

COMMITTEE ON RULES, PRIVILEGES & ELECTIONS

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CITY COUNCIL

CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES & ELECTIONS

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Wednesday, January 18, 2023

Start: 9:28 A. M.

Recess: 11:36 A. M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Hon. Keith Powers, Chairperson

COUNCIL MEMBERS:

Adrienne E. Adams  
Joseph C. Borelli  
Justin L. Brannan  
Gale Brewer  
Selvena Brooks-Powers  
Crystal Hudson  
Rafael Salamanca  
Pierina Ana Sanchez

Other Council Members Attending:  
Restler and Abreu

## COMMITTEE ON RULES, PRIVILEGES &amp; ELECTIONS

## A P P E A R A N C E S

HON. CAROL R. EDMEAD,  
New York State Supreme Court - Judge of The  
Appellate Term in New York County; Acting  
Surrogate Judge in Kings County;  
Candidate for Commissioner for The Board of  
Elections

DEANNA HOSKINS,  
President and CEO of JustLeadershipUSA; Former  
Senior Policy Advisor for United States DOJ in the  
Corrections And Reentry Program;  
Candidate for Appointment By The Council To The  
New York City Board Of Correction

DR. RACHEL BEDARD,  
Director of the Geriatric and Complex Care  
Service and Correctional Health Services;  
Executive Director of Families United for  
Freedom; Research Fellow for the Institute to End  
Mass Incarceration at Harvard Law School;  
Candidate for Appointment By The Council To The  
New York City Board Of Correction

COMMITTEE ON RULES, PRIVILEGES & ELECTIONS  
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2 SERGEANT LEWIS: Sound check, sound check. Sound  
3 check on today's hearing for The Committee on Rules,  
4 Privileges and Elections. Today's date is January  
5 18, 2023; location is the Committee Room; recorded by  
6 Pedro Walter Lewis.

7 SERGEANT AT ARMS: Good morning, good morning, at  
8 this time can host please start the webinar?

9 Good morning, and welcome to the New York City  
10 Council Hearing of The Committee on Rules, Privileges  
11 and Elections. At this time can everyone please  
12 silence your cell phones?

13 If you wish to testify today, please come up to  
14 the Sergeant's desk to fill out a Testimony slip.

15 Written testimony can be emailed to:

16 [Testimony@council.nyc.gov](mailto:Testimony@council.nyc.gov), again that is  
17 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

18 Thank you for your cooperation, Chair, we are  
19 ready to begin.

20 CHAIRPERSON POWERS:

21 [GAVELING IN] [GAVEL SOUND]

22 Good morning, and welcome to the meeting of the  
23 Committee on Rules, Privileges and Elections. I am  
24 city Council Member Keith Powers, chair of this  
25 committee.

2 Before we begin, I would like to introduce the  
3 other members of the committee who are present with  
4 us here today: We are joined by Speaker Adrienne E.  
5 Adams; Minority Leader Joseph Borelli, of Staten  
6 Island, who we wish to feel better with COVID; we are  
7 joined by Council Member Selvena Brooks-Powers;  
8 Council Member Rafael Salamanca; Council Member  
9 Sanchez; and we will be joined by others shortly.

10 I would like to acknowledge the committee staff  
11 who worked on the appointments that we are going to  
12 be hearing today: Jeffrey Campagna, Committee  
13 Counsel; Peter Torre, Associate General Counsel;  
14 Francesca DellaVecchia, Director of Investigations;  
15 and Alycia Vasell, Deputy Director of Investigations.

16 Today we are holding a public hearing on three  
17 nominations submitted for appointment. One for the  
18 Board of Elections, and two appointments by the  
19 Council for The Board of Correction.

20 By a letter dated December 29, 2022, uh, The  
21 chairperson of the New York County Democratic  
22 Committee, submitted to the Council his certification  
23 that Carol Edmead is recommended for appointment by  
24 the Council as Commissioner of the Board of  
25 Elections.

2 We will also consider the candidacies of Deanna  
3 Hoskins and Dr. Rachel Bedard for appointment by the  
4 Council to the Board of Correction.

5 And I want to take a second to congratulate all  
6 of you on your nominations.

7 Before we start, and I explain more about the  
8 entities that we will be discussing today, I want to  
9 hand it over and recognize Speaker Adrienne Adams to  
10 offer opening remarks.

11 SPEAKER ADAMS: Thank you, Chair Powers, and good  
12 morning to everyone, and I would like to acknowledge  
13 my colleagues on the committee and extend my thanks  
14 to the committee staff for their work on today's  
15 hearing, thank you all very much.

16 I would also like to extend my personal welcome  
17 to all of the candidates who are here before us  
18 today, welcome.

19 First, we are joined by Judge Carol Edmead, a  
20 distinguished and experienced jurist and former  
21 presiding justice over the Appellate Term First  
22 Judicial Department, who has been recommended by the  
23 New York City County Democratic Committee for  
24 appointment as a Commissioner of the Board of  
25 Elections.

2 The Board of Elections has a vital role in New  
3 York City government. By law, BOE is responsible for  
4 canvassing and certifying the vote, as well as voter  
5 registration, outreach, and processing, as well as  
6 ensuring that each voter's right to vote at the  
7 polls, or by absentee ballot is protected.

8 Secondly, I would like to also welcome Dr. Rachel  
9 Bedard and Ms. Deanna Hoskins, who are candidates for  
10 appointment by the Council as board members for The  
11 New York City Board Of Correction.

12 The Board of Correction is a uniquely powerful  
13 body within the framework of city government. The  
14 board is a citizen watchdog agency which carries out  
15 independent oversight and passes regulations for New  
16 York City jails. By law, the board has the power and  
17 duty to inspect and visit all institutions and  
18 facilities under the jurisdiction of The Department  
19 of Correction, as well as establish minimum standards  
20 for the care, custody, correction, treatment, and  
21 supervision and discipline of all those held in the  
22 custody of DOC.

23 Ms. Deanna Hoskins has been nominated for board  
24 membership for The Board of Correction and joins us  
25 today having spent decades in leadership in the

2 criminal justice field -- beginning with her work  
3 with House of Hope Incorporated, and then with the  
4 Indiana DOC, all geared toward the improvement of  
5 mental health, but also the quality of life in  
6 correctional facilities. A formerly incarcerated  
7 person herself, Ms. Hoskins was a Senior Policy  
8 Advisor for United States DOJ in their Corrections  
9 And Reentry Program. She continues this work as  
10 current President and CEO of JustLeadershipUSA, which  
11 is dedicated to educating, elevating, and empowering  
12 the people in communities most impacted by systematic  
13 racism, to drive meaningful and lasting policy reform  
14 to reduce mass incarceration.

15 Dr. Rachel Bedard has dedicated her career to the  
16 cause of improving correctional health care. A  
17 physician and internist, Dr. Bedard was most recently  
18 Director of the Geriatrics and Complex Care Service  
19 and Correctional Health Services, a division of the  
20 New York Health + Hospitals which provides health  
21 care in the city's jail system.

22 Dr. Bedard has been devoted to the health and  
23 welfare of incarcerated people, providing clinical  
24 care and health-based legal advocacy to the 200  
25 oldest and sickest patients in the New York City's

2 jail system. She is the Executive Director of  
3 Families United for Freedom and also a research  
4 fellow for the Institute to End Mass Incarceration at  
5 Harvard Law School.

6 Dr. Bedard was named one of Fortune Magazine's  
7 "Heroes of the Pandemic" and a Crain's/Empire Whole  
8 Health Hero in 2020 for her work advocating for mass  
9 decarceration during the first wave of the COVID-19  
10 pandemic.

11 I sincerely thank you all for your commitment to  
12 public service and welcome.

13 Mr. Chair?

14 CHAIRPERSON POWERS: Thank you, Madam Speaker.

15 So, we are now going to turn to the Board of  
16 Elections. The Board of Elections consists of  
17 consists of ten commissioners, two from each of the  
18 City's five counties. Each commissioner serves a  
19 term of four years or until a successor is appointed.  
20 Commissioners shall be registered voters from each of  
21 the major parties in the county for which they are  
22 appointed and registered as a member of the political  
23 party for which they are nominated.

24 The New York County Democratic Committee  
25 submitted a valid Certificate of Party Recommendation

2 to us on January 4, 2023. If the Council as a whole  
3 does not act within 30 days of receiving a valid  
4 Certificate of Party Recommendation, the applicable  
5 political party conference within the Council becomes  
6 empowered to approve a recommendation of its own.  
7 The board and its commissioners are responsible for  
8 the maintenance and administration of voting records  
9 and elections. The board also exercises quasi-  
10 judicial powers by conducting hearings to validate  
11 nominating petitions of candidates for nomination to  
12 elective office. The Board is required to make an  
13 annual report of its affairs and proceedings to the  
14 New York City Council. The commissioners receive a  
15 \$300 per-diem for each day's attendance at meetings  
16 of the board or any of its committees, with a maximum  
17 of \$30,000 per year.

18 Today we are joined by a nominee, Judge Carol  
19 Edmead a resident of Manhattan -- fantastic borough  
20 if I do say so myself -- who has been nominated by  
21 the New York County Democratic Party for the  
22 appointment to the Board of Elections to serve the  
23 remainder of a four-year term which expires on  
24 December 31, 2024.

2 Congratulations to you on your nomination. Or my  
3 condolences, whichever one makes better sense.

4 [LAUGHTER IN CHAMBERS]

5 With that being said, before we move forward, I  
6 just want to ask you to raise your right hand, so we  
7 can administer the affirmation.

8 COMMITTEE COUNSEL: Do you affirm to tell the  
9 truth, the whole truth, and nothing but the truth, in  
10 your testimony before this subcommittee, and to  
11 respond honestly to council member questions?

12 JUDGE EDMEAD: Yes, I do.

13 CHAIRPERSON POWERS: Thank you. We will now  
14 recognize you to give an opening statement, and then  
15 followed by that, we will have some questions from  
16 council members.

17 JUDGE EDMEAD: Thank you very much. Good morning  
18 everyone.

19 Thank you for giving me a few moments of your  
20 time to speak with you concerning my nomination as a  
21 Board Of Elections Commissioner representing New York  
22 County.

23 I am a native New Yorker, born in Flushing,  
24 Queens; raised in Queensbridge Houses in Long Island  
25 City -- which at the time, I don't know if it still

2 is -- was the largest public housing development in  
3 the nation... Good morning, Councilwoman Brewer,  
4 from the Upper West Side... For the past 37 years, I  
5 have been a resident of Park West Village on the  
6 Upper West Side.

7 I have had a pretty circuitous path to this  
8 point. I attended New York City public schools; City  
9 College -- The Jewel on the Hill -- and accepted  
10 into Columbia University Teachers College Doctoral  
11 Program. Upon graduation from City College, I was  
12 hired in the English Department at Medgar Evers  
13 College in Brooklyn, New York. Medgar Evers at that  
14 time was in its nascent stage of development, and I  
15 enjoyed immensely being a part of the early  
16 development of Medgar Evers College.

17 After ten years at Medgar Evers, I decided to  
18 pursue -- I think it was Thoreau (sic)-- the road not  
19 taken, and when I graduated from City College, I took  
20 both the LSATs and the GRE, and I went to Columbia.

21 After ten years at Medgar Evers, I decided to  
22 pursue law -- I needed more challenge quite frankly -  
23 - so I enrolled in Brooklyn Law school. For my three  
24 years at Brooklyn Law School, I taught full-time at  
25

2 night and on the weekends and attended law school  
3 full-time in the day.

4 For the past almost quarter century, I have  
5 served the people of the city in the state of New  
6 York as a jurist, fostering justice in fairness  
7 through law.

8 For more than a decade, I have been the Supreme  
9 Court judge handling the election law cases -- I've  
10 seen many of you, yes -- not only in the New York  
11 County, but oftentimes I have handled election law  
12 cases for the entire City of New York.

13 In 2020, I was appointed Presiding Judge of The  
14 Appellate Term, New York County. The Appellate Term  
15 handles matters from Lower Criminal, [INAUDIBLE], and  
16 Lower Civil Court.

17 For the past year, I have simultaneously served  
18 as Presiding Judge of The Appellate Term in New York  
19 County and Acting Surrogate Judge in Kings County.

20 My goal, if appointed to the Board Of Elections  
21 as a commissioner, is to serve all of the people of  
22 the city of New York, without prejudice or  
23 preference.

24 Thank you.

25 CHAIRPERSON POWERS: Thank you.

2 Before we go in to questions, I also want to  
3 acknowledge that we have been joined by Council  
4 Member Gale Brewer.

5 We are now going to go to Speaker Adrienne Adams  
6 to kick us off with questions.

7 SPEAKER ADAMS: Thank you so much, Chair Powers.

8 And good morning, again.

9 JUDGE EDMEAD: Good morning, again.

10 SPEAKER ADAMS: Judge, uh, what was your  
11 experience with the Board of Elections as a candidate  
12 running for office?

13 JUDGE EDMEAD: Well, as a candidate, that was when  
14 I ran for Civil Court -- decades ago. It was, I  
15 think, I have to look at my resume only, I think it  
16 was 1990... Anyway, well, decades ago when I ran for  
17 City Council... Civil Court Judge. It was fine.  
18 You know? I went out, met everyone, worked around...  
19 showed up, talked at the various clubs, and, uh, was  
20 nominated as their candidate for Civil Court Judge.  
21 It was a very pleasant... Nothing untoward, very  
22 pleasant experience.

23 SPEAKER ADAMS: That's great. I was going to ask  
24 if there were any obstacles, but it doesn't sound  
25

2 like there were any obstacles that you can...

3 (CROSS-TALK)

4 JUDGE EDMEAD: Not at all. None from, of  
5 course... none from, well, not of course, but none  
6 from the Board of Elections, but not on the street on  
7 the ground. Meeting people, talking to people,  
8 encouraging them, giving them information about me.  
9 But, some of the people on The Upper West Side were  
10 familiar, because prior to running for Civil Court  
11 Judge, I was the President of Three Parks Independent  
12 Democrats on The Upper West Side. So, I was already  
13 active in the community, working with people; hearing  
14 what they needed to say. And I was also, I think,  
15 Gale, I don't know if you... Councilwoman Brewer,  
16 sorry, uh...

17 COUNCIL MEMBER BREWER: [INAUDIBLE]

18 JUDGE EDMEAD: I was on Community Board 7. So, I  
19 have been active in service for all the time, until,  
20 as you know, when you become a judge, you become  
21 cloistered, and you have no political activity --  
22 which is to ensure that you don't bring any bias or  
23 prejudice to the job.

24 SPEAKER ADAMS: Right. So fast forward now to  
25 current situations, what obstacles do you see as one

2 utilizing, per se, The Board of Elections? What  
3 obstacles, what changes do you see can be brought?

