

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON JUSTICE SYSTEM JOINTLY WITH
THE COMMITTEE ON WOMEN AND GENDER EQUITY

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HELD AT: COUNCIL CHAMBER - CITY HALL

B E F O R E: RORY L. LANCMAN
Chairperson

HELEN K. ROSENTHAL
Chairperson

COUNCIL MEMBERS: Andrew Cohen
Laurie A. Cumbo
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A P P E A R A N C E S (CONTINUED)

Hannah Pennington, Assistant Commissioner of Policy and Training, Mayor's Office to End Domestic and Gender-Based Violence, DGBV

Elizabeth Dank, Deputy Commissioner and General Counsel, ENDGBV, Mayor's Office to End Domestic and Gender-Based Violence, DGBV

Deanna Logan, Deputy Director, Crime Strategies Unit in the Mayor's Office of Criminal Justice

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Audrey Moore, Executive Assistant District Attorney and Chief of the Special Victims Bureau, Manhattan District Attorney's Office Appearing for District Attorney Vance

Maggie Wolk, Chief of Strategic Planning and Policy, Manhattan District Attorney's Office

Dr. Carla Smith, Chief Program Officer, Urban Resource Institute

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Grace Price, Close Rosie's Campaign

COMMITTEE ON JUSTICE SYSTEM JOINTLY WITH THE
COMMITTEE ON WOMEN AND GENDER EQUITY

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(sound check) (background comments/pause)

[gavel]

CHAIRPERSON LANCMAN: Good afternoon

everyone. I'm Council Member Rory Lancman, Chair of
the Committee on the Justice System, and welcome to
this joint hearing with the Committee on Women and
Gender Equity chaired by Council Member Helen
Rosenthal on the Efficacy of Batterer Intervention
Programs. In 2018, the New York City Police
Department recorded an 8% increase in reported
domestic violence incidents, up to more than
250,000. (coughs) Since 2017 even while the city's
homicide rate has fallen, the number of domestic
violence related killings has continued to go up. In
a 2014 City Council hearing on batterer intervention
programs we wanted to better understand when a
batterer's failure to attend or complete a court
mandated program led to a violation in DV related
recidivism. We heard concerns that programs may be
limited in their ability to track success, that
success was determined merely by the batterer's
attendance and completion rate, and that failure
might be determined only by recidivism. We also
heard concerns that a false positive result a

1 batterer successfully completing a program could put
2 victims at risk of future harm because the program's
3 metrics might not be capturing more meaningful
4 changes or lack of changes in the batterer's
5 behavior. A review of current literature reveals
6 that questions around the efficacy of court ordered
7 batterer intervention programs remain a hot—a topic
8 of research and debate. Some consensus has formed
9 around best practices generally calling for a
10 coordinated community response including between the
11 courts and treatment programs, but much of the debate
12 from 2014 remains. New York City continues to fund
13 some court ordered intervention programs. The Power
14 and Control or PAC Program administered by the
15 Mayor's Office of Criminal Justice offers court
16 mandated programming through the Criminal and Family
17 Courts in all five boroughs. In addition, the Office
18 of the Manhattan District Attorney in a program
19 partnering with the Urban Resource Institute began a
20 court mandated intervention program this past summer.
21 The is also city funding available for batterer
22 intervention work outside of court mandated programs.
23 A Safe Way Forward, with funding from the
24 Administration for Children's Services includes two
25

demonstration projects run by Safe Horizon in Staten
Island and the Children's Aid Society in the Bronx.
The Mayor's Domestic Violence Task Force and its
Interrupting Violence at Home Initiative plans to
provide programs for abusive partners who are not
involved in the Criminal Justice System. ENDGBV
(sic) administers a program through the Center for
Court Innovation in which domestic violence
coordinators in each borough will work with a
voluntarily-voluntary population of adult abusive
partners. ENDGBV (sic) also has an open RFP for an
abusive partner intervention program to work mostly
with voluntarily engaged participants. For those
programs that are already running we want to better
understand what successful outcomes look like, For
those programs that are either so new that they can't
report outcomes or are still in the planning stages,
we want to better understand how they plan to measure
their efforts. The urgency of the need for us to
treat domestic violence as a serious threat to our
families and communities requires the Council's
continued vigilance. We look forward to hearing from
the Mayor's Office of Criminal Justice, the Mayor's
Office to End Domestic and Gender-based Violence, our

3 District Attorney's Offices, program providers,
4 survivors of domestic violence, legal services
5 providers, activists, advocacy groups—advocacy
6 groups, experts on the topic of domestic and gender-
7 based violence, and any other stakeholders, and we
8 look forward to continuing to develop frameworks for
9 evaluating the programs on which so many New Yorkers'
10 live depend. With that, I would invite the Co-Chair
11 of this hearing, the Council Member Helen Rosenthal
12 to deliver remarks.

13 CHAIRPERSON ROSENTHAL: Thank you so
14 much, Chair Lancman. It's an honor to chair this
15 hearing with you. Thank you so much. I'm Council
16 Member Helen Rosenthal. My pronouns are she, her,
17 hers. I'm Chair of the Committee on Women and Gender
18 Equity. Thank you, Chair Lancman for inviting my
19 committee to join yours to hold this very important
20 hearing. I also want to take a moment to honor that
21 today is Transgender Day of Remembrance. Um, once
22 again we are talking about domestic violence.
23 Domestic violence is scourge that can affect anyone
24 regardless of gender, socio-economic status or
25 background, but it primarily affects women—women of
color in particular and members of the LGBTQ

1 population. Yet as violent crime rates continue to
2 drop across the five boroughs annually, the rates of
3 domestic violence have remained pervasive. Last
4 summer, my committee held an oversight hearing on
5 domestic violence initiatives where we asked: Are we
6 meeting the need for domestic violence services in
7 the city, and at that hearing we heard from several
8 advocates that emphasized the need for more
9 programming and services for abusive partners, and
10 so, today we're discussing batterer intervention
11 programs or abusive partner intervention program,
12 which are intended to address the source of domestic
13 violence. While such programs have existed for some
14 time in some form or another for over 30 years,
15 there's little proof that these programs actually put
16 a stop to domestic violence, and reforms are
17 necessary. The goal of today's hearing is to better
18 understand the landscape of batterer intervention
19 programs in the city. We want to know what's changed
20 since the four early model programs that were created
21 by the city and whether new approaches are being
22 implemented. It is essential that intervention
23 programs work for diverse populations including
24 LGBTQ+ individuals that do not fall into the hetero
25

1 normative or patriarchal paradigms. We look forward
2 to hear about ENDGBV's efforts to engage with
3 perpetrators of violence before they're caught up in
4 the Justice system. We're also interested in hearing
5 about the Justice System's approach to perpetrators
6 and the effectiveness of court mandated treatment
7 programs. I'd like to thank Marisa Maack my Chief of
8 Staff, Madhuri Shukla my new and amazing Legislative
9 Director, and committee staff for their work in
10 preparing for this hearing, Jayasri Ganapathy the
11 Legislative Counsel Chloe Rivera, the Senior
12 Legislative Policy Analyst and Monica Pepple
13 Financial Analyst, and finally I hope—oh, I'm so
14 pleased to acknowledge my colleague Council Member
15 Debi Rose who has been a champ—a fierce champion on
16 Staten Island for women in particular. Thank you
17 very much. I turn it back to you, Chair.

18
19 CHAIRPERSON LANCMAN: So, I understand
20 testifying from the Administration this afternoon is
21 the Mayor's Office of Criminal Justice and the
22 Mayor's Office to End Domestic and Gender-based
23 violence. Am I correct? Good. So, why don't we, um,
24 sear you in, and then we can hear your testimony. Do
25 you swear or affirm the testimony you're about to

1
2 give is the truth, the whole truth and nothing but
3 the truth? Thank you. Have you decided amongst
4 yourselves who would go first? Please proceed.

5 ASSISTANT COMMISSIONER PENNINGTON: Good
6 morning Chairpersons Rosenthal and Lancman and
7 members of the City Council Committees on Woman and
8 Gender Equity and Justice. I am Hannah Pennington,
9 Assistant Commissioner of Policy and Training at the
10 Mayor's Office to End Domestic and Gender-Based
11 Violence otherwise known as ENDGBV. I'm pleased to be
12 here today with our colleagues at the Mayor's Office
13 of Criminal Justice, MOCJ, and ENDGBV Deputy
14 Commissioner and General Counsel Elizabeth Dank to
15 speak with you about Batterer Intervention programs,
16 which we refer to as Abusive Partner Intervention
17 Programs or APIPS. ENDGBV, which was relaunched and
18 expanded in 2018 via Executive Order 36 develops
19 policies and programs; provides training and
20 prevention education; conducts research and
21 evaluations; performs community outreach and operates
22 the New York City Family Justice Centers. We
23 collaborate with city agencies, and community
24 stakeholders to ensure access to inclusive services
25 for survivors of domestic and gender-based violence

1 including intimate partner and family violence, elder
2 abuse, sexual assault, stalking and human
3 trafficking. MGVB works closely with the city's
4 domestic violence advocates who for decades have
5 worked tirelessly to increase supportive services for
6 domestic violence survivors and their families.

