

COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY WITH  
THE COMMITTEE ON TECHNOLOGY

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

OF THE

COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY WITH  
THE COMMITTEE ON TECHNOLOGY

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Thursday, June 26, 2025

Start: 1:20 P.M.

Recess: 3:48 P.M.

HELD AT: Council Chambers - City Hall

B E F O R E: Hon. Carmen De La Rosa, Chair of  
Civil Service and Labor  
Hon. Jennifer Gutiérrez, Chair of  
Technology

COUNCIL MEMBERS: Erik D. Bottcher  
Tiffany Cabán  
Eric Dinowitz  
Oswald Feliz  
Kamillah Hanks  
Robert F. Holden  
Julie Menin  
Francisco P. Moya  
Vickie Paladino  
Yusef Salaam  
Julie Won

OTHER COUNCIL MEMBERS ATTENDING: Brewer,  
Farías, and Williams

COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
WITH THE COMMITTEE ON TECHNOLOGY  
A P P E A R A N C E S

Alex Ford,  
Executive Director of Research and Collaboration  
under the Office of Technology and Innovation  
(OTI)

Pauline Toole,  
Commissioner of the New York City Department of  
Records and Information Services (DORIS)

Katrina Porter,  
Deputy Commissioner of Human Capital at the  
Department of Citywide Administrative Services  
(DCAS)

Prince Gupta,  
Associate Commissioner for Application  
Engineering at Office of Technology and  
Innovation (OTI)

Rachael Fauss,  
Senior Policy Advisor at Reinvent Albany

Sarah Roth,  
Legal Intern at The Surveillance Technology  
Oversight Project ("S.T.O.P.")

Laura Moraff,  
Staff Attorney at The Legal Aid Society's Digital  
Forensics Unit

Alex Spyropoulos  
Director of Government Relations at  
Tech: NYC

Malek Al-Shammary,  
Independent Budget Office (IBO)

Davon Lomax,  
Political Director at District Council 9 and the  
International Union of Painters and Allied Trades

COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
WITH THE COMMITTEE ON TECHNOLOGY  
A P P E A R A N C E S (CONTINUED)

Richie Lipkowitz,  
Representing—Self

Rafael Espinal,  
Executive Director of the Freelancers Union;  
Former State Assembly Member; Former New York  
City Council Member

Nadira Pittman,  
Ethics of AI in the Workplace

Liliana De Lucca,  
Representing—Self

William Medina,  
Organizer for Workers Justice Project

Norma Simon,  
Representing—Self

Faisal Lalani,  
Representing—Self

Adam Scott Wandt, J.D., M.P.A  
Associate Professor at John Jay College of  
Criminal Justice, The City University of New York  
(CUNY)

Foluso Ogundepo,  
Experience Designer, Researcher, and Product  
Manager: Representing—Self

Michele Anne Blondmonville,  
Lead for Humanity

Beverly Blondmoville,  
Lead for Humanity

COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
WITH THE COMMITTEE ON TECHNOLOGY  
A P P E A R A N C E S (CONTINUED)

Daniel Wolf,  
Director of State Programs at Alliance for  
Digital Innovation

Samantha Sanchez,  
Program Manager for Common Cause New York

Cynthia Conti-Cook,  
Director of Research & Policy at the  
Collaborative Research Center for Resilience

Olivia Gonzalez Killingsworth,  
Member of SAG-AFTRA

Christopher Leon Johnson,  
Representing-Self

2 SERGEANT PAYTUVI: This is a microphone  
3 check for the Committee on Technology, jointly with  
4 the Committee on Civil Service and Labor, recorded on  
5 June 26, 2025, located in Chambers by Nazly Paytuvi.

6 SERGEANT AT ARMS: Good afternoon, and  
7 welcome to the New York City Council Hearing of the  
8 Committee on Civil Service and Labor, jointly with  
9 the Committee on Technology. At this time, please  
10 place all electronic devices to vibrate or silent  
11 mode.

12 If you wish to testify, please go to the  
13 back of the room to fill out a testimony slip.

14 At this time, and going forward, no one  
15 is to approach the dais. I repeat, no one is to  
16 approach the dais.

17 Chairs, we are ready to begin.

18 CHAIRPERSON DE LA ROSA: [GAVEL] Good  
19 afternoon, I am Council Member Carmem De La Rosa,  
20 Chair of the Committee of the Civil Service and  
21 Labor. Welcome to today's joint hearing, held in  
22 collaboration with Chair Gutiérrez and the Technology  
23 Committee, to discuss the impact of automation and  
24 artificial intelligence on the New York City  
25 workforce.

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3 In addition to today's oversight topic,  
4 we will be hearing the following legislation:

5 Introduction 372, sponsored by Council  
6 Member Keith Powers, in relation to establishing  
7 timelines for the approval of permits and expanding  
8 real time tracking of pending permits.

9 Introduction 540, sponsored by Council  
10 Member Brannan, in relation to an assessment of a  
11 cloud-first policy for city technology systems.

12 Introduction 1066, sponsored by Council  
13 Member Williams, in relation to the creation of an  
14 interagency task force to examine the impacts of  
15 artificial intelligence on civil service and civil  
16 service employees.

17 Introduction 1235, sponsored by Council  
18 Member Brewer, in relation to a creation of a  
19 centralized system for processing Freedom of  
20 Information Law (FOIL) requests.

21 Resolution 860, sponsored by Majority  
22 Leader Fariás, in relation to calling on the NYC  
23 Department of Citywide Administrative Services  
24 (DCAS) to develop and implement a qualifying practical  
25 exam for painters as part of a civil service testing  
process.

1  
2 In recent years, we have witnessed the  
3 rapid advancement of automation and artificial  
4 intelligence technologies. AI assisted tools like  
5 chatbots and machine learning models are now  
6 commonplace across a range of industries, including  
7 government. These technologies offer exciting  
8 possibilities such as streamlining processes,  
9 analyzing large data sets, and improving operational  
10 efficiency.

11 But there are also some pressing  
12 concerns:

- 13 • How are these tools handling private or  
14 sensitive information?
- 15 • Are the algorithms trained on complete and  
16 unbiased information?
- 17 • What are the consequences when decisions  
18 about public services or benefits are made  
19 by automated systems instead of humans?
- 20 • How do we ensure that these technologies  
21 support, rather than displace, the dedicated  
22 workers who keep our city running?

23 The City Council has taken important  
24 steps to regulate the use of AI. In 2021, the City  
25 Council enacted Local Law 144, which prohibits the

1  
2 use of automated employment decision tools unless  
3 they've undergone an independent bias audit. And in  
4 2022, the City Council enacted Local Law 35,  
5 requiring city agencies to report annually on their  
6 use of automated decision systems. Today's hearing  
7 builds on this work.

8 Our goal is to ensure that the City  
9 embraces innovation without compromising  
10 transparency, fairness, or the rights of workers. We  
11 want AI automation to enhance the work of our  
12 municipal workforce, not replace it. The Committee  
13 looks forward to hearing from the Office of  
14 Technology and Innovation, OTI, and the Department of  
15 Citywide Administrative Services, DCAS, about how  
16 these technologies are being used and what steps we  
17 take to protect workers while responsibly integrating  
18 new tools.

19 We also look forward to hearing feedback  
20 on Introduction 1066 as we consider how best to  
21 monitor the long term impacts of artificial  
22 intelligence on civil service and ensure workers have  
23 a voice in shaping those policies. I'd like to thank  
24 the committee staff, Senior Policy Analyst Elizabeth  
25 Arzt, Policy Analyst Justin Campos, and Senior

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3 Legislative Counsel Rie Ogasawara, for their hard  
4 work in preparing for this hearing. I would also like  
5 to thank my Chief of Staff, James Burke, Legislative  
6 Director; Kiana Diaz; and Frayn Familia, Director of  
7 Communication.

8 I would like to recognize by Council  
9 Member Williams, Majority Leader Farías, obviously,  
10 Chair Gutiérrez is here, Council Member Holden, and  
11 Council Member Brewer, Council Member Cabán, and  
12 Council Member Menin.

13 (BACKGROUND CHATTER)

14 We are going to pause for a second; our  
15 Zoom is down for a minute. And then I will turn it  
16 over to Chair Gutiérrez once the Zoom is back up.

17 (PAUSE)

18 CHAIRPERSON DE LA ROSA: Okay, I now turn  
19 it over to Chair Gutiérrez for her opening statement.

20 CHAIRPERSON GUTIÉRREZ: Thank you, Chair  
21 De La Rosa. Welcome, and happy last day of school for  
22 everybody. I'm Council member Jennifer Gutiérrez,  
23 Chair of the Committee on Technology. Thank you for  
24 joining us today on our hearing topic: *Oversight -*  
25 *The Impact of Automation on the New York City*  
*Workforce.*

1  
2 I'm especially excited to be chairing  
3 this hearing with Chair De La Rosa and to look at AI  
4 from multiple angles of how it affects the workforce  
5 in the city.

6 Artificial intelligence or AI, it's  
7 already here, it's in our phones, in our schools, in  
8 our doctors' offices, your HR department, and it's  
9 moving fast—Faster than most of our systems are  
10 ready for.

11 But I want to be clear that AI can be  
12 good. It can be useful. It can help doctors detect  
13 illnesses earlier. It can help teachers reach  
14 students in different ways, and it can help  
15 government translate and deliver services more  
16 effectively. If it's done transparently and in the  
17 right way, it can expand access and reduce  
18 inefficiency if we get it right. That's why we're  
19 here.

20 Our job is to ask who built this, who  
21 benefits, who's being harmed, and what happens when  
22 something goes wrong. This matters most for the  
23 people on the ground, our city workforce. If they  
24 don't understand how AI is being used, if they're not  
25 trained, if their feedback isn't being actively heard

1  
2 and integrated, then we're building brittle systems  
3 with no accountability. Take ACS, for example. If  
4 frontline workers don't know why a family is flagged  
5 as high risk, and the answer is something like "a  
6 parent grew up in foster care", then we are not just  
7 embedding bias, we're institutionalizing it.

8 AI models don't just reflect values, they  
9 define them, and without transparency or the ability  
10 to dissent, we risk locking in bad assumptions and  
11 calling it progress. We need public systems that are  
12 built for responsiveness, not just efficiency. That  
13 means real time feedback loops. That means public  
14 oversight. That means asking not just whether a model  
15 is accurate, but whether it's serving the public good  
16 and who gets to define that.

17 We can't keep reacting to the effects of  
18 AI after harm has already occurred. We must  
19 proactively shape how these tools operate, build them  
20 to reflect our values, and design them to adjust when  
21 they fail. Because the alternative, letting  
22 automation quietly reshape our public institutions  
23 without public input, is not governance, it's  
24 abdication.

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3 As chair, I've tried to bring that lens  
4 to everything we do. And today's hearing is part of  
5 that ongoing work. Because technology doesn't belong  
6 to CEOs or engineers alone, it belongs to all of us.  
7 And if it's going to shape our future, then our  
8 voices need to shape that too. I want to thank the  
9 Tech Committee Staff Policy Analyst, Erik Brown;  
10 Legislative Counsel, Irene Byhovsky; our Chief of  
11 Staff, Anya Leher; Legislative Associate Victoria  
12 Peters; and our Fellow, Josmary Ochoa-Cruz, for their  
13 work in preparing for today's hearing. And I want to  
14 recognize Committee Member Erik Bottcher, who has  
15 joined us from the Tech Committee today. Thank you.

16 COUNCIL MEMBER DE LA ROSA: Thank you so  
17 much, Chair Gutiérrez.

18 I will now turn to Council Member  
19 Williams for her opening statement.

20 COUNCIL MEMBER WILLIAMS: Good afternoon.  
21 Artificial intelligence is no longer a concept of the  
22 future. It's in our workplaces, our schools, and our  
23 government. And for many, it's raising real questions  
24 about privacy, fairness, and job security.

25 The truth is, AI is already here. That's  
why we need to understand how it's being used, assess

1  
2 its impact, and ensure it's not undermining the  
3 rights or voices of working people, especially those  
4 in public service. That same technology is being used  
5 in our city systems, too.

6 Civil servants are encountering AI in  
7 hiring platforms, shift scheduling, and performance  
8 tracking tools, sometimes without even knowing it.  
9 And while these tools are often marked as "neutral"  
10 or "efficient", we know they can replicate bias,  
11 obscure accountability, and quietly shift the power  
12 dynamics of the workplace.

13 Intro 1066 is a response to that reality.  
14 This bill would establish a dedicated task force  
15 bringing together agency leaders, technologists,  
16 labor voices, and civil service employees themselves  
17 to examine how AI is being used across city  
18 government and how it's impacting the workforce.

19 The task force would meet regularly and  
20 stay engaged, not as a symbolic body, but as an  
21 active mechanism for oversight, data sharing, and  
22 accountability. Just as importantly, it would create  
23 a formal channel for workers to report how AI is  
24 showing up in their day-to-day jobs, what's helpful,  
25 what's harmful, and where guardrails are urgently

1  
2 needed. We cannot afford to treat these changes as  
3 inevitable or invisible. We need to study them,  
4 understand them, and plan for them.

5 This bill is about protecting people, not  
6 just adapting to technology, and making sure the  
7 future of our workforce is shaped by data fairness  
8 and public accountability. Thank you, Chairs.

9 COUNCIL MEMBER DE LA ROSA: Thank you so  
10 much, Council Member Williams. We now turn to  
11 Majority Leader Fariás for her opening statement.

12 MAJORITY LEADER FARIÁS: Thank you, Chairs  
13 De La Rosa, Gutiérrez, and my colleagues, for the  
14 opportunity to speak on Resolution 860, which calls  
15 on the Department of Citywide Administrative Services  
16 to include a qualifying practical exam in the civil  
17 service testing process for municipal painters.

18 This legislation is the result of a  
19 meaningful and necessary call to action from the  
20 District Council Nine of the International Union of  
21 Painters and Allied Trades. I want to thank them for  
22 their advocacy, partnership, and leadership in  
23 helping to shape a solution that centers on worker  
24 quality, job readiness, and public accountability.

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2           Currently, the City's hiring process for  
3 painters relies solely on a multiple choice test and  
4 an education and experience application. Far too  
5 often, this method fails to assess hands-on skills  
6 that are essential to the trade. We only learn that  
7 someone isn't qualified after they've been hired,  
8 when they show up to a job site and can't perform the  
9 basic tasks at hand. That inefficiency wastes City  
10 time, money, and disrupts project timelines.

11           Resolution 860 offers a straightforward  
12 fix. Maintain the existing written exam, but require  
13 that all candidates who pass it proceed to a  
14 practical skills evaluation. This second stage would  
15 ensure that they can physically demonstrate the  
16 proficiency necessary to be certified as municipal  
17 painters.

18           To further strengthen fairness and  
19 accuracy in the hiring process, the Resolution also  
20 recommends a minimum passing score of 70% on the  
21 practical exam, a clear full-time equivalent formula  
22 for converting part-time experience, so all  
23 applicants are evaluated equitably, and crediting  
24 graduates of non-certified painter apprenticeship  
25

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2 programs with one full year experience, recognizing  
3 the rigor and job readiness of those programs.

4 While DCAS has already had the authority  
5 to design the structure of these exams, this  
6 resolution sends a strong message that it's time to  
7 adopt higher, trained, aligned standards in civil  
8 service testing. A two-stage process, written and  
9 practical, ensures we are hiring painters who are not  
10 only knowledgeable but capable of doing the work from  
11 day one. Ultimately, this is about raising  
12 performance standards, safeguarding public resources,  
13 and ensuring excellence across our municipal  
14 workforce.

15 Thank you for your time and consideration  
16 today. I respectfully urge your support of this  
17 resolution to promote fairness, efficiency, and  
18 professionalism in City hiring. Thank you.

19 COUNCIL MEMBER DE LA ROSA: Thank you,  
20 Majority Leader.

21 We now turn to Council Member Brewer for  
22 her opening statement.

23 COUNCIL MEMBER BREWER: Thank you very  
24 much. I'm talking about Intro 1235. What it would do  
25 is require DORIS (Department of Records and

1  
2 Information Services), which is a wonderful agency  
3 headed up by Commissioner Pauline Toole, to create a  
4 centralized Freedom of Information request website—  
5 which exists, but it does need some help. It would  
6 receive, track, update, and post responses to the  
7 agency's FOIL requests. It would also require the  
8 commissioner to formulate performance guidelines for  
9 agencies based on the FOIL response statistics for  
10 each agency, and to convene meetings of agencies'  
11 FOIL officers regarding the implementation and  
12 updates.

13           The reason we're doing this is a couple  
14 of reasons: Number one, Reinvent Albany introduced  
15 their report in 2025 called *Freedom of Information*  
16 *Law*, and it felt that there was not enough response  
17 to FOILS. According to the report, the public can  
18 wait months or sometimes years for city agencies to  
19 provide the records that they've requested. About 15%  
20 of the FOIL requests submitted in the first quarter  
21 and second quarters of 2024 were still open one year  
22 later. The slowest agencies, according to the report,  
23 which I have right here, are the Department of  
24 Corrections, which averages 485 days, and the Mayor's  
25

1  
2 Office, which averages 283 days. These agencies need  
3 the most public scrutiny.

4 The Intro is designed, as I said, to  
5 bring transparency to FOIL request processing across  
6 all agencies, making it easier for the public to  
7 track and access government records and to hold  
8 agencies accountable. I think we all feel that  
9 transparency and accountability are not optional in  
10 government.

11 And I just want to mention groups like  
12 the Foreign Press, Reinvent Albany, BetaNYC, Citizens  
13 Union, the New York Civil Liberties Union, the New  
14 York City Bar, the Legal Aid Society, the League of  
15 Women Voters, Common Cause, and others are supportive  
16 of this Intro. And I want to thank Sam Goldsmith from  
17 my office, Andrea Vasquez and Elliot Heisler from the  
18 Speakers' Office, Legislative Affairs. Thank you very  
19 much to both chairs.

20 COUNCIL MEMBER DE LA ROSA: Thank you,  
21 Council Member Brewer.

22 We have also been joined by Council  
23 Members Feliz and Salaam.

24 We will be hearing testimony from  
25 representatives of the administration. And I now turn

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3 to the Committee Counsel to administer the oath for  
4 this panel of administrative officials.

5 COMMITTEE COUNSEL: We will now hear from  
6 the administration. Before we begin, I will  
7 administer the affirmation. Panelists, please raise  
8 your right hand. I will read the affirmation once,  
9 and then call on each of you individually to respond.

10 Do you affirm to tell the truth, the  
11 whole truth, and nothing but the truth, before this  
12 committee, and to respond honestly to council member  
13 questions?