4 JUDGE EDMEAD: Well, what I have been hearing just  
5 lately, and what sounds very concerning to people in  
6 the community, is that the board look at and consider  
7 universal early voting sites. That is to say that  
8 you should be able to vote in any location, early  
9 voting, if you are a registered voter. And that, as  
10 I have noted in questionnaire that was given to me  
11 from your group, I indicated that that before that  
12 could possibly really be considered seriously, you  
13 have to ensure that there is no... anti-fraud,  
14 because it is all computer, and also anti-protective  
15 of privacy. But, it is something to be considered to  
16 make it easier, facilitate people being able to go  
17 out and vote.

18 The other thing that I have heard is that they  
19 would like the board to look at and consider limiting  
20 the movement of the voting site, so that it doesn't  
21 cause either confusion or disorientation or lack of  
22 familiarity of voters with where to go, "Oh, the site  
23 has been moved," and that kind of thing can be  
24 discouraging.

2 SPEAKER ADAMS: I am going to include also -- and  
3 those are great points -- I am going to include also  
4 from personal experience, that I think that there  
5 needs to be greater inspection with The Board of  
6 Elections when it comes to the specific polling sites  
7 for ,you know, for my druthers in South East Queens,  
8 particularly for those with disabilities, for  
9 seniors. In my polling place, it is extremely  
10 difficult for seniors to maneuver in the space that  
11 they have to vote. And we know that our seniors do  
12 come out.

13 JUDGE EDMEAD: Well, I am one of them, so, yes.

14 SPEAKER ADAMS: Soon to join you.

15 But, we I am just going to put that out there  
16 also [INAUDIBLE]... (CROSS-TALK)

17 JUDGE EDMEAD: I made a note and I agree. I  
18 agree. Facilitating the availability and the...  
19 Really the availability and the flexibility of  
20 polling sites is so endemic to people wanting to  
21 vote. If it is made more convenient, more flexible,  
22 more available, more people might take advantage of  
23 it. I know there is... The numbers are not anything  
24 close to what.. the number of the citizens in The  
25 City if New York and the number of voter turnout, is

2 not... is not parallel by any means. And anything  
3 that could be done to facilitate increasing the  
4 number of voters, making it more available, making it  
5 easier, it should be considered.

6 SPEAKER ADAMS: Along those lines, I'm glad you  
7 brought that up, I had a conversation with someone  
8 yesterday over something along these lines, and  
9 noticing, not just in New York, but across the whole  
10 country, the numbers of voting participation when it  
11 comes to Black voters.

12 Do you have any recommendations for the City of  
13 New York in how to increase those numbers in getting  
14 folks out to vote?

15 JUDGE EDMEAD: A lot of it is ,you know, it... A  
16 lot of it is getting the word out. I would like to  
17 come up with one word for "getting the word out".  
18 But, I am not going to take my time and go through  
19 language, which I love.

20 But, the thing is ,you know, getting the  
21 information out first -- multi-lingual -- multi-  
22 lingual in all of the communities in the ways and  
23 places where they frequent. Not just on public...  
24 But the PS Public Service Statements in multiple  
25 languages but getting the information out in local

2 places -- barber shops, you know, hair salons, nail  
3 salons. Getting the... (CROSS-TALK)

4 SPEAKER ADAMS: I like that recommendation...

5 JUDGE EDMEAD: I like that one! You know, and  
6 social media. Now, through getting the information  
7 out to all people in language and in words that are  
8 easily understood and able to be accepted. And using  
9 local community -- little groups -- to share the  
10 information with their community. You know, people  
11 who go to senior centers. People who go to all kinds  
12 of... not just churches, synagogues, places of faith  
13 and not of faith. Getting the information out in all  
14 languages in understandable language.

15 SPEAKER ADAMS: Do you think that New York should  
16 follow other jurisdictions and have absentee ballots  
17 sent out automatically?

18 JUDGE EDMEAD: The absentee ballots, I don't want  
19 to say yes or no, which would be the right answer to  
20 say first. But absentee ballots need to... Came in,  
21 we know with the pandemic, really was absolutely  
22 helpful and useful. To the degree that everyone gets  
23 an absentee ballot, as long as it is a cost effective  
24 activity, which I don't imagine with the budget and  
25

2 planning it cannot be done. But getting it out to  
3 all voters, why not?

4 SPEAKER ADAMS: Okay.

5 I am going to ask one more, because I know  
6 colleagues have questions as well.

7 Given your background as the judge handling  
8 election law matters, what are some examples of cases  
9 that have come before you in this area?

10 JUDGE EDMEAD: Well, I guess the most notable one  
11 of recent time was, yes, I was the judge who handled  
12 the rank-choice voting case. In that role, as in all  
13 cases, I followed the law, applied the law, and made  
14 a decision. And that is what anyone should expect  
15 from a judge. Follow the law; apply the law -- hear  
16 all of the arguments, which, oh, my gosh, the oral  
17 arguments went on and on and on, which was wonderful,  
18 I loved that thoroughly. Hearing from the lawyers,  
19 and hearing them challenging each other, and going  
20 through all of what the arguments are, and  
21 considering all of what was submitted, and then  
22 making a decision. And understanding that that is my  
23 decision on the law -- subject to a review by the  
24 Appellate Division, and of course The Court of  
25 Appeals.

2 SPEAKER ADAMS: All right, I am going to continue  
3 along those lines then, because you just opened up  
4 something for me. Do you believe any changes would  
5 improve rank-choice voting?

6 JUDGE EDMEAD: Whether there should be change...  
7 I hate that I am not answering yes or no, I know that  
8 is the way I would like to answer. But yes or no is  
9 not always the thing that is giving the right answer  
10 -- or the best answer.

11 Whether rank-choice voting needs to be amended,  
12 mended, pended, adjusted, altered, has to be  
13 something that is first fully researched, analyzed,  
14 considered, maybe a town hall meetings. Get input,  
15 find out what is working and what is not working --  
16 who likes it, why do they like it? -- who hates it,  
17 why do they hate it? -- before any changes are made.  
18 Because the last thing you want to do is make a  
19 change on high, and then pass it down and expect  
20 people to apply it whether or not they have had...  
21 they like it or not, and where they have had no  
22 input. When people don't have input, and decisions  
23 are foisted on them, that is when you have problems.  
24 And whether rank-choice voting needs to be tweaked,  
25 needs to be adjusted, or is not the right thing at

2 all, needs to be fully considered, researched, with  
3 input from people, town hall meetings, real, real  
4 information sharing, before any action is taken.

5 SPEAKER ADAMS: As the judge on that case, do you  
6 believe that all New York City voters have equal  
7 access to vote under rank-choice voting?

8 JUDGE EDMEAD: Do I believe all people have  
9 access? I don't think I know the answer. I believe  
10 rank-choice voting was implemented, put in place, but  
11 nothing has been done that I am aware of that has yet  
12 analyzed and reached a substantive determination on  
13 whether it has been effective. That needs to be done  
14 first. To me, I mean, it needs to be looked at in an  
15 objective analytical, substantive way first to see,  
16 quite honestly.

17 SPEAKER ADAMS: Given the fact that many New  
18 Yorkers chose not to use rank-choice voting at all,  
19 would you change your decision or your opinion on  
20 rank-choice voting at all?

21 JUDGE EDMEAD: Well, you see, I would have to know  
22 that that was more than anecdotal. That... Which is  
23 to say, and analysis of the ballots. I know right  
24 after the election, some news carriers had the  
25 information which said, ,you know, "many people just

2 went down and voted; one person didn't go across or  
3 didn't rank." To me that requires more than  
4 anecdotal. I need to... I believe it should have  
5 real analysis to determine how much so. And that's  
6 not hard to do. The ballots, I hope, are still  
7 sitting somewhere where they can be analyzed and  
8 determined how people really, not just a... Not just  
9 a sample, but really analysis. Did people use it or  
10 not use it? And then we could go from there.

11 Because that is the way it would be hoped that the  
12 decisions would be made.

13 SPEAKER ADAMS: And I will just conclude with my  
14 line of questioning as one of many who questioned the  
15 implementation of rank-choice voting. My belief is  
16 still that education was not appropriate to those  
17 that rank-choice voting was meant to serve. Thank  
18 you for your testimony... (CROSS-TALK)

19 JUDGE EDMEAD: Well, I do remember you were the  
20 petitioner.

21 SPEAKER ADAMS: That's right.

22 JUDGE EDMEAD: And I just think, let's take a real  
23 substantive, analytical look at it and get ,you know,  
24 real data that is backed up and then have answers.  
25 And until... Like, I think that was, what, in 2020?

2 SPEAKER ADAMS: [INAUDIBLE]

3 JUDGE EDMEAD: What have we done in the last two  
4 years to analyze the effectiveness and  
5 appropriateness of rank-choice voting? And we should  
6 not wait until the next citywide mayoral or...

7 (CROSS-TALK)

8 SPEAKER ADAMS: Totally agreed with you, Judge,  
9 totally agree with you. I think... My opinion is  
10 that the data was in the voting itself. So, we have  
11 got our facts when it comes to the voting and the  
12 outcome of the voting. People of the City of New  
13 York spoke and chose not to use it in way too many  
14 cases for my druthers. But that is just my opinion.  
15 Thank you so much.

16 JUDGE EDMEAD: Thank you.

17 CHAIRPERSON POWERS: Thank you.

18 We have also been joined by Council Member  
19 Crystal Hudson as well.

20 Thank you for those answers so far. I am just  
21 going to ask a few then I will turn it over to  
22 members.

23 We have seen even this year races nationwide that  
24 even in the city of New York and all around the City,  
25 races that were determined and then decided by just a

2 couple of votes, just a handful of votes. Meaning  
3 that if we disenfranchise even just a handful of  
4 people from voting -- through long lines, through a  
5 bad experience, through voting at the wrong polling  
6 place, through their ballot not counting, all the  
7 different ways that somebody's vote might not be  
8 counted -- but not only vote not counting, but they  
9 are unhappy or have a bad experience and end up not  
10 voting, or see a line that's too long or early voting  
11 doesn't work, uhm, it is so essential and important  
12 that that experience, the most critical thing we do  
13 as Americans, as New Yorkers, is preserved and  
14 protected in a way. And I think that kind of  
15 nationwide, but here in the City too, a lot of New  
16 Yorkers have run into experiences where that has not  
17 been a pleasant experience. And we seemed to get it  
18 wrong. We all complained about it, and we come back,  
19 and we forget about it and we ,you know, maybe pass  
20 some laws and we get back to everything else in our  
21 lives, and then we do that again.

22 So, knowing there's presidential elections coming  
23 up, we're going to kind of go through this again, it  
24 is really essential that we take steps now with that  
25 start to looking ahead to what that experience will

2 be like for folks. We have an election this year for  
3 City Council races and some of... and judicial  
4 races and things like that, but those are not going  
5 to compare in terms of turnout. I hope they do, but  
6 they're not going to. And, so, with those elections  
7 coming up, I think we have such a big opportunity,  
8 but a demand, to modernize our elections, to make it  
9 easier to vote, to not disenfranchise people even in  
10 a quiet way.

11 How do you see your role on The Board Of  
12 Elections? And what steps do you think the board can  
13 be taking, to not just advance for election we have,  
14 including the big ones, but to make it easier and  
15 make it more accessible, and to modernize our  
16 elections for New Yorkers, who I think are quietly  
17 demanding that, and will be loudly demanding it when  
18 things go wrong again?

19 JUDGE EDMEAD: Quite honestly, I think that should  
20 be a principle mandate. And I said, as I have said  
21 with respect to rank-choice, it should not be that it  
22 is, "Wait until the month before the election," the  
23 mandate needs to address those issues that the voters  
24 face on the ground, showing up, on any election day.  
25 That is, of course, I remember my... As I stood on

2 line for hours, in the rain, to vote, the line, uh,  
3 Councilwoman Brewer will remember, the lines snaked  
4 around five blocks, six blocks, seven blocks,  
5 eight... That is a mandate to figure out how to  
6 address the long lines. Now, the question is -- that  
7 should be a principle mandate, number one -- how do  
8 you address that mandate with respect to the issues  
9 that result from that circumstance? Is it more  
10 people at the polling sites? Is it to encourage and  
11 facilitate more early voting? Is it, as you say,  
12 more people at the sight, not only pollsters but  
13 inspectors, people working on the sight to make it  
14 move better? But, also, if we really now look at  
15 universal early voting or something that fits into  
16 that, we can avoid the five block long lines in the  
17 rain, uh, to vote if we can figure out how to get  
18 people to have more accessibility, and flexibility,  
19 and early voting throughout the City. And one of  
20 those aspects is of course to look at, not yet...  
21 later, but now, universal early voting sites. But  
22 that requires work -- work. But, also, then it's the  
23 budget question, which is again, can be addressed,  
24 enough money in the budget to... if you need more  
25 pollsters, have more pollsters. If you need to have

2 more people at the site, get the budget done that  
3 covers what people need. You know, to say, well, "We  
4 don't have enough people." "Oh, my gosh!, broken  
5 machines!" Maybe we need to have more machines, or  
6 have on sites, or on easy access, like, not far away,  
7 like, calling Uber, or Lyft, or whomever you might  
8 call, available to come in and address the problem of  
9 a machine. That's budget. That's money. That's  
10 people.

11 But also on the other side, as I said, is looking  
12 at the universal early voting polling sites.

13 CHAIRPERSON POWERS: And, just to clarify,  
14 universal early voting, meaning an individual in a  
15 county or even citywide, could walk into any specific  
16 site and vote regardless of where they live? Is  
17 that... I'm just clarifying what you mean by  
18 universal early voting.

19 JUDGE EDMEAD: Say that again, I'm sorry...  
20 (CROSS-TALK)

21 CHAIRPERSON POWERS: Could you clarify what you  
22 mean by universal early voting? (CROSS-TALK)

23 JUDGE EDMEAD: That I don't have to go to the one  
24 site that is in my district to early vote. I can  
25 go... You can... And that can be exponentially

2 broadened to the degree it can be implemented. That  
3 is to say, instead of my one site at, uh, PS 96 or  
4 ,you know, that I can go to any... exponentially,  
5 any location in my district, but also then look at  
6 the broader possibility of any location in your  
7 county. You know, but this is looking at it and then  
8 opening it up as a possibility. That is what I mean  
9 by universal. Not to... And, again, this requires--  
10 my view -- that it is really developed and put  
11 forward and analyzed and put before the people before  
12 the it is implemented. And, again, and I mean this  
13 is the way you have to... with anything,  
14 technologically, you have to make sure you protect  
15 privacy rights and anti-fraud. That is what I mean  
16 and view as universal.

17 But I think it needs to be not wedded to a one-  
18 answer, at this point, today, but looked at and  
19 explored and developed.

20 CHAIRPERSON POWERS: Well, I think from a voter  
21 experience, I think they would appreciate deeply  
22 having a place... I know candidates won't like it.  
23 But I know voters will like it from a standpoint of  
24 knowing that they have more opportunities, even  
25 throughout their day, to go somewhere and be able to

2 vote without having to pick and know where they're  
3 going, I think that would universalize voting in a  
4 kind of interesting way.