7 Today, New York City has the largest network of
8 Family Justice Centers in the country, and are rich
9 in a vast network of local domestic violence service
10 providers offering a range of crisis and supportive
11 services for victims of domestic violence. While New
12 York City has put significant resources into building
13 a network of services and programs for domestic
14 violence survivors and their children, in recent
15 years the city has increased its focus on
16 interventions for abusive partners. We know as many
17 domestic violence advocates frequently report that
18 while most survivors want the abuse to stop, many do
19 not want their partners to be arrested or
20 incarcerated. Working with abusive partners or
21 people who cause harm is a critical component in our
22 efforts to interrupt violence between intimate
23 partners to support survivors and to foster healthy
24 relationships and community. As such, improving New
25

1
2 York City's capacity to provide effective services
3 for abusive partners is essential in our overarching
4 goal to reduce the pervasiveness of intimate partner
5 violence. Recognizing this need to develop
6 innovative and non-mandated programs—programming for
7 abusive partners, the city announced the Interrupting
8 Violence At Home Initiative in 2018 to develop
9 evidence and trauma-informed intervention models that
10 address abusive behavior, and to reduce future abuse
11 in intimate partner relationships. The non-mandated
12 community-based program for people causing harm in
13 their relationships created through the Interrupting
14 Violence at Home Initiative is part of the city's
15 commitment to the creation of innovative tools and
16 strategies to end violence. ENDGBV worked closely
17 with local experts, providers, advocates and
18 survivors to develop this initiative. In particular,
19 the Coalition on Working with Abusive Partners
20 otherwise known as COWAP an interagency working group
21 on abusive partner interventions, which included a
22 research project by the Center for Court Innovation,
23 an independent consultant Poorvisha supported by
24 Chapman Ferman (sic) Foundation. Under this
25 initiative the city will (1) create respect and

responsibility. The first city-funded community-based program for abusive partners who are not mandated to participate by the Criminal Justice System. (2) Create respect first. The first City funded trauma informed and culturally competent accountability program for teens who have demonstrated unhealthy relationships with intimate partners and/or family members. (3) in Collaboration with MOCJ and the Office to Prevent Gun Violence incorporate domestic violence coordinators in New York City crisis management system sites to enhance the identification and response to domestic violence in communities served by CMS. (4) Develop a best practice guide for implementing restorative justice practices in community-based models to address domestic violence in New York City, and lastly (5) Develop a specialized ENDGBV Training curriculum to provide city agency staff and community-based organization skills to better identify and engage with abusive partners including tools to understand risk factors and identify high level for risk. In New York City between 2010 and 2018, the NYPD had previous contact with the victim and the offender in only 40% of the intimate partner homicides. A key

1 focus of Interrupting Violence at Home program is
2 creating a baseline of information regarding the
3 identification, engagement and intervention of
4 abusive partners outside of the Criminal Justice
5 System. This information is critical in order to
6 continue to drive down domestic violence incidents
7 and enhance accountability for abusive partners as
8 well as enhance—enhance survivor safety. In addition
9 to developing new programming outside of the Criminal
10 Justice System, the city is also seeking to innovate
11 programming within the Criminal Justice System and
12 for families. MOCJ currently funds a APIP for
13 criminal justice mandated participants and through
14 the Domestic Violence Taskforce funding, recently
15 expanded that program to Staten Island, and had—and
16 contracted with the Center for Court Innovation to
17 develop trauma-informed curriculum to be used for the
18 program following a new procurement process. In
19 addition, in 2018, the Administration for Children’s
20 Services announced a three-year demonstration project
21 called A Safe Way Forward, an innovative program that
22 provides services to the entire family including the
23 person causing harm, which will include an APIP
24 component. Prior to that, in 2017 the Department of
25

1 Probation launched a new Queens domestic violence
2 program to provide specialized domestic violence
3 programming and supervision practices responsive to
4 individual client risks and needs. The Queens
5 program enhances offender accountability including
6 the provision of a new APIP modeled off the pre-
7 existing successful APIP used by DOP in a Bronx
8 program called Promoting Accountability and Community
9 Ties, the PAC Program. We are at a critical time in
10 New York City as we move forward with innovating the
11 design and delivery of abusive partner programs both
12 within and outside of the Criminal Justice System,
13 and are eager to establish an evidence-based and
14 designed programming that is reflective of and
15 tailored to the needs of abusive partners while
16 prioritizing survivor safety. We look forward to
17 continuing to collaborate with our city agency
18 colleagues, our community partners, survivors and
19 other stakeholders to enhance abusive partner
20 programming in New York City. Thank you for the
21 opportunity to discuss this issue, and we welcome any
22 questions the committees may have.

24 DEPUTY DIRECTOR LOGAN: [off mic] Good
25 afternoon. I've got it entirely off. [laughter] [on

1 mic] Make sure we're closer. Good afternoon,
2
3 Chairpersons Lancman and Rosenthal, and members of
4 the Committee on Justice and Committee on Women and
5 Gender Equity. My name is Deanna Logan, and I am the
6 Deputy Director of our Crime Strategies Unit in the
7 Mayor's Office of Criminal Justice. Thank you for
8 the opportunity to testify today. Joined here with
9 me is Shakira Ahlgren who serves as one of our Senior
10 Counsel. The Mayor's Office of Criminal Justice
11 advises the Mayor on criminal justice policy, and is
12 the Mayor's representative to the courts, district
13 attorneys, defenders, and state criminal justice
14 agencies among others. Referred to as MOCJ, MOCJ
15 designs, deploys and evaluates citywide agencies—
16 citywide strategies to increase safety, reduce
17 unnecessary arrests and incarceration, improve
18 fairness and build the strong neighborhoods that
19 ensure enduring public safety. While crime has
20 fallen to historic lows in the city, domestic
21 violence persists. Today, domestic violence accounts
22 for 40% of assaults and 20% of homicides in the city.
23 Additionally the effect of domestic violence
24 stretches well beyond the crime rate. It can lead to
25 cross-generational continuation of violence, affects

1 survivors, and their family's financial security, and
2 impact the city's resources and service systems
3 including the shelter system. Addressing the impacts
4 of domestic violence requires a holistic approach. At
5 MOCJ we have worked with our partners in the District
6 Attorney's Office to shape and fund resources such as
7 a domestic violence complaint laws (sic) that provide
8 survivors appropriate space and privacy when sharing
9 their experiences, and domestic violence units
10 throughout the city that promote high quality
11 incident responses. At the same time, we also know
12 that expanding effective programming opportunities
13 for people who come into contact with the Justice
14 System is a key strategy to continue lightening the
15 touch of enforcement while simultaneously reducing
16 overall crime in our city. It's for this reason and
17 others that we believe that Abusive Partner
18 Intervention Programs for referred to as APIP are
19 essential to combatting domestic violence in New York
20 City. Currently, MOCJ maintains a contract with
21 Program For Power and Control referred to as PAC,
22 which is an APIP that is available in all five
23 boroughs. It was originally in four boroughs, but
24 the expansion of the Staten-into Staten Island was
25

3 also afforded by the DV Task Force funding. PAC
4 addresses domestic violence through educational
5 programming rather than a sole focus on punishment.
6 Its curriculum aims to address issues of abuse, and
7 coercion in relationships and is informed by the
8 Duluth Model curriculum which is designed to teach
9 new patterns of thought and behavior. Through the
10 program participants attend one hour of programming
11 for 24 weeks. Now as with all models of engagement
12 that address how we change and give incentives for
13 modifying behavior, time and experience shape what we
14 know to be the most effective protocols. When
15 thinking out an APIP, we know that any model selected
16 must be trauma-informed. Moreover, we also know that
17 where once dominant areas about the role of financial
18 payments and accountability have not necessarily
19 proven effective over time, as such, MOCJ is
20 exploring the development of a fee-free model, models
21 that are trauma informed curriculums for both men and
22 women whose involvement with the Criminal Justice
23 System is related to domestic violence. This
24 development is also being funded by resources from
25 the DVT Act Task Force. In addition, MOCJ's work
continues to advance and improve as we seek new and

1 innovative approaches to address the intersection of
2 domestic violence and gun violence. This will be
3 aided by a grant that we received from the National
4 Council of Juvenile and Family Court Justices or
5 NCJFCFJ, and that was in April of this year. As part
6 of this grant, Brooklyn was selected as one of six
7 sites nationally to participate in the Firearms
8 Technical Assistance Project, FTAP for short. The
9 objective of this projects, which has also been
10 partnered with NGBB, is to improve public health and
11 safety in Brownsville, Brooklyn by helping the
12 community implement policies, protocols, and
13 promising practices to prevent people who abuse their
14 partners from having unlawful access to firearms. As
15 part of this project a number of participants
16 including the Center for Court Innovation,
17 International Association of Chiefs of Police,
18 National Center on Protection Orders and Full Faith
19 in Credit, and the National Domestic Violence and
20 Firearms Resource Center shared their insights into
21 strengths and challenges of civil protection orders
22 and other criminal domestic violence processes
23 related to the prevention of unlawful access to
24 firearms. Following those conversations, a
25

1 management team led by our office along with the New
2 York City Police Department, the Kings County
3 District Attorney's Office discussed ways to improve
4 coordination among system partners. While many
5 resources already exist, it became apparent that
6 enhanced coordination coupled with new ways to
7 incentivize the removal of guns from abusive
8 partners, can help curb the flow firearms and reduce
9 fatalities. As we continued this work, we look
10 forward to disseminating information more widely
11 about effective strategies and lessons learned along
12 with identified approaches to protect victims,
13 children and others while promoting victim autonomy
14 and safeguarding due process rights. Adding to these
15 initiatives—initiatives, the Office to Prevent Gun
16 Violence, which is housed with the MOCJ, contracts
17 with CCI to offer intimate partner violence related
18 supports to the Crisis Management System sites
19 citywide. Again, this funding is through the
20 Interrupting Violence and Home Initiatives that is
21 part of the DV Task Force. This initiative is
22 called Reimagining Social Intimacy through Social
23 Engagement or RISE. Through RISE there are seven
24 staff that support the CMS sites: A supervisor and
25

1
2 six coordinators each of which serve two to three CMS
3 sites. The coordinators train CMS staff on intimate
4 partner violence, educate the community about how to
5 have safer and healthier relationships, and offer
6 support to individuals causing harm in their
7 relationships. The coordinators have already begun
8 hosting community workshops, and training the CMS
9 staff, and are on track to gradually roll out
10 trainings for all CMS providers serving our city. In
11 addition to our affirmative programs, we also want to
12 make sure the Council is aware of our NYC
13 Crime/Victim Services Finder or the Finder in
14 accordance with Local Law 162. This resource serves
15 as a centralized locator of city funded crime victim
16 service providers--[sneezing] Bless you--and is
17 available for victims, service providers, advocates
18 and others who are interested in learning more about
19 available services in New York City. By offering a
20 Finder that is house on MOCJ's website, and available
21 on third-party websites that cater to crime victims
22 in the city, we hope to raise awareness on the myriad
23 of services offered throughout the city. Finder is
24 also available through NYC Hope, the city's resource
25 directory for domestic and gender-based violence,

3 which connects New Yorkers with information and
4 resources to help those experiencing dating, domestic
5 or gender-based violence. As we know, victims of
6 domestic violence are often in need of other support
7 services ranging from job access, housing assistance
8 and more. Lawyers and other social service providers
9 to benefit from the Finder and being able to
10 coordinate to serve their clients. For the—for all
11 of these reasons, we're proud of our work on Finder,
12 and since its launch have found it to be another
13 critical tool in ensuring those who are impacted by
14 crime, including domestic violence, are connected to
15 the services that they need to heal and fill
16 essential needs, and start to repair the harm that
17 has been caused to them. Thank you for the
18 opportunity to testify again, and we are happy to
19 answer any questions.