14 *PANEL AFFIRMS*

15 COUNCIL MEMBER DE LA ROSA: You may begin.

16 EXECUTIVE DIRECTOR FORD: Good afternoon,  
17 Chair Gutiérrez, Chair De La Rosa, and Members of the  
18 City Council Committees on Technology, Civil Service,  
19 and Labor. My name is Alex Ford, and I'm the  
20 Executive Director of Research and Collaboration  
21 under the Office of Technology and Innovation, or  
22 OTI. With me is Prince Gupta, OTI's Associate  
23 Commissioner for Application Engineering. Thank you  
24 for the opportunity to discuss our areas of expertise  
25 with the committees today and for holding a hearing  
on this timely topic.

1  
2 For those not familiar with our work, OTI  
3 has led the charge on the City's broad approach to  
4 artificial intelligence, or AI, policy and  
5 governance. Our AI Action Plan, which was released in  
6 the fall of 2023, is the first major step in  
7 developing a framework for city agencies to carefully  
8 evaluate AI tools and associated risks, help city  
9 government employees build AI knowledge and skills,  
10 and support the responsible implementation of these  
11 technologies to improve the quality of life for New  
12 Yorkers. We crafted this plan, the first of its kind,  
13 for any major US city, with feedback from 18 agencies  
14 alongside expert insights from industry and academia.

15 The plan introduced a set of phased  
16 actions for the City to complete, which would enable  
17 agencies to evaluate risks and determine whether a  
18 tool is the right technology to deliver better  
19 positive outcomes for New Yorkers. As of now, we have  
20 initiated or completed most of the 37 actions as  
21 described in the AI Action Plan.

22 With respect to the impact of AI on the  
23 municipal workforce, we've consistently taken the  
24 position that the work we're doing is not intended to  
25 aid in the replacement of any City jobs with AI.

1  
2 Rather, review AI as a tool to support our employees  
3 to help free up more of their time to focus on the  
4 things that are most critical. Our objective is to  
5 prepare City personnel, whether they serve in  
6 technical roles or not, to effectively and  
7 responsibly work with and on AI.

8 To that end, there is an initiative in  
9 the AI Action Plan dedicated to building AI knowledge  
10 and skills within city government, including seven  
11 short and medium-term actions:

12 1. Exploring and pursuing opportunities to  
13 foster information sharing across agencies and  
14 teams.

15 2. Identifying high priority agency skills  
16 needs within the City's AI Steering Committee.

17 3. Assessing the landscape of internal and  
18 external resources to support AI knowledge building  
19 efforts.

20 4. Launching initial knowledge building efforts  
21 to plan the scope, structure, and priorities of new  
22 AI learning resources for City staff

23 5. Exploring opportunities to bring AI talent  
24 into city government for limited term projects  
25

6. Centrally tracking and sharing with agencies emerging tools, use cases, and considerations.

7. Encouraging alignment on AI skills and duties to ensure city government job descriptions and civil service titles reflect the range of AI skills needed to support city efforts.

While many of these efforts are in progress or complete, the action taken will continue to inform our work going forward. The AI Action Plan is intended to create the framework to guide uses and impacts of AI as the technology continues to evolve and become more ubiquitous. We will also continue to monitor AI policy and engage our intergovernmental partners at all levels, as appropriate, in this rapidly changing regulatory landscape for emerging technologies.

I will now turn to the legislation on today's docket:

Introduction 1066 of 2024 seeks to create an interagency task force to examine the impacts of artificial intelligence on civil service and civil service employees.

We certainly agree that the impact of AI and the municipal workforce should be evaluated

1  
2 comprehensively, and this subject focus dovetails  
3 with much of the work we have laid out in the AI  
4 Action Plan.

5           However, as written, we don't feel that  
6 the structure of the task force that Intro 1066 would  
7 create would produce the insights we collectively  
8 seek. We'd like to discuss further with the Council  
9 the ways in which we can collaborate to achieve the  
10 most useful outcome.

11           Introduction 540 of 2024 would require  
12 OTI to assess the feasibility of a Cloud-First  
13 policy, in which the use of a cloud computing system  
14 would be given preferential consideration when city  
15 agencies are developing technology solutions,  
16 strategies, and operational deployment plans for any  
17 software program, mobile application, or data storage  
18 needs.

19           We appreciate the Council's interest in  
20 the modernization of applications and storage  
21 solutions for the city. In practice, at least over  
22 the last several years, Cloud has been overwhelmingly  
23 the best solution for a large number of projects, and  
24 we have significantly expanded our portfolio with  
25 cloud-based solutions. Cloud was preferred over on-

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2 premises technologies for a variety of reasons,  
3 including ease of deployment, scalability,  
4 prepackaged solutions, cost, and ability to upgrade  
5 as technology evolves. This preference is in line  
6 with a trend of offerings from companies that provide  
7 products that serve the needs of agencies seeking  
8 more modern, agile platforms.

9 That said, we don't believe a feasibility  
10 assessment of a Cloud-First policy would be useful.  
11 We already know from experience that when developing  
12 requirements for a new application or evaluating our  
13 proposal from another agency, it is not beneficial to  
14 limit the specific kind of technology utilized to  
15 fulfill a need.

16 Thank you once again for the opportunity  
17 to testify today. We will now take members'  
18 questions.

19 COUNCIL MEMBER DE LA ROSA: Thank you.  
20 Could you also submit a copy of the testimony for us  
21 to have?

22 Any other agencies? Yes, you can go  
23 ahead.

24 COMMISSIONER TOOLE: My name is Pauline  
25 Toole, and I am the Commissioner of the New York City

3 Department of Records and Information Services,  
4 commonly known as DORIS. Thank you for the  
5 opportunity to testify today and for the proposed  
6 local law to require a publicly accessible portal for  
7 Freedom of Information Law FOIL requests.

8 This administration is committed to  
9 ensuring that government is open, accessible, and  
10 transparent so that residents of New York City can  
11 engage with city government in a meaningful way.  
12 Providing access to government records helps  
13 accomplish that goal.

14 The Charter gives DORIS three  
15 responsibilities related to the City's records. The  
16 Municipal Archives accessions, preserves and makes  
17 available City government's historical records, which  
18 are mostly the unpublished records of government  
19 agencies and officials. The Municipal Library  
20 preserves and makes available the published records  
21 of City government. The Records Division sets records  
22 retention policies and works with agencies to  
23 modernize the management of their records—in all  
24 formats.

25 Introduction 1235 would amend the Chapter  
72 of the City Charter—the DORIS chapter—to require

1 the agency, in consultation with the Office of  
2 Technology and Innovation, to develop and maintain a  
3 publicly accessible online portal to intake and  
4 process requests made pursuant to Article 6 of the  
5 New York State Public Officers Law, commonly called  
6 FOIL. The proposal would require the portal to  
7 include several data points in a machine readable  
8 format, permit full text searchability of all  
9 requests and responsive records, include an  
10 application programming interface, or API, issue  
11 automatic notifications of determinations provided to  
12 any person, list all records access and appeals  
13 officers at each agency, provide a variety of  
14 statistics, and post all responsive records. Further,  
15 it would require all agencies to provide a link to  
16 the portal on their websites and enter any FOIL  
17 requests received by agencies via other methods into  
18 the portal. It also requires consultation with the  
19 Office of Operations and public hearings on possible  
20 metrics, regular meetings with records access  
21 officers, and the development of an implementation  
22 plan to be submitted to the mayor and speaker.

24 DORIS appreciates the Council's interest  
25 in providing access to public records via an online

1  
2 portal. In fact, the Department developed an open  
3 source Freedom of Information Law portal that  
4 launched in 2015 as a pilot and subsequently has  
5 become the primary point for public access to City  
6 agency records.

7           The genesis of the Open Records portal is  
8 a report issued by then Public Advocate Bill de  
9 Blasio in 2013 rating City agencies' FOIL practices.  
10 The report revealed the many difficulties members of  
11 the public faced in accessing public records, waiting  
12 years or forever for acknowledgement of the request  
13 or the actual records.

14           Because the DORIS mission is providing  
15 information to the public and government officials,  
16 we teamed up with the Office of Technology and  
17 Innovation's predecessor agency to use open source  
18 code to develop a one-stop site to submit and respond  
19 to FOIL requests. Currently, 53 agencies use the  
20 portal to receive and post responses to FOIL  
21 requests. We will soon onboard the New York County  
22 District Attorney's office. More than 526,000 FOIL  
23 requests have been filed on the portal, and 475,000  
24 have been processed by agency staff.

1  
2 Our existing portal meets many of the  
3 requirements set forth in subdivision B of section  
4 3012 of the New York City Charter that would be  
5 created by the proposed local law. It offers a one-  
6 stop site for people to file requests for public  
7 records. It provides a unique identifier, and shows  
8 the date each request was submitted and acknowledged,  
9 and the expected response date. The portal publicly  
10 posts the agency's determination of a request, and  
11 when the request is denied entirely or in part, the  
12 exemptions cited under the Public Officers Law to  
13 deny the request.

14 Similarly, the portal already fulfills  
15 several of the requirements set forth in subdivision  
16 C of proposed Charter section 3012. It allows  
17 agencies to acknowledge receipt of a request within  
18 five business days, enter into dialogue with the  
19 requester, provide a summary response that includes  
20 the reason a request was denied, citing the relevant  
21 exemptions under State law, and upload records to  
22 which access has been granted. Prior to the  
23 development of the portal, an individual might have  
24 sent a request to an agency and never know if it was  
25

1  
2 received or being acted upon. The portal provides  
3 that information up front.

4           The Open Records Portal allows the public  
5 to filter search results by agency, dates, and the  
6 status of the request. The requests and responsive  
7 records could be filtered by additional categories,  
8 but this would require additional programming time.  
9 The proposed local law requires access to data about  
10 utilization of the portal, disaggregated by agency.  
11 Please note that the number of requests received and  
12 closed is currently available. Additional statistics  
13 described in the proposed law could be made  
14 available, such as the average resolution time and  
15 the number of requests granted or denied, in whole or  
16 in part. This, too, would require additional  
17 resources. The proposed requirement to post monthly  
18 statistical updates would be unnecessary because the  
19 data is available in real time. It is important to  
20 note that many documents are covered by Personally  
21 Identifiable Information protections. For example, a  
22 person's school records from the Department of  
23 Education can be obtained by that person via FOIL.  
24 City agencies use Open Records to receive and respond  
25 to these requests, but they do not post them to the

1  
2 public. As a result, the proposed requirements for  
3 all records to be made publicly available on the site  
4 with full text search capability would be  
5 problematic.

6 The DORIS Application Development Team  
7 constantly makes improvements that help requesters  
8 find the right agency and improve the usability for  
9 agency end-users. The proposed local law includes  
10 requirements that are not currently deployed on Open  
11 Records and which would require additional resources  
12 to implement.

13 For instance, the portal does not  
14 currently track information on appeals to agency  
15 Appeals Officers. That information could be included,  
16 but would require additional implementation  
17 resources.

18 The proposal also would require  
19 information related to Article 78 cases filed in  
20 civil court to challenge the denial of a FOIL  
21 request, including whether a case was filed; the  
22 attorneys' fees assessed, if any; the dates of the  
23 judicial decision and any subsequent appeal; and a  
24 machine-readable copy of the records released through  
25 this process. These requirements are not feasible for

1  
2 DORIS to implement, since the information is not  
3 tracked in a central location.

4 Another requirement that would  
5 necessitate substantial resources would be the  
6 development of an Application Programming Interface  
7 or API. This would require building a parallel  
8 application stack to meet the extensive reporting,  
9 full-text search, and application programming  
10 interface requirements. At a minimum, the additional  
11 personnel resources implicated by this requirement  
12 would include a solutions architect and a full-time  
13 developer to develop and maintain the new application  
14 stack. Duplicating the content will also  
15 substantially increase our cloud budget. And finally,  
16 there are many security ramifications of enabling an  
17 API, including access tokens, rate limiting, and the  
18 redaction of Personal Identifying Information, which  
19 would require additional expertise.

20 As written, the proposed local law would  
21 enshrine the existing online FOIL portal, Open  
22 Records, in local law and give DORIS responsibilities  
23 that the agency cannot presently fulfill.

24 Additionally, there are a few terminology  
25 changes that we suggest: first, using the term

1 records access officers, instead of freedom of  
2 information law officers; and second, including the  
3 option for the portal to be cloud-based and not  
4 solely maintained on a website.  
5

6 We commend the City Council for its focus  
7 on records access and would be happy to take any  
8 questions you may have. Thank you.

9 COUNCIL MEMBER DE LA ROSA: Thank you,  
10 Commissioner.

11 DEPUTY COMMISSIONER PORTER: Good  
12 afternoon, Chairs De La Rosa and Gutierrez, and  
13 Members of the City Council Committee on Civil  
14 Service and Labor and Committee on Technology.

15 My name is Katrina Porter, Deputy  
16 Commissioner of Human Capital at the Department of  
17 Citywide Administrative Services (DCAS). Thank you  
18 for the opportunity to speak before the committee.

19 DCAS is always looking for ways to  
20 improve our service delivery to make city government  
21 work for all New Yorkers, and that includes  
22 automating processes. Primarily, in Human Capital,  
23 our automation efforts have been people-focused with  
24 decreasing processing times for exam candidates so  
25 that they can get their scores and test results

1  
2 faster, get on a list sooner, and ultimately be  
3 picked up for an agency job. Our automation efforts  
4 have also helped us to be more sustainable by  
5 eliminating paper and utilizing electronic resources  
6 where possible. Additionally, we have implemented  
7 automation efforts to bring the civil service into  
8 the 21st century and make systems more accessible  
9 online to the public.

10 As we integrate automation where  
11 feasible, it is important to note that our services  
12 have always been human-centric, and it is our  
13 intention to have them remain as such. Within DCAS,  
14 and particularly in Human Capital, we are striving to  
15 nurture and champion the value each worker brings to  
16 the City of New York. To achieve this, we manage  
17 multiple programs that provide pathways to a  
18 sustainable and fulfilling career in public service.  
19 More than that, we administer our bridge exams,  
20 including the recent addition of public safety  
21 titles, to eliminate cumbersome requirements and  
22 provide opportunities to enter the City's workforce.  
23 And we also manage the City's Employee Self Service,  
24 the Help Desk, the Customer Experience Call Center,

1  
2 and the NYC Jobs page —all of which are employee-  
3 centered services.

4           At DCAS, we are committed to recruiting  
5 and retaining top talent by helping them be more  
6 productive through the automation of processes, not  
7 to replace employees with automated tools. DCAS does  
8 not have any plans to implement automation or AI  
9 tools that would replace employees.

10           As we turn to the legislation, DCAS is  
11 here to comment on Introduction 1066. We appreciate  
12 and understand the Council's concerns regarding the  
13 impacts of artificial intelligence on the future of  
14 municipal work and the City's workforce.

15           We stand committed to providing municipal  
16 employees with a platform for sharing their  
17 experiences and for disseminating that information  
18 with relevant government partners. The Administration  
19 believes a focused and coordinated evaluation in this  
20 space can have a positive impact on the workforce,  
21 but we recommend further dialogue between DCAS, OTI,  
22 and the City Council on the topic.

23           Thank you again for allowing us space in  
24 this forum. We are here, should you have any  
25 questions directed to DCAS, but we would defer to our

1  
2 colleagues at the Office of Technology and Innovation  
3 (OTI) regarding AI and its use across City agencies.

4 Thank you.

5 COUNCIL MEMBER DE LA ROSA: Thank you all  
6 for coming and testifying. I'm going to ask a few  
7 questions, and then I'll turn it over to Chair  
8 Gutiérrez.

9 I also want to recognize that Council  
10 Member Dinowitz has joined us. Welcome.

11 Some of my questions are obviously for  
12 DCAS, and I know that you're going to defer to the  
13 colleagues. So if it's appropriate for anyone on the  
14 panel to respond, that's fine.

15 As AI use across the agencies continues  
16 to grow, what role, DCAS, specifically, do you  
17 envision for the agency in being helpful in building  
18 a safe, ethical, and well managed ecosystem for this  
19 technology?

20 DEPUTY COMMISSIONER PORTER: So we're here  
21 to support OTI and its efforts to build a framework  
22 around AI, and that can be through training or, you  
23 know, or development structuring, but OTI can  
24 definitely speak more about the efforts that are  
25 underway currently.

3 EXECUTIVE DIRECTOR FORD: Thank you for  
4 that question. So our focus, as I said in testimony,  
5 is on supporting the City's workforce and their  
6 ability to work with and on AI tools, focusing not  
7 only on technical staff, so those who, you know,  
8 themselves may be doing engineering development the  
9 sorts of efforts that are related to building and  
10 implementing tools, but non-technical staff, too.  
11 (INAUDIBLE) budget, lawyers—people who may be  
12 interfacing with tools, so that everybody has a  
13 foundational understanding about what these tools can  
14 do. What does the technology actually permit  
15 underneath all of this? And create that baseline  
16 understanding, shared terminology, shared  
17 perspectives on the tools and what they can and  
18 cannot do.

19 We have a number of different  
20 initiatives, as we said, that we're initiating to be  
21 able to move that work forward, including the  
22 partnership with agencies like DCAS.

23 CHAIRPERSON DE LA ROSA: And the ethical  
24 component is that something that is part of your  
25 framework?

EXECUTIVE DIRECTOR FORD: Yes, and the entire Action Plan is premised on responsible use and leading to the principles and definitions that we drafted in 2024. So included within those principles in definitions is our commitment to social responsibility and the fair and responsible use of AI tools.

CHAIRPERSON DE LA ROSA: Great. And when it comes to the recruitment of a workforce that is trained to use AI, we have titles across the City like chief information officers, chief technology officers, program managers, and procurement staff. How are we working to build literacy around AI and automation in decision-making systems?

EXECUTIVE DIRECTOR FORD: Yes. Again, an excellent question, that's sort of at the core of what we're trying to understand.

So one of our initial efforts was to survey agencies and better understand from them what they perceive their skills needs to be. And universally, what we heard was AI literacy. So this again, this basic need for City staff to go beyond just what they're hearing in the day-to-day conversations around AI and better understand what

1  
2 these tools are, how they work, what they can  
3 actually do, et cetera

4 So what we're creating, or starting to  
5 create now, is an effort that can be utilized across  
6 the entire City workforce, thinking about not just  
7 one specific job set or one specific skill set, but  
8 broadly applicable, and then to follow up with, you  
9 know, things that are more specific and more tailored  
10 as needed.

