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COMMITTEE ON GOVERNMENTAL OPERATIONS

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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March 25, 2021

Start: 9:15 a.m.

Recess: 9:23 a.m.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Fernando Cabrera,
Chairperson

COUNCIL MEMBERS:

Darma V. Diaz
Stephen T. Levin
Ben Kallos
Alan N. Maisel
Bill Perkins
Keith Powers
Ydanis A. Rodriguez
Kalman Yeger
R. Diaz, Sr.

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SERGEANT AT ARMS: PC started.

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SERGEANT PEREZ: Backup is rolling.

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SERGEANT AT ARMS: The Cloud is up. Sergeant,
will you begin the opening.

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SERGEANT AT ARMS: Thank you. Good morning and
welcome to the Remote Hearing on Governmental
Operations. Will Council Members and staff please
turn on their video at this time. Thank you. To
minimize disruptions, please place all cellphones,
electronics to vibrate.

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Chair, we are ready to begin.

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CHAIRPERSON CABRERA: Thank you so much. Good
morning. I am Council Member Fernando Cabrera,
Chair to the Committee on Governmental Operations. I
want to recognize that we have been joined by Council
Members D. Diaz, Powers, Kallos, myself, Rodriguez,
Yeger, Levin. Did I miss anybody? Okay, great.

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Today, the Committee will vote on Proposed
Introduction 2118-A sponsored by my colleague Council
Member Powers. The bill will transfer the authority
to issue Press Credential from the Police Department
to the Mayor's Office of Media and Entertainment.
These credentials allow journalists to cross police
in fire lines and attend city sponsored events that

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2 are open to the press, subject to safety concerns,
3 the preservation of evidence and space limitation.

4 Before we hear from Council Member Powers
5 statement on his bill, I want to thank our Committee
6 Staff C.J. Murray, Emily Forgione, Elizabeth Kronk,
7 Sebastian Bacchi as well as my Legislative and
8 Communication Director Claire McLeveighn for their
9 work.

10 I will now turn it over to Council Member Powers
11 to say a few words.

12 COUNCIL MEMBER POWERS: Thank you Chair Cabrera
13 and good morning everyone. Thanks for giving me the
14 opportunity to say a few words today. I am Council
15 Member Powers; we will be voting today on my bill to
16 move Press Credentials to the Mayor's Office of Media
17 and Entertainment from the NYPD. And just a few
18 words before that. As we know and as we all talked
19 about often, freedom of the press is one of our
20 city's greatest protections and for me, to me, any
21 press credentials issued by the City of New York, one
22 of the largest media markets should be easy to
23 access, easy to qualify for and to free of any
24 considerations that go beyond protecting the press.

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2 This legislation came out because it became
3 increasingly clear that members of the media must be
4 able to report on stories without any concern that
5 their coverage will result in losing a press pass or
6 not being able to obtain one at all. We have also of
7 course seen the rise of new media that online media
8 and others that also requires a change in how we view
9 media and how we issue press passes.

10 One way to ensure that press coverage is not
11 impacted by an agency so heavily covered by the media
12 is to remove that agency from the process all
13 together. My bill Intro. 2118 will give the Mayor's
14 Office of Media and Entertainment the sole authority
15 to issue suspended and revoked press credentials. My
16 legislation ensures that we have a process for
17 distributing press credentials that is fair,
18 equitable and accessible, creating a balanced system
19 here that protects our free press.

20 The diversity emergence of new press outlets
21 required a reconsideration of this entire process,
22 including who issues press credentials which has been
23 in place for decades. And now to provide easy
24 flexibility for agencies to update their standards
25 over time.

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2 At last months' hearing we heard from a wide
3 range of stakeholders about this legislation and I
4 want to thank all those who came to testify for their
5 thoughtful feedback and want to thank all my
6 colleagues for their engagement. That feedback
7 helped inform additional improvements to my
8 legislation in particular, the legislation now
9 requires an oath hearing before any press credential
10 can be seized, suspended or revoked. Something I
11 believe the press community has been receptive to and
12 provides them an extra guarantee that they will have
13 the freedom of press here.

14 The members of the press will also have the right
15 to an oath hearing to challenge the denial of press
16 credentials or applications not improved and of
17 course, as we discussed there is no background
18 checked for an application for a press credential as
19 part of this legislation.