20 CHAIRPERSON LANCMAN: Thank you. Um, let
21 me recognize the we've been joined Council Members
22 Ayala and Kallos and Andy Cohen. Um, do either of
23 your agencies maintain a list of all of the available
24 and active court ordered, um, batterer intervention
25 programs operating in the five boroughs? [background
comments/pause]

3 DEPUTY DIRECTOR LOGAN: We don't have a
4 list on our website. It sounds like MOCJ doesn't
5 either, in all of the programs we are working closely
6 with all of the city agencies that have launched or
7 are in the process of developing new APEX.

8 CHAIRPERSON LANCMAN: See, we've been at a
9 disadvantage in the hearing because we've been
10 unable, the Council has been unable to get a list of
11 all the programs that are operating. From there, we
12 would try to identify the funding for those programs,
13 how many individuals are served by those programs,
14 the--the eligibility criteria for those programs, and
15 any analysis or--or data on how effective those
16 programs are, and it's concerning that the city
17 represented by the two agencies that I would think
18 would be most responsible for knowing what is going
19 on in our courts when it comes to batter intervention
20 programs or APIP or whatever--whatever you--you want to
21 call them, and--and you don't know. So, yes, you look
22 like you're ready to say something. So, please go
23 ahead.

24 ASSISTANT COMMISSIONER PENNINGTON: So,
25 I--I know that our two agencies do not maintain a list
of all of the programs that are--are available for the

3 courts. However, it would seem that OCA would be a
4 repository because their judges are the ones who know
5 all of the programs available so that we could
6 coordinate trying to obtain a list because OCA would
7 be the repository of all the programs available to
8 the jurists who order the defendants in case before
9 them to participate.

10 CHAIRPERSON LANCMAN: Well, and—and look,
11 I'm not saying this because I want to criticize you.
12 There are other hearings for that on different
13 issues. It's not this one, okay? It's true that OCA
14 as the Office of Court Administration should also
15 have that list. I don't know. Part of this hearing
16 is to find out, um, whether or not OCA requires or—
17 or—the judges are somehow required to choose
18 programs from an approved list. That's one of our
19 questions. Um, or if each judge is able to do what
20 he or she feels like, but in your—in MOCJ's, your
21 testimony, you did describe MOCJ correctly as—I'm
22 paraphrasing because I don't want to read it bac to
23 you, but as the office, the agency that advises the
24 Mayor and oversees the Criminal Justice System for
25 the—for the city, um, in—in its many ways. So, um, I
would like if you or you, one of you whether you

3 collectively, the royal you would undertake to
4 communicate with OCA, the district attorneys, the
5 public defenders, and whomever else you regularly
6 deal with and in many cases have contracts with to
7 get the Council a comprehensive list of all the
8 battery intervention programs or the APIPs that are
9 currently operating in the five boroughs. Would you
10 endeavor to—to do that for us perhaps, you know, by
11 the end of the year?

12 DEPUTY DIRECTOR LOGAN: Yes.

13 CHAIRPERSON LANCMAN: Thank you. Which
14 of the programs, the court ordered—now I'm going to
15 focus mostly on the court ordered, court related
16 programs and—and Council Member Rosenthal will focus
17 on—on the others and, you know, whatever else she
18 wants to focus on, of course. So, for the court
19 ordered programs, do—excuse me. For the—for the city
20 funded court ordered programs, how many of there are
21 those?

22 DEPUTY DIRECTOR LOGAN: There is one,
23 Council Member.

24 CHAIRPERSON LANCMAN: Only one?

25 DEPUTY DIRECTOR LOGAN: Yes.

CHAIRPERSON LANCMAN: That is the PAC?

3 DEPUTY DIRECTOR LOGAN: Yes.

4 CHAIRPERSON LANCMAN: Okay. Um, how many-
5 let's start with the PAC. What is the-the
6 eligibility for Someone to be able to-to-to
7 participate in the PAC program? What-are there
8 exclusions based on the seriousness of the-the-the
9 crime that they're charged with or their-their prior
10 criminal record or-or any other exclusions?

11 DEPUTY DIRECTOR LOGAN: The first primary
12 requirement is that they are being faced with a DV
13 charge, the domestic violence charge. Um, they are
14 then screened by the-the Clinical Assessor. Nine
15 times out of ten, they are eligible because they have
16 domestic violence charge, but they don't have an
17 extensive list of prior domestic violence
18 convictions. Then they are eligible for the PAC
19 program. It is my understanding that these are
20 misdemeanor cases. There are not felony case. There
21 will be other concerns because there are DV felony
22 courts in each borough. So, those felony cases will
23 be handled by the DV courtroom.

24 CHAIRPERSON LANCMAN: How many, um,
25 participants have there been in the PAC Program?

1
2 DEPUTY DIRECTOR LOGAN: Um,
3 contractually, we have asked them to serve at least
4 450 citywide. We have asked for a tally, At this
5 particular time we are still waiting for those
6 numbers. We can provide those to you when we—when we
7 receive them.

8 CHAIRPERSON LANCMAN: Okay and—and when
9 did the PAC Program formally kick off?

10 DEPUTY DIRECTOR LOGAN: Um, we—the
11 contract started in 2018.

12 CHAIRPERSON LANCMAN: 2018.

13 DEPUTY DIRECTOR LOGAN: Yes.

14 CHAIRPERSON LANCMAN: Alright, but you
15 don't have numbers yet for the number of participants
16 from—from the start until today?

17 DEPUTY DIRECTOR LOGAN: We do not have
18 those numbers at this particular time. We did
19 request them. We are waiting to receive them.

20 CHAIRPERSON LANCMAN: Okay, great. Thank
21 you. Um, prior to the PAC program, was there another
22 city funded batter intervention program?

23 DEPUTY DIRECTOR LOGAN: Not to my
24 knowledge, Council Member.

25

3 CHAIRPERSON LANCMAN: Alright. Um, and so
4 what is the process by which MOCJ will evaluate
5 whether or not the PAC Program is—is effective, is
6 working?

7 DEPUTY DIRECTOR LOGAN: My under [coughs]
8 excuse me. My understanding is that, um, one of the
9 requirements is whether or not they have met the
10 number of individuals we have asked them to service.
11 Um, whether or not there has been a high or low
12 number of recidivists, whether or not they have
13 completed the program, um, and we would ask for them
14 to provide that particular information to us for us
15 to evaluate it. Um, we are also looking at, um,
16 whether or not—we are exploring whether or not the
17 Duluth model is still applicable to, um, abusive
18 partner intervention programs at this time.

19 CHAIRPERSON LANCMAN: So, metrics of
20 success or failure would be recidivism?

21 DEPUTY DIRECTOR LOGAN: That would be
22 one, yes.

23 CHAIRPERSON LANCMAN: So, after the
24 completion of the program or during their
25 participation in the program whether or not they—is

3 it—is it whether or not they commit another DV
4 related offense or any phase—or any offense?

5 DEPUTY DIRECTOR LOGAN: It would be DV
6 related.

7 CHAIRPERSON LANCMAN: DV related?

8 DEPUTY DIRECTOR LOGAN: Yes.

9 CHAIRPERSON LANCMAN: And in what time
10 frame? Is it 6-within 60 days of completion of the
11 program, two years or something else?

12 DEPUTY DIRECTOR LOGAN: Um, with PAC it
13 is a 90-day—after 90 days of completion they do web
14 prints query to see if the individuals has been re-
15 arrested.

16 CHAIRPERSON LANCMAN: Okay, and then, um,
17 completion of the program, it's a—is this the one
18 that's a 26-week?

19 DEPUTY DIRECTOR LOGAN: It is 24 weeks.

20 CHAIRPERSON LANCMAN: 24 weeks

21 DEPUTY DIRECTOR LOGAN: Yes.

22 CHAIRPERSON LANCMAN: Okay. Um, do you
23 have any data on completion rates or—or recidivism
24 rates yet?

25 DEPUTY DIRECTOR LOGAN: Not at this time.
We asked for everything from the beginning.

3 CHAIRPERSON LANCMAN: Okay.

4 DEPUTY DIRECTOR LOGAN: So, we are
5 waiting for that information.

6 CHAIRPERSON LANCMAN: Okay. In-in the
7 contract with, um, PAC Program, are they required to
8 affirmatively report these metrics to MOCJ on-on some
9 kind of periodic basis or is it a matter of MOCJ
10 asking the PAC Program hey, how are you doing?