5 Uhm, and on the topic of polling places, one of  
6 the issues that I have run into in my district is  
7 just a lack of availability for space to be polling  
8 places. I represent Upper East Side of Manhattan,  
9 down Stuyvesant Town, and we have a tremendous  
10 difficulty finding places that... Schools do not  
11 want to do it because of the early voting -- the  
12 implications of early voting, meaning they have to  
13 give space away for a week or more for that. We  
14 have, uh, we have been able to now recruit cultural  
15 institutions like The Metropolitan Museum of Art to  
16 serve as a polling place, which is great. Uh, and we  
17 have been able to reconfigure some to be able, in an  
18 emergency basis, serve as one. But, places are not  
19 eager to be polling places, and I find our... The  
20 New York Public Library, I say this to them all of  
21 the time, they don't serve as polling places, and  
22 they do in other boroughs, by the way, but they don't  
23 in Manhattan.

24 We have had a very difficult path trying to find  
25 good early voting places and, of course, just always

2 polling places. And, in my experience with the  
3 board, when we sat down we have had... we have been  
4 able to find, working with, in my management in  
5 Stuyvesant Town, we have asked them, and they have  
6 stepped up to serve small business, there is just a  
7 need I think to both look at where polling places  
8 are, make sure they are ADA accessible, make sure  
9 they subserve all of the needs of folks that want to  
10 come vote. But it has been quite difficult.

11 One of the things; however, I think is that... I  
12 think there is not actually enough utilization of the  
13 elected officials to help with that process. I have  
14 done it, but... not to ask us, because we know these  
15 cultural institutions, we know these places and stuff  
16 like that.

17 So, one thing I'd just ask for, especially  
18 being... coming from New York County, is a  
19 commitment just to work with us more. I don't want  
20 favoritism at all about where polling places go, so  
21 don't take that to mean that, what I want is more  
22 early polling places where we can get them and to  
23 open up voting to places so. So, where it makes  
24 sense, and where it feels fair, an opportunity to  
25 better utilize those in the community, or even

2 elected officials, to help find more polling places.  
3 Because those... The point being, to reduce the long  
4 lines... (CROSS-TALK)

5 JUDGE EDMEAD: Congestion.

6 CHAIRPERSON POWERS: So... Yes. I hope ,you  
7 know, you will be open minded about figuring out  
8 ways, outside of the board's recourses, to look for  
9 ways to open up more polling places.

10 JUDGE EDMEAD: What I would like to say -- if I  
11 make it through this process --I would really  
12 appreciate hearing from people... earing from  
13 people, and saying, this is what I need, this is what  
14 we need in the community , can you get this before  
15 the commission, and to help us develop this and  
16 implement it? I believe you have to listen and hear,  
17 first and foremost, when you represent people.

18 So, put it before me. Let me hear it. And not  
19 on the eve or when it's a problem, "I'm at the voting  
20 place, and this is the problem," no, like now, while  
21 you have the time in the comfort of the dark, winter  
22 days and nights. You know, put the ideas before us.

23 But, also, think outside of the box. We were  
24 able to think so well outside of the box when it came  
25 to finding locations for COVID centers. The City,

2 the nation, we thought outside of the box of, "How  
3 can we get people to get COVID vaccines, and not get  
4 COVID, without having to go to a hospital?" Thought  
5 outside of the box. Let's think outside of the box  
6 of other places like we did with identifying and  
7 developing the COVID vaccine network. You know, we  
8 have the possibilities, like right now, the  
9 possibilities are all out there where people can go  
10 and get a booster. Just if we could think outside of  
11 the box one way, we should be able to try to think  
12 outside of the box in this way as well. Because  
13 nothing is more important, well, nothing is more  
14 important -- high on the importance list -- is making  
15 it flexible and easy for people to vote. For people  
16 like me and my family and our generation of going  
17 back, voting... We still recognize voting as a  
18 privilege, and a gift, and an obligation, because  
19 lots of people died and fought and went through all  
20 sorts of things to get the voting rights.

21 And, so, we have to make voting accessible for  
22 people who want to vote and make those who have been  
23 turned off by it not see it as a day off, but a day  
24 of duty ,you know, a day to do something that people  
25 died for. And you would still have to fight for it

2 depending where you are, you ready the paper any day,  
3 it is still ,you know, the resurrection of cutting  
4 and chopping at voting rights.

5 CHAIRPERSON POWERS: So, I believe we are still  
6 fighting for that, uh, for that right in a lot of  
7 places.

8 But, also I think it is essential that we make it  
9 an easy and pleasant experience when people do it as  
10 well, so that they feel that that privilege and that  
11 opportunity is really accessible and available to  
12 them.

13 I am going to go to council member questions now.

14 I also want to recognize that we have been joined  
15 by Council Member Shaun Abreu who is here now as  
16 well.

17 And we are now going to go to Council Member  
18 Brewer, followed by Council Member Brooks - Powers.

19 COUNCIL MEMBER BREWER: Thank you very much.

20 Judge, I just want to ask, I think that at the  
21 polling sites there is a great improvement on those  
22 who are at the polling sites in terms of training.

23 But, I just was wondering, uh, we could always  
24 improve, but I didn't know if there was some aspect  
25 of the courts where there was training that could in

2 fact be used for those who are there early -- five  
3 o'clock in the morning, is early and it is a long  
4 day. But, I didn't know if there was something else  
5 that you... A way in which training could take place  
6 that would in fact improve the experience at the site  
7 day of or during the nine days in advance?

8 JUDGE EDMEAD: Well, training to me is... should  
9 not just be limited to the pollsters. I think  
10 training needs to be universal in The Board of  
11 Elections with respect to, uh, what we should be  
12 doing, how we should be doing it, how we can do it  
13 better.

14 Training is essential. And training needs to be  
15 made easily accessible so that it's... You know,  
16 everybody isn't going to be able to take out their  
17 smart phone and deal with... And log in on a Zoom,  
18 two way, uh, training session. You have to think in  
19 terms of, there might be... There are lots of people  
20 who may need in-person site locations for training.  
21 But, in addition to site locations and flexibility  
22 with respect to providing training, training should  
23 include not only... it should include people with  
24 knowledge about how to better do the job at The Board  
25 of Elections, with the people who work with The Board

2 of Elections, for the benefit of the public. And  
3 that may include bringing in public officials to talk  
4 about thing, explain things, bring up issues. Not  
5 just... Hiring, paying money for consultants to come  
6 in and explain and teach. Like, the issue of  
7 universal polling sites, this is not in place in New  
8 York, but it is not new in the country. And it could  
9 be explained and taught, and get feedback and see  
10 about the flexibility working... Training, training.

11 COUNCIL MEMBER BREWER: Okay.

12 I just want to pick up on what the chair said,  
13 because in Manhattan we have these senior centers  
14 that are not ADA applicable to The Board of  
15 Elections. They are older, and so the ADA confirms  
16 to the Feds when the building was built.

17 So, we have so many senior centers, uh, and  
18 buildings where seniors have wheelchairs, they go in  
19 and out. We are doing this at Goddard Riverside.

20 So, what I am trying to say is, we need a  
21 wholesale look. Because, people will vote if it is  
22 right there in their community. But, for the seniors  
23 to have to walk five of six blocks, that is a real  
24 challenge.

2 So, I would love to see an ADA review to see how  
3 we could make some of these centers accessible that  
4 are not under BOE ADA.

5 And the second thing is, there has been some  
6 discussion, because you are absolutely right, we need  
7 more locations. When a building gets... Buildings  
8 used to get 421-a, I don't know what is happening in  
9 Albany, but when buildings get a tax abatement from  
10 the City, there seems to me that they should be able  
11 to have voting, either for the pre-voting or the day  
12 of. But, they are refusing. So, I don't... (CROSS-  
13 TALK)

14 JUDGE EDMEAD: When you say, "they" are?

15 COUNCIL MEMBER BREWER: The building management.

16 JUDGE EDMEAD: Mm-hmm.

17 COUNCIL MEMBER BREWER: So, it's... Again, would  
18 provide some kind of local amenity in terms of space.  
19 We are desperate in Manhattan -- I cannot speak for  
20 the other boroughs -- for space, as you heard  
21 earlier.

22 And we have to, like you said, think outside of  
23 the box. So, getting the tax abatement means you  
24 need to participate in your civic duty of having  
25

2 people participate in their civic duty in your  
3 building.... (CROSS-TALK)

4 JUDGE EDMEAD: I absolutely agree... (CROSS-TALK)

5 COUNCIL MEMBER BREWER: In your lobby or whatever.  
6 And right now, it's not happening.

7 So, those are my questions, thank you very much.

8 JUDGE EDMEAD: And that needs to be looked at, and  
9 that is a great idea. But, you know, that is tied to  
10 implementation beyond The Board of Elections, which  
11 is to say, if you get a tax... If you are getting a  
12 tax break from the City, where you don't even have to  
13 try to go to the state, or the feds necessarily, but  
14 if you are getting a tax break from the City, tie in  
15 that you make sure your building or your location is  
16 ADA accessible and that you commit to permitting, in  
17 a community room of your building, voting.

18 But that is link, and it is beyond just one  
19 group. It is beyond one organization. Meaning it is  
20 beyond The Board of Elections. It almost is back to  
21 you.

22 CHAIRPERSON POWERS: Thank you, we will not go to  
23 Council Member Brooks - Powers, followed by Council  
24 Member Abreu.

25 COUNCIL MEMBER BROOKS-POWERS: Good morning.

2 JUDGE EDMEAD: Good morning.

3 COUNCIL MEMBER BROOKS-POWERS: I won't belabor the  
4 rank-choice voting conversation. The Speaker took a  
5 good amount of my questions.

6 But, I did want to go a little bit further on  
7 rank-choice voting... (CROSS-TALK)

8 JUDGE EDMEAD: I'm sorry, I couldn't hear the  
9 beginning... (CROSS-TALK)

10 COUNCIL MEMBER BROOKS-POWERS: I did want to go a  
11 little bit further in rank-choice voting, just taking  
12 in to consideration the role The Board of Elections'  
13 members.

14 And, as you shared before, you feel like as a  
15 judge ,you know, that role requires you to uphold the  
16 law, which I agree to, but also believe that there  
17 judge should have an ability to have a level of  
18 discretion...

19 JUDGE EDMEAD: You're saying the judges have a  
20 level of discretion? Go ahead...

21 COUNCIL MEMBER BROOKS-POWERS: Yes.

22 And, so, in this role, I am interested in  
23 understanding how you would approach it. Because,  
24 some of the feedback that I have received and really  
25 saw firsthand, was a lack of early education on rank-

2 choice voting. When I ran in a special, I was  
3 actually the first to win under the rank-choice  
4 voting system. But, a lot of it depended on sending  
5 out, like, the candidates, we sent out our mail to  
6 explain what rank-choice voting was. And at that  
7 point, it was not prioritized. There was literally  
8 nothing sent out from The Board of Elections. So, I  
9 thought it was really an injustice to not put on a  
10 pause on it until it was properly implemented.  
11 Because we had an entire election cycle without  
12 education on it. And then... (CROSS-TALK)

13 JUDGE EDMEAD: When you say an entire election  
14 cycle, are you talking about the... (CROSS-TALK)

15 COUNCIL MEMBER BROOKS-POWERS: I am talking about  
16 the special election. There were several special  
17 elections that led into the citywide election.

18 JUDGE EDMEAD: That's right. That's right.

19 COUNCIL MEMBER BROOKS-POWERS: And, so the special  
20 elections, because I know I reached out to Board of  
21 Elections at the time as well in terms of what  
22 information is going to be able to be available. A  
23 lot of it rested on CBOs doing the work or the  
24 candidates having enough money to do mailers to  
25

2 communicate that to voters. And I thought that was a  
3 misstep by The Board of Elections.

4 And, so, I am interested, in that role, what you  
5 would bring to table and how in that role you would  
6 view that implementation process. Because this is  
7 going to be the next big wave... We have one this  
8 year because all of the council members up for  
9 reelection. I really have not heard anything about  
10 rank-choice voting, quite honestly right now.

11 But even when the citywide races come, what  
12 would you be doing in this capacity to make sure that  
13 we don't see that going forward?

14 JUDGE EDMEAD: I am glad you separated as the  
15 judge and then as... Thank you very much.

16 Let me just go back to... As a judge you have  
17 discretion, but you don't have discretion with  
18 respect to if the... When rank-choice voting was  
19 deemed the law, the courts role then was... is to  
20 either... Is the law... Can they implement? Is it  
21 valid? That's analysis. That's law. That's law,  
22 that's judge. That's not discretion. That was not  
23 discretion. And I believe my decision was pretty  
24 long.

25 Do you remember, Speaker Adams? I mean, I... Ct

2 COUNCIL MEMBER BROOKS-POWERS: [INAUDIBLE] too...

3 (CROSS-TALK)

4 [LAUGHTER IN CHAMBERS]

5 JUDGE EDMEAD: I knew her name was the first name.

6 But, I mean, it was.. I am going to look, because if  
7 it is not right, I am going to say, it is not  
8 supported and it is not right.

9 I mean, I had... My little team and I worked  
10 every day, weekends, if you notice, I text first  
11 thing in the morning, 5:00 A. M., I going to send out  
12 a text if I need to and say, "I think we should look  
13 at this and develop this. Give me the cases on that.  
14 Let's look at this." "There is no law." "We have got  
15 to get this done. Work on. Get the answer as best as  
16 you can," right? And, then, understand, I may be  
17 wrong. And that is why it has got more courts above  
18 me to say, "You're wrong," and you deal with that.

19 That was with respect... And, I had to see,  
20 because when I remember it was December before the  
21 mayoral election, that I started getting the rank-  
22 choice voting cases. And it was as question of, what  
23 is the board doing with respect to these special  
24 elections that are coming up.

2 And, they, oh, the paper... The paper of what  
3 came in... But, was it enough to stop the election?  
4 My view, in the decision, that earlier decision, not  
5 the big one, was that it wasn't enough to stop. And  
6 I was... understood, if it is wrong, it will be  
7 reversed, and that's fine.

8 COUNCIL MEMBER BROOKS-POWERS: Mm-hmm

9 JUDGE EDMEAD: What to do now, not as the judge,  
10 retired judge. Okay? Retired judge. Make sure it's  
11 addressed early. Early! And I am saying as soon as I  
12 can, as you can see, I have been taking a lot of  
13 notes, and I... Well, yeah. And, uh, that should be  
14 one... That and making it, as I said earlier with  
15 respect to Councilman Powers, making sure the  
16 experience on the ground improves that, but make sure  
17 rank-choice voting gets a thorough analysis, review -  
18 - input from every avenue -- to determine what needs  
19 to be done and how it could be done and made better.

20 Whether The Board of Elections got things out as  
21 fast as they could have... (CROSS-TALK)

22 COUNCIL MEMBER BROOKS-POWERS: They didn't...

23 JUDGE EDMEAD: Or should have, I am not going to  
24 respond. You know I wrote that decision. I am not  
25 going to respond -- what I personally think. But,

2 can it be done more effectively, more efficiently,  
3 and early, and in every kind of language, in language  
4 that everybody can understand? There's no reason it  
5 cannot be. No reason it cannot be.

