half British  
19 Caucasian, and my father is half Mexican and half  
20 German. My five siblings and I look like a spectrum  
21 of our multiple races. Some of us look Latino. Some  
22 of us look more white. Some of us look more Black.  
23 But the fact is we've always identified proudly as  
24 multi-racial. Unfortunately, even when we were  
25 children, this posed a problem because government

1  
2 forms like the ones you fill out for school or for  
3 jobs only left you with the ability to check one box.  
4 When my oldest sister entered the public schooling  
5 system in Arizona where I grew up, she was called to  
6 the office with mother. They told her that she had  
7 filled out her registration form wrong because she  
8 check multiple boxes for race. And since she was  
9 only allowed to choose one, they wanted to know if  
10 she would be willing to check Black because that  
11 would help their numbers. Then, when my older  
12 brother enrolled, and was forced to check one, he  
13 chose Latino instead. But the school system then had  
14 a problem with this because they couldn't have  
15 children of the same family registered in the  
16 multiple races. So it was recommended that he, too,  
17 choose Black despite his ivory skin and blue eyes.

18           I tell this story for two reasons. One,  
19 because I want you to understand the personal  
20 frustration of growing up multiracial when your  
21 government doesn't even recognize the possibility of  
22 your existence. And second, to show that the status  
23 quo leads to inaccurate information, which completely  
24 defeats the purpose of collecting the data in the  
25 first place. Thank you.

1  
2                   NELSON ACEVEDO: Good morning New York  
3 City Council Members. My name is Nelson Acevedo.  
4 I'm a retired New York City Department of Education  
5 high school assistant principal. I have worked with  
6 the New York City Department of Education for over 27  
7 years. I fully support Intro 552. We have a fair  
8 amount of LGBTQ students enrolled in our city  
9 schools. Many of our LGBTQ students have been the  
10 victims of bullying. Many LGBTQ students are at high  
11 risk for depression, anxiety, substance abuse, and  
12 gender identification. Direct services are needed to  
13 address the problems faced by LGBTQ students. New  
14 York City Department of Education officials have no  
15 idea of the number of LGBTQ students that are in the  
16 school system because no data has ever been collected  
17 as to the number of LGBTQ students. Data in the form  
18 of confidential student surveys to be completed by  
19 high school students could help. City officials so  
20 you can have--city officials--city education  
21 officials access much needed services for LGBTQ  
22 students. LGBTQ students have a tremendous impact on  
23 our New York City schools. They come from our  
24 specialized high schools as well as our local forming  
25 schools. These students need to be respected and

1  
2 counted. Several of our New York City high schools  
3 have Gay/Straight Alliance programs, but much more  
4 are needed. And just to say that the panel before,  
5 they said at Stuyvesant High School in the early '90s  
6 that they didn't have any gay program. Just to let  
7 you know. Stuyvesant High School today has the  
8 largest Gay/Straight organization in New York City  
9 schools, and the majority of those students are  
10 Asians. Thank you. [bell]

11 CHAIRPERSON LEVIN: Thank you very much  
12 to this panel. Again, for your good work, and your  
13 patience here today, and also your testimony, which  
14 is very illuminating. And we'll certainly be taking  
15 it into account as we move forward with legislation.  
16 But we greatly appreciate again all of your good  
17 work, all of your testimony as part of the record.  
18 And we look forward to working with all of you in the  
19 future. Council Member Kallos.

20 CHAIRPERSON KALLOS: Thank you to  
21 everyone who has testified. Thank you to the  
22 audience who has been here today, as well as for  
23 those watching online. And thank you to all the  
24 panelists who were very respectful of the time limit

25

3 so that we were able to give everyone a chance to  
4 speak. I'll pass it onto Council Member Chin.

5 COUNCIL MEMBER CHIN: Oh, I just really  
6 want to thank everyone for coming, and hopefully we  
7 will get these legislations passed as quickly as  
8 possible. Thank you.

9 CHAIRPERSON KALLOS: Thank you very much.  
10 I hereby adjourn this joint hearing of the Committee  
11 on Governmental Operations and General Welfare.

12 [gavel]

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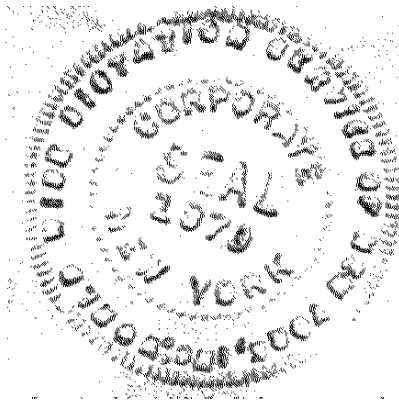
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C E R T I F I C A T E

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 May 13, 2015