11 DEPUTY DIRECTOR LOGAN: I believe they
12 may be required to report, but I asked for all new
13 metrics. So, to be prepared for this-for this
14 hearing. Unfortunately, I have not received them
15 yet, but when I do get them, I will more than happy
16 to turn them over.

17 CHAIRPERSON LANCMAN: Okay. So, I'm going
18 to-I'm going make an assumption, which is, you know,
19 sometimes hazardous that because MOCJ doesn't have
20 this data even though the program has been operating
21 for more than a year, I'm going to assume that
22 there's no affirmative requirement on the part of the
23 PAC Program to send MOCJ performance metrics without
24 waiting for MOCJ to-to-to ask for them. Otherwise
25 you'd have them like oh, okay. Let's just go back.

3 We've got our—we've got our six, our—our quarterly
4 report from the PAC Program.

5 DEPUTY DIRECTOR LOGAN: Well, I—we do
6 have deliverables that they are required to send to
7 us. I have not received them yet. I did request
8 them.

9 CHAIRPERSON LANCMAN: Okay.

10 DEPUTY DIRECTOR LOGAN: And so I'm simply
11 waiting for—we—we went all the way back to the
12 beginning, and so I asked them to compile all of the
13 information for us. So, it is my understand that
14 they do, and they are required to provide
15 deliverables to us. I'm just simply waiting for that
16 to be provided to me so I can turn it over.

17 CHAIRPERSON LANCMAN: Okay, well not—not
18 to beat a dead horse, but—but just so we understand
19 the distinction.

20 DEPUTY DIRECTOR LOGAN: I know.

21 CHAIRPERSON LANCMAN: I want to make sure
22 that the PAC Program and whatever other future
23 programs might be funded by the—by the city that
24 there is within their contract an understanding of
25 what the metrics of success are--

DEPUTY DIRECTOR LOGAN: Uh-hm.

3 CHAIRPERSON LANCMAN: --and--and we're
4 going to talk a little bit more about--about what
5 appropriate metrics of success are, but also that
6 they have an affirmative responsibility and some
7 reasonable basis whether it's quarterly or yearly or
8 whatever is industry professional practice to provide
9 them to MOCJ and not, you know, whenever MOCJ feels
10 it needs that information to go and ask for it.

11 CHAIRPERSON LANCMAN: Understood.

12 DEPUTY DIRECTOR LOGAN: Yes, that's what
13 I'm saying.

14 CHAIRPERSON LANCMAN: Yes. So, can you let
15 know what the contract does require of--

16 CHAIRPERSON LANCMAN: Yes.

17 DEPUTY DIRECTOR LOGAN: Good. Um, we're
18 going to hear testimony later today I'm sure that
19 measuring success is much more nuanced and should be
20 more, um, comprehensive than merely measuring whether
21 a person completed a program, and whether or not they
22 recidivated within a certain period of time, and I
23 was wondering if--if either MOCJ or, um, the Mayor's
24 Office to End Gender Based Violence, um, has anything
25 to--to--to add or discuss about what is here in 2019
when all of our literature and research has been

1 done. What is the appropriate way to evaluate
2 whether a—a batterer intervention program or an APIP,
3 um, I successful, and what can we do to incorporate
4 those things into—into contracts?
5

6 DEPUTY DIRECTOR LOGAN: So, the programs
7 that we discussed in our testimony as I mentioned are
8 non-mandated programs. Um, and we have particularly
9 with respect to—respect and responsibility, which
10 the—that is actually—there's a live presentation for
11 that program. We are proceeding as a demonstration
12 project so that we can use our implementation process
13 and the formative evaluation that's attached to it to
14 look at exactly what you're talking about to
15 determine, um, you know, knowing there is a body, as
16 you mentioned of literature that for many years has
17 looked at the success of these programs, um, and
18 there is many programs use lots of different
19 components, um, and don't necessarily strictly follow
20 one particular um, protocol. So, what we want to do
21 is actually use this process to look beyond. I mean
22 in our cases—in our program it's not going to be
23 connected the Criminal Justice System. So, we, you
24 know, we have asked that it's not going to be, um,
25 pertinent to those case—to that—to that program, um,

3 but we—we still want to be very intentional and
4 deliberate about looking at what could be, and there
5 are programs around the country, um, that have looked
6 at other measures of success such as survivor safety,
7 such—such as access to services, completion of
8 services. Um, and we want to make sure that we're
9 looking at that whole suite of options as we—as we
10 look at the development of our program in the non-
11 mandated context.

12 CHAIRPERSON LANCMAN: That's right. The,
13 um, the—the contract with the, um, PAC Program how
14 long is it?

15 DEPUTY DIRECTOR LOGAN: It will actually
16 end, um, on June 30th of 2020.

17 CHAIRPERSON LANCMAN: Of 2020.

18 DEPUTY DIRECTOR LOGAN: : Yes.

19 CHAIRPERSON LANCMAN: So, it's coming up.

20 DEPUTY DIRECTOR LOGAN: Yes.

21 CHAIRPERSON LANCMAN: So, um, is there an
22 RFP to—to renew it? Is that subject to what happens
23 in this coming budget negotiations?

24 DEPUTY DIRECTOR LOGAN: At this time
25 we're exploring other options. There have not been
any decisions made yet.

3 CHAIRPERSON LANCMAN: Okay. What do you
4 mean by other options?

5 DEPUTY DIRECTOR LOGAN: Um, well
6 because the Duluth model seems to be, um, somewhat
7 outdated. So, MOCJ has started exploring more
8 trauma-informed programming, and that does lead to
9 maybe, um, the development of a new curriculum. So,
10 we are also exploring that. We are also exploring
11 looking at, um, providing programming for women as
12 well. So, at this particular time there's a large
13 field out there that we are looking at and hope to
14 make some decisions very soon.

15 CHAIRPERSON LANCMAN: Okay. So, MOCJ will
16 be back here, um, in March for a budget hearing.
17 You'll probably be back a few times before then for
18 other things. Um, make a note please.

19 DEPUTY DIRECTOR LOGAN: Uh-hm.

20 CHAIRPERSON LANCMAN: We're going to ask
21 you about where you are in the process of thinking
22 about and preparing for the end of this program on
23 June 20th and going forward in June 2011 (sic), and
24 going forward what is going replace it, and, um, I
25 would hope that at that time when we're in March, not
November there will be a more fully developed plan-

1
2 and thoughts on what the next generation, if you
3 will, of the Batterer Intervention Programs or APIPS,
4 whatever you want to call it, um, what they're going
5 to—what they're going to look like, and I'm hopeful
6 that it will incorporate some of the things that we
7 were talking about here including what is the most up
8 to date thinking on what makes these programs work,
9 um, as well as building into the contract with—with
10 whomever, for whatever, very regular, um, reporting
11 of performance metrics.

12 DEPUTY DIRECTOR LOGAN: Yes.

13 CHAIRPERSON LANCMAN: With that in the
14 absence of us having a list of all the programs that
15 are out there, I feel constrained to—to really, um,
16 ask you any more questions about—about the court
17 ordered, um, Batterer Intervention programs with
18 somewhat like I said in the beginning are hamstrung
19 by that, but I do appreciate your commitment to by
20 the end of this year using your vast resources and
21 talents to get that information from all the
22 stakeholders and actors in the Criminal Justice
23 System with whom you—you regularly interact. Um, I
24 may have more questions later, but now I want to give

25

3 my Co-Chair Council Member Rosenthal the opportunity
4 to—to ask her questions. Thank you.

5 DEPUTY DIRECTOR LOGAN: Okay, thank you.

6 CHAIRPERSON ROSENTHAL: Thank you so much
7 Chair Lancman, and frankly, I'd like to follow the
8 exact same line of questioning, um, ENDGBV. I mean I
9 think this is the heart of the problem whether it's a
10 court ordered program or a prevention program, do we
11 have any academic research, any—are you working with
12 any thought institutions like Thera or another one to
13 identify what a successful intervention program would
14 look like. Um, if we look around the country at what
15 other cities and municipalities are doing, is there
16 best practices? Is anyone really doing any—any
17 cutting edge research on that.

18 ASSISTANT COMMISSIONER PENNINGTON: So
19 thank you for the question. Um, if and there is lot
20 to be said for the work that we've done to engage
21 with our stakeholders but also researchers, and to
22 look ourselves at the programs that you're mentioning
23 from across the country and that work began, um, in
24 earnest I would say back in 2015 when we had a policy
25 round table on this issue. Um, and we did that with
the Coalition on working with Abusive (sic) Partners,

1
2 which is an organization that's been around for a
3 long time, and that was created specifically to bring
4 together advocates who work with survivors, who knew—
5 to, um, Council Member Lancman's point that there
6 were programs on the ground doing this work, and they
7 wanted to bring together practitioners and advocates
8 and survivors to think about best practices for these
9 kinds of programs. Um with COWAP we put on that
10 policy round table. There was stakeholders at that
11 meeting, at that convening who then, um, together
12 formed what we call the Interagency Working Group on
13 abusive partner intervention, and through that group
14 we ENDGBV, um, contracted with CCI and a consultant
15 named Poorvisha, and that CCI and the consultant
16 worked with our group of stakeholders for over a
17 year, and that stakeholder group included city
18 agencies. It included district attorneys, it
19 included survivors, it included, um, community-based
20 organizations, and the consultant conducted, um,
21 comprehensive research using interviews and group,
22 um, focus groups with survivors, people who call time
23 (sic), criminal justice, um, providers, social
24 service providers. I could go on and on. Um, and that
25 body of research resulted in a report called *Seeding*