6 COUNCIL MEMBER BROOKS-POWERS: Mm-hmm

7 JUDGE EDMEAD: And it should be. And it should be  
8 a mandate. An early mandate. I agree, it should be  
9 a mandate.

10 COUNCIL MEMBER BROOKS-POWERS: I appreciate your  
11 response. So, I just hope that my question on that  
12 issue could be the exclamation point to The Speaker,  
13 just to sort of set the tone on rank-choice voting.

14 On the questionnaire, you talked about three  
15 changes you believe are needed within the BOE: More  
16 transparency, merit based hiring, and more training.

17 I would love to walk through each of these in  
18 detail in terms of, what do you mean by more  
19 transparency, and what ways...

20 JUDGE EDMEAD: Go ahead, I'm sorry...

21 COUNCIL MEMBER BROOKS-POWERS: Oh...

22 In what ways is the BOE failing to be  
23 transparent, and how can they improve?

24

25

2 You mentioned merit based hiring, how can the BOE  
3 improve its hiring process to be more meritorious?  
4 What should it prioritize in the process?

5 And, lastly, you talk about more training, how  
6 can the BOE better train and prepare the staff for  
7 each election? (CROSS-TALK)

8 JUDGE EDMEAD: Well, I think I addressed at least  
9 about... I'll come back to the training, I would  
10 just reiterate.

11 But, transparency, to me transparency has got  
12 multi-layers... Did I just say transparency is  
13 multi-layered? Well, that's contradictory...

14 What I mean is, sessions that are sessions  
15 should... more focus on being open sessions. Open,  
16 available, online, on your phone, open sessions. Not  
17 closed in Executive Session and closed to the public.  
18 That to me is a formula for the belief that something  
19 is being said and done that you don't want to see the  
20 light of day. More openness that is transparent.  
21 Publication of -- and I believe this is done -- but  
22 uploading minutes things like that. That is  
23 transparency to me.

24 As I put in the summary of the answers to the  
25 questions, I think there is room for both the

2 recommendation and promotion -- not promotion meaning  
3 moving through, but recommendation through the  
4 political network and meritorious, meaning  
5 qualifications. There is room for both. Everything  
6 can be weighted -- weighted, w e i g h, weighted, not  
7 w a i t -- weighted and be part of the process.

8 I understand there have been complaints... No,  
9 there have been statements, or I have read that  
10 people have felt that the people who are working at  
11 The Board of Elections are not qualified, they're  
12 just ,you know, patronage. Look at it. I think it  
13 can be looked at and addressed. And the suggestion  
14 of adding a weighted factor of, "What are your  
15 qualifications and backgrounds?" why not?

16 And the last was training. I think I answered  
17 training earlier. And I would just reiterate that  
18 training should only just be for people who do the  
19 polls, but people who are working at The Board of  
20 Elections. People who are working in The Board of  
21 Elections. Everybody needs.. Training never hurts.  
22 As a judge, we do training... We have to do ,you  
23 know, it is ridiculously low, but we have to have at  
24 least 12 hours of training every year -- retraining--  
25 every year. Twelve hours. And we have to be able to

2 show what courses we took, what we attended. And  
3 that includes ethics. Ethics is never a bad thing to  
4 have to do regularly, by the way. So, training on a  
5 regular basis. That kind of training, and renewed,  
6 continuing training for everybody across the board,  
7 from bottom up, from top down.

8 COUNCIL MEMBER BROOKS-POWERS: My very last  
9 question for you.

10 JUDGE EDMEAD: Okay.

11 COUNCIL MEMBER BROOKS-POWERS: You said in your  
12 questionnaire that one remedy for long lines at  
13 polling places is technological efficiency. How can  
14 the BOE improve its technology to be more efficient?  
15 Are there any other cities that you can point to as  
16 models to follow for improvements in this regard?

17 JUDGE EDMEAD: I wish I could just tell you from  
18 the top of my head where universal polling places  
19 have been implemented, but I cannot. It is not new.  
20 And it is in place in places around the country.

21 Is it in places in the cities as large as New  
22 York City? I don't think so. But, can it be looked  
23 at? Yes. And that would help alleviate greatly the  
24 lines.

2 As I explained earlier, having... putting more  
3 money into people at polling places, inspectors,  
4 those things. And some of it is money; some of it is  
5 training. And also, as I mentioned, which ,you know,  
6 I compared to having Uber and Lyft and whatever else  
7 you would jump in to, uh, available to have the tech  
8 people when there is a breakdown and a problem, have  
9 them readily available to be able to drive in, come  
10 in and address whatever the issue with respect the  
11 breakdowns.

12 The days of breakdowns I find, I vote in every  
13 election, have been fewer, but I understand that may  
14 just be for me on the Upper West Side in Manhattan.  
15 I don't know what the circumstance is with breakdowns  
16 or problems with voting machines or the... you know,  
17 because now we do the computer and then the scanner,  
18 but what is the problem? Whatever that is, we need  
19 to look at how to better address that. Thank you.

20 CHAIRPERSON POWERS: Thank you, and we will now go  
21 to Council Member Abreu, followed by Council Members  
22 Sanchez, and Hudson.

23 COUNCIL MEMBER ABREU: Thank you, Chair Powers,  
24 and Madam Speaker.

2 Well, I am just glad that... and very excited  
3 that Judge Edmead is from District 7, from the Upper  
4 West Side, and you bring you bring a tremendous, uh,  
5 a great depth of background.

6 I had a question for you along the same lines as  
7 Council Member Brewer, which is: Proximity to voting  
8 sites is important, uh, as well as well polling sites  
9 are set, that they are not changed, let's say the  
10 night before an election or even two weeks before an  
11 election without proper notice....

12 JUDGE EDMEAD: Yes...

13 COUNCIL MEMBER ABREU: So, if you can speak to  
14 that, that would be great.

15 JUDGE EDMEAD: Yes, that has been a concern that I  
16 have heard in the last month or so. I believe, by  
17 the way, just as an aside, this was one of the last  
18 cases I did as election [INAUDIBLE]. Right? I  
19 think, Councilman Abreu, yeah, before I was  
20 reassigned to cover Brooklynn Surrogate's Court.

21 Anyway, yes, as I said, earlier, yes the, uh, not  
22 moving locations without input from community is big,  
23 because... And especially for seniors. If you go to  
24 where you have always gone, and it's not there  
25 anymore, and they say, "Oh, no, now you have to go

2 five blocks the other way," that is enough of a  
3 discouragement, if they have to walk past home to get  
4 to the next place, they're going home. So, location,  
5 not changing the locations without community input is  
6 very important. And looking outside of the box,  
7 other places where we can facilitate and use voting  
8 spaces.

9 COUNCIL MEMBER ABREU: And the question about  
10 advance notice before sites are changed?

11 JUDGE EDMEAD: Of course! And not advance notice,  
12 just... Because everybody is not holding ,you know,  
13 the Apple 14, is that what it is now? Whatever the  
14 last one is. Everyone doesn't have one of those.  
15 And everyone... We learned through the pandemic,  
16 everyone doesn't have access to a computer. We  
17 learned that children couldn't ,you know, do remote  
18 learning because they have computers. So, you have  
19 to think in terms of making sure people know on the  
20 local level, at the ground level, about location  
21 spots. As I mentioned earlier, at the barber shop,  
22 the hair salon, the nail salon, the places where  
23 people go on a regular basis, that they have the  
24 information put up in there. And that takes a little  
25

2 bit of coordination with local groups, which is not  
3 that hard to do I think.

4 CHAIRPERSON POWERS: Thank you, if any council  
5 members would like to sign up, who are on remote, you  
6 can just raise your hand, and we'll add you to the  
7 list.

8 We will now go to Council Member Sanchez, on  
9 remote, who will then be followed by with Council  
10 Member Hudson.

11 COUNCIL MEMBER SANCHEZ: Hello, thank you, thank  
12 you so much, Chair Powers and good morning  
13 colleagues.

14 Congratulations on your nomination, Judge.

15 So, my question also continues in the vein of  
16 Council Member Brooks-Powers' questions.

17 So, on your questionnaire you said that party  
18 recommendations should be weighted, factored, then  
19 considered, but experience in training should also be  
20 weighted factors.

21 So, could you talk about how the... What changes  
22 you would make to hiring Election Inspector and Poll  
23 Clerk positions, uh, one? And, two, regarding  
24 language access, I represent the Northwest Bronx,  
25 District 14, the Kingsbridge, University Heights, uh,

2 Burnside neighborhoods, we are... I don't think it  
3 would be an overstatement to say that 50 percent of  
4 our voters are monolinguals and Spanish speakers.  
5 And, yet ,you know, in my experience last year and  
6 prior years, volunteers, the neighbors are the ones  
7 that end up doing translation services or  
8 interpretation services for folks that are going into  
9 poll sites. Because there either aren't enough  
10 people who speak Spanish at the poll sites or ,you  
11 know, they are not available when the need arises.

12 So, the first question on Election Inspectors and  
13 Poll Clerks, and then the second question about how  
14 you would improve language access at poll sites?

15 JUDGE EDMEAD: With respect to non-English  
16 speaking as a primary language, voters, uh, one of  
17 the things I suggested, and we do this in the courts,  
18 and I don't see... And, it could be in, should be, at  
19 every polling site, where you can do the dial-in  
20 interpreter services. It's a cost. But it is a cost  
21 that is worth making. In other words, if someone  
22 walks up and says, uh, ,you know, "Not English."  
23 "What's your language?", "Mandarin," you can dial  
24 up, and that person is then on speaker, and they can  
25 translate, right there at the site, on the phone --

2 on a speaker phone -- for that Mandarin speaker. So  
3 that person can, whatever the question is, whatever  
4 they need to understand, is right there on the  
5 speaker phone, with the person standing there, the  
6 poll worker here and the phone right there. That is  
7 very effective, and the program is not unique, and it  
8 is not new. It is not innovative. It's out there,  
9 and it can be used and applied to cover non-English  
10 speaking as a primary language voters who come in  
11 with questions anywhere. It's just a phone. That's  
12 one.

13 Weighted and recommended? So, I think the  
14 concern about qualifications of employees and workers  
15 at The Board of Elections should consider and weight,  
16 w e i g h t, the recommendation of a nomination and  
17 the qualifications, so that the concern that people  
18 are getting positions that have no idea of what they  
19 are supposed to be doing or what the best way to do  
20 their job is, not only at The Board of Elections but  
21 on the ground at the polling sites. That's... And  
22 how you would implement that is review how people...  
23 and policy. It's not rocket science. It's policy  
24 development. In order to get a position as "blank"  
25 the requirements are "blank", and the factors

2 considered are recommendation and qualifications,  
3 posted and you go from there. And you see if that is  
4 really worktable or how it has to be tweaked to put  
5 it into place. That is with respect to  
6 qualifications and weighted.

7 And, uh, I think you might have also said about  
8 location or spots? I'm not sure.

9 COUNCIL MEMBER SANCHEZ: Yeah, no, no, that was  
10 Council Member , uh, Shaun Abreu just before.

11 So, no, but I just want to ask a quick followup,  
12 Judge. And that is, I am happy to hear you talk  
13 about qualifications for these workers, but I would  
14 argue that not having language access live when you  
15 go to vote is... It can be just as insurmountable a  
16 barrier as a poll site leaving. Right? Where you go  
17 and nobody can explain to you how rank voting choice  
18 works, right? Because we ended up ,you know, as was  
19 mentioned before, we ended up doing a lot of that  
20 education on the spot, uh, even as people were  
21 walking into vote. If you don't have somebody that  
22 can speak with you, you know, it is very  
23 discouraging. And, like I said, in my community it  
24 is ,you know, half... close to half of folks are  
25 only speaking Spanish.

2 And, so, would you be amenable to considering  
3 ,you know, in qualifications of poll workers, that  
4 they speak the language or languages, that that is a  
5 qualification? You know, speak the language or  
6 languages that are most predominant in the  
7 neighborhood that you are going to be working...

8 (CROSS-TALK)

9 JUDGE EDMEAD: I understand how you've modified  
10 that. So, you said, with respect to poll workers,  
11 with... in districts, areas where there is a clear  
12 predominate language, that only if there's a phone  
13 access, but those locations have a live, as opposed  
14 to... but, have a person. And I think that is not  
15 hard to implement. That's a great idea. And the  
16 idea is that the districts would identify their poll  
17 locations -- I'm writing while I'm talking to you --  
18 districts would identify their poll locations that  
19 have a predominant language. It might be Spanish  
20 here, it might be Mandarin there, it might, uh, in  
21 Queens, it might be ,you know, what's the language?

22 UNKNOWN: [INAUDIBLE]

23 JUDGE EDMEAD: Say it again?

24 UNKNOWN: [INAUDIBLE]

2 JUDGE EDMEAD: Thank you very much. Did you hear  
3 her?

4 COUNCIL MEMBER SANCHEZ: [INAUDIBLE]

5 JUDGE EDMEAD: So, where the district identifies  
6 the predominant language and shows that there is  
7 this... This is a need for a person, that gets the  
8 person. And that then requires flexibility with  
9 respect to allocation of people. Or, as you said,  
10 the qualification to be... The qualification to work  
11 at a specific site that has been identified as a  
12 language specific site, is part of the qualifications  
13 to be a poll... Why not? That's a great idea.

14 COUNCIL MEMBER SANCHEZ: Thank you... (CROSS-  
15 TALK)

16 JUDGE EDMEAD: And, let me ask you, how come it  
17 hasn't been done yet?

18 COUNCIL MEMBER SANCHEZ: I'm not sure. But, let's  
19 do it. Let's get it done now.

20 JUDGE EDMEAD: But, you see how it starts? From  
21 the district saying, this district is... This is a  
22 proposal that this district requires poll workers to  
23 speak...

24 UNKNOWN: [INAUDIBLE]

2 JUDGE EDMEAD: Thank you because the predominant  
3 language in our district is... Thank you. You see?  
4 So, it starts from input, and then... then the basis  
5 to put it forward and say, this is where we have to  
6 say poll workers are assigned in person, comes then  
7 from the board.

8 COUNCIL MEMBER SANCHEZ: Absolutely.

9 JUDGE EDMEAD: Makes sense.

10 COUNCIL MEMBER SANCHEZ: Wonderful. Well, thank  
11 you, Judge, and, again, congratulations on your  
12 nomination.

13 JUDGE EDMEAD: Nice to meet you.

14 CHAIRPERSON POWERS: Thank you.

15 We will now... And, we have been joined by  
16 Council Member Salamanca as well. And we will go to  
17 Council Member Hudson, followed by Council Member  
18 Salamanca.

19 COUNCIL MEMBER HUDSON: Thank you, Chair.

20 And, Judge, uh, I mean, a few of my colleagues a  
21 have already parked on this issue, and you have  
22 addressed it. But, I just wanted to say for the  
23 record, that when the polling sites are changed with  
24 little to no advanced notice, some of the people who  
25 are most impacted are older adults -- older adults

2 who have been relying on voting in the same polling  
3 locations for years, decades even. And, you know,  
4 going back to Council Member Brewer's comments about  
5 ADA accessibility and things like that, there are  
6 multiple issues that are compounded with these  
7 polling sites are changed, including, and not least  
8 of which is access, and ,you know, just the ability  
9 to older folks to be able to go downstairs and vote,  
10 to go across the street and vote, versus having to  
11 travel ,you know, a great distance with wheelchairs  
12 and other types of apparatus. So, I just wanted to  
13 reiterate that.