11 CHAIRPERSON DE LA ROSA: Great. And,  
12 DCAS, you testified that the plan is to stay human-  
13 centric, which is good to hear. But as we begin to  
14 see the proliferation of AI, has DCAS begun to plan  
15 for a possible job displacement or job redesign, the  
16 upskilling of workers, and high risk job categories?  
17 Have you identified what those categories would be?

18 DEPUTY COMMISSIONER PORTER: So we will  
19 work with OTI to determine what, if any of those  
20 titles would be, you know, after they've completed  
21 their, you know, initial work around building a  
22 framework for AI.

23 EXECUTIVE DIRECTOR FORD: And your  
24 question raises another really interesting point  
25 around, you know, what is automation? What is AI? How

1  
2 do these things relate? Where do they not relate? And  
3 so that's another component of having a better  
4 landscape of, you know, what are we talking about in  
5 terms of the technology and its potential impacts?  
6 What are we talking about in terms of the specific  
7 jobs and skill sets associated with those? So we need  
8 to be able to look at that diversity on both sides of  
9 the equation, you know, the technology itself, and  
10 then the jobs.

11 CHAIRPERSON DE LA ROSA: Mm-hmm. As you  
12 look at the types of jobs that exist in the city, I'm  
13 sure you're working in partnership, have you all  
14 looked at some of the titles that may be at risk?

15 EXECUTIVE DIRECTOR FORD: So our focus to  
16 date has really been more globally understanding,  
17 again, the basic needs or the foundational needs, I  
18 should say, that agencies have. So understanding, you  
19 know, where IT teams need skills that are hard, you  
20 know, quote, unquote "hard skills" to support  
21 development engineering, et cetera, where the  
22 literacy skills are needed. And our focus has been on  
23 working with agency partners to better understand the  
24 needs with respect to their particular missions and  
25 agencies.

1  
2 We're going to keep, you know, digging  
3 through and analyzing at a deeper level to know where  
4 specific agency needs are. But we really want to  
5 start with that global view and better understand,  
6 you know, what is needed for the City overall.

7 CHAIRPERSON DE LA ROSA: Great. And I  
8 mean, DCAS knows one of my favorite topics is a civil  
9 service exam. I'm wondering if there's been  
10 conversation and exploration as to the impact of AI  
11 on civil service. You know, we often talk about  
12 vacancy rates and agencies and how we're looking to  
13 fill them. So, what has been the conversation around  
14 the civil service exam?

15 EXECUTIVE DIRECTOR FORD: Again, I think  
16 that most of our conversation has been thinking about  
17 the workforce and its totality. So, obviously, civil  
18 service is a component of that in terms of how people  
19 find themselves in particular roles, exams, et  
20 cetera. But we want to make sure that we're dealing  
21 with the key components of skills first and then  
22 applying that to what the existing frameworks are.

23 CHAIRPERSON DE LA ROSA: So I'm kind of  
24 hearing like we're not there yet. It's kind of the  
25 vibe, right?

1  
2 EXECUTIVE DIRECTOR FORD: There's a lot  
3 more that we can and want to be doing and are doing  
4 currently to understand the particulars better.

5 Again, we've done a lot of foundational  
6 setting by doing our agency surveys, building out  
7 speaker series, and other sorts of opportunities to  
8 directly upscale the workforce. But we're still lots  
9 to do.

10 CHAIRPERSON DE LA ROSA: Yeah. Lots to do

11 I think, I guess, for me, the challenge  
12 that I'm having as we're having this conversation is  
13 that AI is already here. While I understand that the  
14 implementation is a long road, I could imagine even  
15 people who are studying to take civil service exams,  
16 looking at city jobs, are already utilizing AI to  
17 kind of help them on that road.

18 So, I'm wondering if we're falling behind  
19 as we look to enforce some of the laws that, granted,  
20 our newer laws that the City Council has passed and  
21 others, in order to have a workforce that is  
22 prepared, but also agencies that are prepared to kind  
23 of deal with that innovation?

24 EXECUTIVE DIRECTOR FORD: The good thing  
25 is that the City's workforce is already very

1 prepared. So the City's been using AI for a very long  
2 time. The term AI is sort of more recent in the  
3 broader national conversation, but refers to a lot of  
4 technologies that have been around for a while. And  
5 we see from public reporting that agencies have  
6 really been involved in this work for quite some  
7 time. We have a very capable and innovative workforce  
8 that's building out new tools that already support  
9 the work that they're doing. So the work that we're  
10 thinking about is keeping up with the evolving state  
11 of AI, the technology, the policy, etc., and making  
12 sure that we're responsive to those changes.  
13

14 CHAIRPERSON DE LA ROSA: Great. Thank  
15 you. I'll come back for some more questions, but I  
16 want to pass it to Chair Gutiérrez.

17 CHAIRPERSON GUTIÉRREZ: Thank you, Chair.  
18 Good to see you again.

19 All right. My first question is, since we  
20 last chatted, I think it was October, was the hearing  
21 —Has OTI developed any mandatory training for City  
22 workers, especially those already using AI tools?

23 EXECUTIVE DIRECTOR FORD: So the training  
24 that we're developing right now is intended to be  
25 available for the full workforce and for those who

1  
2 are interested in learning more to be able to find  
3 resources that help them understand these sorts of  
4 foundational layers of AI. We will be building out  
5 additional resources to help, as I said, with some  
6 more specific training as time goes on.

7 CHAIRPERSON GUTIÉRREZ: And what is the  
8 timeline?

9 EXECUTIVE DIRECTOR FORD: We're hoping to  
10 launch our training by the end of the summer.

11 CHAIRPERSON GUTIÉRREZ: At the end of the  
12 summer? And you said it's going to be available to  
13 the entire City workforce?

14 EXECUTIVE DIRECTOR FORD: That's the goal.

15 CHAIRPERSON GUTIÉRREZ: And is it going to  
16 be required? Is it mandatory?

17 EXECUTIVE DIRECTOR FORD: That's not  
18 envisioned at the moment.

19 CHAIRPERSON GUTIÉRREZ: That's not?

20 EXECUTIVE DIRECTOR FORD: Envisioned.

21 CHAIRPERSON GUTIÉRREZ: Okay, so how do  
22 you imagine that folks will take this training?  
23 They'll just...

24 It will be offered to everybody, and  
25 we'll be doing an engagement effort to make sure that

1  
2 city agencies know that this training is available,  
3 uh, that the platform is accessible and available for  
4 employees. But my comment is that at the moment,  
5 we're not envisioning requiring it for employees.

6 CHAIRPERSON GUTIÉRREZ: Okay. Are there  
7 any aspects of the training just top level that you  
8 can share today?

9 EXECUTIVE DIRECTOR FORD: Sure. So our  
10 very first goal is going to, again, be sort of level  
11 setting. So what is AI? How do we make sure that when  
12 a City employee hears that word, they're thinking  
13 about it in a way that is consistent with the way  
14 that we think about it at OTI? But then also usable.

15 The AI itself is quite a complex topic.  
16 So how can we sort of provide the workforce with a  
17 shared language and shared vocabulary around AI?  
18 Share a little bit more about how these tools  
19 actually work, to demystify a little bit of the inner  
20 workings of them, and then to provide some working  
21 examples of what that looks like in practice?

22 CHAIRPERSON GUTIÉRREZ: Is there any part  
23 of the training that is specific to that City  
24 worker's job?

3 EXECUTIVE DIRECTOR FORD: Say again,  
4 sorry?

5 CHAIRPERSON GUTIÉRREZ: Is there anything  
6 in the training that you're developing now that is  
7 specific to, let's say, whatever City worker or  
8 whatever their job is, who signs up for this  
9 training? Is there something that will be specific to  
10 their job?

11 EXECUTIVE DIRECTOR FORD: The goal with  
12 the initial trainings will, again, be sort of  
13 universal access. So, it's not going to be job role  
14 specific. It will be open and available to everybody,  
15 but it is intended to be focused on the role that AI  
16 plays in the workplace.

17 CHAIRPERSON GUTIÉRREZ: And what is it? Is  
18 it like a one-day training? A couple of hours?

19 EXECUTIVE DIRECTOR FORD: It'll be a  
20 recorded training.

21 CHAIRPERSON GUTIÉRREZ: Pardon?

22 EXECUTIVE DIRECTOR FORD: A recorded  
23 training.

24 CHAIRPERSON GUTIÉRREZ: Okay. So they'll  
25 complete it at their own speed

EXECUTIVE DIRECTOR FORD: Yes.

1  
2 CHAIRPERSON GUTIÉRREZ: Is that what it  
3 is? Okay.

4 Regarding the Action Plan, I am curious;  
5 I know that obviously we had a hearing, and I reread  
6 it as a refresher. Can you share with me, obviously,  
7 you had different agencies participate in the  
8 development at both, you know, agencies— internal,  
9 and then you had advocates, external. Has there been  
10 a system to ensure that more City workers are reading  
11 through this Action Plan, or what has that looked  
12 like since it was first launched?

13 EXECUTIVE DIRECTOR FORD: Sure. So there  
14 are a couple of different ways to think about that.  
15 One is that all of our outputs are available  
16 publicly, so City workers and the public can see  
17 them. We have a centralized website for all of the  
18 work that (INAUDIBLE)... (CROSS-TALK)

19 CHAIRPERSON GUTIÉRREZ: But, I have to  
20 know it exists to go look for it, correct?

21 EXECUTIVE DIRECTOR FORD: We've been  
22 getting the word out there as much as we can. Uh,  
23 that's the (INAUDIBLE)... (CROSS-TALK)

24 CHAIRPERSON GUTIÉRREZ: Well, what are you  
25 doing? How?

3 EXECUTIVE DIRECTOR FORD: I'm sorry?

4 CHAIRPERSON GUTIÉRREZ: How are you  
5 getting the word out there is my question.

6 EXECUTIVE DIRECTOR FORD: So the other  
7 thing that we've been doing is meeting a lot with  
8 agencies directly. Sometimes that's with agency  
9 leadership, sometimes that's with specific business  
10 teams who may have questions or projects that they're  
11 interested in doing. And every time we have a chance  
12 to engage with agencies, we want to be able to plug  
13 those resources that are available to them.

14 CHAIRPERSON GUTIÉRREZ: Okay. And has  
15 there been any feedback in--are you at these  
16 meetings, or what is the--what does a conversation  
17 around the plan look like?

18 EXECUTIVE DIRECTOR FORD: Sure. So there  
19 are a lot of different parts of OTI that can be  
20 involved in agency conversations around AI projects.  
21 In some cases, you know, like my colleague from  
22 Applications, would be supporting agency work. We're  
23 helping to steer the overall strategy through the  
24 action plans. So when agencies are interested in  
25 learning more about, you know, what AI could be doing  
for them, what are some of the considerations that

1  
2 they should have? You know, we meet with them and  
3 talk to their specific needs and help provide a path  
4 forward.

5 CHAIRPERSON GUTIÉRREZ: And is there any  
6 plan to update the Action Plan, considering that you  
7 are meeting with agencies and different folks?

8 EXECUTIVE DIRECTOR FORD: Yeah, we'll have  
9 an annual progress report that will come out in  
10 October, aligned with the second anniversary of the  
11 Action Plan

12 CHAIRPERSON GUTIÉRREZ: Okay. And is the  
13 intention after every annual progress report to kind  
14 of do the same set of meetings, or is it now the  
15 second or third year in, it's really up to different  
16 agencies and city workers to bring that up with OTI?

17 EXECUTIVE DIRECTOR FORD: Sure. There are  
18 a lot of different specific dynamics for how these  
19 could work. We have our standing steering committee  
20 meetings, the AI Steering Committee, which is a  
21 standing body of agencies that meet with OTI to help  
22 inform on a direction and strategies.

23 OTI, in general, meets with agencies on a  
24 constant basis based on their needs and their  
25

1  
2 specific projects. So that sort of agency engagement  
3 is always going to be ongoing.

4 CHAIRPERSON GUTIÉRREZ: How often does the  
5 steering committee meet?

6 EXECUTIVE DIRECTOR FORD: Quarterly.

7 CHAIRPERSON GUTIÉRREZ: Quarterly? Okay.

8 Now I want to bring up this question,  
9 because there was some coverage about ACS's use of  
10 predictive algorithms.

11 So, their algorithm is one of the most  
12 high stakes systems in the city government. Can you  
13 confirm if you've conducted any of these  
14 conversations around the AI Action Plan or any  
15 training with ACS staff who interact with or are  
16 affected by this tool specifically?

17 EXECUTIVE DIRECTOR FORD: We have not  
18 conducted training with ACS... (CROSS-TALK)

19 CHAIRPERSON GUTIÉRREZ: You have not?

20 EXECUTIVE DIRECTOR FORD: No.

21 CHAIRPERSON GUTIÉRREZ: I'm sorry, the  
22 acoustics are really bad in here, so I apologize if  
23 I'm making you repeat yourself.

24

25

1 COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
2 WITH THE COMMITTEE ON TECHNOLOGY 50

3 EXECUTIVE DIRECTOR FORD: No, sorry, maybe  
4 I'm far away. We have not done any dedicated training  
5 with ACS.

6 CHAIRPERSON GUTIÉRREZ: No? Is that a  
7 training that you can do?

8 EXECUTIVE DIRECTOR FORD: We're always  
9 available to support any agency that needs it. And  
10 again, the training and resources that we want to  
11 create by way of the action plan are intended to be  
12 used by all agencies.

13 CHAIRPERSON GUTIÉRREZ: Okay. And are you  
14 familiar with the predictive algorithm tool that I'm  
15 referring to, that ACS, uh...

16 EXECUTIVE DIRECTOR FORD: I'm familiar  
17 with some of the tools that they report via Local Law  
18 35.

19 CHAIRPERSON GUTIÉRREZ: Okay, and do you  
20 think they're, I don't know, do you think that it's  
21 like a safe tool to use? Do you think there's any  
22 danger in using a predictive risk model without staff  
23 who understand how it's being used?

24 My understanding of the staff who were  
25 being asked to intercept and kind of connect with  
these families, because they were flagged by this

1  
2 tool, was that they also had no idea why they were  
3 being flagged. Certainly, the parents and the  
4 families who were being impacted by this also had no  
5 idea why they were being flagged.

6 So, do you have a position, or is there  
7 something that OTI is doing more proactively in these  
8 instances? Because I do think it's harmful, first of  
9 all, that you are being flagged for a system that  
10 says they're using historic data. That could look  
11 like anything, and obviously, for me, that feels  
12 discriminatory.

13 So, is there something that you are all  
14 looking at specifically for ACS? Is there a ability  
15 for you all to be more proactive in this instance?  
16 Because if both the worker and the New Yorker don't  
17 understand why they're in this system, I think that's  
18 really harmful. So, is there something that you all  
19 can do proactively, or have you thought about that?

20 EXECUTIVE DIRECTOR FORD: Yeah, I  
21 appreciate the question. In terms of the specifics of  
22 ACS's systems, I would of course defer to them on  
23 decisions around how they arrived at those specific  
24 tools.

3 I will say in general, you know, like I  
4 said before, we want to be clear that the City's  
5 workforce has been using AI for quite some time.  
6 There's a lot of familiarity and real excellence in  
7 terms of how agencies have been using AI for many,  
8 many years now and in a lot of different forms. And  
9 different agencies will have different needs in terms  
10 of their own workforces, what that workforce needs,  
11 and what that workforce already has.

12 So we have not, at this point, assigned  
13 specific, you know, other than what agencies have  
14 told us in terms of what they want to be able to do  
15 for their workforce—you know, we need to follow  
16 their lead in terms of their skill set needs and  
17 gaps.

18 We're here to support any agency, and so,  
19 if something comes up, we're happy to do that.

20 CHAIRPERSON GUTIÉRREZ: Sure. And I agree.  
21 I think obviously AI, the tools, and just the  
22 resources of AI overall is a spectrum, right? I think  
23 it's on all— kind of tools that we use on our  
24 phones. I'm specifically asking about predictive  
25 algorithms. And this isn't the case specifically with  
ACS. So I would love to follow up on that.

1  
2 I'm going to move on, because you just,  
3 you just gave me a really good transition to, you  
4 know, engaging with agencies about the AI tools that  
5 they're using. Local Law 35, as you know, from 2022  
6 requires that they report annually.

7 Can you tell me if you are all, as OT,  
8 being engaged with the agencies about these tools  
9 before the report goes out?

10 EXECUTIVE DIRECTOR FORD: Mm-hmm

11 CHAIRPERSON GUTIÉRREZ: Yes. Can you  
12 confirm whether that's happening?

13 EXECUTIVE DIRECTOR FORD: Yeah, we do. We  
14 talked a little bit about this, like you said at the  
15 last hearing. Essentially, Local Law 35, that work is  
16 coordinated out of OTI. Every agency is responsible  
17 for identifying the tools within that agency that  
18 meet the definition for reporting and assembling  
19 those. We provide guidance for agencies both on the  
20 process and in helping to understand the language of  
21 the law and what systems could qualify for reporting.  
22 And, then, of course, OTI centralizes the preparation  
23 of the final report and makes it available both  
24 publicly on our website and also through the open  
25 data platform.

3 So we engage agencies before the actual  
4 reports are due. Those are due statutorily on  
5 December 31st every year, but we engage with agencies  
6 several months before that.

7 CHAIRPERSON GUTIÉRREZ: And do you think  
8 that agencies in these conversations before the  
9 report are including everything to the best of their  
10 ability?

11 EXECUTIVE DIRECTOR FORD: Yeah. Again, the  
12 onus is on the agencies to understand what the law  
13 requires. We provide them with guidance on how to  
14 understand the applicability of that law for their  
15 systems and provide guidance on, you know, specific  
16 cases where they're wondering if those criteria are  
17 met. At the end of the day, agencies are responsible  
18 for that decision and reporting that to us.

19 CHAIRPERSON GUTIÉRREZ: So, the State  
20 Comptroller's Report, were you able to read it? It  
21 was an audit, excuse me, on their reporting. Were you  
22 able to review that? Because I think they had some  
23 inconsistencies where agencies were certainly not  
24 including some of the tools that they were using.

25 Are you aware of the audit that I am  
referring to?

3 EXECUTIVE DIRECTOR FORD: From several  
4 years ago?

5 CHAIRPERSON GUTIÉRREZ: I think it was  
6 from last year, from 2024, I think it was released.

7 EXECUTIVE DIRECTOR FORD: Uh, yes, I think  
8 I know which one you're talking about.

9 CHAIRPERSON GUTIÉRREZ: Okays, so in that  
10 audit, they mentioned that the DOE failed to report a  
11 specific tool, DOB as well as, what is the process  
12 for when you-- and I understand it's up to the  
13 agencies to really put everything in, like, submit  
14 everything in this report, but what is the process  
15 for OTI when you find out that tools not being  
16 included in the report?