1
2 *Generations*, and that report did undertake and effort
3 to—

4 CHAIRPERSON ROSENTHAL: Sorry. Could you
5 say it once just slowly

6 ASSISTANT COMMISSIONER PENNINGTON: Sure.
7 *Seeding--*

8 ASSISTANT COMMISSIONER PENNINGTON:
9 *Generations.*

10 CHAIRPERSON ROSENTHAL: Oh, got it.
11 Thank you.

12 ASSISTANT COMMISSIONER PENNINGTON: Yes.
13 Um, and one of the, um and it's a comprehensive
14 report, but one of the—one of the, um, key pieces of
15 our work with the consultant was to identify best
16 practices, and what these programs could look like,
17 and haven't always looked like, and those are exactly
18 the elements that we are looking to as we implement
19 our programming, which is still in the planning
20 phase, but we are using that and other research to
21 inform our demonstration project, and I mentioned
22 some of them already, but we want to, um, you know we
23 have—we know that there are promising practices that
24 we can be—be looking to like using trauma-informed
25 practices. Um, you know, working—centering survivors

1 but also, you know, on both of these partner front
2 and the victim front knowing that we need to use risk
3 assessment tools that individualize differential
4 assessments so that we aren't using a one-size-fits-
5 all model that we are actually creating an
6 intervention, and we are—we are innovative in doing
7 it. We want to create a—we want to look at the
8 intervention as we're creating it to see that we are
9 creating an intervention that actually, um, is
10 effective, and that is responsive to the needs of—of
11 these partners.
12

13 CHAIRPERSON ROSENTHAL: Are they the
14 words you're saying as I understand them and they're
15 definitely the words that are being used. It's the—
16 the language--

17 ASSISTANT COMMISSIONER PENNINGTON: Yes.

18 CHAIRPERSON ROSENTHAL: --of the advocacy
19 community, um, in many different areas that we
20 discussed with ENDGBV and in our hearings. I am, um,
21 interested to know that they are—that the vocabulary
22 is so recent. Um, you know, and that I hear that
23 you're—you've worked with the advocates using the
24 information from the advocates' life experiences, um,
25 they're coming up with a model that is a model that

1 makes sense using the language that we all use now,
2 trauma informed, risk assessments, but I'm surprised
3 to learn, I guess disappointed to learn there's no
4 CUNY academic who is researching this topic? There's
5 no one at John Jay, um, who is researching best
6 practices? I mean is it really—I mean I'm impressed,
7 but surprised. You know, it is really CCI and their
8 consultant who is doing the cutting edge research
9 that has never been done in any other municipality so
10 that really today we are on the cutting edge waiting
11 to find out what works and what doesn't using this
12 new model.
13

14 ASSISTANT COMMISSIONER PENNINGTON: I
15 appreciate the question. Um, I think that we can't
16 speak to all of the research that is—is in the works
17 or happening, but I think the way we are viewing this
18 initiative and all the components of interrupting
19 violence at home is that there is an opportunity to
20 build and evidenced base of best practices, and
21 that's what we're trying to do through using a
22 demonstration project.

23 CHAIRPERSON ROSENTHAL: Yeah. No, I
24 appreciate everything that's being done now, but,
25 you know, if I go back to—um, I'm just connecting

1 this to a lot of the work that, um, I've been doing
2 around the NYPD and the Special Victims Division that
3 uses very similar language. I mean these are—these
4 are terms, these are approaches that, you know, were
5 thought about 10 years ago in the Department of
6 Investigation—when the Department of Investigation
7 began their research. I mean this is—I guess what
8 I'm trying to say is that none of this is new, and
9 I'm not saying it's you at all. It's just sort of
10 mind boggling that, um, you know that society, New
11 York City government, society advocates have just
12 woken up and said, Gee, none of the programs work.
13 domestic violence is something that's been happening
14 for so long, we've been struggling with it so long.
15 It's been such an obvious pattern over the last, um,
16 since—since the beginning of this Administration as
17 homicides have gone down, domestic violence,
18 homicides have remained flat. Um, you know, when we
19 say that the number of incidents, DV incidents have
20 increased, um, the DV assaults, you know, of course,
21 we all have to wonder is that because reporting has
22 gone up because assaults have gone up and I think
23 quite obviously we all know the answer is because
24 reporting has gone up. So, I'm just a little baffled
25

1 to understand that, you know, that we're not farther
2 along, and frankly, in—in response to the exchange
3 with Council Member Lancman, it sounds like these
4 very fundamental questions that he's asking are being
5 asked now because we are holding this hearing, which,
6 of course, is irrelevant to the work the city does
7 every day to address the needs of New Yorkers. Um, so
8 I would hope that it's not because of our oversight
9 hearing that people are thinking of these questions,
10 and I'm asking that in the most respectful way, but
11 am I just to walk away disheartened? Sorry. I'll
12 ask more peppy questions in a minute, but I'm just
13 trying to get to the—cut to the chase here.

15 ASSISTANT COMMISSIONER PENNINGTON: I
16 mean I think I would say in response that that I hope
17 that you would, um, be hopeful as we are because this
18 is a critical time in our enhancement and addition to
19 our holistic response in how we intervene and work to
20 prevent domestic and gender-based violence, and I
21 actually think this is a critical time that, and I
22 think that the work that I spoke to that's been
23 happening over the last—during this administration,
24 um, represents a shift, um, and a willingness to
25 innovate and a willingness to look at different

1 models, and a willingness to work to create a new
2 evidence-base and actually to identify gaps that
3 existed because we haven't talked about non-mandated-
4 non-mandated community based programs. Um, it was
5 probably the top priority of the stakeholders that
6 we met with for several years to work to develop that
7 kind of program, um, and it's a new kind of program
8 that doesn't exist. It's something survivors have
9 asked for, and because it's new, we need to be
10 deliberate about looking at, you know, what kind of
11 adventure-intervention in that new space, how that
12 will be effective and we know that many families are
13 not engaging with the Criminal Justice System. So,
14 we-we want to be very intentional about trying to
15 fill that gap.

17 CHAIRPERSON ROSENTHAL: Yeah, I think
18 that's true. I mean in your testimony or I forget if
19 it was MOCJ's 40% of assaults, um-it wasn't that one.
20 It was one where, um, the number of people that had
21 had a connection with the police prior to something
22 horrible happening, um, is de minimis, and so I think
23 it all rests on prevention programs. I mean what I
24 don't understand, and again, I appreciate the-the
25 notion of trauma informed and-and working with the

1 advocates to develop the tools is really hard to
2 understand whether or not—how do I know whether or
3 not you're—the city is spending enough money to
4 address this problem? You know, are these programs—
5 let's them—you know I respect the advocates, have
6 worked with the advocates as well. So, let's assume
7 that the criteria that you've designed the—the
8 markers that you've determined are the right markers
9 to define success are right. I mean give the nature
10 of the fact that, you know, homicides have come down
11 and domestic violence homicides have remained flat,
12 and the number of assaults has increased. Why aren't
13 we—why isn't this the most important issue that
14 everyone has been focused on over the last six years?
15 Why aren't we tripling the effort, quadrupling the
16 effort? I mean my guess would be—I'm just totally
17 making this up, but that the new RFP the new program
18 you've come up with Center of Court Innovation is
19 spectacular. So, why aren't we rolling—I mean the
20 demand is so high in the last two months we saw two
21 domestic violence homicides that otherwise no one
22 knew about, and in their community—respective
23 communities I think they were quite aware of what was
24 going on, but don't have the tools to address the
25

1 issues. So, I don't [beeping] I would like the city
2 to whatever it's spending, you know times ten. No?
3 I mean don't we—we're confident that what you've come
4 up with is a great program. I think—ah-ha, it's not
5 on.
6

7 ASSISTANT COMMISSIONER PENNINGTON: It-it
8 is—I don't want you to be disheartened, first and
9 foremost. Part of this issue is looking at you want
10 us to come with solutions, and one of the things that
11 we're working on innovatively are what are those
12 solutions supposed to be and the FTAP project is
13 really focusing on that. So, on Monday we started
14 the site lodge for that project, and the project is a
15 project that is going to the community because what
16 makes survivors feel safe, and what is going to get
17 them to a safe place, and get our communities to a
18 safe place where we can be addressing the—the
19 domestic violence is going to come for a community
20 and yes, there's developments of programs, but
21 ultimately you need the buy-in from the people that
22 those programs are going to serve, and so part of
23 that initiative is taking law enforcement who have
24 been thwarted or not as effective as they want to be
25 in addressing this issue because the communication,

3 the coordination with the people that they are
4 serving is not there, and thus, this project is to
5 determine how we create process and protocol to make
6 that more effective and to have more success. In
7 that particular project we will be focusing on
8 Brownsville Victor (sic), and Brownsville Brooklyn.
9 We're working with the Brooklyn DA's Office. We're
10 working with the CBOs in the 73rd Precinct to define
11 and figure out what the solutions are for; how we
12 coordinate the services that exist; how we are able
13 to get guns out of households so that we are not
14 seeing more domestic violence, homicides so that we
15 are providing and communicating and working together
16 all of the agencies that have been putting all of
17 their resources to try and combat this problem to be
18 more effective and successful.

19 CHAIRPERSON ROSENTHAL: Well, as I say, I
20 appreciate it. You're using all the words that I've
21 heard, all the vocabulary that I've heard from the
22 advocates as well. Of course it has to be
23 appropriate from the community. Of course it has to
24 bubble up from the community. It has to be, um, a
25 buy-in. I'm just perplexed, um, why it's taking so
long, and I'm perplexed why we're not spending a lot

3 more money. The Round Table was in 2015. We're at
4 the end of 2019. So, how much money are we spending
5 on this for I mean also to the Council Member's
6 point, we don't have a list of all the primary
7 intervention programs because some are maybe city
8 funded, maybe some are just faith-based and-and not
9 city funded, but how much money does ENDGBV think is
10 being invested in intervention programs right now or
11 how much--

12 ASSISTANT COMMISSIONER PENNINGTON: Uh-

13 hm.