14 JUDGE EDMEAD: Absolutely.

15 Councilwoman Hudson?

16 COUNCIL MEMBER HUDSON: Yes.

17 JUDGE EDMEAD: Right.

18 COUNCIL MEMBER HUDSON: Thank you.

19 JUDGE EDMEAD: I cannot agree more. I have said  
20 it now, I have been reiterating this from the  
21 beginning of this. Which is to say, location of poll  
22 sites should not be changed just because... without  
23 input for the community, input from the local  
24 leaders, knowledge of... and response, with respect  
25 to, Don't move this one, and here is why. And when

2 they are changed, if and when they are changed, early  
3 notice that this location has been changed. And it  
4 shouldn't just... I am one of the seniors. I am 50  
5 years not only in the rearview mirror, it's 10 exits  
6 or 20 exits back. So, I understand. People need to  
7 be encouraged not discouraged because the sites are  
8 changed willy nilly without any input and without any  
9 notice. And that is a very... You know people talk  
10 about how, in the south, in the southern states, they  
11 are doing all kinds of things to thwart voter  
12 registration, voter activity. Look at what we are  
13 doing right here in New York.

14 COUNCIL MEMBER HUDSON: Right.

15 JUDGE EDMEAD: You've moved the locations without  
16 notice, without input. You're doing the same thing.  
17 You don't make language accessibility easy. You're  
18 doing the same thing. It doesn't all look like one  
19 thing. Discouragement of voter activity doesn't have  
20 one face. And New York cannot be hypercritical and  
21 complain about they're doing down south. Which, when  
22 I was growing up I used to think was a state. You  
23 know how, in the summer growing up, they would say,  
24 "Oh, so and so is going down south." Where is that  
25 place? I grew up in Queens, so it took me a while.

2 But, you know, you can't just relegate all of that  
3 kind of conduct and say that's what they're doing  
4 down there. Look at what we're doing. It's the same  
5 discouragements...

6 COUNCIL MEMBER HUDSON: Right.

7 JUDGE EDMEAD: Of voter participation.

8 COUNCIL MEMBER HUDSON: Absolutely.

9 I just have two... Two other questions.

10 One is that, uh, The Board of Elections currently  
11 doesn't take public comment at its meetings. There  
12 is no briefing of the public on anything. There is  
13 no public relation staff, no press conferences. And  
14 we have talked a lot about transparency already.  
15 But, I'd like to know if you are committed to  
16 agreeing to change that.

17 JUDGE EDMEAD: I absolutely am. And I would  
18 appreciate, Councilwoman Hudson, if you would... If  
19 I make it through this process, you all are really  
20 tough, if I make it through this process, that you  
21 get those lists of suggestions to me.

22 COUNCIL MEMBER HUDSON: Absolutely.

23 JUDGE EDMEAD: Get it to me. I mean, I have been  
24 taking my notes down here in shorthand, but I'm not  
25 that good. So, if you get it to me... (CROSS-TALK)

2 COUNCIL MEMBER HUDSON: Yes, we will make sure we  
3 get everything to you... (CROSS-TALK)

4 JUDGE EDMEAD: You get it to me, and I will put it  
5 forward. I absolutely agree.

6 COUNCIL MEMBER HUDSON: Great.

7 And, then, lastly, uhm, The Board of Elections is  
8 inherently political, and so, I'd like to know if you  
9 are committed to making independent decisions, or  
10 decisions I should say, independent of political  
11 forces, political parties, political entities, that  
12 might be in your ear, uh, and ensuring that you're  
13 working on behalf of the will of the people?  
14 That's my question.

15 JUDGE EDMEAD: I couldn't say it better than the  
16 way you have said it, "working for the will of all  
17 people."

18 I understand that the process has Democrat  
19 appointed commissioners and Republican appointed  
20 commissioners, but the service is to the entire city  
21 and to everyone in this City. And as I put in my  
22 little statement, which I was typing at six o'clock  
23 this morning, because I didn't see the email last  
24 night, without preference or prejudice. That is to  
25 say, without giving anyone more or without taking

2 from anyone else -- without preference or prejudice,  
3 no bias and no bonuses.

4 COUNCIL MEMBER HUDSON: Great. Thank you...

5 (CROSS-TALK)

6 JUDGE EDMEAD: Fair, honest, and open. And that  
7 is all I have ever... That is what I have done as my  
8 career. And I am not trying to change... (CROSS-  
9 TALK)

10 COUNCIL MEMBER HUDSON: Understood.

11 JUDGE EDMEAD: I am not trying to change at this  
12 point in time in my life.

13 COUNCIL MEMBER HUDSON: Thank you.

14 JUDGE EDMEAD: Thank you.

15 CHAIRPERSON POWERS: Thank you.

16 And, now we will go to Council Member Salamanca  
17 to close us out.

18 COUNCIL MEMBER SALAMANCA: Thank you, Mr. Chair.

19 Congratulations on your nomination.

20 JUDGE EDMEAD: Thank you.

21 COUNCIL MEMBER SALAMANCA: Just two... One point  
22 and one question.

23 I just want to reiterate what my colleague,  
24 Council Member Pierina Sanchez, was saying about  
25 translation. I have, too, have a high concentration

2 of Spanish voters. And it has been my experience  
3 that some of the polling sites at times do not have  
4 appropriate translators. And ,you know, a big  
5 population of voters in my district are seniors. So,  
6 having that translator on the phone, it just doesn't  
7 feel right for them, and they feel uncomfortable  
8 voting. And that is just one of the many complaints  
9 that I get when I got to my senior centers to speak  
10 to my seniors.

11 In terms of polling sites, it has been  
12 frustrating, where The Board of Elections has changed  
13 polling sites very last minute. And us as electees  
14 are not properly notified. And some of these sites  
15 are in senior buildings. And so, seniors, when you  
16 move these polling sites without proper notification,  
17 or without ample time, uh, they do not come out and  
18 vote. And I think that is another way of voter  
19 suppression. And I really hope that you as a... If  
20 you know, get this nomination and you become a  
21 commissioner, that is something that you will  
22 advocate for when you're working with your borough  
23 clerks, who are responsible for these.

24 My question, though, here... Hold on I have  
25 notes here. So, in every... So, there are five...

2 Every borough has its Board of Elections site.

3 Correct? And you have permanent employees, and you  
4 have temporary employees. And what I have noticed is  
5 that temporary employees do not have the same  
6 benefits as permanent employees -- even though they  
7 are working the same hours. But, what I mean by  
8 benefits are , if a temporary employees calls out  
9 sick or there are vacation days like a holiday, they  
10 do not get paid. But the permanent employees get  
11 paid.

12 Is that something that you can look at as a  
13 commissioner to see if you could fix? Even though you  
14 want to keep as them as temporary employees, but they  
15 should receive the same benefits of vacation days and  
16 sick days as permanent employees.

17 JUDGE EDMEAD: I hate to sound like a technocrat,  
18 but the issue to me is, first looking at the budget  
19 for the offices, and how the budget is allocated, how  
20 the money is allocated, and what is the job  
21 description and benefits that are listed? You have  
22 to first look at, where is the money, how is it...  
23 In other words, it's a temporary employee on a budget  
24 line that is different from the permanent employee.  
25 And when you say, should they get the same annual

2 leave, sick leave, vacation time, it all depends...

3 It all comes back to budget allocation of funds

4 because you can't just say that we should give them

5 sick leave. You have to budget it. And so, it

6 really comes down to budgeting.

7 COUNCIL MEMBER SALAMANCA: I agree with you on

8 the budget. I think you bring up a valid point. But

9 when we are talking about holidays, City holidays,

10 they should be paid for the holiday... (CROSS-TALK)

11 JUDGE EDMEAD: And so, the question is... (CROSS-

12 TALK)

13 COUNCIL MEMBER SALAMANCA: They should not...

14 They should not be excluded. And if they are, I am

15 asking you as the soon to be commissioner , uh, to

16 look at that and see how you can address that.

17 JUDGE EDMEAD: I will absolutely look at that.

18 But I will ask, as I asked Councilwoman Hudson,

19 please give me that issue in writing, detailed, so I

20 can then not have to rely on my shorthand. Okay?

21 COUNCIL MEMBER SALAMANCA: Thank you. Thank

22 you... thank you, Mr. Chair... (CROSS-TALK)

23 JUDGE EDMEAD: I have to hear from people. I have

24 no intention of sitting there in isolation. I have to

25 hear what you want; what you need; what you think

2 should happen, and what you are suggesting, and,  
3 then, let's go from there, and then I can speak with  
4 some sense and backup.

5 COUNCIL MEMBER SALAMANCA: Yeah, and one last  
6 point I would recommend. We are going to the budget  
7 then soon where we are negotiating the budget.  
8 Members... Your Executive Director of The Board of  
9 Elections, who will be present, I recommend that  
10 commissioners participate in that hearing as well...

11 (CROSS-TALK)

12 JUDGE EDMEAD: Please make that recommendation as  
13 well... (CROSS-TALK)

14 COUNCIL MEMBER SALAMANCA: so, you can actually  
15 hear what our recommendations are. Thank you.

16 JUDGE EDMEAD: And see them... And see them in  
17 writing. Please.

18 COUNCIL MEMBER SALAMANCA: Yes.

19 JUDGE EDMEAD: I agree, thank you.

20 COUNCIL MEMBER SALAMANCA: Thank you. Thank you,  
21 Mr. Chair.

22 CHAIRPERSON POWERS: Thank you, Council Member.

23 Thank you to all of the council members for their  
24 questions. I don't think we have any else signed up

2 at this point. We are going to public testimony at  
3 the end after we finish with The Board of Correction.

4 So, with that, I would like to say, hey, again,  
5 congratulations to you on your nomination. Thank you  
6 for joining us today and providing testimony. You  
7 are now excused. And if we have any followup  
8 questions, we will be in touch. Thank you so much.  
9 Thank you, guys.

10 JUDGE EDMEAD: Thank you for having me. It's been  
11 a pleasure to meet you all.

12 CHAIRPERSON POWERS: Thank you, very nice to see  
13 you...

14 JUDGE EDMEAD: Have a good day.

15 CHAIRPERSON POWERS: Thank you.

16 So, as I said, we are going to hear public  
17 testimony after we hear from all of the candidates.  
18 So, we are now going to move on to our hearing for  
19 The Board of Correction. If the candidates would like  
20 to come up, they are welcome to come up to the table  
21 right now. So, the BOC candidates, yes, come on up.

22 And while you are coming up, I will talk about  
23 The Board of Correction. So, the New York City  
24 Department of Correction provides for the care,  
25

2 custody and control of persons accused or convicted  
3 of crimes sentenced to jailtime.

4 By law, The Board of Correction or BOC shall have  
5 the power and duty to inspect and visit all  
6 institutions and facilities under the jurisdiction of  
7 the department at any time. It also must evaluate  
8 BOC's performance, establish minimum standards to the  
9 care, custody, correction, treatment, supervision,  
10 and discipline of all persons held or confined under  
11 the jurisdiction of the department and establish  
12 procedures for the hearing of grievances, complaints.

13 The BOC consists of nine (9) members. Three  
14 members shall be appointed by the mayor, three by the  
15 Council, and three by the mayor on the nomination  
16 jointly by the presiding justices of the appellate  
17 division of the supreme court for the first and  
18 second judicial departments. These members are  
19 appointed for six-year terms with vacancies filled  
20 for the remainder of the unexpired term. The chair of  
21 the board shall be designated the mayor from among  
22 its members.

23 Although the board members receive no  
24 compensation, they may; however, be reimbursed for  
25 expenses incurred in the performance of their duties.

2 Today we have two candidates before us. We are  
3 joined here today by Deanna Hoskins, a resident of  
4 the Borough of Brooklyn, who has nominated by The  
5 City Council for appointment to The Board of  
6 Correction in will serve a six-year term.

7 We are also joined by Dr. Rachel Bedard, a  
8 resident of the Borough of Brooklyn, who has been  
9 nominated by the Council for appointment to The Board  
10 of Correction to serve the remainder of a six-year  
11 term that ends on October 12, 2026.

12 Welcome to both of you and thank you for being  
13 here today.

14 Before I ask you... I just want to add my own  
15 context, which is that I was the chair of The  
16 Criminal Justice Committee last term, and I cannot  
17 overstate the importance of The Board of Correction.  
18 It is not only a critical oversight body, which few  
19 agencies in this city have -- an independent  
20 oversight body -- it is critical to the mission of  
21 what the city council does in our oversight function:  
22 to have a well-functioning, well-performing, well-  
23 resourced Board of Correction to make sure that when  
24 we are doing our hearings, when we work on  
25 legislation, we also have an independent body. And

2 it is a resource that, like I said, few other  
3 agencies have on them, but also, few are able to help  
4 in that manner and form -- particularly at this  
5 important time -- when you talk about what is  
6 happening at Rikers Island right now, what the future  
7 of our correctional system looks like -- to have  
8 these appointments is really critical to the future  
9 of our... making sure our correctional system is  
10 functioning; that we address outstanding issues in  
11 it, and that the folks that are in our custody get  
12 the attention that they often need and deserve --  
13 when it talks about medical care, when it talks about  
14 making the minimum standards and so forth and so on.

15 So, thank you both being here today. If you  
16 could raise your right hands to sworn in?

17 COMMITTEE COUNSEL: Do you affirm to tell the  
18 truth, the whole truth, and nothing but the truth in  
19 your testimony before this subcommittee, and to  
20 respond honestly to council member questions?

21 (BOTH AFFIRM)

22 CHAIRPERSON POWERS: Thank you. We will take  
23 opening statements from you. We will start with Ms.  
24 Hoskins, and we then we will go to Dr. Bedard.

25 MS. HOSKINS: Thank you.

2 Thank you, Chairman Powers, Speaker Adams, and  
3 members of the committee. Thank you for holding this  
4 hearing and for the opportunity to speak with you all  
5 today.

6 I am Deanna Hoskins, President and CEO of  
7 JustLeadershipUSA. I come before you today pursuing a  
8 position on the New York City Board of Correction.

9 As you know, JustLeadershipUSA was in the  
10 trenches fighting for the plan to close Rikers and  
11 build communities.

12 Additionally, I was appointed to the task force  
13 to eliminate solitary confinement and create an  
14 evidence based alternative. I ultimately become the  
15 motor of consensus between all of the stakeholder  
16 parties on that task force.

17 I understand that there are important seats to  
18 fill on the board. My candidacy is important because:  
19 One, my experience is unique, in my career in  
20 criminal justice, I have seen the carceral state from  
21 all sides of the bar. I have been incarcerated  
22 myself; I have been employed in the correctional  
23 administration at maximum security facilities; and I  
24 have managed federal and state policies overseeing  
25 the operations of prisons and jails.