17 EXECUTIVE DIRECTOR FORD: Yeah, so as you  
18 said, the sort of like basis of the bill is that  
19 agencies need to be able to self report and identify  
20 the tools in their systems that meet the definition.  
21 We do provide guidance for agencies, not only on  
22 which tools would potentially meet the definition,  
23 but also some exercises on how to have those  
24 conversations internally with agencies.  
25

3 CHAIRPERSON GUTIÉRREZ: Thank you, and I'm  
4 sorry to interrupt. OTI does not audit whether  
5 everything that they've submitted is completed?

6 EXECUTIVE DIRECTOR FORD: That's a  
7 component of Local Law 35.

8 COUNCIL MEMBER GUTIÉRREZ: Okay. It's not  
9 a component of the bill, so that's why you don't do  
10 it.

11 Uh, but now that you know it's in the  
12 state audit, what happens?

13 EXECUTIVE DIRECTOR FORD: So again, our  
14 process every year for working with agencies on Local  
15 Law 35 is to remind them of the requirements and  
16 provide them with usable guidance that helps them to  
17 do this reporting work.

18 COUNCIL MEMBER GUTIÉRREZ: Okay. But you  
19 can see how that's problematic, because it's not  
20 really fulfilling the spirit of the bill. The idea is  
21 for agencies to report on every single tool that  
22 they're using. There's a state audit that's saying  
23 they've omitted this, and OTI saying, like, well,  
24 it's not part of-- it's the I'm helping you, the  
25 agency, figure out, to the best of your ability, how

1  
2 to report. But I'm telling you they're not reporting.  
3 So...

4 EXECUTIVE DIRECTOR FORD: (INAUDIBLE)

5 COUNCIL MEMBER GUTIÉRREZ: They're not  
6 following the law.

7 EXECUTIVE DIRECTOR FORD: In general,  
8 there may be several reasons why agencies would not  
9 report an algorithmic tool. One would be, foremost,  
10 that it's not fully used yet for decision making, so  
11 maybe it's in development and hasn't actually been  
12 integrated into the way that an agency is doing work.  
13 So, proof of concept or pilot or something along  
14 those lines. Another would be that its impact is not  
15 a material impact as defined by the law.

16 So Local Law 35 requires all tools that  
17 have a material impact to be reported, and it has a  
18 definition of what that means. So some tools will be  
19 a little bit more behind the scenes sort of tools,  
20 you know, supporting technology infrastructure, et  
21 cetera, and so those may not be part of Local Law 35  
22 reporting.

23 COUNCIL MEMBER GUTIÉRREZ: Thank you. One  
24 second. Okay, I'm going to take a break to share some  
25 love, and we'll pass it to Chai Member De La Rosa.

3 CHAIRPERSON DE LA ROSA: Thank you.

4 Council Member Brewer actually has some questions.

5 COUNCIL MEMBER BREWER: Thank you very  
6 much. And I want to thank Commissioner Toole and  
7 DORIS for the work that they've done, and also for  
8 the suggestions of better terminology. I appreciate  
9 that a lot.

10 So my first question is, right now, I  
11 know you have the portal, but who is-- is it that  
12 your staff is responsible for updating the status of  
13 the request, and how frequently is information on the  
14 portal updated?

15 COMMISSIONER TOOLE: Well, information on  
16 the portal is updated in real time, so when an agency  
17 records access officer responds, they enter the  
18 response or they enter the timeframe for making a  
19 response. And that is shown automatically. The agency  
20 office access officer enters the information  
21 responsive to the request that they receive.

22 COUNCIL MEMBER BREWER: Okay, and does  
23 each agency have an account in order to submit a  
24 request, and do users receive updates regarding the  
25 status of their requests?

3 COMMISSIONER TOOLE: Each agency has  
4 designated users at different levels who can access  
5 the requests and respond to them. So when the request  
6 comes in, the agency records access officer or  
7 someone on that team, if it's a large agency, will  
8 review the request and maybe acknowledge it and  
9 fulfill it almost immediately or maybe acknowledge it  
10 within the requisite five days and then frequently  
11 enter into a dialogue with the requester if the  
12 request is somewhat complicated, uh, to be able to  
13 make sure they understand. Then they enter the  
14 timeframe for responding to the request and issue the  
15 responsive record either on the portal or through  
16 other means.

17 COUNCIL MEMBER BREWER: And to the best of  
18 your knowledge, that seems to be working in terms of  
19 what you've heard either anecdotally or otherwise?

20 COMMISSIONER TOOLE: Well, yes, I mean,  
21 we've met recently with agency records access  
22 officers and figured out some tweaks to sort of help  
23 resolve one problem they were facing, which is  
24 getting a substantial number of records requests that  
25 did not belong to them. So I know for DORIS  
ourselves, we receive many requests for NYPD records.

1  
2 And the Development Team sort of shifted the  
3 category, so any records for the NYPD would be driven  
4 toward them and not to all the other agencies. So  
5 that improved, sort of, you know, how agencies took a  
6 volume of requests that are wrong that agencies get,  
7 and will help us have better statistics.

8 I think it largely works. I think there  
9 are things we can do to continue to enhance that,  
10 both of which take development time, and potentially  
11 additional development resources.

12 COUNCIL MEMBER BREWER: My list of those  
13 who are not participating is DDC, Health, Homeless  
14 Services, Parks, HRA, EDC, and NYCHA. And I don't  
15 know if that's true that they're not participating. I  
16 don't know why, but also, how does the public FOIL  
17 from them? Do they have to go to those agencies or  
18 how does that work?

19 COMMISSIONER TOOLE: Well, several  
20 agencies had been using the portal and, in the wake  
21 of COVID, they stopped using the portal. And we're  
22 working with them to try to bring them back into the  
23 system. As for NYCHA and HHC, they are not... (CROSS-  
24 TALK)

1  
2 COUNCIL MEMBER BREWER: They're not...  
3 City...

4 COMMISSIONER TOOLE: They're non...  
5 (CROSS-TALK)

6 COUNCIL MEMBER BREWER: They're not  
7 City... (CROSS-TALK)

8 COMMISSIONER TOOLE: They're non mayoral  
9 agencies. They are, you know, so they, they...  
10 (CROSS-TALK)

11 COUNCIL MEMBER BREWER: They have their  
12 own (INAUDIBLE)... (CROSS-TALK)

13 COMMISSIONER TOOLE: They don't fall under  
14 our, our area of responsibility at DORIS, uh...

15 COUNCIL MEMBER BREWER: But Parks and HRA,  
16 et cetera, do. So how are... are they not part of it?  
17 Do you have a list of those that are not part of it  
18 that are City...

19 COMMISSIONER TOOLE: Parks, uh, I can get  
20 you the list. I don't want to make a mistake, but  
21 it's certainly HRA, DHS, Parks, and DDC had been  
22 using the system, and now they have parallel systems  
23 of their own that they use.

24  
25

3 COUNCIL MEMBER BREWER: Well, that's a  
4 problem in my opinion. So we need to work on that,  
5 okay.

6 What role does OTI play? You talked about  
7 it a little bit in the operation of the portal.

8 COMMISSIONER TOOLE: OTI was instrumental  
9 in helping us build the portal initially and provided  
10 a great level of assistance and guidance.

11 Currently, the portal is maintained on  
12 servers. We're in the process of moving it to the  
13 cloud, which requires an extensive security review  
14 that is underway. And we work very closely with OTI  
15 and Cyber on that process.

16 COUNCIL MEMBER BREWER: Okay. And do you  
17 get, as DORIS, copies of the actual FOIL (TIMER)  
18 responses? The reason I ask is because you will hear  
19 testimony, and I mentioned a couple of long time non  
20 responses from the Mayor's Office and Correction, I  
21 mean, that's the problem. So I don't-- how do we-- in  
22 other words, do you get the answers to know that this  
23 is such a long timeframe? I think that's what our  
24 challenge is. And I know I'm out of time, but how do  
25 we improve the time response by these agencies? How  
are we going to do that?

3 COMMISSIONER TOOLE: Well, just on the  
4 Corrections piece, I'd like to say that they weren't  
5 using the portal; they were answering their records  
6 requests separately.

7 COUNCIL MEMBER BREWER: Okay.

8 COMMISSIONER TOOLE: But they recently  
9 came back to the portal. So, the timeframe that is  
10 given for not responding or providing a response, the  
11 data is not accurate. Uh... (CROSS-TALK)

12 COUNCIL MEMBER BREWER: Because it was a  
13 pre-portal response, is what you're saying?

14 COMMISSIONER TOOLE: Yes.

15 COUNCIL MEMBER BREWER: Okay.

16 COMMISSIONER TOOLE: So, no, I mean, I  
17 don't... I can't... I mean (INAUDIBLE) close to  
18 100,000 records requests submitted annually, and  
19 growing all the time, and no, I don't see the  
20 requests--the responses. I only see the DORIS  
21 appeals, not the DORIS responses.

22 COUNCIL MEMBER BREWER: Okay, all right.

23 Just final, I guess my final question is,  
24 what do you suggest? Do you think being in the portal  
25 will help them get the persons responding—legitimate

1 requests—on a faster basis? Because that is the  
2 concern.  
3

4 COMMISSIONER TOOLE: Yes. I think it does.  
5 I think, A) you can see where your request is. Right?  
6 When you make it, you know it's there, you know it's  
7 been received. And you can track where it's going and  
8 eventually get your responsive record.

9 COUNCIL MEMBER BREWER: Okay, because it  
10 does seem to be that there are a lot of--and you'll  
11 see it from the testimony, situations--agencies that  
12 are on the portal who are not responding on a timely  
13 basis. So...

14 COMMISSIONER TOOLE: Well, I would say to  
15 that, the timeless factor is when the law was  
16 written, we were in a paper system, and people had  
17 file cabinets. And now we are in an electronic system  
18 with such a large number of records. And it is very  
19 hard for the records access officers to plow through  
20 them in the timeframes that the law contemplates.  
21 Even the best, I mean, it just-- it takes more time,  
22 a lot of the time, unless the request is very  
23 specific and very simple. And I think that merits  
24 looking at. I know that's a state level issue, but it  
25 does merit some review.

3 COUNCIL MEMBER BREWER: Thank you, Madam  
4 Chairs.

5 COUNCIL MEMBER DE LA ROSA: Thank you,  
6 Council Member. Council Member Bottcher?

7 COUNCIL MEMBER BOTTCHEER: Good afternoon.  
8 In your testimony, you state that DCAS does not have  
9 any plans to implement automation or AI tools that  
10 would replace employees. If an employee isn't  
11 formally laid off, isn't it still a workforce  
12 reduction if a vacant position goes unfilled because  
13 that position has been automated?

14 DEPUTY COMMISSIONER PORTER: I appreciate  
15 your question. The difficulty in my responding is  
16 that at DCAS, we don't have insight into agency  
17 vacancies. So it would be difficult for me to respond  
18 to that and how the agency would either use or  
19 repurpose any vacancies at their agency.

20 COUNCIL MEMBER BOTTCHEER: What about  
21 employees within DCAS proper?

22 DEPUTY COMMISSIONER PORTER: Within DCAS  
23 proper, we have no, you know, as I stated in our  
24 testimony, we have no plans of replacing employees  
25 with automation, with AI. Our automation tools have

1  
2 been more about streamlining processes so that we can  
3 do things more quickly and more effectively.

4 COUNCIL MEMBER BOTTCHEER: Just for the  
5 sake of asking, if an AI tool could significantly  
6 improve public service delivery, faster processing,  
7 better outcomes, would DCAS still not implement that  
8 tool in the name of-- because it might impact a job  
9 title?

10 DEPUTY COMMISSIONER PORTER: Yes, it is  
11 difficult for me to respond to that. We are in the  
12 very early stages of understanding the impacts of AI  
13 on the work that we perform, other than, you know,  
14 the automation of projects that I spoke about in the  
15 testimony — you know, auditing our civil service  
16 processes, eliminating paper, making our processes  
17 more streamlined, and, you know, available to folks  
18 online. So, we're not there yet, but we are open to  
19 having further conversations.

20 COUNCIL MEMBER BOTTCHEER: Thank you.

21 DEPUTY COMMISSIONER PORTER: You're  
22 welcome.

23 CHAIRPERSON DE LA ROSA: I am actually  
24 going to piggyback on that and push back. Because,  
25 although maybe the task of agency vacancies is left

3 to OMB, I am sure the hiring arm of the City, DCAS  
4 does get a report of what the vacancies on agency  
5 levels are in order to hire, correct?

6 DEPUTY COMMISSIONER PORTER: So at a high  
7 level, we get information about vacancy rates across  
8 an agency, but not by title. So we are not privy to  
9 that information.

10 CHAIRPERSON DE LA ROSA: Okay, does DCAS  
11 have the ability to request that?

12 DEPUTY COMMISSIONER PORTER: We can reach  
13 out for it, but currently, we don't receive it.

14 CHAIRPERSON DE LA ROSA: Okay. I just want  
15 you to follow our line of thinking about how that  
16 sounds counterproductive. Right? If you are tasked  
17 specifically with recruiting talent to fill agency  
18 vacancies, then why isn't there a communication in  
19 order to say these are the titles that we-- and I  
20 know the conversation happens, for example, in hard-  
21 to-fill titles. Because you all have made it a point  
22 to come to the Committee and say when there are hard-  
23 to-fill titles, we try to make accommodations to get  
24 those titles filled.

25 DEPUTY COMMISSIONER PORTER: Right, it is  
a collaborative effort, Chair De La Rosa. So we

1  
2 require input from agencies as to what areas they  
3 need support in recruiting and attracting top talent.  
4 The approval of their vacancies and the level of  
5 effort that is needed is really at the agency level.

6 CHAIRPERSON DE LA ROSA: But when you are  
7 having that collaborative conversation, there isn't a  
8 conversation at this time about AI or automation in  
9 those discussions?

10 DEPUTY COMMISSIONER PORTER: Not at this  
11 time.

12 CHAIRPERSON DE LA ROSA: Okay. Well, that  
13 is something for us to follow up with.

14 And then, I will say that I am getting  
15 contradictory responses from you all. On one hand, we  
16 are hearing that AI has been around, the workforce  
17 has used AI for a long time, we know how to do that,  
18 our City workers know how to use it. And then, on the  
19 other side, I am hearing that this is brand new, this  
20 is something that we are just starting. So which is  
21 it?

22 EXECUTIVE DIRECTOR FORD: Sure. It's an  
23 excellent question. And I think what it points to is  
24 that there is a complicated relationship between  
25 individual AI systems and individual jobs, right? In

1  
2 many cases, the AI tools that you can find through  
3 public reporting, and or even those that have been  
4 around for a long time, were always designed to  
5 support and augment the City's workforce and have  
6 been doing so. And what you may sort of see in terms  
7 of changes in the workforce may not necessarily be a  
8 one-to-one relationship with specific tools or  
9 technology.

10 So what we're focused on right now is  
11 sort of that layer of first understanding what skills  
12 are needed to make sure that the workforce is current  
13 and up to date, you know, two, what sort of impacts  
14 do we expect that to have on the City's existing  
15 workforce? And then three, how do we close the gap  
16 between those things?

17 So I think that there's a lot of work, of  
18 course, that has been done to promote innovative use  
19 of AI. And like I said, it's been used for a long  
20 time. But sometimes those relationships between  
21 agency operations are seen at a much more aggregate  
22 level.

23 CHAIRPERSON DE LA ROSA: Okay. I think  
24 there's much more work to do here, but it would seem  
25 to me that as part of this plan, we do need to get

1  
2 some interagency coordination around, you know, the  
3 vacancy situation that exists in our current  
4 workforce, right? That's a crisis that we have at  
5 hand. And like Council Member Bottcher was saying,  
6 there might be opportunities to fill in some of the  
7 service gaps. But also in keeping with a robust  
8 workforce, which keeps our city running, the human  
9 aspect of it, we need to be coordinating. And it  
10 seems to me like there is-- although, I understand  
11 that for some aspects, we are still in the beginning  
12 of that process, there are still some major gaps  
13 here.

14 EXECUTIVE DIRECTOR FORD: Well, certainly,  
15 I can say that the coordination is something we  
16 absolutely agree with. DCAS is on our AI Steering  
17 Committee and has been part of that since it started.  
18 So we do have an opportunity to stay in the loop on  
19 those sorts of conversations, and as we move more of  
20 the action plan forward, all of the relevant agencies  
21 for those various initiatives will always be part of  
22 that conversation.

23 CHAIRPERSON DE LA ROSA: Okay. I also want  
24 to ask a question to DCAS regarding Council Member  
25 Williams' Bill 1066. The Committee has frequently

1  
2 asked about the means by which City employees can  
3 reach out with grievances and concerns related to  
4 their workflow. Can you please share with us whether  
5 City employees can report concerns about being  
6 displaced by automation efforts or artificial  
7 intelligence, or concerns about their job roles being  
8 altered due to the use of automation in decision  
9 making systems? If so, where do those reports go, and  
10 what actions can be taken to address employee  
11 concerns?

12 DEPUTY COMMISSIONER PORTER: So there's,  
13 in the human capital, there's no process in place for  
14 employees to report directly to us, but I'm sure they  
15 have access to their agencies', you know, HR  
16 departments and relevant folks who would, you know,  
17 review such claims.

18 CHAIRPERSON DE LA ROSA: Okay, all right,  
19 I'm going to pass it back to Chair Brewer. She's the  
20 Chair, too (LAUGHS), to ask a second round of  
21 questions.

22 COUNCIL MEMBER BREWER: Yeah. Thank you  
23 very much.

24 Again, for Commissioner Toole, so going  
25 back to trying to figure out how to get more timely

1  
2 responses, are there mechanisms to ensure agencies  
3 respond to the request in a timely manner? How do we  
4 track that? And also obviously, in some cases, people  
5 are going to end up going to court with an Article  
6 78. I know you indicated you can't track that because  
7 you don't have the court system, but can we figure  
8 out what is done on a timely basis? Does the portal  
9 do that, and do you monitor that? Because obviously  
10 you have been meeting, I think, with some of the  
11 agencies to try to get them to improve, and they have  
12 some suggestions on how to tweak it.

13           But there is, it does seem, even though  
14 they have to go through file cabinets that are full  
15 of paper, it does seem to me the outside world thinks  
16 that things are not being responded to on a timely  
17 basis, having to do with-- on purpose. That may not  
18 be correct, but that's not what we want.