14 CHAIRPERSON ROSENTHAL: --how much was
15 the-sorry to not use the right words here, but the
16 most recent contract, how much did we-are we putting
17 out for that one?

18 DEPUTY DIRECTOR LOGAN: So, we can speak
19 to Interrupting Violence at Home the initiative under
20 us. Um, so we had \$350,000 in FY 19 to--

21 CHAIRPERSON ROSENTHAL: \$350,000?

22 DEPUTY DIRECTOR LOGAN: In FY19 for
23 development purposes and then \$2.2 million was added
24 in FY20 and \$1.9 million added in FY21 and the out
25 years.

1
2 CHAIRPERSON ROSENTHAL: So, why isn't it
3 \$5 million?

4 DEPUTY DIRECTOR LOGAN: So, to address
5 that question, um, so there's two things really. One
6 is that the intervention that we're creating well yes
7 the kind of buzz words that you're talking about have
8 existed for some time, and it is new for—for New York
9 City and—and for most municipalities to be investing
10 funding in this type of innovative model especially
11 outside of the Criminal Justice System. So, we're
12 taking time during the demonstration project to
13 really build and test out a unique and innovative
14 approach to working with the Abusive Partners outside
15 of the Criminal Justice System, but we also
16 acknowledge that we have a knowledge gap about who
17 are the individuals outside of the Criminal Justice
18 System that we're hoping will come to and engage in
19 our program, and so, we're really using that time to
20 be able to identify what the demand is, and then
21 after the demonstration project be able then to move
22 forward to address those concerns or issues.

23 CHAIRPERSON ROSENTHAL: I hear you, but my
24 guess is that we're going to hear testimony from
25 advocates after this who know the answers to those

1 questions, and would be ready to implement stuff
2 today. Um, I, you know, I—so I would urge the—urge
3 the Administration, and this is going to be a
4 question at budget time, um, as to why we're not
5 spending more. Um, the trauma informed, which is a
6 term of art, does that, um, are those programs going
7 to be wrap-around services or what does that mean?
8 Are they going to involve the faith-based
9 institutions?
10

11 ASSISTANT COMMISSIONER PENNINGTON: As
12 our solicitation makes clear, um, we are expecting
13 the providers and any of the providers who would be
14 successful would need to include, um, case management
15 as well as connection to services for the person
16 causing harm, um, which is an innovative element of a
17 program. Um, again, we would, um, include those
18 providers—expect those providers and demand that
19 those providers use individualized assessments to
20 make sure that we are—are meeting the person who's
21 coming through the program where they are. Um, we
22 also, you know, will be exploring, um, what the
23 victim engagement will look like in each of those,
24 um, programs as well, but that we are—we are
25 expecting, um, the providers to be developing

3 programs that, you know, again we're building a base
4 or evidence, but we also know promising practices and
5 best practices and we are expecting that those best
6 practices be integrated into the programs that come
7 online.

8 CHAIRPERSON ROSENTHAL: I'm going to ask
9 one quick question and I'm going to turn it over to
10 my colleague Council Member Rose, but, um, what are-
11 do you have any--have you asked--in the two most
12 recent homicides, um, what I've heard from the South
13 Asian community is we have to get into the mosques.
14 We have to be talking to the men, someone from that
15 world themselves. It can't be us. It can't be the
16 women. So, are you developing any programs for--do-
17 are you expecting that you or I will work with faith-
18 based--faith-based institutions to develop programs
19 there?

20 ASSISTANT COMMISSIONER PENNINGTON: So,
21 the providers for our program for respect to
22 responsibility haven't been identified yet. So, it's
23 not you or I, which--

24 CHAIRPERSON ROSENTHAL: I understand.

25 ASSISTANT COMMISSIONER PENNINGTON: Okay.

3 CHAIRPERSON ROSENTHAL: Who are—oh,
4 sorry. Whoever it is.

5 ASSISTANT COMMISSIONER PENNINGTON: Oh, o

6 CHAIRPERSON ROSENTHAL: In response are
7 you asking them to work with faith-based institutions
8 for them—for—for them to come up with their own
9 solutions for dealing with this given that we're
10 talking about meet people where they are, trauma
11 informed. You know, getting in and having it be, you
12 know grassroots coming up fro the community

13 ASSISTANT COMMISSIONER PENNINGTON: Yes,
14 and it's a good question and I think that the way we
15 have designed it and the way we are envisioning it is
16 it will be community, which is really critical, and
17 that there will be referral sources that will be
18 identifying that will include most certainly faith-
19 based organizations many of which our outreach team
20 and other community-based organizations outreach
21 teams are connecting with, and also we to be as we
22 are, um already doing outreach, doing training in the
23 community because we need to—that's—that's part of
24 it. That's part of this coordinated response so that
25 people know that they program—the program exists, but
also so that we know that we're helping people to,

1
2 um, enhance how they engage with not only people who,
3 um, are survivors of gender-based violence, but those
4 who are causing the harm, and that's why there's
5 another component of interrupting violence at home
6 where our internal training team will be going out
7 into communities and working with city agencies, and
8 that is a—that is a shift. I think most of the time
9 until now, the kinds of training that are happening
10 in community often are understandably about
11 understanding gender-based violence and—and working
12 diligently to connect survivors and their families to
13 programs and services. But we want to—we want to
14 build out that holistic approach and make sure that
15 faith-based leaders, other community members, um,
16 have the tools they need to engage with the person
17 who they see is causing harm.

18 CHAIRPERSON ROSENTHAL: And so is ENGBV,
19 do you have partners who are in those mosques now?

20 ASSISTANT COMMISSIONER PENNINGTON: Yes,
21 we—we have an outreach team that works throughout the
22 city with—

23 CHAIRPERSON ROSENTHAL: No, no,
24 specifically on those two homicide cases? Do you have
25

1 outreach team in the mosques in those communities
2 where those individuals lived?

3
4 ASSISTANT COMMISSIONER PENNINGTON: As we
5 often do after these kinds of incidents, we are
6 working on outreach strategies. Our outreach team
7 does have connections in those communities. I can't
8 tell you for sure whether—you know, I can get back to
9 you on that, whether those particular mosques, but we
10 do and we work closely with the Center for Faith and
11 Community Partnerships to identify relationships all
12 the time. I can't say specifically, but I know that
13 we are actively engaging with that community.

14 CHAIRPERSON ROSENTHAL: Yeah, I think I'd
15 like a better answer. I—I think that the public
16 demands a better answer. I think that ENDGBV should
17 be prepared to say we've identified the mosques,
18 we've identified the communities, and we're in there
19 now, and here's exactly what we're doing. I think
20 the public deserves that. This is—has been the
21 forefind, um for everyone. I'm going to turn it over
22 to my colleague Council Member Rose.

23 COUNCIL MEMBER ROSE: Thank you, Council
24 Member Rosenthal, and, um, I want to thank you so
25 much for your commitment to, um, the issue of

1 domestic violence. Um, she's been a very vocal
2 advocate and I know stalwart in terms of making sure
3 that, um, victims are positively interacted with,
4 and-and that there are tangible results. Um, with,
5 um, the B-I-T's part-B-I-T programs, how can we adapt
6 them to race, gender, self-sexual orientation, gender
7 identity of the people who are involved in the
8 domestic abuse, and how can we kind of change these
9 intervention models to be less heteronormative, um,
10 in terms of their, you know, their focus?

12 DEPUTY COMMISSIONER DANK: Yes, we again
13 with respect to the programs that ENDGBV, I'll defer
14 to MOCJ with respect to the existing program funded
15 by the city that's connected with the Criminal
16 Justice System, but for the programs that we're
17 developing through interrupting violence at home, we
18 are certainly aware of that gap in programming and
19 services, and again are expecting that the providers
20 who will be bringing this programming online will be
21 working diligently to address that exact issue that
22 this programming be accessible and relevant for the
23 LGBTQ population as well as other marginalized
24 populations, and in general want to make sure that

3 these programs address the whole range of
4 accessibility issues that are in play.

5 COUNCIL MEMBER ROSE: And, um, are there
6 any providers on Staten Island, and how many, um,
7 and—and what exactly is their interaction with the—
8 the DA's office in determining, you know, how these
9 cases are, um, are determined?

10 ASSISTANT COMMISSIONER PENNINGTON: So,
11 um, for Interrupting Violence at Home our programs
12 aren't online yet, but we can defer to MOCJ. They
13 have the PAC Program on Staten Island, which was
14 expanded there recently.

15 DEPUTY COMMISSIONER DANK: Good afternoon,
16 Council Member.

17 COUNCIL MEMBER ROSE: Good afternoon.

18 DEPUTY COMMISSIONER DANK: PAC is on
19 Staten Island. We actually receive an allocation from
20 the Domestic Violence Task Force of \$200,000 to
21 expand it to Staten Island. My understanding of the
22 process is that the court liaison does speak with
23 the—the assigned district attorney that is in the
24 part, and also with the Domestic Violence Unit to
25 make sure that that case is appropriate before the
offer is actually made. Nine times out of ten the

3 judge is also, um, discussed—that is also discussed
4 with the judge before the offer—before the offer is
5 made to the defendant. So, there are—all of the court
6 stakeholders are involved prior to that offer
7 actually being made.

8 COUNCIL MEMBER ROSE: So, um, when does B-
9 I-P become an option or recommended to the person
10 that's charged?

11 DEPUTY COMMISSIONER DANK: That depends
12 on the judge, Council Member. That does depend on
13 the judge. That does depend on—in reference to the
14 individual's record, their past experience with
15 domestic violence cases, um before that offer is
16 actually made. That's why it's actually evaluated
17 prior to the offer being made.

18 COUNCIL MEMBER ROSE: Is there some type
19 of criteria that will determine whether, um, they
20 receive—they get put in a long-term or a short-term
21 program? Are there—are both options available to
22 people who ware going through, um, Criminal Justice
23 System on Staten Island and, um, yeah.