20 These improvements of legislation further
21 strengthen protections for the members of the press
22 and I want to thank many – thanks to my colleagues
23 for their support and all the staff including Sara
24 Newman in my office for working on this bill.

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2 With that, I urge all my colleagues to vote aye
3 on the bill today. Thanks so much.

4 CHAIRPERSON CABRERA: Thank you and now I will
5 turn it over to the clerk to call the roll.

6 COMMITTEE CLERK: Good morning, William Martin,
7 Committee Clerk roll call vote Committee on
8 Governmental Operations Proposed Introduction Number
9 2118-A. Chair Cabrera?

10 CHAIRPERSON CABRERA: I will be voting no. It's
11 been a difficult - I have been mulling over this bill
12 for days. I am concerned about the 1.3 plus million
13 dollars that we are spending in light of the fact
14 that we are cutting millions of jobs three to one
15 throughout the city.

16 The second reason, I am concerned about the clear
17 and convincing standard that we are using in this
18 bill. Instead of preponderance of the evidence.
19 Both has used preponderance of evidence for the last
20 42 years literally for every case and I am afraid we
21 are going to be opening to lawsuits and costing a
22 tremendous amount of money.

23 Lastly, on the hearing that we had, you know the
24 association of the press, we are very concerned about
25 this bill. I know the sponsor of the bill has

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2 tremendous great intentions and I commend him for
3 that. But at this moment, I will be voting no.

4 COMMITTEE CLERK: Rodriguez?

5 COUNCIL MEMBER RODRIGUEZ: I vote aye.

6 COMMITTEE CLERK: Thank you. Levin?

7 COUNCIL MEMBER LEVIN: Aye.

8 COMMITTEE CLERK: Kallos?

9 COUNCIL MEMBER KALLOS: Aye.

10 COMMITTEE CLERK: Maisel?

11 COUNCIL MEMBER MAISEL: Yes.

12 COMMITTEE CLERK: Powers?

13 COUNCIL MEMBER POWERS: Aye.

14 COMMITTEE CLERK: Yeger?

15 COUNCIL MEMBER YEGER: Mr. Chairman, may I be
16 excused to briefly explain my vote?

17 CHAIRPERSON CABRERA: Yes.

18 COUNCIL MEMBER YEGER: Thank you. Uh, for the
19 reasons that the Chair stated and many, many more, I
20 am going to vote no today. But I want to be clear, I
21 love the sponsor of this bill. He is my friend. He
22 is a good man. He is a good Council Member but I am
23 struggling to find even a single good reason for this
24 bill here.

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2 As I said at the hearings, that this is a
3 solution in search of a problem. Neither the Press
4 was advocating for it. The Administration was not
5 advocating for it and this comes from an environment
6 of a creation of a problem just so that we can craft
7 the solution here in the City Council and look like
8 we are doing something today. And so here we are and
9 this is what we are going to do and to be clear on
10 what we are doing, we are burdening the current years
11 budget as the Chair stated, \$660,000. The future
12 budgets \$1.3 million, \$1.3 million.

13 I am just not in a place where I have learned
14 that this city is so flush with cash that we have
15 \$1.3 million to blow just so that you know, we can
16 once again stand up all together and say how much we
17 hate cops in this Council.

18 So, I vote no today with respect to all who
19 sponsored this bill and who are voting in favor of
20 it. I understand where you come from but I can't be
21 with you there. Thank you.

22 CHAIRPERSON CABRERA: Thank you.

23 COMMITTEE CLERK: D. Diaz?

24 CHAIRPERSON CABRERA: Sorry, we can't hear you.
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2 COUNCIL MEMBER DIAZ: I am sorry, I am juggling
3 one press conference and two hearings. You guys are
4 amazing.

5 I vote aye.

6 CHAIRPERSON CABRERA: Thank you.

7 COMMITTEE CLERK: Okay thank you. By a vote of 6
8 in the affirmative, 2 in the negative and no
9 abstentions, the item has been adopted by the
10 Committee. Thank you.

11 CHAIRPERSON CABRERA: Thank you so much and with
12 that, we conclude this vote. [GAVEL]

13 SERGEANT AT ARMS: Thank you Chair.

14 CHAIRPERSON CABRERA: Thank you. Are we staying
15 open here for the next vote?

16 SERGEANT AT ARMS: We are staying open for
17 Transportation.

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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 March 28, 2021