19           So the question is, how do you track it,  
20 and what do we do about it?

21           COMMISSIONER TOOLE: I would say initially  
22 that it's absolutely correct that, you know, the  
23 Freedom of Information Law is hard for people to, you  
24 know, find all the responsive records. And the  
25 records access officers work really hard to get the

1  
2 information to the requester. It just does take  
3 longer than the law contemplates in many cases, but  
4 not always. The portal currently does show,  
5 disaggregated by agency, the number of requests and  
6 the number of closed responses. We could add  
7 additional information so it could show the duration  
8 it takes to complete a response it would. As I said  
9 in the testimony, it would require us time and  
10 programming resources to do it. And the data is  
11 there; it doesn't have to be created. The data  
12 exists; it's just that making it accessible and doing  
13 the programming will take time.

14 COUNCIL MEMBER BREWER: Okay. Then, I  
15 guess, if there aren't responses on a timely basis  
16 and I know people can get extensions, then is there  
17 any way of adhering? I mean, what happens to an  
18 agency that doesn't adhere to FOIL requirements? Is  
19 there any stick...

20 COMMISSIONER TOOLE: Council Member  
21 Brewer, the great and powerful DORIS does not have  
22 like, enforcement authority if an agency does not,  
23 you know, meet the deadline set in the law. And even  
24 with the best attempt, you know, sometimes things  
25 take longer.

1  
2 COUNCIL MEMBER BREWER: All right, I  
3 appreciate it. I think there is work to be done, but  
4 I appreciate what you have accomplished thus far. I  
5 can just say that as government, and we know from the  
6 world that we're in, people are very concerned,  
7 particularly the Police Department. They're the ones  
8 that get the most FOIL requests, and you'll hear  
9 about some drone requests in the future because  
10 that's current and the information that people want.  
11 I think we have to figure out how we can do more. But  
12 I appreciate what you have done thus far. Thank you.

13 COMMISSIONER TOOLE: Thank you.

14 CHAIRPERSON GUTIÉRREZ: Thank you, Council  
15 Member.

16 I have a couple more questions for OTI  
17 and then for DORIS.

18 For OTI, can you point to one instance  
19 where OTI flagged misuse or problematic deployment of  
20 an AI tool and took some kind of action?

21 EXECUTIVE DIRECTOR FORD: So, you know,  
22 the way that we think about technology with respect  
23 to OTI is that it has a lot of different parts of it  
24 that touch different agency technology projects. And  
25 then a lot of different technology projects could

1  
2 have AI components, which may be considered an AI  
3 project. So there's a lot of variability there in  
4 terms of what we think about it as OTI's oversight  
5 and what an AI project may be. It's a little hard to  
6 provide a specific instance of one project with  
7 specific outcomes because there's a multitude of  
8 different review factors that go into that.

9 CHAIRPERSON GUTIÉRREZ: So, I'll pull  
10 directly from the Action Plan. I'm looking at  
11 Initiative 6, "enable, streamline a responsible AI  
12 acquisition," and this is where we develop AI-  
13 specific procurement standards to help with  
14 contracting.

15 What does it look like in the example or  
16 world where an agency is engaging in the procurement  
17 of a tool and they're not meeting these principles  
18 that you've outlined in Initiative 6?

19 EXECUTIVE DIRECTOR FORD: That's a great  
20 question. So that particular one is still under  
21 development. So that's something that we're working  
22 on currently. So that, six-four, I think it is, is  
23 not yet complete, but we will be working on a way to  
24 better understand the role that procurement terms can  
25 help us support the responsible use of AI and how

1  
2 agencies can then bring that through to their  
3 procurements as well.

4 CHAIRPERSON GUTIÉRREZ: You said it's not  
5 completely flushed out?

6 EXECUTIVE DIRECTOR FORD: Correct, we're  
7 working on that now.

8 CHAIRPERSON GUTIÉRREZ: And what can you  
9 tell me about what it will look like if an agency  
10 doesn't follow whatever guidelines you're still  
11 working out?

12 EXECUTIVE DIRECTOR FORD: Again, I mean,  
13 there are a number of different ways that agencies  
14 get guidance and oversight from OTI for their  
15 projects. Generally, particularly in the space of  
16 cybersecurity or privacy, those are, you know,  
17 derived from those mandates, often from Law, that  
18 agencies must follow. And then sometimes agencies are  
19 seeking more advisory type work from OTI to help  
20 inform their project direction.

21 So there are a number of different  
22 pathways through which agency projects could touch  
23 various parts of OTI to help guide the work that  
24 they're doing. So I think there's not a single  
25 mechanism there.

1  
2 CHAIRPERSON GUTIÉRREZ: Okay. So, just  
3 kind of going off of what you said, my concern is,  
4 for example, Local Law 35, which mandates every  
5 single agency to report on AI tools, is that the  
6 intention of the law is for them to report on every  
7 single tool? And outside of the example that you  
8 gave, where it may not necessarily be in use, and  
9 that's why they're not reporting it, but in the  
10 instances where they are in use, and they're not  
11 reporting, what is OTI's role? Because you are  
12 essentially requesting this from every agency, so  
13 that you can report, so that it goes live on your  
14 website.

15 EXECUTIVE DIRECTOR FORD: Yes.

16 CHAIRPERSON GUTIÉRREZ: What does OTI do?

17 EXECUTIVE DIRECTOR FORD: So our goal,  
18 again, is to be able to provide agencies with the  
19 information about what is required by the law  
20 (INAUDIBLE) required... (CROSS-TALK)

21 CHAIRPERSON GUTIÉRREZ: I know. You've  
22 said this, but you're not... But are you... Is there  
23 accountability between OTI, serving as the agency  
24 that is publishing this report, and the agency that  
25 has not fulfilled that?

3 EXECUTIVE DIRECTOR FORD: Our  
4 accountability with the agencies is to comply with  
5 the law and provide the reported information by the  
6 deadlines (INAUDIBLE)... (CROSS-TALK)

7 CHAIRPERSON GUTIÉRREZ: But if they didn't  
8 submit it, they're not following the law.

9 So I mean, this is the example that I'm  
10 giving you—specifically DOE. So it does not meet  
11 that scenario where they're not using it. It's the  
12 Teach To One 360 tool. DOB, for example, allows  
13 third-party facade inspectors to use AI, and they're  
14 not necessarily providing any oversight. So I'm  
15 trying to find out who is responsible. If you are  
16 saying that it's not OTI, I'm really bewildered.  
17 Because I believe the executive order said that OTI  
18 coming together as OTI would be responsible for all  
19 of this. So I am trying to understand who is  
20 responsible? Because what we are trying to achieve is  
21 obviously the most transparency. And I have never  
22 said AI is bad. No one here has ever said it's bad,  
23 but we want it to be responsible. We want to make  
24 sure it is transparent for every New Yorker to  
25 understand.

1  
2 And when we're talking about DOE  
3 specifically, we had a whole joint hearing here. And  
4 there were parents who used AI, but they were not  
5 sure how it was being utilized for their students. So  
6 in my eyes, OTI's role is to ensure that every agency  
7 is reporting on every single tool. You're saying, we  
8 work with every agency to interpret the law to the  
9 best of our ability, but after that, after we publish  
10 it and it's in the ether, we've got no  
11 responsibility? I'm trying to find out if that's  
12 true.

13 EXECUTIVE DIRECTOR FORD: So the  
14 responsibility for Local Law 35 content is with the  
15 agencies. They are responsible for understanding  
16 which tools their use meet the definition and must be  
17 reported. Our responsibility under Executive Order 3,  
18 which created OTI, is to oversee the coordination of  
19 Local Law 35 compliance and to ensure that agencies  
20 are aware of their responsibilities under that law,  
21 and to provide them with guidance to be able to  
22 complete that correctly.

23 CHAIRPERSON GUTIÉRREZ: Okay. Would you  
24 support legislation that gives OTI the authority to  
25 enforce?

1  
2 EXECUTIVE DIRECTOR FORD: I think we're  
3 very happy with the way that Local Law 35 has  
4 provided really valuable insights to the public. It  
5 has provided really valuable insights to us and city  
6 agencies. We have found that city agencies learn a  
7 lot from one another's reporting under Local Law 35.  
8 We think that the compliance process that we used to  
9 help agencies comply with the law is working with the  
10 intended spirit.

11 CHAIRPERSON GUTIÉRREZ: What about the  
12 ability to enforce the recommendations made in the AI  
13 Action Plan?

14 EXECUTIVE DIRECTOR FORD: Can you specify  
15 which recommendations?

16 CHAIRPERSON GUTIÉRREZ: So there's, I  
17 mean, and I know that this is still like a work in  
18 progress, but there is Initiative 4, for example,  
19 that focuses on skills in city government. You have  
20 specific outcomes at the hearing in October. You  
21 know, I said, I'm so glad there's an action plan,  
22 looks great. How are we ensuring that agencies are  
23 utilizing some of the recommendations that are made  
24 in this report? And I think your response was like,  
25 well, you know, "we did the report". And I'm just

1  
2 trying to create a thread here to understand. This is  
3 a strong plan. I think the fact that you guys have a  
4 steering committee is great. And that's the exact  
5 discussion that we want to continue to have around  
6 AI. But what I'm trying to understand is who makes  
7 anybody do what? If it's not OTI, let me know who it  
8 is. But we have concerns, because there needs to be  
9 checks and balances. And with this administration  
10 that is pushing a 10-year moratorium, I think New  
11 York City is responsible for creating those  
12 guardrails because our federal government is  
13 obviously not. And so I would love to know if it's  
14 OTI, and if it's not, you can tell me who it is.

15 EXECUTIVE DIRECTOR FORD: Yeah, no, it's a  
16 great question. So the action plan consists of, I  
17 think, what we would describe as actions of a lot of  
18 different sort of nature, right? Some of them are  
19 related to governance, so building out the components  
20 of governance. Others relate to say, training  
21 opportunities or research opportunities for us to do,  
22 you know, more fact finding around a given topic.  
23 Each of those actions sort of needs to be completed  
24 in a way that's suitable for how it's structured. And  
25 that means that agencies, and we as OTI, you know,

1  
2 sort of digest the outputs of that in different ways  
3 depending on what it is. Certain things, like our AI  
4 principles and definitions, are something that we  
5 published and encouraged all agencies to refer to,  
6 particularly thinking about where we want to have a  
7 more unified definition of AI that's used across the  
8 city. So that becomes a resource that agencies can  
9 access and go to.

10           When we think about initiatives under the  
11 action plan related to Local Law 35, for example,  
12 some of the changes that we've implemented there are  
13 to better support agencies in complying with the law  
14 and providing information that helps them to make  
15 sure that they're reporting and that we have, you  
16 know, effective, meaningful transparency outcomes  
17 under the law.

18           And then other initiatives have again a  
19 completely different output, right? So when it comes  
20 to training and skill building, we want to make sure  
21 we're responsive to agency needs. OTI will be  
22 supportive of those and will drive the overall work  
23 of the action plan. But also needs to be aware of  
24 what agencies' specific needs are and what their  
25

1  
2 goals are, so that we can adapt and make sure that  
3 we're meeting them where they are.

4 CHAIRPERSON GUTIÉRREZ: Thank you.

5 I mean, obviously, I'm concerned about  
6 this bill and Local Law 35 and how people are  
7 responding to it. But in the example that I just  
8 gave, I'm clear on how you are using the bill. Which  
9 is, you know, you're engaging with these agencies to  
10 make sure they're doing and they've got a self-  
11 report.

12 So I just told you about this DOE tool.  
13 What happened? What will change about your  
14 conversation with DOE before this year's reporting,  
15 now knowing that?

16 EXECUTIVE DIRECTOR FORD: Yeah. So to be  
17 clear, we talked with agencies, both like I said, as  
18 part of the compliance process, we talked to  
19 everybody and said, "Hey, Local Law 35 reporting is  
20 coming up. You know, as a reminder, here are your  
21 requirements," et cetera. We also talked to agencies  
22 on an ad hoc basis when they needed to... (CROSS-  
23 TALK)

24 CHAIRPERSON GUTIÉRREZ: But what changed  
25 with DOE specifically?

3 EXECUTIVE DIRECTOR FORD: So what we often  
4 talk about with agencies when they're contemplating a  
5 project or thinking about something or asking about  
6 something is we have that lens of, you know, is this  
7 something that Local Law 35 would apply to? Agencies,  
8 we have found, are very aware of Local Law 35 and its  
9 requirements. (INAUDIBLE)... (CROSS-TALK)

10 CHAIRPERSON GUTIÉRREZ: And was there any  
11 feedback from DOE regarding this tool, Teach To One  
12 360?

13 EXECUTIVE DIRECTOR FORD: Sorry, can you  
14 say that again?

15 CHAIRPERSON GUTIÉRREZ: Was there any  
16 feedback from DOE in your conversations about this  
17 tool, even before or after the report, Teach To One  
18 360?

19 EXECUTIVE DIRECTOR FORD: We have not  
20 talked to them specifically about that.

21 CHAIRPERSON GUTIÉRREZ: Okay, okay. I  
22 hope that you do because I think the state audit did  
23 a really good job, and everyone-- I think New Yorkers  
24 just want to understand how these tools are being  
25 used. Like the ACS, the predictive algorithm tool  
that I mentioned is obviously concerning. There are

1  
2 many AI tools that the DOE uses that I think are  
3 really helpful. And I think people just deserve to  
4 know how they're being used. You know this because  
5 you said you read the audit. I'm repeating myself  
6 about the specific tool not being used.

7           So I hope that there are conversations  
8 before this year's reporting with DOE that ask, "Is  
9 this tool in use?" Because it should be in the  
10 report. And so if you're admitting that agencies  
11 understand this bill, then I expect this year's  
12 report to be a lot more robust and to have every  
13 single tool, and that there's not this kind of  
14 overlooking of tools that agencies are using, because  
15 you know, you've done the minimum of engaging with  
16 agencies.

17           EXECUTIVE DIRECTOR FORD: Yeah, we're  
18 happy to take that back.

19           CHAIRPERSON GUTIÉRREZ: Thank you. My last  
20 questions are for DORIS.

21           According to the Open Records "About  
22 Page", agencies can post responsive records on the  
23 portal. However, based on the Council's review, most  
24 of the closed requests do not have an attached  
25 record. Can you tell me why that is?

3 COMMISSIONER TOOLE: I think a lot of the  
4 records access officers fulfill the request using the  
5 privacy setting. And so they don't make the record  
6 publicly accessible.

7 I think there are a couple of things,  
8 sometimes, the records are governed by-- they have  
9 personal information. They shouldn't be attached;  
10 they shouldn't be made public. And then I think we  
11 need to clarify what the Records Office access  
12 officers-- the rules around privacy settings.

13 CHAIRPERSON GUTIÉRREZ: So, is it just  
14 mainly personal information that could potentially be  
15 in the record, which is why it's not included?

16 COMMISSIONER TOOLE: Right, a record that  
17 has personally identifiable information would not be  
18 put up on the portal for public...

19 CHAIRPERSON GUTIÉRREZ: But is that the  
20 only reason they're not attached?

21 COMMISSIONER TOOLE: I don't know. I know  
22 that the records are made available to the requester  
23 using one of two privacy settings, and why those are  
24 the settings chosen by the records access officers, I  
25 do not know.

1  
2 CHAIRPERSON GUTIÉRREZ: Okay. We'd love to  
3 follow up.

4 COMMISSIONER TOOLE: I would, too.

5 CHAIRPERSON GUTIÉRREZ: Thank you so much.

6 COMMISSIONER TOOLE: Thank you.

7 CHAIRPERSON GUTIÉRREZ: Chair?

8 CHAIRPERSON DE LA ROSA: Thank you. I  
9 wanted to ask a sort of general question, but what  
10 protections are in place for unionized workers  
11 impacted by AI deployment, and are unions part of the  
12 planning conversation?

13 EXECUTIVE DIRECTOR FORD: So at OTI, we  
14 have not spoken with unions directly about this, but  
15 again, the nature of the action plan work and the  
16 steering committee is that we would engage with the  
17 relevant agencies and partners as we do work that  
18 involves the goals and outcomes for those agencies.

19 You have something to add?

20 DEPUTY COMMISSIONER PORTER: No, I'm just  
21 going to add that, you know, unionized staff  
22 absolutely have access to their, you know,  
23 represented labor unions who share like their  
24 feedback or, you know, any concerns that we.

1  
2 CHAIRPERSON DE LA ROSA: What about with  
3 OLR?

4 PANEL: (NO RESPONSE)

5 CHAIRPERSON DE LA ROSA: With OLR, the  
6 Office of Labor Relations, are they part of the  
7 conversation? Because OLR negotiates contracts with  
8 unions, so I would think that there's some  
9 conversation.

10 EXECUTIVE DIRECTOR FORD: They're not part  
11 of the AI Steering Committee specifically, but we're  
12 happy to continue conversations with them.

13 CHAIRPERSON DE LA ROSA: Okay, I think  
14 that it would be important to add our unions as  
15 stakeholders. Obviously, they represent and negotiate  
16 the contracts of our city workers. And as this  
17 technology continues to be introduced into the  
18 workforce, I think that they would be an important  
19 partner. So I would make that friendly suggestion.

20 I also have a question that is very  
21 specific to the Majority Leader's Reso, Resolution  
22 860, which calls upon DCAS to develop and implement a  
23 qualifying practical exam for painters as part of a  
24 civil service testing process. The proposed practical  
25 exam for painters would mirror the exam that is

1  
2 currently administered for the glazers. Has DCAS  
3 considered implementing a practical exam for painters  
4 in the past? If so, challenges, barriers, what were  
5 what were identified?

6 DEPUTY COMMISSIONER PORTER: So we have no  
7 comment on the Reso today.

8 CHAIRPERSON DE LA ROSA: I know you  
9 normally don't comment on Resos, but have there been  
10 challenges in the past with this type of  
11 implementation?

12 DEPUTY COMMISSIONER PORTER: So what I can  
13 say is that the examination process is very  
14 complicated and there are, you know, steps that are  
15 required to determine the test parts for an  
16 examination. So it's very difficult for us to respond  
17 on the resolution, because other things need to  
18 happen, that you know, kind of predict what the exam  
19 types would be.

20 CHAIRPERSON DE LA ROSA: Okay. And I know  
21 the administration usually does not comment on  
22 resolutions, but I will just say that the fact that  
23 the Council is taking up this resolution is a symbol  
24 of our commitment to this workforce, to the painters  
25 of our city, who are part and crucial to the

1  
2 continuation of building our city up. And so we  
3 appreciate you looking into this matter and getting  
4 back to us if there is anything that we can do to be  
5 supportive of this workforce.