2 I have been involved with over 20 state  
3 facilities and at least 80 local jails. I bring a  
4 pragmatic advocacy to this board, and I understand  
5 how the system works on the inside and how to move  
6 the needle on policy matters.

7 While the advocates, city council,  
8 administration, union, and docs are all critical  
9 players in the journey of revisioning Rikers, it is  
10 The Board of Correction that is the critical  
11 foundation which sets standards, policies,  
12 procedures, regulations, and directives -- all which  
13 to contribute to the morale, safety, security, and  
14 human dignity of staff and those incarcerated.

15 Most importantly, we must center the voices of  
16 those who have been experienced by the system, and  
17 who reflect both the population and the employees at  
18 Rikers to be represented on the board.

19 I have been watching what is happening at Rikers  
20 closely. We must address the crisis on several  
21 fronts: We have to fundamentally change the  
22 conditions of incarceration; we have to  
23 fundamentally change the conditions of employment; we  
24 must fundamentally change how we view all citizens of  
25 New York City.

2 Thank you for taking the time to meet with me and  
3 discuss how we can possibly work for a safer New  
4 York.

5 CHAIRPERSON POWERS: Thank you. We have been re-  
6 joined by Council Member Hudson.

7 DR. BEDARD: Good morning, council members. Thank  
8 you for having me this morning and for considering me  
9 for appointment to the New York City Board of  
10 Correction.

11 I am an internist, geriatrician, and palliative  
12 care physician. I am also a writer, a research  
13 fellow at The Institute to End Mass Incarceration at  
14 Harvard Law School, and a proud New Yorker.

15 From 2016 to 2022, I worked for Correctional  
16 Health Services, the agency that provides health care  
17 to detainees in the New York City jail system.

18 I was the first jail-based geriatrician in the  
19 country. During my tenure at CHS, I built the  
20 Geriatrics and Complex Care Service, an  
21 interdisciplinary team that provides health care,  
22 court services, and reentry planning to the 200  
23 oldest and sickest people in the jail system.

24 I saw patients several times a week on Rikers  
25 Island. I also worked with CHS leadership to expand

2 our compassionate release work -- through which we  
3 would coordinate with legal advocates and court  
4 decision makers to facilitate release to other  
5 settings for people who are dying or who required a  
6 higher level of medical care than the jail system can  
7 reasonably provide.

8 I worked in the jails during the years when the  
9 Close Rikers effort was really gathering steam when  
10 the census was dropping day over day, and when it  
11 felt as though there was significant momentum toward  
12 the vision of a smaller, safer, fairer jail system in  
13 the greatest city in the world.

14 I also worked in the jails as the first wave of  
15 the COVID pandemic crashed on our shores -- when  
16 Rikers Island became the epicenter of viral  
17 transmission, not only in the City, but in the whole  
18 country.

19 I also worked in the jails through the second  
20 half of 2020 and all of 2021 when, for various  
21 reasons, that momentum towards reform was halted and  
22 reversed, and the jails seemed to become more  
23 crowded, more violent, and more dysfunctional with  
24 each passing week. Colleagues and corrections  
25 officers who had worked in the jails for decades,

2 told me that they could not remember a time when the  
3 jails felt as dangerous as they did during those  
4 months. And the danger was present and real for all  
5 of the constituencies on Rikers Island -- for the  
6 people who were being held there, for their visitors,  
7 for the officers, and civilian staff in the  
8 Department of Correction, and for the health staff,  
9 and program staff who work on the island every day.

10 In 2019, there were three deaths in jail custody  
11 in New York City -- the lowest jail mortality rate in  
12 New York City history.

13 In 2022, there were 19 deaths in jail custody --  
14 the highest jail mortality rate in city history.

15 This has all been a lesson in how challenging  
16 jail reform is, how fragile progress can be, how  
17 critical it is to have courageous and capable jail  
18 leadership, and, finally, how very necessary it is to  
19 have a strong jail oversight body that holds that  
20 leadership to account when it falters.

21 I believe that The Board of Correction is more  
22 important now than in any time in recent memory. No  
23 other civilian body has unfettered access to visit  
24 the jails; to talk to the people who live and work  
25

2 there; to request and analyze jail data; and to make  
3 recommendations for change.

4 The board sets standards that offer the guidance  
5 and constraints necessary to reduce harm in a harmful  
6 system. The board is also a vital organ of  
7 transparency to the public through its monthly  
8 meetings.

9 The jails are a world unto themselves incredibly  
10 difficult to get ones arms around and to understand.  
11 I do think that my experience over the past several  
12 years makes me uniquely qualified to perform the role  
13 of a Board of Correction member, because I have  
14 intimate, recent experience working in the facilities  
15 and a deep commitment to safeguarding the well-being  
16 and human rights of my former patients and my former  
17 colleagues.

18 I am honored to be here today, and I look forward  
19 to taking your questions. Thank you.

20 CHAIRPERSON POWERS: Thank you.

21 We have been joined by Council Member Lincoln  
22 Restler here as well. We are going to move to... I  
23 am going to recognize The Speaker for questions, and  
24 then I am actually going to go to members, and then I  
25 will come back and close it out.

2 So, we will now go to Speaker Adrienne Adams.

3 SPEAKER ADAMS: Thank you very much, Mr. Chair.

4 Welcome again to both of you, and congratulations  
5 on your nominations.

6 Uh, Ms. Hoskins, as a formerly incarcerated  
7 person, could you please point to any specific  
8 experiences from that time in your life that shaped  
9 your world view on incarceration.

10 MS. HOSKINS: Yes, thank you.

11 During my incarceration in 1998, one of the  
12 unique experiences was my connection with the staff,  
13 whether it was the officers or the unit management  
14 staff that actually provided and treated me with  
15 human dignity and allowed me to know that the  
16 transition -- the root cause -- of why I was  
17 visiting.

18 The unique thing for me was I was able to attend  
19 a community based correctional facility that focused  
20 on treatment, because at the time suffered with a  
21 substance abuse issue, and I have been clean and  
22 sober for 24 years since then.

23 But, one of the unique things was the treatment,  
24 uh, that was possible which I received in that  
25 correctional setting. But, also having access to

2 skill building whether it was culinary arts,  
3 educational opportunities to advance my education,  
4 was all in that situation of that it was not human  
5 warehousing; they were strategically invested in me  
6 to actually address the issues that continued my  
7 return to incarceration.

8 SPEAKER ADAMS: Congratulations...

9 MS. HOSKINS: Thank you.

10 SPEAKER ADAMS: on your victory.

11 MS. HOSKINS: Thank you.

12 SPEAKER ADAMS: You know, I'll ask you this  
13 question, I have my own opinion on this, but: What  
14 are some of the differences that you see from your  
15 time being incarcerated and what we are seeing now in  
16 Rikers?

17 MS. HOSKINS: Thank you for that.

18 I will take it, not only from my incarceration  
19 but my professional working in correctional  
20 facilities, jails, and prison.

21 My first visit on Rikers Island was when I became  
22 president, uh, CEO of JustLeadershipUSA in 2018. And  
23 immediately upon arriving on the island, I had the  
24 question of check-in to the facility that we were  
25 still using paper. That we were not utilizing up-to-

2 date accountability of who was walking behind those  
3 walls. And in any prison or jail setting, there has  
4 to be an electronic monitoring of who's behind those  
5 walls if all chaos and riots break out. You need to  
6 at least know where all your staff is at all times.  
7 So, the outdated way that we still operate as a  
8 facility that was that large was concerning to me.

9 But, also once I was actually in to the intake  
10 unit, and I believe the cell units were identified as  
11 Brooklyn, Bronx, and different things, and they were  
12 holding. And, what I noticed was there no proper  
13 evaluation of intake. People were just thrown into  
14 cells not understanding if they were STG security  
15 threat groups that we were putting all in there.  
16 Were we evaluating them for their consumption of  
17 drugs and alcohol? What was the evaluation process  
18 before we actually accepted people into a jail?  
19 Because it does lead to overdose and different  
20 things, if a person is delivered and you are not  
21 doing an evaluation before you accept that person to  
22 say, "Is this person under the consumption of any  
23 Fentanyl or any other drug?," evaluating, do they  
24 need to be seen at a hospital prior to being accepted

2 to the jail? Because the liability goes up. That  
3 was concerning.

4 And, then, I visited a program, it was an  
5 educational... I believe it was an Arts program.  
6 And as we were going into the basement where the  
7 educational program was, my first concern was the out  
8 of sight lines of where violence could occur. No  
9 cameras. If a person was walking down and a rival  
10 gang or group was coming up, security... harm could  
11 be caused to a person and security would not see it  
12 because of the way the facility was build.

13 And the last part was, even the fixtures in the  
14 facility, we have utilized a temporary structure for  
15 a permanent solution. And that is a real, actual  
16 security threat when you are looking at correctional  
17 facilities around inspections.

18 SPEAKER ADAMS: Thank you very much.

19 Dr. Bedard, what lessons from you frontline  
20 experience, treating patients in city jails would aid  
21 you as a board member?

22 DR. BEDARD: Thank you for the question.

23 There are many lessons that I would think I would  
24 bring to this role.

2 So, I think it is rare for most physicians to  
3 have the experience that I had of spending  
4 significant time in a correction facility. And my  
5 specialty was taking care of people who were, uhm,  
6 medically complex people who were older and people  
7 who were near the end of their lives. And, so, I had  
8 a particular window on the experience of very  
9 vulnerable people in this setting and the mismatch  
10 between what those people needed in order to be able  
11 to stay safe and what the facilities could provide.

12 Rikers Island, as you all know, uh, is a morass,  
13 very dilapidated physical plants. Right? It's  
14 buildings that are crumbling. And the City's  
15 commitment has largely been towards... It has been  
16 very future oriented. Right? It has been about  
17 closing the island and building the borough-based  
18 jails without a lot of improvements happening on the  
19 island for decades now.

20 I had a patient a few years ago who fell through  
21 the floor and was stuck for several hours before he  
22 was pulled out with a significant injury, because the  
23 buildings are literally crumbling.

24 So, one of the things I think that I have unique  
25 perspective on just from having been in this setting,

2 is how dangerous the physical plant is itself and how  
3 that contributes to a dangerous environment for  
4 everybody.

5 SPEAKER ADAMS: I appreciate your perspective.  
6 You know, I share this often, my mother was a  
7 correction officer in the 70's and 80's, and I grew  
8 up in that culture and hearing horror stories back  
9 then. So, that said, this is for the both of you,  
10 what is your perspective on the borough-based jails?

11 MS. HOSKINS: Thank you for that.

12 So, one of the perspectives as, again, as just  
13 JustLeadershipUSA is leading some of that work around  
14 closing Rikers and building communities, borough-  
15 based facilities was, one, to have people have access  
16 closer to the court systems that they actually are  
17 being accused in. Understanding that Rikers is a  
18 jail -- the majority of people are there pretrial;  
19 they have not been convicted and found guilty of  
20 anything. Taking that into consideration, we know  
21 the importance of family unification and family  
22 connectedness... keeping people close to their  
23 family. But, also, the building itself, uh, it was  
24 not about just building five borough-based jails. It  
25 is about building facilities that not only serve the

2 individuals and what the City needs but also serves  
3 the communities in which they stand. And, to the  
4 point of even The Design Committee is, can we design  
5 something that actually... that if ever the  
6 population got so low that we could close it, can be  
7 easily converted into affordable housing or anything  
8 of that nature. But, one of the biggest things is  
9 continuing to look at alternatives to incarceration  
10 that we can continue to shrink the size. But with  
11 the borough-based facilities, biggest concern, what I  
12 put, is that we are looking at replacing the  
13 facility, but are we looking at the morale and the  
14 culture that we are transferring. So, the harm would  
15 be to ensure that we are not creating five mini  
16 Rikers in the community. Because while the building  
17 is crumbling, and we're replacing the building, are  
18 we replacing and building up the structure, the  
19 polices, the processes, and increasing staff morale  
20 as well, because the individuals who work on Rikers  
21 are our community members as well, and we have to  
22 take that into consideration.

23 So, for me, borough-based facilities are a  
24 necessity if we want to keep people close, reduce  
25 City costs on transporting running the court system,

2 but also empowering and encouraging our staff that  
3 this is not just about monitoring and baby sitting  
4 the individuals who are incarcerated, this is  
5 actively being involved in your community. And I  
6 honestly believe Rikers Island -- when I look at  
7 Rikers compared to other states -- it is one of the  
8 largest correctional systems outside of California --  
9 and when you look at that, understanding that a lot  
10 of individuals who possibly work on the island as  
11 officers and different things had other aspirations  
12 such as social work, giving back to their community  
13 in some kind of way, so how do we tap into the  
14 passion of the individuals who are working there to  
15 see what programming, what we can invest in them so  
16 that they can actually reach their full potential as  
17 well?

18 SPEAKER ADAMS: Thank you, great point.

19 Dr. Bedard?

20 DR. BEDARD: So, I am generally very much in favor  
21 of the borough-based jail plan, and I was a very  
22 strong proponent of it when the Council was voting on  
23 it a few years ago.

24 However, that is with the caveat that the thing  
25 that most appealed to me about the BBJ plan was the

2 implicate census reduction it would require. The  
3 Council made a commitment at the time to the  
4 ambitious goal of getting the jail population to  
5 3,300 folks. Now, that is a very ambitious goal for  
6 a city of eight million people. However, the City  
7 taking... The City articulating a goal to hold fewer  
8 than, say, 5,000 people in pretrial detention, felt  
9 like a critical step forward to, uhm, in creating a  
10 smaller and therefore safer jail system.

11 My concern about the BBJ plan as it currently  
12 exists in 2023, is that one, the mayor has pretty  
13 explicitly said that he no longer feels beholden to  
14 the census reduction plan, and that he doesn't think  
15 it's a realistic one.

16 And without census reduction, we are building  
17 buildings that cannot accommodate the current census  
18 we have now on the island. Right? And if we go  
19 forward with that, what we end up with is new  
20 facilities in the borough with either over crowding  
21 or folks you have to put in other places -- either  
22 keeping the island open or using state facilities or  
23 what have you.

24 The other concern I have is, as Deanna said, the  
25 borough-based jails as envisioned, uh, was a huge

2 capital investment, but it was also envisioning  
3 facilities that would not be sort of cleaned up  
4 jails, but really would be places that were designed  
5 for rehabilitation. Right? That would create  
6 opportunities in their physical design for folks to,  
7 uh, be safer but also for folks to participate in  
8 planning, to have a little bit more independence than  
9 they currently have in the jail system.

10 My understanding is that as the projects' costs  
11 have ballooned, and there has been an, uhm, there  
12 have been cuts made to the expectations about what we  
13 will be able to pay for in the future, some of those  
14 things have been considered bells and whistles and  
15 have been taken off the table. And if that is the  
16 case, if what we are actually talking about is  
17 building five new jails in the boroughs that are not  
18 particularly, uhm, progressive in their design, and  
19 we are not talking about bringing the census down, I  
20 don't know that it achieves any of the initial  
21 objectives of the plan.