24 DEPUTY COMMISSIONER DANK: At this time,
25 I can only speak to the program that MOCJ funds. PAC
is a is a 24-week program. There is a, um, one hour a

3 week attendance that is required. They are required
4 to complete the program successfully or they are not
5 released out of the conditions by the particular
6 judge that is hearing that case. Um, I'm not sure
7 about other, um, programs that are available that are
8 shorter. My understanding is the program that we
9 support is 24 weeks.

10 COUNCIL MEMBER ROSE: And, um, is there—
11 are these mandated? Is that attendance mandated, and,
12 um, and followed up and is there some sort of, um,
13 oversight to make sure that the person is actually
14 going to this program and successfully completes it?

15 DEPUTY COMMISSIONER DANK: There is a
16 requirement that the court must be notified of every
17 attendance or every absence. If there is an absence,
18 the judge can then make a decision as to whether or
19 not to allow the defendant to go back to the program,
20 or there are going to be other, um, options
21 exercised, but the court is always aware of when the
22 defendant attends or does not attend. They know that
23 and that update normally happens frequently with the
24 court dates.

25 COUNCIL MEMBER ROSE: And, um, is there
any data in terms of recidivism, um, based on whether

3 or not they—they continue the program, they don't
4 continue the program or just in general? What—what
5 are the recidivism rates?

6 DEPUTY COMMISSIONER DANK: I do not have
7 those numbers at this time, but I will be providing
8 those at a later date.

9 COUNCIL MEMBER ROSE: Okay. You know,
10 Staten Island gets left out an awful lot.

11 DEPUTY COMMISSIONER DANK: I do
12 understand.

13 COUNCIL MEMBER ROSE: Um,
14 proportionately, um, when you look at our DV numbers,
15 um, we are ranking—we are up there in—in DV cases,
16 and, um, I—I think—I don't think, I want you to look
17 at Staten Island in terms of effective programming
18 for, um, the victims of domestic violence.

19 DEPUTY COMMISSIONER DANK: Yes, we will
20 do that.

21 ASSISTANT COMMISSIONER PENNINGTON: So,
22 Council Member I appreciate, um, your concern. We,
23 um, I just wanted to mention that the ACS program
24 that I mentioned in my testimony A Safe Way Forward
25 that ACS developed and launched late last year, and
it's online now is in two sites, one of which in

3 Staten Island, and the contractor provider Safe
4 Horizon is seeing clients for that program and it is
5 a new—a completely new approach for AC where they are
6 working with the entire family, and they have
7 included in that model programs and services for the
8 person causing harm, and it will include a group
9 program in APIP. It's not a criminal justice program,
10 but I wanted to make sure that I—I mentioned that to
11 you.

12 COUNCIL MEMBER ROSE: A concern of mine,
13 um, about all services that are provided citywide,
14 but, um, primarily in Staten Island is that they're
15 not culturally competent, and, um, and that to me
16 has—is a big determinant on whether or not people, um,
17 remain in these programs, if they even seek these
18 programs, if they—if they become recipients of any of
19 the benefits that, um, the few that are out there.
20 So, what are we doing to make sure that these
21 programs are culturally competent, and they meet my
22 constituents where they are, and what their
23 needs are.

24 ASSISTANT COMMISSIONER PENNINGTON: Thank
25 you for that as well, and as we develop the programs
within Interrupting Violence, and particularly

3 respect and responsibility, which is a program for
4 adult people causing harm that's in community and
5 non-mandated as well as the program that will be—that
6 will come online called Respect First for young
7 people. Um, we are very much expecting that the
8 providers who implement those programs are tailoring
9 their curricula and their programming, um, to meet
10 the needs of all populations but particularly--

11 COUNCIL MEMBER ROSE: But I don't want
12 you to be hopeful that they're tailoring it because I
13 have seen where we can be as hopeful as we want. The
14 disparities remain, and they're there and they're
15 real, and I—I wanted to be more than hopeful. I
16 needed to be mandated. I needed to be followed up. I
17 needed to be regulated if—if that's, you know, what
18 it takes, but it is not the reality of the programs
19 and they are not culturally competent and they don't
20 meet my constituents where they're at.

21 ASSISTANT COMMISSIONER PENNINGTON: And I
22 misspoke. I'm not just being hopeful. It is included
23 in what will be required of the providers to
24 successfully bid on these programs and it will be a
25 very important part of the oversight we will have in—
in—once the programs are online.

3 COUNCIL MEMBER ROSE: Is there some way
4 that you could share with me when, you know, these
5 providers are, um, when they express an interest then
6 before you make your--your decisions about--I'm--I'm
7 thinking that you're--you do an RFP, right? Is there
8 someway that--I would just like to be sure that it's
9 very clear to my service providers what we're asking
10 for, and if they don't meet that criteria, that they
11 are not given that contract.

12 ASSISTANT COMMISSIONER PENNINGTON: Uh-
13 hm, the procurement process, um, doesn't allow that,
14 but we have made it clear in the solicitation, which
15 is publicly available now that that is a requirement.

16 COUNCIL MEMBER ROSE: Okay, I'm--I'm going
17 to follow up with you because, um, this is really an
18 important issue, um, you know, in my district--in my
19 district

20 ASSISTANT COMMISSIONER PENNINGTON: Yeah.

21 COUNCIL MEMBER ROSE: --and I need for it
22 to be reflective of--of the very people wo are being
23 asked to--to utilize these services.

24 ASSISTANT COMMISSIONER PENNINGTON: Yes.

25 COUNCIL MEMBER ROSE: Thank you so much.
Thank you.

3 ASSISTANT COMMISSIONER PENNINGTON: Thank
4 you.

5 COUNCIL MEMBER ROSE: [off mic] Thank
6 you, Chair. Thank you, Chair.

7 CHAIRPERSON ROSENTHAL: Thank you so much.
8 I mean I think yeah, I'm going to turn it over to
9 Council Member Cohen, but I—I appreciate the Council
10 Member raising these issues. I think it's part of
11 the answer that we're all looking for. Thank you.

12 COUNCIL MEMBER COHEN: Um, thank you
13 Chairs Lancman and Rosenthal. Um, I—I have to say,
14 you know, this is another topic where, um, I come
15 into this hearing with very little knowledge, but I
16 have to say that the—the—the discussion here I think
17 is of some concern. Um, maybe though you could, um
18 give some reassuring words. Could you give me some
19 confidence that I mean, you know, everyday in New
20 York unfortunately there are episodes of domestic
21 violence of like what we feel good about like that we
22 have a response to certain scenarios that we think
23 works really well where if a person is, um, goes into
24 this program where there is a high likelihood, um,
25 that they won't—they won't, um, that this behavior
will not continue. Like that there are—there has to

3 be some bright spots here where you can say
4 definitively we know this works, and we're trying to
5 expand that versus we're looking at this and we're
6 looking at that. I mean this is obviously not a new
7 problem, and I'd like to fee like that we have, you
8 know, that we have identified strategies that do work
9 that we're not inventing the wheel or starting from
10 scratch on this—on this whole front. Could you talk
11 about some of the things that where we—where we—where
12 we have success?

13 ASSISTANT COMMISSIONER PENNINGTON: Thank
14 you for the questions. I do, um, I understand where
15 you're coming from it is a pervasive problem. That's
16 why we—we, um, as a city are committed to creating
17 and developing innovative strategies, and I think
18 that we have made an unprecedented investment in this
19 Administration particular for the Domestic Violence
20 Task Force to create new programming. We've—we do
21 have the largest network of Family Justice Centers in
22 the country and those—those programs. The program
23 that—that survivors and their family have access
24 through those centers, and community-based
25 organizations in community, um, do provide a wealth

3 of services and programs for survivors, and we are
4 also, um, you know, vey--

5 COUNCIL MEMBER COHEN: Just to pin you
6 down--

7 ASSISTANT COMMISSIONER PENNINGTON: Yes.

8 COUNCIL MEMBER COHEN: --you think that
9 in terms of victim services that we are doing a good
10 job of delivering service?

11 ASSISTANT COMMISSIONER PENNINGTON: Yes.
12 There--absolutely we are looking all the time at ways
13 to enhance that, um, and we have, you know, added--we
14 add elements to those services and programs and have
15 over time, and in this administration we've added new
16 elements as well including new immigration services
17 is one example. Um, we are in the process of
18 creating new supervised visitation programming. Um,
19 we've also put a lot of effort into prevention
20 efforts as we know that that--you know, that--working
21 with young people and actually shifting cultural
22 norms on this issues is critical. Um, and as I had
23 mentioned before, this important that this partner
24 intervention work is one component of a really much
25 larger holistic approach that includes both

3 intervention and prevention strategies in the area of
4 gender-based violence.

5 COUNCIL MEMBER COHEN: Okay, I appreciate
6 that. Thank you very much, Chairs. Thank you.
7 Thank you.

8 CHAIRPERSON LEVINE: Just a couple more
9 questions. I wanted to clarify, um, the program and
10 this can apply to both court mandated programs and-
11 and others. Um, we're going to hear from some of the
12 advocates and public defenders later talking about
13 the costs of these programs starting with the-the
14 court mandated programs. Um, what does it cost a
15 participant? Are people allowed to participate and
16 avail themselves of this program if they can't afford
17 to pay that-that-that cost? Um, yes.

18 DEPUTY COMMISSIONER DANK: Um, the
19 initial assessment fee is \$50, every session is \$25.
20 There is a sliding scale. Um, each individual they
21 have a financial assessment, um, and so that fee is
22 adjusted according to their income. Um, there are
23 also scholarships that have been made available to
24 participants as well. So, if they are not able to
25 pay, my understanding is that the particular judge in
that core part can, um, either-will assist them in

3 finding some other program that may be cheaper or
4 that may be free. It is our understanding that there
5 are very few programs that are free at this
6 particular time, but PAC does work as best as they
7 can to make it affordable when they need to.