6 Okay, all right, well, thank you so much  
7 for being here and for testifying.

8 (PAUSE)

9 CHAIRPERSON DE LA ROSA: All right, I now  
10 open the hearing for public testimony. Before we  
11 begin, I remind members of the public that this is a  
12 formal government proceeding and that decorum shall  
13 be observed at all times. As such, members of the  
14 public shall remain silent at all times.

15 The witness table is reserved for people  
16 who wish to testify. No video recording or  
17 photography is allowed from the witness table.  
18 Further, members of the public may not present audio  
19 or video recordings as testimony, but you may submit  
20 transcripts of such recordings to the Sergeant at  
21 Arms for inclusion in the hearing record.

22 If you wish to speak at today's hearing,  
23 please fill out an appearance card with the Sergeant  
24 at Arms and wait for your name to be called.

3 Once you have been recognized, you will  
4 have two minutes to speak on today's hearing topic:  
5 *The Impact of Automation on the New York City  
6 Workforce.*

7 If you have a written statement or  
8 additional testimony you wish to submit for the  
9 record, please provide a copy of that testimony to  
10 the Sergeant at Arms.

11 You may also email written testimony to  
12 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72 hours after the  
13 close of this hearing. Audio and video recordings  
14 will not be accepted.

15 When you hear your name, please come to  
16 the witness panel.

17 For the first panel, we invite Alex  
18 Spyropoulou—I'm sorry for messing up your name, but  
19 please come up—Rachael Fauss, Malek Al-Shammari,  
20 Laura Moraff, and Sarah Roth.

21 (PAUSE)

22 CHAIRPERSON DE LA ROSA: All right. Once  
23 you're settled, you can begin in any order. Just make  
24 sure you identify yourself for the record. Thank you.

25 RACHAEL FAUSS: Folks kindly pointed to  
me, so I thank you for letting me go first.

1 COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
2 WITH THE COMMITTEE ON TECHNOLOGY 92

3 Good afternoon, Chairs Gutiérrez and De  
4 La Rosa, Council Member Brewer, and I think the other  
5 members of the committee have left, but I appreciated  
6 seeing them here today. My name is Rachel Fauss, and  
7 I'm the Senior Policy Advisor for Reinvent Albany. We  
8 advocate for a more transparent and accountable New  
9 York government. We were involved with the 2012 Open  
10 Data Law and the initial creation of the Open Records  
11 Portal.

12 We strongly support Intro 1235, sponsored  
13 by Council Member Brewer, with 23 other co-sponsors  
14 in the Council. We believe the legislation will  
15 dramatically improve agency responses to FOIL  
16 requests, and it's supported by 13 transparency,  
17 civil liberties, and environmental government  
18 watchdogs, and journalism groups who submitted a memo  
19 of support yesterday.

20 The Council has been a great champion of  
21 improving compliance with the Freedom of Information  
22 law historically, and we're glad you are continuing  
23 that today.

24 In 2014, at the request of then Borough  
25 President Brewer, there was a bill very similar to  
this one that we supported. And ultimately, the Open

1  
2 Records Portal was created administratively. We  
3 appreciate that DORIS has done great work building,  
4 maintaining, and improving the portal. But  
5 unfortunately, despite DORIS' best efforts, agencies  
6 struggle to provide the public with timely and  
7 complete responses. And some agencies appear to  
8 actively resist disclosing public records.

9 We submitted a report earlier this year  
10 that looked at response times. Unfortunately, 16% of  
11 requests submitted via Open Records were still open a  
12 year later in 2024. A number of agencies have very  
13 long response times. Unfortunately, we didn't know  
14 that the Department of Correction had stopped using  
15 the portal, so the time we have listed for them is  
16 probably higher than it actually is. Nonetheless, we  
17 do know agencies like the Mayor's Office take 283  
18 days to respond. So the numbers are quite high.

19 Our testimony goes into further detail in  
20 a number of these areas, and I'll be happy to answer  
21 questions (TIMER), but we know the backlog of  
22 requests is huge. There are agencies with requests  
23 that are nine years old in some cases, and that's  
24 just not acceptable to the public, and this bill  
25 would create greater accountability to let groups

1  
2 like mine help the Council hold the agencies  
3 accountable for the response times.

4 CHAIRPERSON DE LA ROSA: Thank you so  
5 much.

6 SARAH ROTH: Hello, my name is Sarah Roth.  
7 I'm a legal intern at the Surveillance Technology  
8 Oversight Project. We are an anti-surveillance group  
9 that advocates and litigates against discriminatory  
10 surveillance. We urge the Council to modernize the  
11 Freedom of Information Law process by passing Intro  
12 1235.

13 When New York enacted FOIL in 1974, it  
14 promised broad and timely access to agency records.  
15 But today, FOIL is more symbolic than functional.  
16 Requesters face excessive delays and a lack of  
17 transparency, waiting months for a responsive  
18 comment, and some agencies average over a calendar  
19 year before responding to a request. When records are  
20 released, many agencies fail to publish them on open  
21 records.

22 Delays stem not only from agency foot-  
23 dragging but from systemic dysfunction. FOIL  
24 departments are under-resourced and technologically  
25 outdated. Many agencies still treat FOIL as a paper-

1 based process. Most don't log or track basic request  
2 data. As a result, watchdogs and oversight bodies  
3 can't assess agency performance or help agencies  
4 improve their processes. And without a centralized  
5 document repository, requesters may duplicate  
6 efforts, wasting time on already-filed requests.

7  
8 Thanks to already-implemented and readily  
9 available tech, it is now easier and more affordable  
10 than ever to create a system where agencies can  
11 process, track, and publish records requests  
12 efficiently. Today, nearly all agencies accept  
13 electronic FOIL requests. And our city's Open Records  
14 portal is the most advanced FOIL platform in the  
15 country. Yet, despite the existence of these tools,  
16 which drastically grow our government's capacity for  
17 transparency, our city agencies have not taken  
18 advantage of them. For example, the DOC has stopped  
19 using the portal.

20 Intro 1235 will finally bring FOIL into  
21 the 21st century. It codifies and expands the Open  
22 Records portal, creating a centralized system that  
23 reduces delay, increases accountability, and enables  
24 citywide oversight. It will give New Yorkers,  
25 oversight bodies, and journalists comprehensive

1  
2 access to both public records and the data behind how  
3 those records are processed.

4 S.T.O.P. supports this Intro as written.

5 We have one minor recommendation: A brief delay

6 between providing a requestor with a responsive

7 record before publishing it on the portal. (TIMER)

8 This delay will allow journalists to request a record

9 for their reporting without fear that its publication

10 will undermine their ability to break news.

11 Overall, Intro 1235 is one of the most

12 significant things the Council can do to improve

13 government transparency.

14 And while I have the Committee's ear, I

15 would like to draw attention to some concerns with

16 Intros 540 and 1...

17 CHAIRPERSON DE LA ROSA: Can you please

18 wrap up?

19 SARAH ROTH: Yes.

20 CHAIRPERSON DE LA ROSA: Thank you.

21 SARAH ROTH: Thank you.

22 LAURA MORAFF: Hi, I am Laura Moraff. I am

23 a staff attorney at The Legal Aid Society, and I want

24 to thank the Chairs and the Committee Members for

25 allowing me to testify today.

1  
2 I have submitted more detailed written  
3 testimony, but I just wanted to emphasize a couple of  
4 points about 1235, and one is that this bill is  
5 really crucial to allow us to use FOIL to serve our  
6 clients. We need to know what government policies and  
7 practices are in place so that we know when, why, and  
8 how our clients are facing certain issues, and so  
9 that we know what kind of discovery should be  
10 available in criminal cases, and so that we know what  
11 kinds of policies to push for to make New York a  
12 safer and freer place for the clients that we serve.  
13 And our clients really deserve better than the system  
14 that we have right now, which doesn't allow us to  
15 access the records that we need when we need them.

16 I outlined a few examples of the kinds of  
17 delays that we deal with routinely in my written  
18 testimony, so I won't go into much detail on those,  
19 but just to give you a sense, there are special  
20 expense budget contracts we requested more than four  
21 years ago; facial recognition records that we have  
22 been waiting on since last November. There are so  
23 many of these examples, and these endless delays have  
24 become the rule rather than the exception.

1  
2 I also just wanted to highlight the point  
3 that Intro 1235 will really cut down on duplicative  
4 work, time, and costs for everyone. If released  
5 records were made available through the centralized  
6 portal as mandated by 1235, we wouldn't need to  
7 submit new requests for records that have already  
8 been released to someone else. And agencies wouldn't  
9 need to spend their time compiling those records  
10 again and sharing them with us directly. And along  
11 those same lines, making the records requests and  
12 release records searchable is necessary to make the  
13 portal useful to us to see what has already been  
14 released, so that we don't have to ask the agency  
15 again to use its time to produce records that have  
16 already (TIMER) been produced by someone else.

17 So, Intro 1235 is really a common sense  
18 measure; it's necessary for FOIL to work; it's  
19 necessary for us to be able to serve our clients.  
20 Thank you for your time today and for your work on  
21 this bill.

22 CHAIRPERSON DE LA ROSA: Thank you so  
23 much.

24 ALEX SPYROPOULOS: Good afternoon, Chair  
25 Gutiérrez, Chair De La Rosa, and Members of the

1  
2 Committee. Thank you for the opportunity to testify  
3 today. My name is Alex Spyropoulos, and I am the  
4 Director of Government Relations at Tech: NYC, an  
5 organization representing more than 550 companies in  
6 New York. Our membership includes hundreds of  
7 innovative startups as well as some of the largest  
8 tech companies in the world. We are committed to  
9 ensuring that the tech sector remains a leading  
10 driver of the City's overall economy and that all New  
11 Yorkers can benefit from innovation.

12 I'm here today to express our support for  
13 Intro 540, which would require the Office of  
14 Technology and Innovation to conduct an assessment of  
15 a cloud-first policy for technology systems. We  
16 commend the Council and Council Member Brannan for  
17 considering this crucial bill, which will help ensure  
18 that our city government operates with efficient,  
19 effective, and secure technology.

20 Cloud computing is no longer just an  
21 option. It's a fundamental driver of productivity and  
22 economic value across all sectors. Independent  
23 research shows that cloud services generate billions  
24 of dollars in gross value added for US businesses,  
25 with companies representing over 37 million jobs

1  
2 stating that their model would not be possible  
3 without it. Cloud users reported 50% IT costs and  
4 savings, and software developers reduced development  
5 time by 25%. During COVID-19, 63% of businesses  
6 collaborated easily due to cloud tools, and 10% said  
7 that they couldn't have operated without them.

8           The case for cloud in government is  
9 equally compelling. It makes government more  
10 efficient and effective and offers a significant  
11 budgetary savings. As we saw with New Jersey's court  
12 system during the pandemic, the cloud investment  
13 allowed them to stay fully operational even with 99%  
14 of staff remote.

15           The cloud lets agencies pay only for what  
16 they need, eliminating costly physical hardware and  
17 saving capital costs. This is critical given the  
18 uncertainty surrounding the potential impact of  
19 federal decisions on the City's budget moving  
20 forward.

21           Many States and even the federal  
22 government have successfully implemented a cloud-  
23 first policy. We believe it is time for New York City  
24 to fully embrace (TIMER) this common sense approach.  
25

3 Thank you for the opportunity to testify  
4 today.

5 CHAIRPERSON DE LA ROSA: Thank you all so  
6 much for being here.

7 CHAIRPERSON GUTIÉRREZ: I have one  
8 question, and thank you all so much for your support  
9 and your testimony.

10 For, uh, Rachel, for example, and the--  
11 what do you think about the response that DORIS gave  
12 regarding like, yes, there's like a billion FOIL  
13 requests? And obviously, Council Member Brewer's bill  
14 is a really seamless way of centralizing everything.  
15 But what do you make of the response being like hands  
16 in the air?

17 RACHAEL FAUSS: (LAUGHTER) In terms of  
18 cutting down the time and whatnot.

19 CHAIRPERSON GUTIÉRREZ: Mm-hmm!

20 RACHAEL FAUSS: I mean, I think, you know,  
21 we are involved in work at the state level to fix the  
22 Freedom of Information Law, but you can't fix what  
23 you-- when you don't know what the problems are. We  
24 don't even have the basic reporting to know exactly  
25 how long each agency takes, because they don't all  
use the portal. If they did, we'd be better able to

1  
2 say, okay, well, Mayor's Office, maybe you need to  
3 staff up a little bit. Maybe you have to be more  
4 proactive in releasing these records that people keep  
5 asking for over and over again.

6 I think the other sort of response to  
7 your question about when agencies--are they posting  
8 records that are public records? Our experience is  
9 that they're not. And the report we released earlier  
10 this year, we looked at a very common request,  
11 organizational charts for agencies. It was easy for  
12 us to search for that. We know it's a public record.  
13 It was, you know, only a handful of agencies out of  
14 about 20 that actually published those. So that means  
15 somebody else, another reporter, is going to ask for  
16 the same thing over and over again. I think, you  
17 know, that's a waste of time for everybody.

18 So, the bill, by mandating agencies use  
19 it and mandating they publish these records  
20 proactively, lets the public, it lets us, hold them  
21 accountable better for those response rates. And with  
22 the publishing, it makes sure that, you know, we're  
23 doing things in the most efficient way possible. So  
24 those are just two points on that question.

25 CHAIRPERSON GUTIÉRREZ: Thank you.

1 COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
2 WITH THE COMMITTEE ON TECHNOLOGY 103

3 CHAIRPERSON DE LA ROSA: All right, thank  
4 you to this panel.

5 The next panel is Malek Al-Shammary from  
6 the Independent Budget Office. And I apologize again  
7 if I mispronounce your name.

8 (PAUSE)

9 CHAIRPERSON DE LA ROSA: Okay, you may  
10 begin.

11 MALEK AL-SHAMMARY: Hello, good afternoon,  
12 Chair De La Rosa, Chair Gutiérrez, and Members of the  
13 New York City Council. I am Malek Al-Shammary from  
14 the New York City Independent Budget Office.

15 As you know, IBO is a nonpartisan,  
16 independent government agency mandated by the New  
17 York City Charter. Our mission is to enhance public  
18 understanding of New York City's budget, public  
19 policy, and economy through independent analysis.

20 Access to data is one of the foundational  
21 elements of understanding the impacts of public  
22 policy. That access provides governments, external  
23 stakeholders, and the public with the ability to  
24 solicit a wide range of perspectives and ideas for  
25 how to improve government. Without access to data,  
the iterative process that is public policy and the

1  
2 perspectives that help shape that process become  
3 limited. It not only leads to a lack of transparency  
4 in government practices, but it stymies the  
5 effectiveness of government by limiting the policy  
6 dialogue.

7           Transparency in data accessibility is an  
8 integral part of better informing the public and  
9 understanding the impacts of policies in order to  
10 refine them.

11           IBO is supportive of efforts to  
12 strengthen, expand, or improve access to data and  
13 strongly supports efforts to make government more  
14 transparent for all New Yorkers. Thanks, and I'll  
15 take any questions... (CROSS-TALK)

16           CHAIRPERSON DE LA ROSA: Thank you.  
17 Council Member Brewer does have one question.

18           COUNCIL MEMBER BREWER: Thank you very  
19 much for your testimony. So that means that you're in  
20 support generally of Intro 1235, or am I missing  
21 something?

22           MALEK AL-SHAMMARY: Generally, we--so, as  
23 you know, we are policymakers. We don't make any  
24 recommendations. We don't support or endorse any  
25 piece of legislation. But generally speaking, we do

1  
2 support all efforts that are intended to improve  
3 government transparency and just access to data in  
4 general.

5 COUNCIL MEMBER BREWER: All right, thank  
6 you.

7 CHAIRPERSON DE LA ROSA: All right, thank  
8 you so much.

9 CHAIRPERSON GUTIÉRREZ: That was a great  
10 question.

11 CHAIRPERSON DE LA ROSA: Yeah, thank you  
12 so much for being here.

13 The next panel is Davon Lomax, Richie  
14 Lipkowitz, Liliana De Lucca, Rafael Espinal, and  
15 Nadira Pittman. Please approach the dais.

16 (PAUSE)

17 CHAIRPERSON DE LA ROSA: All right, you  
18 may begin.

19 DAVON LOMAX: Good afternoon. Thank you,  
20 Chairwoman De La Rosa and Chairwoman Gutiérrez.

21 My name is Devon Lomax, I'm the Political  
22 Director at District Council 9 Painters and Allied  
23 Trades, representing over 11,000 hard working men and  
24 women in the finishing trades industry, and we're  
25 here to express strong support for maintaining and

1  
2 expanding a comprehensive examination process for  
3 both written and practical for civil service  
4 painters.

5           While education and experience are  
6 important for background information of a candidate,  
7 they do not fully qualify a candidate for the  
8 specific role of civil service painter without proper  
9 vetting and testing. This dual assessment system will  
10 play a vital role in ensuring that only the most  
11 qualified, knowledgeable, and skilled individuals are  
12 entrusted with maintaining and improving the lives in  
13 our public housing, shelters, as well as workspaces  
14 and infrastructure of the agencies serving our city.

15           First, the written examination is  
16 essential for assessing foundational knowledge.  
17 Professional painters in civil service roles must  
18 understand not just how to apply paint, but they are  
19 expected to have a solid grasp of safety protocols,  
20 surface preparation techniques, environmental  
21 regulations, proper use and disposal of materials,  
22 and an understanding of lead and mold safe protocols,  
23 all of which are crucial for ensuring public safety  
24 and regulatory compliance. The written exam evaluates  
25 this core knowledge in a fair, standardized way.

1  
2           Second, the practical examination ensures  
3 hands on competency. Painting in public schools,  
4 public buildings, hospitals, and other city  
5 facilities is not as simple or a uniform task.  
6 Different surfaces, materials, and tools require  
7 different techniques. Quality workmanship is  
8 essential to the longevity of the work and the safety  
9 of structures involved. A practical exam provides an  
10 objective way to verify that candidates are capable  
11 of high quality work, properly prepping services,  
12 applying paint evenly, following safety standards,  
13 and demonstrating precision in their trade.

14           Third, a dual exam process promotes  
15 professionalism and accountability. By both requiring  
16 written and practical demonstrations of skill, the  
17 City reinforces the message that civil service jobs  
18 are earned through merit and fitness. This not only  
19 improves public confidence in our workforce but also  
20 boosts morale among employees who know their peers  
21 have met the same rigorous standards.

22           Finally, it supports equity in  
23 transparency in hiring. (TIMER) The civil service  
24 system is founded on the principle of fair  
25 competition, and using a standardized written

1  
2 practical exam minimizes the influence of personal  
3 bias or favoritism.