22 SPEAKER ADAMS: Very good perspective. You know,  
23 as the chair of the committee that presided over the  
24 largest, I don't know if you were watching, but it  
25 was the largest hearing of that year -- on the

2 borough-based jails. And it was extremely intense,  
3 uhm, from morning up until about 10 o'clock at night  
4 when I gaveled out of that session. We were very  
5 ambitious. Fast forward now to 2023, who knew that  
6 there was going to be a global pandemic that totally  
7 affected everything that good intentions planned for  
8 the borough-based jails. So, hence, here we are  
9 right now, uh, putting aside one administration that  
10 deals with that situation one way, and now we have  
11 another administration and totally different  
12 circumstances. So, it is going to be having to be  
13 something that we all work with together to try to  
14 figure this out. But, I absolutely value the  
15 opinions of you on that situation.

16 I am going to ask one question in between my last  
17 question. What are your perspectives on utilizing  
18 one facility just for the women, as opposed to the  
19 current set up?

20 MS. HOSKINS: Thank you for that question. Gender  
21 specific housing is very important in some aspects.  
22 We know a lot of times, and not just women, it  
23 happens to males as well, but trauma and abuse is a  
24 huge factor. And a lot of times, we do programming  
25 or accessibility just in a very specific way while

2 not taking into consideration the impacts that people  
3 have... The impact that women may have of coming off  
4 of the streets, dealing with an abuser that actually  
5 had them involved in that, and how do we work towards  
6 that trauma? I struggle... And this is a  
7 conversation that I have had with the advocates, I  
8 struggle with saying that people need to be closer to  
9 their family members in their boroughs, and then  
10 creating once facility specifically for women that  
11 may take those women away from their children and  
12 different things. But, actually when we are looking  
13 at building the units, having units within the  
14 facility that are specific to gender, but that is a  
15 conversation. But, I also believe we have to have  
16 gender specific programs, access, and housing. But  
17 does that require creating one facility for the women  
18 that may defeat the initial purpose of keeping women  
19 close to their families when their caregivers -- and  
20 other people may be taking care of their children?  
21 And even that connection of having to their mothers  
22 is important. I think there is something we really  
23 have to consider. Are we actually causing harm to  
24 the children, caregivers, by creating one facility

2 and it may really pull people away in distance and  
3 accessibility?

4 SPEAKER ADAMS: Okay.

5 DR. BEDARD: I basically agree with everything  
6 Deanna said. So, I would reiterate that I think  
7 gender specific housing or gender specific units at a  
8 minimum are important in maintaining safety for  
9 incarcerated women and incarcerated folks who are  
10 transgender and nonbinary.

11 And, at the same time, especially given that so  
12 many of the women incarcerated on Rikers Island are  
13 parents, it feel imperative to try to co-locate those  
14 folks as close to their family as they can -- as we  
15 can. And, so, I am equally sort of loathe to say,  
16 let's create an entirely separate, uh, facility that  
17 is going to centralize where all women are held in  
18 the City, and therefore make it ,you know, more  
19 difficult for a mother whose children are in Queens  
20 or in the Bronx, or what have you, to visit her  
21 regularly.

22 SPEAKER ADAMS: Okay, thank you both.

23 This is my final question: I want to get your  
24 perspectives on solitary confinement as it stands  
25 right now... As it stands right now, if you would do

2 anything differently, uhm, when it comes to the  
3 facilitation of solitary confinement, or if you see  
4 the need for it all?

5 MS. HOSKINS: I guess I will take the lead on that  
6 having been appointed to that task force to eliminate  
7 solitary confinement.

8 One of the things we know is the harm of solitary  
9 confinement. And research demonstrates that keeping  
10 people withdrawn from human contact -- integrating  
11 with people -- causes more harm and trauma than  
12 anything. I think the way in which we call it  
13 solitary, withdrawing people into themselves and not  
14 engaging in anything other than programming.

15 I think there is a level of accountability that  
16 has to take place. Because of the things, as we have  
17 talked about, criminal justice reform... and one of  
18 the things that has even been a lesson learned for me  
19 around Close Rikers was focusing on the individuals  
20 who are incarcerated and not collaborating with the  
21 voices of the staff who work there as well... around  
22 their safety.

23 So, there is this project that I have been a part  
24 of with Chicago Beyond called "Do I Have The Right To  
25 Feel Safe?" And that is taking individuals who have

2 been incarcerated, and correctional staff, and  
3 answering that question.

4 Solitary confinement, in the manner that we do it  
5 in the United States, is very unconstitutional. I do  
6 believe looking at giving officers and staff more  
7 tools of accountability to withdraw and hold things  
8 as consequences is important. And I also think being  
9 held accountable for actions is important. But,  
10 also, instilling due process in how we do that is  
11 important. I don't think we can hold... I don't  
12 think we have to not have human dignity involved in  
13 people being held accountable for their actions.  
14 But, we also have to look at what is leading to that  
15 action. Are we providing the mental health services  
16 that need to be done?

17 We know Rikers Island has become the mental  
18 health hospital, the substance abuse treatment, and  
19 the housing provider within our city when we look at  
20 the population that is there.

21 So, how we are actually holding people  
22 accountable? The process of how we house people, are  
23 we housing people who are more threatened in any kind  
24 of way? And, then, what is the protocol of the  
25 infrastructure of the building that... It's not

2 about solitary confinement, it is about holding them  
3 someone accountable and getting to the root cause of  
4 why people feel threatened, why people feel the need  
5 to continue to act out. And are we addressing the  
6 person as a whole, or are we just addressing the act  
7 in which the person is doing? Which would never get  
8 to solving the problem.

9 So, again, as I shared with the doctor, that the  
10 RMAS was our solution, it wasn't perfect, but it was  
11 better than what we had. And we have to be willing  
12 to start somewhere.

13 I think one of the biggest things that I learned  
14 being a newer New Yorker resident for the last five  
15 years, is that sometimes we get caught up in our own  
16 bubble. And if we haven't experienced outside other  
17 options, we don't see the possibility of what could  
18 be done, because we have not been exposed to that.  
19 And I think one of the biggest things it is doing is  
20 that individuals are actually starting to partner in  
21 reach outside other states, such as Chicago, other  
22 cities who have actually had the same situation, and  
23 asking, "What are some of the things you did that  
24 could be possible here?" We don't have to start from  
25 scratch, there are evidence based examples very much

2 out there that we can take from in order to figure  
3 out how we incarcerate? I will say this, jails are  
4 not the problem, it is how we incarcerate people that  
5 is the problem -- and actually how we treat people  
6 once they are incarcerated.

7 SPEAKER ADAMS: Thank you.

8 CHAIRPERSON POWERS: Thank you.

9 We will go to Council Member Hudson. Oh,  
10 sorry...

11 DR. BEDARD: You know, I think there are two  
12 purposes for segregating a person who is incarcerated  
13 from the rest of the population. And those things  
14 get conflated a lot in the way that, uh, we talk  
15 about this. There is segregating someone for safety  
16 reasons, either because they themselves are being  
17 victimized or because they are committing aggression  
18 towards others. And there is also segregating  
19 someone as punishment.

20 The first is absolutely necessary sometimes. It  
21 is absolutely necessary sometimes to deescalate a  
22 conflict, and to give people space by themselves to  
23 cool off where they are being observed closely and  
24 safely, but where they are not in contact with others  
25 for a period of time.

2 The second, which is segregating people for  
3 punishment, I think we have reams of data at this  
4 point to show that it is tantamount to torture and  
5 basically counterproductive. Right? That it is so  
6 traumatizing for folks that it not rehabilitative at  
7 all. And it predisposes folks to come back out and  
8 have a harder time reintegrating into the population  
9 once they have served that punishment time.

10 So, what Deanna was talking about in terms of  
11 being able to look at other systems and ways that  
12 systems do handle infractions so that there are  
13 accountability measures and there are ways to  
14 administer discipline when necessary which does not  
15 involve punitive said, I think is exactly where we  
16 need to be going. And the RMAS is a move towards  
17 that. There is a lot that I think we could do on  
18 that front. But, occasionally deescalating something  
19 and having someone have to have a period by  
20 themselves makes a lot of sense. And I know that  
21 that has been acknowledged in the Council's solitary  
22 bill, et cetera.

23 SPEAKER ADAMS: Thank you both very much for your  
24 insight, for your experience, and again,

2 congratulations on your nominations. I have to get to  
3 another meeting, but I do appreciate your testimony.

4 CHAIRPERSON POWERS: Thank you. I am going to now  
5 move over to Council Member Hudson.

6 COUNCIL MEMBER HUDSON: Thank you, first I want to  
7 commend the Speaker on her two recommendations for  
8 The Board of Correction. I think you are both  
9 fabulous appointees. I look forward to voting in the  
10 affirmative for you both. I think given the fact  
11 that you are formerly incarcerated and leading  
12 JustLeadershipUSA, is exactly the type of person that  
13 we need on The Board of Correction.

14 And then I just want to mention about Dr. Bedard,  
15 who is a constituent of mine, and somebody that I  
16 worked with when I was Deputy Public Advocate for  
17 Community Engagement and have worked with over the  
18 years, is somebody who I know will do an honest job  
19 on The Board of Correction by making sure we are  
20 holding all the people who need to be held  
21 accountable accountable. So, thank you both for  
22 being here and for your testimonies today, thank you.

23 CHAIRPERSON POWERS: Thank you, Council Member  
24 Hudson. I know Council Member Restler I think was

2 here to say a supportive statement as well, but he  
3 had to run to a meeting.

4 I had a couple of questions that I wanted to ask,  
5 and the speaker had asked a few of them.

6 As we move forward into... Well, let me take a  
7 step back, both of you have been long involved in the  
8 conversation around criminal justice here in the  
9 City, the Close Rikers movement, and, obviously,  
10 directly involved into Department of Corrections. We  
11 have seen a tumultuous few years when it comes to  
12 what has been going on there from the outset of  
13 the... I mean, before COVID , but certainly at the  
14 moment of COVID, when any of us who went there I  
15 think were horrified. And I don't use the word  
16 horrified in a way that I think people... I think  
17 people sometimes want to use that word to just use  
18 that word, *horrified* to see how many people were in  
19 holding cells there, uh, in the intake cells I should  
20 say. How few services were being provided to people.  
21 Medical care that was not able to be performed  
22 because of a lack of security to provide to them.  
23 Just a... I think anybody, of all persuasions  
24 politically, who went there saw similar things. And  
25

2 maybe they had different conclusions, but similar...  
3 but saw similar things.

4 Now we are in a moment where we are in a moment  
5 of transition in, perhaps, when it comes to Rikers,  
6 but still seeing deaths that are climbing, uh,  
7 conditions that still concern all of us; census  
8 number much higher than I think where it is supposed  
9 to be for the borough-based jails and so forth and so  
10 on.

11 In your best summary, what is the role of The  
12 Board of Correction at this particular time? Where  
13 do you see areas of potential improvement if you join  
14 the board? That is not a criticism, but areas where  
15 you could perhaps expand the role of The Board of  
16 Correction. And where do you see needs at The Board  
17 of Correction right now?

18 DR. BEDARD: Thank you for the question.

19 So, in my mind, The Board of Correction provides  
20 sort of two overarching sort of buckets of services.  
21 The first is that it is an oversight body, and the  
22 second is that -- and relatedly -- is that it is a  
23 body for transparency. And I would like to speak to  
24 the first, first.

2 As everybody here knows, The Board of Correction  
3 employs a large staff that has unfettered access to  
4 the jails -- to walk around, to see what is going on  
5 with their own eyes, to speak to detainees, to speak  
6 to officers, to record concerns that they are getting  
7 on the ground, to compile that data, and to filter it  
8 up to decision makers at the board and to the board  
9 members themselves.

10 Board members also have unfettered access to the  
11 jails, and I do think they have an obligation to  
12 visit the jails on a regular basis. And, for lots of  
13 reasons, Rikers is a really hard place to get to,  
14 right? Uh, people have not always done that as  
15 regularly as they might. And it is something that I  
16 look forward to doing if I am appointed, to going and  
17 actually seeing what is going on. That is to see  
18 with your own eyes what's happening, because the  
19 jails are such a black box from the outside, and what  
20 you get on paper often does not reflect. As you  
21 know, from your own visits, for example, in 2021,  
22 what it actually feels like to be in a room where  
23 people are ,you know, that have been held for days in  
24 an intake pen, for example, and are incredibly

2 desperate -- without medication, et cetera, et  
3 cetera.

4 So, there is being able to go and see and record,  
5 and then there is using your public hearing and  
6 meetings effectively to share what you have seen and  
7 to hold the, uh, the corrections officials and et  
8 cetera to account for what you have seen. So, being  
9 able to take what you've seen back and make a  
10 meaningful... have meaningful interactions with jail  
11 leadership about what you have actually observed, and  
12 not just what they are filtering to you with their  
13 reports.

14 That is on the transparency side. On the  
15 oversight side, there are the board's minimum  
16 standards, right? Uhm, which are variably enforced  
17 for lots of different reasons. And, so, I think  
18 there is really, uh, holding The Department of  
19 Correction to account as much as possible to make  
20 sure that they are meeting those minimum standards,  
21 and then there is the second category in which the  
22 board gets to make recommendations and create new  
23 policy for implementation. And, in that department,  
24 I think one of the things that, uh, it behooves the  
25 board is to be really crystal clear about what the

2 objectives are of a policy that it is designing. And  
3 to recognize that it is not the body implementing the  
4 policy, it is the body creating the policy  
5 guidelines. And, so, when the board articulates a  
6 minimum standard, that is what it should be doing.  
7 It should be articulating a standard. And then it  
8 should be working with The Department of Correction  
9 or CHS, or whatever the relevant body might be, to  
10 implement that standard in a way that is realistic,  
11 and pragmatic given how the jails actually operate.  
12 And this is a place where I think there has often  
13 been, in the past, some discord between what the  
14 board is sort of handing down from on high and what  
15 the folks on the ground feel is relevant, applicable,  
16 and doable in their setting. And, so, trying to  
17 really think about that, and bringing my experience  
18 of having been recently in the jails, to those  
19 conversations is something that I really hope to do.

20 MS. HOSKINS: Thank you, Chairman Powers.

21 As Rachel was talking, uh, the role of the board,  
22 one of the things that I immediately realized while  
23 serving on the taskforce with the administrator of  
24 Rikers, the union president, and a representative of  
25 the board, is that there was no relational

2 conversation to even talk about when, as Rachel said,  
3 the board setting policies but not directing how it  
4 is implemented, because that falls on the staff, and  
5 the officers, and the administrator of Rikers. And I  
6 think that disconnect of, "This is what we want to  
7 do," caused a lot of tension between the most  
8 important parties. And I always say, while the union  
9 pushes back on things and different things, there's  
10 still the staff that has to implement it if we are  
11 going to see the change we want. Right? Because the  
12 board is just here. So, how do we work together to  
13 ensure that it is realistic, it is pragmatic, but  
14 that we are actually building this, uh to move  
15 towards a safer facility. Again, because that is  
16 going to be very important when we move to our  
17 borough-based facilities. The board has to  
18 understand that they set the policies, and they  
19 actually have to partner on the implementation.