4 Maintaining both written and practical  
5 examinations for civil service painters is not just  
6 about testing for skills. It's about upholding  
7 standards, ensuring public trust, and preserving the  
8 integrity of our civil services system.

9 CHAIRPERSON DE LA ROSA: Thank you.

10 DAVON LOMAX: Thank you.

11 CHAIRPERSON DE LA ROSA: Thank you so  
12 much.

13 RICHIE LIPKOWITZ: Good afternoon. I am  
14 sure that, between the incisive questions by the Tech  
15 Chair and by Council Member Brewer, and others, you  
16 will help shape how AI is used and its impact upon  
17 the workforce. You will not be questioning-- well,  
18 you might be, but you should not be questioning at  
19 the end, that they did not respond quickly enough.  
20 You will help shape it.

21 My experience with AI was at the Queens  
22 tech incubator. We were offering, online, a mentoring  
23 component about networking. I found they made it more  
24 accessible and more tolerable. I don't know if this  
25 could have been done by individuals or through AI. So

1 it can be a friend, not a monster, if we embrace it.

2 Thank you.

3 COUNCIL MEMBER DE LA ROSA: Thank you.

4 RAFAEL ESPINAL: Good afternoon, Madam  
5 Chairs and the Members of the Committee. My name is  
6 Rafael Espinal; I'm the Executive Director of the  
7 Freelancers Union, and we represent over 80,000  
8 members here in the five boroughs of New York.

9 I know the majority of today's hearing  
10 has been focused on the city agencies and their  
11 workers, but I'd like to broaden the scope just a  
12 bit.

13 AI represents one of the greatest  
14 disruptions to our city's workforce in recent  
15 history. Across industries, we have seen governments  
16 and corporations rapidly adopt AI tools, resulting in  
17 significant layoffs and increasing job insecurity.  
18 Unfortunately, these decisions often prioritize  
19 profits and savings over the welfare of workers and  
20 communities.

21 I also had a chance to review the  
22 Committee's report, and I realized that one group has  
23 been left out of this conversation—freelancers and  
24 creative workers who contribute over \$31 billion a  
25

1  
2 year to New York City's economy and consist of more  
3 than 1.3 million New Yorkers.

4 Independent workers are already on the  
5 front lines of AI's impact. Writers, designers,  
6 drivers, content makers, you name it, are watching  
7 their work get replaced by AI and automation or being  
8 asked to create machine-made content for a fraction  
9 of what they used to earn.

10 Freelancer's Union is in support of the  
11 bill introduced by Council Members Williams and  
12 Brewer. And I agree with you that the City must ask  
13 for data and force the City to make these reports  
14 more transparent so that New Yorkers have a true  
15 understanding of how AI is impacting them.

16 But as a former member of this Body and  
17 an everyday New Yorker, I say this with all respect—  
18 Today, at this point and time, we have to go beyond  
19 reporting bills, because the negative impacts are  
20 already happening. By the time we're looking at  
21 future reports, the damage will already be done.

22 We need protection. We need policies that  
23 hold government agencies and corporate companies  
24 accountable when they use AI to cut jobs. We need to  
25 safeguard creative rights so AI doesn't rip off the

1  
2 work of independent artists. And we need to build  
3 real support systems for all workers who have no  
4 safety net when that time comes.

5 If we think the affordability crisis is  
6 bad now, wait until thousands more are underemployed  
7 because the machine took their job. This isn't about  
8 stopping progress; (TIMER) it's about making sure  
9 people aren't left behind in the process. So let's  
10 not wait until it's too late. Let's lead with policy  
11 that will blunt the negative impacts of AI on our  
12 city's workers. Thank you.

13 COUNCIL MEMBER DE LA ROSA: Thank you for  
14 that feedback, thank you.

15 NADIRA PITTMAN: Thank you. Hello, my name  
16 is Nadira Pittman.

17 I'm just here to state that I am in  
18 support of 1066 due to the ethical nature I have  
19 witnessed of AI being used wrongfully. As he said, it  
20 can be a friend or it could be a monster. I have seen  
21 the monster aspect of it, that these government  
22 agencies are utilizing it in the wrong way. They're  
23 tapping into, you know, utilizing people's voices,  
24 and yeah, so it's really becoming warfare-type usage  
25 on individuals.

1  
2           So I definitely wanted to state that it's  
3 very dangerous. It could definitely alter minds, uh,  
4 the mindset. It's kind of torturous if it's used  
5 incorrectly.

6           So I definitely want to state that 1066  
7 will uphold government with their ethics and how  
8 they, you know, carry out day-to-day usage of AI or  
9 any technical usage or technology. Because a lot of  
10 people are getting impacted by this new rise of AI,  
11 it is definitely-- they can tap into phone lines,  
12 they can, again, like I said, they can take your  
13 voice, utilize your voice, and use it again. They can  
14 go into, uh, what I've experienced is them tapping  
15 into the MTA, uh, cameras and utilizing AI that way  
16 on the speakers.

17           I have proof of all of this. This is not  
18 just something I noticed. I have proof of it. So it's  
19 definitely dangerous to us as individuals, and it's  
20 wrong, and we shouldn't accept it at all. It's  
21 unacceptable. (TIMER) So thank you so much for your  
22 time.

23           CHAIRPERSON DE LA ROSA: Thank you so  
24 much. If you could just, yeah, there you go.

1  
2 LILIANA DE LUCCA: Hello, my name is  
3 Lilianna DeLuca. I wanted to come to this meeting to  
4 point out the efforts of Columbia University  
5 Professor, Rafael Yuste, to stop illegal uses of  
6 technology and neurotechnology.

7 Professor Yuste heads the Neurotechnology  
8 Department of Columbia University, and he's also the  
9 Director of the NeuroRights Foundation. He advised  
10 the United Nations Secretary General to include the  
11 UN's highest priorities worldwide. There were five of  
12 them, including the banning of neurotechnology abuses  
13 and biotechnology abuses. He agreed with (INAUDIBLE),  
14 the UN's Special Rapporteur on torture, who wrote  
15 numerous reports to stop electronic torture attacks  
16 against civilians, which he named "cyber torture".  
17 And defined it for the world in his first  
18 comprehensive report dated March 20, 2020. He said  
19 this was a new form of torture through illegal uses  
20 of electronic technologies. And that this crime  
21 against humanity had to be completely eradicated from  
22 the world.

23 When heading Columbia University's  
24 Neurotechnology Department, Professor Yuste wrote  
25

1  
2 down (TIMER) five important neural rights that all  
3 human beings should have a right to access.

4           These neural rights include the right of  
5 people to have independent thinking and freedom of  
6 thought in connection with a person's civil liberties  
7 of freedom and independence.

8           CHAIRPERSON DE LA ROSA: If you could just  
9 wrap up, please.

10           NADIRA PITTMAN: Yeah.

11           CHAIRPERSON DE LA ROSA: Thank you.

12           NADIRA PITTMAN: The right to protect  
13 intellectual property; the right to privacy without  
14 intrusions into the brain and neural system of a  
15 person for profit.

16           These rights have been adopted by the  
17 Organization of American States, the Human Rights  
18 Council, and UNESCO. And the Human Rights Council is  
19 incorporating them into international treaties like  
20 the...

21           CHAIRPERSON DE LA ROSA: Okay, okay, we  
22 are going to have to limit the testimony now...

23 (CROSS-TALK)

24

25

3 NADIRA PITTMAN: (TIMER) civil and  
4 political rights and the Universal Declaration of  
5 Human Rights.

6 CHAIRPERSON DE LA ROSA: Thank you. You  
7 can submit the rest of it for the record. Thank you  
8 so much.

9 NADIRA PITTMAN: Thank you.

10 CHAIRPERSON DE LA ROSA: Just, I know, I  
11 just wanted to make a comment. Rafael, welcome back  
12 to the Chamber. It's nice to see you.

13 RAFAEL ESPINAL: Thank you.

14 CHAIRPERSON DE LA ROSA: It's nice to have  
15 you back. I would love to sit with you offline and  
16 discuss how we can bake in some policy protections  
17 based on your viewpoint with the Freelancers. And I  
18 know that Jen had a question.

19 CHAIRPERSON GUTIÉRREZ: Thank you, and  
20 welcome back also.

21 RAFAEL ESPINAL: Thank you.

22 CHAIRPERSON GUTIÉRREZ: For the  
23 membership, can you confirm if any of the freelancers  
24 in your membership are they currently contracted with  
25 any city agencies right now in their capacity?

3 RAFAEL ESPINAL: I'm sure we do have some  
4 members. We haven't looked at how many, but we do  
5 have teaching artists. We have folks who work in IT  
6 who have done work with the City.

7 CHAIRPERSON GUTIÉRREZ: Excellent. Do you  
8 know, I know you gave some examples in your testimony  
9 —do you know if in those instances were any specific  
10 threats to AI tools, for example, supplementing the  
11 work that they're there to do?

12 RAFAEL ESPINAL: Yeah, you know, we've  
13 seen that members have seen on average about a 30%  
14 decrease in the amount of work they're getting.  
15 Right? And a 30% decrease in work means a 30%  
16 decrease in the amount of income they're bringing  
17 home. And because of that, it is making it much more  
18 difficult for them to be able to afford a cost of  
19 living here in the city. And they're scrambling.  
20 They're trying to figure out how to pivot. And I know  
21 there's a lot of conversation, and there's a lot of  
22 advice that's being given that you have to become an  
23 expert at the AI tool in order for the AI tool not to  
24 take your job. But when you have corporations  
25 figuring out, or government agencies figuring out how  
to use these AI tools without having to hire new

1  
2 people, it makes it really difficult for those folks  
3 to find work.

4 CHAIRPERSON GUTIÉRREZ: Thank you. Yeah, I  
5 think something that we try to address here is what  
6 the City is doing to track those instances. And  
7 obviously, the administration came with nothing, but  
8 it is very much top of mind. So thank you all for  
9 your testimony today.

10 RAFAEL ESPINAL: Thank you. And I guess  
11 I'll just end off by saying that this is one of the  
12 most powerful legislative bodies in the world. And  
13 you all have an amazing opportunity to really set the  
14 tone with how governments across the world start  
15 tackling the issues of AI. Thank you.

16 CHAIRPERSON DE LA ROSA: Thank you. More  
17 work to do. Thank you all for being here and for  
18 providing testimony.

19 PANEL: Thank you.

20 CHAIRPERSON DE LA ROSA: Our final in-  
21 person panel is Faisal Lalani, Norma Simon, Adam  
22 Wandt, Michele Anne Blondmerville—sorry if I messed  
23 up your name; please correct it for the record—  
24 Foluso Ogundepo, and William Medina. And please  
25

1  
2 correct all of the names that I messed up for the  
3 record.

4 (PAUSE)

5 CHAIRPERSON DE LA ROSA: Okay, so two  
6 people are missing, okay, there we go. You can just  
7 sit here, and the microphone will be passed. You can  
8 join. You're William?

9 (PAUSE)

10 CHAIRPERSON DE LA ROSA: All right, we  
11 can begin. Let's start on this side. If you could  
12 just pull the microphone over, we can begin.

13 WILLIAM MEDINA: Good afternoon, Chair  
14 Carmen De La Rosa and Council Member Jennifer  
15 Gutiérrez. My name is William Medina; I am an  
16 organizer and leader from the Workers Justice  
17 Project. Thank you for the opportunity to testify  
18 today on behalf of the Workers Justice Project, which  
19 was organized in support of deliveristas.

20 We want to highlight how technology is  
21 radically transforming the working lives of these  
22 workers. While digital platforms provide a source of  
23 income for thousands of people, most of them are  
24 immigrants and essential workers. They have also  
25 introduced new forms of labor precarity. The

1  
2 algorithms that govern delivery apps determine how  
3 much workers earn, which orders we will receive, and  
4 all without transparency or the ability to adjust the  
5 appeal process in case of having our accounts  
6 deactivated.

7 This has created an ecosystem where  
8 deliveristas have very little control over their  
9 working conditions. On top of that, constant  
10 surveillance through GPS tracking, customer ratings,  
11 and delivery times creates high levels of stress and  
12 psychological pressure.

13 At Workers Justice Project, we work  
14 directly with this community. We hear their stories  
15 every day. Deliveries in extreme weather. Accidents  
16 with no medical coverage. Account suspended without  
17 explanation. Many workers are forced to choose  
18 between their safety and the daily income that feeds  
19 their families.

20 That is why today we urge the City  
21 Council to invest more resources into programs that  
22 protect and empower this workforce. We need an  
23 increased budget to (INAUDIBLE) existing labor laws,  
24 support community resource centers like Los  
25

3 Deliveristas Unidos, and fund education, legal  
4 defense, and workplace safety programs.

5 New York City has the opportunity to live  
6 with justice, ensuring that technology is not used to  
7 exploit, but to dignify work. Deliveristas are not  
8 just a symbol of a modern economy. They are human  
9 beings, parents, neighbors, and they deserve fair,  
10 safe, and transparent working conditions.

11 Thank you for your time and for your  
12 commitment to labor justice.

13 CHAIRPERSON DE LA ROSA: Thank you so  
14 much. (TIMER)

15 NORMA SIMON: Good afternoon, Committee,  
16 Chair De La Rosa.

17 My name is Norma Simon. I'm a former  
18 employee of Health + Hospitals. I didn't know  
19 beforehand that the Agenda would include AI, but I'm  
20 glad that it does because, as it pertains  
21 specifically to me, I've been forced to use AI to  
22 represent myself before the Office of Labor  
23 Relations. This is because union representation is an  
24 act of charity, not altruism. It is funded through  
25 member dues. While DC37 and Local 420, in particular,  
specifically President Carmen Charles, Health and

1  
2 Professionals Division Director, Marianella Santana,  
3 Counsel Steven Sykes, and (INAUDIBLE) Rep Carl Jones  
4 publicly promote solidarity, privately, the actions  
5 are taken behind the scenes undermine their members  
6 such as myself, especially when faced with questions  
7 about accountability, lack of representation and  
8 transparency.

9           The Local 420 in particular exploits the  
10 collective bargaining agreement to absolve itself  
11 from responsibility at will, often to the detriment  
12 of those they are elected and appointed to protect.  
13 In doing so, the actions of DC37 and Local 420 serve  
14 the interests of the employer rather than the  
15 workforce, with consequences that contribute directly  
16 to job loss and homelessness.

17           What's more bothersome is that,  
18 specifically, these named individuals within Local  
19 420's leadership cannot be trusted to act in the best  
20 interest of their members. If union representatives  
21 are forced to represent themselves with the use of  
22 AI, pro se, by abandonment, shouldn't they be allowed  
23 a refund of their dues? Because my file was  
24 submitted for arbitration (TIMER), it was empty of  
25 evidence that represented me. And then I was told

1  
2 that my file lacked merit for them to represent me,  
3 and that it was from the Office of Labor Relations.

4 So now I'm being forced to use AI, which  
5 I don't know specifically, because I'm not a lawyer.  
6 My degree is a master's in psychology, child and  
7 adolescent development. And now I have to use AI  
8 after paying into a system for over a period of nine  
9 years, instead of being represented by appointed and  
10 elected officials. That's not fair.

11 CHAIRPERSON DE LA ROSA: Thank you for  
12 your testimony, and we can speak offline after the  
13 hearing on the specifics. Thank you.

14 NORMA SIMON: Thank you.

15 FAISAL LALANI: Hi, thank you for having  
16 me. My name is Faisal Lalani, and I am the Head of  
17 Global Partnerships for the Collective Intelligence  
18 Project. We are a nonprofit that focuses on building  
19 democratic alternatives to traditional AI models, and  
20 we work with governments around the world and civil  
21 society on AI safety wings.

22 I am here independently, though, to talk  
23 about more general considerations that I think the  
24 City should take when considering responsible AI.

1  
2 First, you've heard a lot today about AI  
3 literacy. Take it from someone who's done AI literacy  
4 sessions all around the world, a lot of the time  
5 you're met with tumbleweeds instead of people,  
6 because most people are very busy or they just, you  
7 know, don't have the time and effort. So instead, I  
8 recommend embedding AI literacy within institutions,  
9 within curricula, and within the context of  
10 organizations.

11 Second, I highly recommend democratizing  
12 the understanding and scrutiny of AI. This can be  
13 done by one, building a taxonomy of different types  
14 of AI, allowing, uh, building mechanisms that allow  
15 the public actually to evaluate AI systems within the  
16 context of their work.

17 And then third, actually measuring the  
18 efficacy of accountability measures, not just having  
19 policies, but how well they work, and how people can  
20 comply with them?

21 Finally, I highly recommend that the City  
22 be more proactive in addition to reactive when it  
23 comes to AI governance. That means offering  
24 alternatives that prove responsible AI, open source,  
25

1  
2 transparent, and accessible is far more effective and  
3 efficient than the current model. Thank you.

4 CHAIRPERSON DE LA ROSA: Thank you so  
5 much.

6 PROFESSOR ADAM SCOTT WANDT: Good  
7 afternoon, Chairpersons, and Council Members... There  
8 we go. Good afternoon, Chairpersons, Council Members,  
9 and members of the public. Thank you for the  
10 invitation and opportunity to testify today.

11 My name is Professor Adam Scott Wandt,  
12 and I serve as Associate Professor of Public Policy  
13 and Deputy Chair for Technology in the Department of  
14 Public Management at John Jay College of Criminal  
15 Justice. A great deal of my academic and professional  
16 work focuses on the intersection of technology, law,  
17 and governmental transparency. I'm a licensed  
18 attorney, Co-Chair of the New York City Bar  
19 Association's Committee on Technology, Cyber and  
20 Privacy Law, and a member of the Board of Directors  
21 of the Association of Inspectors General, where I  
22 work to increase technology and cyber knowledge of  
23 levels (INAUDIBLE) inspection and oversight  
24 professionals.  
25

3 My comments are my own and do not reflect  
4 any official position of any organization I'm  
5 affiliated with.

6 I'm here to express strong support for  
7 two of today's proposed legislative amendments that  
8 would do two things: 1235 to establish a real time  
9 tracking system for FOIL requests, and 372 to require  
10 city agencies to provide real time application  
11 tracking tools.

12 These are not just upgrades in  
13 technology; they are reinforcements of the democratic  
14 principles that are so important to all of us in New  
15 York City. Transparency tools like those that reduce  
16 bureaucratic opaqueness, empower residents, and help  
17 ensure government is responsive, fair, and efficient.  
18 They harness existing technology to address a core  
19 civic concern: How responsive and transparent is our  
20 government to the people that it serves?

21 Let me begin with FOIL. For too long, the  
22 public's right to access government records has been  
23 undermined by a lack of transparency in how those  
24 requests are handled. Inconsistent timeline, delayed  
25 responses, and a lack of visibility into an agency's  
workflow have eroded public confidence in the FOIL

1  
2 system as a meaningful access tool. Implementing a  
3 real time tracking system for FOIL requests—similar  
4 to tracking a package online—would offer requestors  
5 updates on the status of their submissions, from  
6 initial receipt to final release or denial. How  
7 confident in a retailer would you be if you were  
8 ordering a package online and not receiving tracking  
9 information? (TIMER) It is the same idea here.

10 Let me close by stressing that this is  
11 not just a matter of administrative convenience; it  
12 is a matter of public trust. In an era where faith in  
13 government is increasingly strained, it is essential  
14 that we take bold and measurable steps to reaffirm  
15 our commitment to transparency, accountability, and  
16 open government. Thank you.

17 CHAIRPERSON DE LA ROSA: Thank you so  
18 much.

19 FOLUSO OGUNDEPO: Hello, my name is Foluso  
20 Ogundepo, and I am speaking about 1066, the bill  
21 about AI, and I do have concerns about the use of AI  
22 in government.

23 I've worked in the technology space in  
24 the private sector as a user experience designer,  
25 researcher, and product manager, and I've seen how AI

1  
2 can negatively impact the workforce in the name of  
3 efficiency.

4 I know this is the public sector, but the  
5 risks are definitely still there. Though I'm not a  
6 big fan of AI, I understand it's already here, and at  
7 the very least, we must do the best we can to ensure  
8 it's implemented as thoughtfully and as ethically as  
9 possible. This means having a comprehensive  
10 understanding of its impacts on the workforce and  
11 setting strict rules and guidelines on how and if it  
12 can be used.

13 Earlier during the testimony, I heard the  
14 group bring up a bill reference, maybe a budget  
15 lawyer potentially using AI in their work, which  
16 definitely raised concerns for me because, as you may  
17 know, there have been many examples of generative AI  
18 making up data or referencing sources that don't even  
19 exist. And especially in the public sector, that can  
20 have really harmful impacts on real people if the  
21 quality of the AI being used is used to make  
22 decisions that impact people in the city.

23 Furthermore, researchers at MIT recently  
24 put out a report that suggests AI has the potential  
25 to reduce critical thinking skills in adults. That

1 study is still going through the peer review process,  
2 so take it with a grain of salt, but the researchers  
3 did state that they published it before the peer  
4 review process was complete because they feared A  
5 lawmaker might come along and say, let's use AI in  
6 kindergarten, which would have even greater  
7 ramifications (TIMER) for child development.

9 All in all, I just hope that we look at  
10 AI very carefully and implement it as ethically as  
11 possible.

12 CHAIRPERSON DE LA ROSA: Thank you so  
13 much.

14 MICHELE ANNE BLONDMOVILLE: Good morning,  
15 honorable elected officials, and thank you for this  
16 opportunity to speak on the topic of technology.

17 Michele Anne Blondmville; I am a health  
18 educator for 40 years. I'm a former adjunct lecturer  
19 at NYU FIT and a health and safety trainer at the  
20 American Red Cross. Thank you for your servitude in  
21 these difficult times.

22 I'm speaking on behalf of everyday  
23 people who are Havana syndrome or anomalous health  
24 incident victims, some knowingly and others  
25 unknowingly. With glaring awareness of the benefits

1  
2 of our diplomat counterparts, we certainly hold fast  
3 to the notion that one day we will too be recognized  
4 and compensated. One day, we will be free from  
5 torture, pain, and invisibility, and the  
6 weaponization of technology.

7 Havana syndrome includes remote access to  
8 the biometrics of a human being. Everyday people,  
9 Havana syndrome victims, are compromised and  
10 diagnosed, and have been unlawfully experimented on  
11 and endure targeting in various nefarious manners.

12 These heinous crimes include but are not  
13 limited to organized stalking, spear campaigns, noise  
14 harassment, electronic assaults from directed energy  
15 weapons, non-consensual human experimentation  
16 socially and technologically, such as V2K Blue-eye  
17 technology and AI. They are put on illegal lists  
18 unknowingly, which are distributed to various  
19 agencies for experimentation, for vindictive reasons,  
20 technological research, and political harassment.

21 We support your Bill 1235-2025, even  
22 though these agencies (TIMER) neither deny nor  
23 confirm that we are on their list. And we are asking  
24 for advocacy and support...

25 CHAIRPERSON DE LA ROSA: Thank you.

3 MICHELE ANNE BLONDMOVILLE: and protect  
4 our neural rights.

5 CHAIRPERSON DE LA ROSA: Thank you.

6 BEVERLY BLONDMOVILLE: Good evening, thank  
7 you for this opportunity to speak.

8 My name is Beverly Blondmerville, and I  
9 have worked for Chase Manhattan Bank for many years,  
10 from my twenties into my retirement, as a technology  
11 analyst. I worked on Y2K ATMs, which took us into the  
12 21st century, to make sure the technology was in  
13 compliance for entry into the 21st century.

14 Fast forward to my retirement, where I  
15 found myself being experimented on with AI and  
16 various technologies without my consent and without  
17 any knowledge of what was occurring. I am tortured 24  
18 hours a day, seven days a week, randomly at the mercy  
19 of whoever has access to my biometrics. This is  
20 painful and inhumane. I am asking for advocacy and  
21 support to protect my rights and the rights of all  
22 who are in the same position as I am. Thank you.

23 CHAIRPERSON DE LA ROSA: Thank you all so  
24 much for your testimony. Thank you. Okay, thanks,  
25 thank you all for coming.

3 Thank you to all who came here to share  
4 your thoughts and experiences today. If there is  
5 anyone in the Chamber who wishes to speak, but has  
6 not yet had an opportunity to do so, please raise  
7 your hand, and fill out an appearance card with the  
8 Sergeant at Arms at the back of the room.

9 Seeing no hands in the Chamber, we will  
10 now shift to Zoom testimony. When your name is  
11 called, please wait for a member of our team to  
12 unmute you. The Sergeant at Arms will indicate that  
13 you may begin.

14 We will start with Daniel Wolf, followed  
15 by Samantha Sanchez.

16 SERGEANT AT ARMS: You may begin.

17 DANIEL WOLF: Good afternoon, Chair  
18 Gutiérrez, Chair De La Rosa, and members of the  
19 committees. My name is Dan Wolf, and I'm the Director  
20 of State Programs for the Alliance for Digital  
21 Innovation. We are a nonpartisan alliance of  
22 technology companies focused on accelerating change  
23 in the public sector through the adoption of  
24 commercial technology.  
25

3 ADI supports Intro 540 and encourages the  
4 Committee to treat this legislation favorably and  
5 report it from your committee.

6 This legislation represents an important  
7 step forward toward ensuring New York City can  
8 prioritize scalable, secure, and cost effective cloud  
9 solutions over aging legacy systems. Cities across  
10 the country are leveraging cloud computing to  
11 modernize their services, improve their resilience,  
12 and enhance their cybersecurity.

13 This bill is not a mandate to immediately  
14 shift all systems to the cloud. Rather, it represents  
15 a data-driven evaluation of where cloud can best  
16 serve the City's needs and what reforms are necessary  
17 to get there. It reflects A pragmatic, measured  
18 approach that we believe will position the City to  
19 respond nimbly to future challenges and  
20 opportunities.

21 We are especially encouraged that the  
22 bill calls for assessing procurement barriers and  
23 workforce training needs. Too often, outdated  
24 contracting models and skill gaps impede the  
25 transition to modern platforms, resulting in a  
diminished return on investment for government

1  
2 agencies. By identifying these issues upfront, the  
3 City can ensure that any future cloud strategy is  
4 both sustainable and inclusive of its diverse  
5 workforce and vendor community.

6 We encourage the swift passage of Intro  
7 Number 540, and our members stand ready to support  
8 the City on its modernization journey. Thank you for  
9 the opportunity to testify.

10 CHAIRPERSON DE LA ROSA: Thank you so  
11 much.

12 Up next, we have Samantha Sanchez.

13 SERGEANT AT ARMS: You may begin.

14 SAMANTHA SANCHEZ: Good morning, Chair and  
15 members of the Committee. My name is Samantha  
16 Sanchez, and I serve as the Program Manager at Common  
17 Cause New York, a nonpartisan, nonprofit organization  
18 committed to strengthening open, accountable, and  
19 participatory government. Thank you for the  
20 opportunity to submit testimony of Intros 1235, 540,  
21 and 1066. I have also submitted written testimony  
22 that goes into more detail.

23 We strongly support Intro 1235, which  
24 will enhance FOIL transparency by requiring the  
25 agencies to publicly disclose how they process

1 requests. This promotes compliance, strengthens open  
2 records, and ensures better public access to  
3 information at a time when trust in government is  
4 critical.  
5

6 We also support Intro 1066, which  
7 establishes the task forces to assess the impact of  
8 open AI on civil service rules. We echo the concerns  
9 raised today and urge the task force to examine  
10 whether AI displaces workers or improves their roles.

11 We also recommend creating an AI  
12 workforce pipeline for vulnerable positions and  
13 including an ethical AI advisor to guide the City.

14 As a good government organization, we are  
15 concerned about the inconsistent deployment of AI  
16 tools across agencies and commend the Council for  
17 bringing these issues to light.

18 While we do not take a formal position on  
19 Intro 540, we applaud the Council's oversight of the  
20 City's Cloud First Strategy and urge the inclusion of  
21 experts in procurement, data security, and training.  
22 Thank you for your time and leadership today.

23 CHAIRPERSON DE LA ROSA: Thank you so much  
24 for your testimony.

25 Up next, we have Cynthia Conti-Cook.

3 SERGEANT AT ARMS: You may begin.

4 CYNTHIA CONTI-COOK: Good afternoon, and  
5 thank you to both Chairs and Members of the  
6 Committees on Technology, Civil Service, and Labor  
7 for holding this critical hearing.

8 My name is Cynthia Conti-Cook, and I am  
9 the Director of Research and Policy at the  
10 Collaborative Research Center for Resilience, which  
11 the Surveillance Resistance Lab is now a project of.

12 Over the past year, we have been learning  
13 from and empowering union leaders in the public  
14 sector whose members are confronting automation and  
15 its impact on their working conditions. I join you  
16 today to support and comment on Intro 1066.

17 Public sector workers are uniquely on the  
18 front lines of protecting the communities they serve  
19 from technologies and policies that empower policing  
20 and corporate vendors, and ultimately threaten  
21 community well-being and diminish democratic power.  
22 It's in this context that we recognize the unique  
23 role and responsibility of the workers who stand  
24 between sensitive government data and functions and  
25 the forces that seek control over them.

3 Therefore, we recommend that the scope of  
4 the task force described in 1066 be broadened in two  
5 ways. And I also echo other calls for more  
6 significant action to be taken beyond the  
7 continuation of studies and the task force by the  
8 City in relation to AI:

9 First, the task force should not be  
10 limited to examining strictly tools that are, quote,  
11 unquote, "AI". As said during this hearing, that  
12 definition is murky and a marketing industry term.  
13 They should be prepared to evaluate digital  
14 technologies that involve massive data collection,  
15 automation, or the use of large language models.

16 Second, the task force's scope should go  
17 beyond the impact on workers' positions and include  
18 more broadly the quality of the public service and  
19 municipal liability that could be introduced by the  
20 reckless deployment of automated tools in contexts  
21 that have protections based on the Constitution and  
22 other statutes—the integrity of constitutional and  
23 statutory privacy protections (TIMER) community  
24 access to government workers... (CROSS-TALK)

25 SERGEANT AT ARMS: Thank you for your  
testimony. Your time has expired.

1 COMMITTEE ON CIVIL SERVICE AND LABOR, JOINTLY  
2 WITH THE COMMITTEE ON TECHNOLOGY 137

3 CHAIRPERSON DE LA ROSA: Thank you. Please  
4 submit the rest of your testimony. Thank you so much.

5 Up next, we have Olivia Gonzalez  
6 Killingsworth.

7 SERGEANT AT ARMS: You may begin.

8 OLIVIA GONZALEZ KILLINGSWORTH: Hi, my  
9 name is Olivia Gonzalez Killingsworth. I'm going to  
10 be honest, I'm not exactly sure how I got invited to  
11 this committee hearing, but I'm happy to testify in  
12 support of Intro 1066 to create a task force on the  
13 impact of AI on city services and city workers.

14 I do happen to be a professional actor  
15 and a rank and file member of SAG-AFTRA for 20 years,  
16 which, as you may remember, went on a historic strike  
17 two years ago, after which we won groundbreaking AI  
18 protections for our members. So I know it's possible  
19 for our city to develop policies that guide  
20 automation in the workplace in a way that benefits  
21 everyone and not just the few. That means investing  
22 in workforce training and education, updating our  
23 labor laws, and ensuring consent, transparency, and  
24 accountability in the use of AI and automation and  
25 city services.

1  
2 As noted in this Committee's report, the  
3 City has not yet adopted a comprehensive framework  
4 for AI governance. It has only enacted a few targeted  
5 measures, so this task force is very much needed.

6 Despite the potential benefits in certain  
7 areas, automation can have pervasive and harmful  
8 impacts on workers and our broader economy. Job  
9 displacement is real, widening the economic divide.  
10 The financial benefits mostly flow to large  
11 corporations, while everyday workers bear the cost  
12 and small businesses struggle to compete. Without a  
13 path to retraining or reemployment, we risk creating  
14 a permanent underclass of workers left behind by  
15 technological progress.

16 When the City can find millions to  
17 experiment with AI, but not enough to ensure  
18 functioning air conditioning in City workers'  
19 offices, yes, I'm talking about (INAUDIBLE). It seems  
20 like City leaders already think that some workers  
21 have been replaced by algorithms that don't require  
22 dignity on the job. And even models that use a human  
23 in the loop approach can be risky if decision makers  
24 rely too heavily on AI that may be biased or even  
25

1  
2 (TIMER) (INAUDIBLE) even if they are trained online  
3 (INAUDIBLE)... (CROSS-TALK)

4 SERGEANT AT ARMS: Thank you for your  
5 testimony. Time has expired.

6 OLIVIA GONZALEZ KILLINGSWORTH: Thank you.

7 CHAIRPERSON DE LA ROSA: Thank you so  
8 much. We value your testimony, and please submit the  
9 rest of it. We'd love to continue reading it. Thank  
10 you so much.

11 Up next, we have Christopher Leon  
12 Johnson.

13 SERGEANT AT ARMS: You may begin.

14 CHRISTOPHER LEON JOHNSON: (**\*Transcriber**  
15 **Note: Poor Zoom Audio/Connection**) Yeah, hello, my  
16 name is Christopher Leon [Johnson] (LOST AUDIO) at  
17 (INAUDIBLE), the task force, because, just like you  
18 heard earlier by Mr. Medina about the deliveristas  
19 situation, uhm, these guys are slowly getting faded  
20 out. And I think you guys know about the situation  
21 with DoorDash, locking out all (INAUDIBLE). Now you  
22 have Relay (phonetic) doing the same thing, and  
23 congratulations on them for winning that battle with  
24 Relay.

1  
2 Uhm, I am calling in the City Council,  
3 starting with these two council members right here,  
4 uh, Chair Gutiérrez and Chair Carmen De La Rosa, if  
5 you two really care about the deliveristas  
6 (INAUDIBLE) Worker Justice Project, you need to  
7 introduce a bill in this session when it comes to  
8 protecting these deliveristas from getting locked  
9 out. I understand that the City Council just recently  
10 put a bill with Linda Lee--Mrs. Linda Lee and Mr.  
11 Shekar Krishnan (INAUDIBLE) protect the (BACKGROUND  
12 NOISE) Taxi Worker Alliance. At the same time, I care  
13 about the Taxi Worker Alliance, too, but the same  
14 time, ya'll need to really care about the Worker  
15 Justice Project and (INAUDIBLE). And if ya'll really  
16 care, it doesn't matter about the Speaker, 'cause  
17 she's out the door. Adrienne Adams out the door  
18 (INAUDIBLE) as the (INAUDIBLE) City Council Member.  
19 And I understand she got appointed by DoorDash for a  
20 mayor race, but ya'll need to introduce a bill (LOST  
21 AUDIO) (INAUDIBLE) because, uhm, they are... Because  
22 next year (INAUDIBLE) the apps are really gonna fight  
23 back, and really, unless (INAUDIBLE) wins this  
24 mayor's race, the apps are really going to fight back  
25 and lock all these guys and gals out. And it's in

1  
2 their hands. And, like I said, it's up to you two,  
3 because and the Speaker's out the door, you guys have  
4 four years left as members. Do the right thing, and  
5 introduce the bill. I understand it might not go  
6 through, but introduce a bill in this session before  
7 December 31st to say that you care about these  
8 deliveristas, that you care about (INAUDIBLE), and  
9 with William and Gustavo (TIMER) and Alejandro...

10 SERGEANT AT ARMS: Thank you for your  
11 testimony. Your time has expired.

12 CHRISTOPHER LEON JOHNSON: Thank you so  
13 much, and enjoy your day. Please introduce a bill in  
14 support of those deliveristas. Thank you so much.

15 CHAIRPERSON DE LA ROSA: Thank you.

16 Making a call for Alex Stein and Armando  
17 Rodriguez, if you are here and wish to testify,  
18 please approach the dais.

19 (NO RESPONSE)

20 CHAIRPERSON DE LA ROSA: All right, we are  
21 also making a final call for some registrants who  
22 have not yet given testimony. If you are currently on  
23 Zoom and wish to speak, but have not yet had the  
24 opportunity to do so, please use the Zoom Raise Hand  
25 Function, and our staff will unmute you.

3 (PAUSE)

4 CHAIRPERSON DE LA ROSA: Seeing no hands,  
5 I would like to note that everyone can submit written  
6 testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72  
7 hours of this hearing.

8 To conclude, I would like to thank  
9 everyone who is working to make our city's adoption  
10 of AI technology more accessible, transparent, and  
11 equitable to city workers, as well as all committee  
12 staff who helped to prepare for this hearing.

13 In addition, I would like to take a  
14 moment to express our thanks to all of the interested  
15 advocates who attended today's hearing.

16 Thank you all so much for this hearing,  
17 and as a point of personal privilege, our daughters  
18 are here: Chair Gutiérrez's daughter, Hazel, and my  
19 daughter Mia (phonetic). They behaved very well  
20 throughout these proceedings. Today is the last day  
21 of school—so working moms in action.

22 Thank you all for being here. This  
23 hearing has concluded. [GAVEL]  
24  
25

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 no interest in the outcome of this matter.



Date August 23, 2025