20 DR. BEDARD: The other thing that I wanted to say  
21 about that was... Actually wait, I just lost it if  
22 it comes back to me, I will tell you...

23 CHAIRPERSON POWERS: All right, we will look out  
24 for it.

2 To Ms. Hoskins, you had asked about... Or, you  
3 had talked about the role of staff being a part of  
4 that conversation, and also, obviously, polices  
5 making it to the staff level in order to have their  
6 participation in whatever those polices are. We are  
7 seeing a -- and throughout my time as the chair as  
8 well -- continued assaults and attacks on the staff  
9 there, especially and particularly the uniformed  
10 staff. It is a dangerous environment, there is no  
11 doubt in my mind some of the staffing issues  
12 contributed to that, but it does predate some of the  
13 largest ones as well. And ,you know, I think that  
14 all of us agree that somebody who is going to work  
15 should have a right, that if they are going to serve  
16 the City, to go home to their families and to be safe  
17 in the way that we do that. And where I do agree,  
18 and I [INAUDIBLE] often with the folks there, but I  
19 also, I have some policy issues, but I... We share  
20 that goal. And, also, I share their concern over  
21 what happens there and about the sort of increased  
22 attacks and things like that. What polices, and this  
23 is for both folks, what policies do you see the  
24 board able to take to protect that folks who work

2 there, and with, particularly, focus on the security  
3 in terms of the, uh, correction officers?

4 MS. HOSKINS: Thank you for that question, Chair.  
5 And I will go back to one of the things that I think  
6 is the most harmful, which is the construction of the  
7 facilities, how everyone has to be escorted, how  
8 people are actually treated and housed in the  
9 facility.

10 But, you are right, staff has a right to feel  
11 safe. I don't want to work anywhere that I don't  
12 feel safe going to work to return home. And, I think  
13 the board, for me, has to play a unique role in  
14 working with the staff to say, in this current  
15 environment, until we are able to transition to a  
16 facility, how do we work together to ensure -- is  
17 that operating in pairs, is it that people are not  
18 escorted by one officer at a time, how do we actually  
19 manage the population that we currently have, while  
20 actually keeping our staff safe?

21 I think one of the highest population of staff on  
22 the island is women who are managing some very  
23 powerful men. But, how are we handling, how are we  
24 transporting? And, I think there is where is we have  
25 to get creative. Uhm, and it may seem over the top

2 for a lot of people, but it is calling for more  
3 correction officers, it is calling for more staff to  
4 be on there, but until we can create the polices and  
5 the process with a building where people can  
6 transport and feel safe, segregating or separating  
7 people based on mental health services, substance  
8 abuse, and not having those crises that sometimes  
9 people walk into, I think we have to learn how to  
10 partner. And I am really looking forward as being a  
11 part of the board, as Rachel said, sitting with staff  
12 and individuals to see what it is that they need and  
13 what it is within our wheelhouse to say we can  
14 actually increase and try to increase the safety of  
15 those going to work every day.

16 DR. BEDARD: Just to back, the thing that I wanted  
17 to say before is that the other thing that I would  
18 just say about The Board of Correction is that it is  
19 imperative that its interventions and its reports are  
20 timely. And that has not always been the case.  
21 There is often sort of a death report that comes out  
22 18 months after the fact, in which case a lot of time  
23 has passed, where it is hard to implement those  
24 things in a way that is going to be meaningful and  
25 needs to let other stuff happen.

2 So, I just wanted to put on the record that I  
3 think being timely is a critical responsibility of  
4 the board and something that I hope to work on with  
5 them.

6 To your question about violence and violence  
7 against staff specifically, Deanna mentioned this,  
8 but jail is a place of extreme excess human contact.  
9 Right? We don't allow people, in the New York City  
10 jail system, very much latitude to do almost anything  
11 for themselves. We don't let them ,you know, walk  
12 from their housing area to the clinic on their own;  
13 we don't let them go to programming by themselves, et  
14 cetera, et cetera. Every... The way that our jail  
15 system runs currently requires an officer to have a  
16 contact with the person basically any time that  
17 person is going to do anything from getting a meal to  
18 changing their sweatshirt, to going to court. Right?  
19 And all of those excess contacts create a huge amount  
20 of opportunity for conflict and for misunderstanding  
21 which easily escalates into violence. And people  
22 feel very tense in that environment all of the time.  
23 Right? And, so, it's... We are sort of... There  
24 are thousands of contacts a day that we could  
25 potentially... Where we could decrease the number of

2 those contacts, if we sort of paradoxically allow  
3 people more independence I think, I think you will  
4 actually create more safety in the jail system. So,  
5 if you create circumstances where you demonstrate  
6 some trust in the detainees by allowing them more  
7 independence in safe ways for their own day, you  
8 decrease the number of contracts that they needs to  
9 have with officers. And if you do that, you just  
10 decrease the number of opportunities for tension and  
11 conflict.

12 CHAIRPERSON POWERS: I... I... Oh, go ahead?

13 MS. HOSKINS: I just wanted to followup on that  
14 because that was something that I noticed when I  
15 visit Rikers, I had never experienced a jail where  
16 all movement was monitored. Not even in state  
17 prisons. And it was mind-blowing that, based on the  
18 way the building was constructed, that a person who  
19 needed a medical call could not go to a medical call,  
20 because you have the system, surveillance, the  
21 central control, is actually watching them. If they  
22 get on an elevator, the elevator automatically goes  
23 to the medical floor. Right? So, it's exactly what  
24 she was she saying. That was the only... And, I  
25 believe it is because of the way it was constructed,

2 but that every movement to visits, to doctors,  
3 everything had to be escorted, was very... was  
4 creating those interaction moments, that was  
5 different.

6 CHAIRPERSON POWERS: You know, I think there's  
7 tension always here, though, between those two  
8 things, which is, if you offer that independence,  
9 does it lead to a... And, I think... I think...  
10 And I recognize sort of the point you are making, but  
11 I think there is a concern that folks have always,  
12 though, that if you do some of those things talked  
13 about, it could lead to an adverse outcome.

14 Just moving onto to a couple more questions. Uh,  
15 the, uhm, this is Dr. Bedard, you had been there  
16 during the height of COVID , I believe , is that  
17 correct? And, I think, had seen and witnessed a lot  
18 of the challenges, I think, when it comes to how to  
19 provide health care in that setting, but also how to  
20 address COVID in it. And while we sort of ebbed and  
21 flowed in terms of where we are, I think in  
22 particularly with the numbers right now we continue  
23 to see spikes, and also just the general challenges  
24 for provision of health care. Can you talk about,  
25 uhm, what challenges you think continue to exist when

2 it comes to providing health care, and where the  
3 board might be able to address those? And,  
4 obviously, you are welcome to have input into that as  
5 well.

6 DR. BEDARD: Health care in general or COVID care  
7 specifically?

8 CHAIRPERSON POWERS: Health care in general, but  
9 with an emphasis on COVID.

10 DR. BEDARD: So, to speak to the COVID piece  
11 first, I just think there is not worse setting in  
12 society for a very highly contagious, airborne virus  
13 than a correctional facility. And we knew that when  
14 we sort of anticipated, before the first COVID cases  
15 hit New York, right? We were incredibly, incredibly  
16 anxious about what the impact would be in the jail  
17 system. The overall, the response in the first wave  
18 of 2020, when New York City was really under siege,  
19 uh, was incredibly challenging. Many people got  
20 sick. And at the same time, I think it was  
21 relatively successful. And that was for several  
22 reasons, but the piece that was sort of most  
23 important to me was that there was rapid  
24 decarceration, of everyone who did not have to be  
25 held in the jails at that time, back to the community

2 with the idea that simply decanting the buildings,  
3 having fewer bodies in this space, would help  
4 minimize viral transmission.

5 There were lots of other elements though to the  
6 COVID response that were really critical. Uhm, and  
7 in general, that response relies on being able to, in  
8 a timely manner, identify potential cases and isolate  
9 those cases, and then quarantine them until the  
10 person is better. The COVID response in the jails  
11 rises and falls with the general jail dysfunction.  
12 If you are not effectively moving people on time,  
13 well, then you are not effectively moving on time who  
14 are sick and need to be taken to isolation. And you  
15 are leaving those folks in their housing areas,  
16 you're leaving those folks in the intake pens and  
17 what have you. And we saw that in, uhm, the second  
18 half of 2021, when the intake pens were consistently  
19 so crowded and overflowing and people were being held  
20 for days on end -- you know, a 100 men to a pen. One  
21 COVID case in there is going to spread to everybody  
22 else. And, so, so much of an effective COVID response  
23 relies on their being a functional jail system where  
24 you can implement protocols reliably, and  
25 effectively, and in a timely way.

2 To the question about... So, I guess my answer  
3 on how to improve COVID care is two parts. One is to  
4 try to get the census down as low as it can be and  
5 try to keep it there. And, two is to improve general  
6 jail function so that you can implement the protocols  
7 that exists that were relatively successful in that  
8 first wave.

9 Health care in general on the island is a  
10 challenge. And one of the reasons it is a huge  
11 challenge in New York City, is because jails are  
12 meant to be temporary holding spaces, but in fact, in  
13 New York City, people are increasingly held for  
14 longer lengths of stay. And the longer that people  
15 are held in jails, one, it means that the jail system  
16 becomes responsible for care for their chronic  
17 conditions in a way that it is not necessarily to do  
18 so well. And, it requires something very different  
19 from the health service than what the health service  
20 might be oriented towards in another jail system.  
21 And, two, that people do develop new conditions or  
22 get sicker over the time that they are there. I took  
23 care of several people over the course of my time  
24 working at CHS, who were diagnosed with a serious  
25 cancer while they were in jail for example. In

2 those... What I think we want to do there, and this  
3 is redundant with my prior answers, is you want to  
4 think about what the relevant metrics are for what  
5 health care in jails should be achieving. It is not  
6 a place where you are going to ,you know, be able to  
7 do all of the preventative care that you might hope  
8 to do for somebody in the community. It just doesn't  
9 work that way. You don't know how long people are  
10 going to be there. You can't schedule their  
11 colonoscopy for four months from now or whatever it  
12 is necessarily. So, you want to be realistic about  
13 what you are actually trying to achieve with jail  
14 health care. And then you want to orient your  
15 policies towards being able to achieve those things  
16 and not doing a ton of other redundant work that does  
17 not necessarily work towards those things.

18 So, a good example I think is population based  
19 health. CHS has done an incredibly commendable job  
20 focusing on hepatitis C treatment. Hepatitis C is an  
21 extremely prevalent condition amongst the  
22 incarcerated population in New York City. CHS makes  
23 a huge effort to identify those folks, diagnose them,  
24 uh, prescribe them hepatitis C curative medication,  
25 and make sure that they complete the course of that

2 medication. That is absolutely worth the lift.

3 There are other things that the health service is  
4 required to do, like routine check-ins with people  
5 who are essentially healthy, that take up a lot of  
6 resources and are not as important, and giving the  
7 health service latitude to orient its processes to  
8 meet the objectives that really matter I think is  
9 very important.

10 MS. HOSKINS: Thank you.

11 I totally agree with Rachel on the decarceration  
12 strategy and that the protocols that were set up  
13 during COVID were very successful.

14 One of the things that we saw was, again, that  
15 process dropping off once we thought we had hit a  
16 neutral level, and then we saw a rise in COVID again.

17 One of the most important things, again, I think  
18 we have to go back to intake -- when a person enters  
19 the island -- comes across the island. What are the  
20 protocols health wise that we are actually taking a  
21 look at when evaluating the person? Are we  
22 implementing rapid COVID tests on individuals to  
23 ensure we are not starting to infect the island  
24 again? And how do we separate those individuals? Is  
25 there are a quarantine time?

2 But, also on the health care side, we know that  
3 there is a certain amount of the population that just  
4 becomes a revolving door to our local jails --  
5 whether it is based on mental health, homelessness,  
6 substance abuse -- but what is the connection with  
7 those individuals once they roll off the island? We  
8 know jail is temporary. One of the things we were  
9 looking at and having a conversation around, the  
10 build communities component is, how we create  
11 community health care centers that possibly have  
12 Health Care Navigators. I know Yale Medical School  
13 has created one in Boston that has become very  
14 successful in keeping people engaged. And what they  
15 have started to see is that if people were engaged in  
16 health care services and access outside the facility,  
17 it started to reduce their visits back to the local  
18 jail. So, some of those things have been on the  
19 table for New York City as a conversation. But, I  
20 think that is a very important one -- of those  
21 individuals who are diagnosed with some kind of  
22 chronic illness when they are on the island, how are  
23 we keeping connected when they come back to the  
24 community?

25 CHAIRPERSON POWERS: Great, thank you.

2 We also have your pre-questions for the hearing,  
3 so I think I have a pretty substantial understanding  
4 of some of your questions on other issues.

5 So, with that, I want to thank you both for  
6 joining us here today and providing your testimony  
7 and your answers before the hearing as well. And  
8 congratulations to both of you on your nominations.  
9 And just from personal experience, I think you both  
10 would be extremely great additions to The Board of  
11 Correction for your experience and your work  
12 predating this. And without question, as Criminal  
13 Justice Chair, I have had a chance to work with both  
14 of you, and I find you both to be very thoughtful in  
15 being able to understand different sides of an  
16 equation, even when you may disagree or may have a  
17 difference opinion, and to still be able to hear and  
18 work with folks. And also, and maybe most  
19 importantly, as Dr. Bedard said, this also requires  
20 individuals to go and visit these facilities, to do  
21 some real work, and to be active participants. And  
22 to me that is one of the most important roles of the  
23 board -- is to actually be there, seeing it, talking  
24 to it, helping the board manage different aspects of  
25 the work that they do. So, I feel both hopeful and

2 confident that you both will live up to that aspect  
3 of it, which is to be there and to see it, and to  
4 understand in real time what those issues are.

5 So, thank you for joining us and for providing  
6 your time. You both are excused, and we will...  
7 Actually, no, before I do anything, I just want to  
8 check to see if we have any other questions from  
9 anybody on remote? Okay, you are excused, thank you.

10 I am now going to open up the floor to the public  
11 for comments. If there is anyone who would like to  
12 speak, you can fill out an appearance card with the  
13 Sergeant At Arms and wait to be recognized. If you  
14 are on Zoom, I think you can use the Zoom Raise Hand  
15 Function to indicate that you would like to testify.  
16 We ask that you limit your comments to three minutes.  
17 And if you have a written statement, please provide a  
18 copy of that statement to the Sergeant At Arms.

19 Right now, we don't see anyone signed up, so we  
20 will give it one more second. And, with that, the  
21 public hearing on these nominees is now closed.

22 I would like to thank again, the nominees and  
23 members of the public, the speaker, and my colleagues  
24 on the committee, committee counsel, and staff, and  
25

1 COMMITTEE ON RULES, PRIVILEGES & ELECTIONS 116

2 the Sergeant At Arms, this meeting is hereby

3 adjourned.

4 [GAVELING OUT] [GAVEL SOUND]

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C E R T I F I C A T E

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



Date January 30, 2023