8 CHAIRPERSON LANCMAN: Do you know—do you
9 know if anyone has been unable to participate because
10 they can't afford whatever the final determination of
11 their fee is?

12 DEPUTY COMMISSIONER DANK: Not my
13 knowledge, Council Member.

14 CHAIRPERSON LANCMAN: Alright. We might
15 hear differently later.

16 DEPUTY COMMISSIONER DANK: That's
17 possible.

18 CHAIRPERSON LANCMAN: So, let's pay
19 attention to that.

20 DEPUTY COMMISSIONER DANK: Yes.

21 CHAIRPERSON LANCMAN: Um, in the—the non-
22 court programs?

23 DEPUTY COMMISSIONER DANK: Today all of
24 the programs within Interrupting Violence at Home
25 will not have any fees attached.

3 CHAIRPERSON LEVINE: Why can't we have
4 that in the court mandated programs?

5 DEPUTY COMMISSIONER DANK: That is an
6 option that we are exploring as well.

7 CHAIRPERSON LANCMAN: Yeah. It seems like
8 a barrier that we would want to get-get rid of.

9 DEPUTY COMMISSIONER DANK: Yes.

10 CHAIRPERSON LANCMAN: Um, and then, um,
11 you're going—we're going to hear I know of concerns
12 about language access that there aren't programs or—
13 or in some cases any programs in some of the—the
14 languages that we see in our—in our city and in our
15 court system in protect—in particular. Um, are there
16 any—are any of these programs in a language other
17 than English?

18 DEPUTY COMMISSIONER DANK: PAC also has a
19 Spanish speaking facilitator of the program as well.

20 CHAIRPERSON LANCMAN: Okay, but if someone
21 speaks Mandarin or Uzbek or any other of the 195
22 languages that are—that we encounter in New York
23 City, they're out of luck?

24 DEPUTY COMMISSIONER DANK: Well, it is my
25 understanding that the DV resources coordinators in
the courtroom will then seek out a program, a private

3 program that, um, is appropriate for that particular
4 client's language.

5 CHAIRPERSON LANCMAN: Uh-hm.

6 ASSISTANT COMMISSIONER PENNINGTON: And
7 as we are developing these programs as I mentioned in
8 language access is a big part of the accessibility
9 questions we'll be looking at as we bring them
10 online.

11 DEPUTY DIRECTOR LOGAN: It, um, indicates
12 in our solicitation, which is out right now that
13 we're seeking proposals for programming that's
14 accessible to, um, participants who have limited
15 English proficiency.

16 CHAIRPERSON LANCMAN: Okay. You want to
17 ask your questions.

18 CHAIRPERSON ROSENTHAL: Yeah, I do. Um,
19 I'm just--thank you very much. Um, I-I'm just curious.
20 A couple of things. AVP has a pilot program called
21 Transform that you're familiar with, and it was
22 funded by an outside group not by the city. A 15-
23 week program. Five individuals went through it.
24 Apparently it's tremendously successful, and they are
25 recommending it to other organizations. Is that
something the city would consider funding?

3 DEPUTY DIRECTOR LOGAN: We can't speak to
4 whether or not we would consider funding it yet, but
5 we're excited to continue to discuss the success of
6 the program with AVP and explore that further.

7 CHAIRPERSON ROSENTHAL: This the first
8 program I've heard about that--where somebody is
9 talking about success. So, I don't understand why
10 it's not part of--why you're not more enthusiastic.

11 DEPUTY DIRECTOR LOGAN: We are excited
12 about it. Um, we will definitely talk to them more
13 about it.

14 CHAIRPERSON ROSENTHAL: [interposing] But
15 why wouldn't this be something where you would
16 immediately, um, I mean you're really constrained by
17 having to put out an RFP and--and it would take
18 forever. I mean why not jump on something? You have
19 a program in front of us that's successful. Is it
20 part of the programs that you've put out an RFP for?

21 DEPUTY DIRECTOR LOGAN: I'm sorry. What--
22 what do you mean as a part of our program?

23 CHAIRPERSON ROSENTHAL: Um, so--so how are
24 you pursuing it, pursuing this program or supporting
25 it for the city to support it?

3 DEPUTY DIRECTOR LOGAN: How are we
4 pursuing the city supporting it?

5 CHAIRPERSON ROSENTHAL: Yeah, just given
6 that it's not funded by the city and it was
7 successful. So, are we following their lead?

8 DEPUTY DIRECTOR LOGAN: So--?

9 CHAIRPERSON ROSENTHAL: Have we--have we
10 analyzed the component parts of what made that
11 successful? Um, you know maybe reporting, you know,
12 data or anything?

13 ASSISTANT COMMISSIONER PENNINGTON: Yeah,
14 so what we understand they just completed their first
15 session. So, we're going to be, um, looking into it
16 more and exploring, um, the success of that program
17 at AVP. We're excited to learn more about the success
18 they've had. Um, and looking more into the program
19 components with them.

20 CHAIRPERSON ROSENTHAL: Um, I'm going back
21 and looking at the Center for Court Innovation Report
22 Seeding Generations and one of the recommendations is
23 to expand the RAPP in schools. Has the city done
24 that, expanded funding for that? Do you know from
25 what to what?

1
2 ASSISTANT COMMISSIONER PENNINGTON: Yes,
3 we, um, for the Domestic Violence Task Force we
4 expanded RAPP into five new, um, high schools. Um,
5 and we also launched early RAPP, which RAPP is the
6 relationship with Abuse Prevention Program into
7 middle schools very specifically wanting to address
8 the high needs of those schools, and that program is
9 online in over 100 middle schools and will be in 128
10 middle schools by the end of the school year.

11 CHAIRPERSON ROSENTHAL: So, could do a
12 one-pager on that sort of what it was in-funding in
13 the program in 2014 through today?

14 ASSISTANT COMMISSIONER PENNINGTON:
15 Absolutely.

16 CHAIRPERSON ROSENTHAL: Um, okay, um, let
17 me ask specifically from NGBB are you the oversight
18 group for all of the different activities, um, that
19 are happening around this issue through MOCJ, um,
20 even through OCA just to be aware of it, through the
21 ACS, um, work that they're doing, um, the work the
22 DAs are doing. Is it your responsibility to be over-
23 an oversight for all--coordinating all of those
24 efforts?

3 ASSISTANT COMMISSIONER PENNINGTON: So,
4 we do not have oversight authority, but I will say
5 that following the release of the report you just
6 mentioned *Seeding Generations* we began to convene
7 quarterly meetings with the city agencies their
8 contracted providers, um, as well as consultants that
9 are bringing these programs online, um so that we can
10 convene the folks who are literally in the weeds
11 right now, and learn from each other, identifying
12 best practices, talking about the efficacy measures
13 we talked about earlier, um, and that began at the
14 beginning of 2019, and we will--

15 CHAIRPERSON ROSENTHAL: 2019, it began
16 this year?

17 ASSISTANT COMMISSIONER PENNINGTON: When
18 those programs began and none of the programs that I
19 mentioned have been online until the beginning of
20 this year. Um, that's when we began those meetings
21 to make sure that we're coming together, um, as a
22 group, and that we can, and that includes all of the
23 city agencies that I mentioned in my testimony, um,
24 and probably others I have dealt with to double
25 check.

3 CHAIRPERSON ROSENTHAL: Um, in the
4 specialized training curriculum that you're coming up
5 with, which agencies will receive the training?

6 ASSISTANT COMMISSIONER PENNINGTON: So,
7 the training program that's part of Interrupting
8 Violence at Home and it will, you know, it will be
9 conducted and facilitated by the NGBB training team
10 that works closely with dozens of city agencies, and
11 we will—we always do prioritize our city agency
12 partners that we think probably need our training the
13 most, but we will—we're—we're open to any city
14 agency. We'll do a ton of work with the Department
15 of Homeless Services. Um, we do a lot of work with,
16 um, the Fire Department. I mean there's a number of
17 agencies--

18 CHAIRPERSON ROSENTHAL: Right, so you
19 know--

20 ASSISTANT COMMISSIONER PENNINGTON:--So,
21 this will be an additional offering. We already do
22 do the training with those city agencies, and we're--
23 we'll add it to our suite of options for folks who are
24 looking to get trained.
25

3 CHAIRPERSON ROSENTHAL: Okay. So, how
4 many staff could be getting the training across all
5 the agencies, all the different staff titles?

6 ASSISTANT COMMISSIONER PENNINGTON: So, I
7 would have to get back to you with that kind of
8 analysis--

9 CHAIRPERSON ROSENTHAL: Great.

10 ASSISTANT COMMISSIONER PENNINGTON:--but I
11 can tell you that the--the training team that
12 launched, um, at the end of 2016 we have already
13 trained over 20,000 people many of them city agency
14 staff members and some of them not city agency--not
15 actual city employees but people who are working
16 under city contracts.

17 CHAIRPERSON ROSENTHAL: How could we get
18 to whether or not--how could we understand whether or
19 not, um, NGBB is meeting demand? In other words, um,
20 could you use twice the training staff to get to
21 people faster?

22 DEPUTY DIRECTOR LOGAN: We really rely on
23 the city agencies, um, to help to identify their
24 training needs. Um, currently we're meeting the
25 demand that's being presented to us and always
exploring these to enhance the partnerships we have

1 with agencies to train their staff. It sound like,
2 though, you're—you have a new initiative right or
3 training, and I'm just trying to get a sense of
4 whether or not you have, um, enough staff to meet
5 what will—I mean if you've already trained 20,000,
6 with the same 20,000 need this new training. So, do
7 you have staff available to train 20,000 people in
8 this really important curriculum?
9

10 DEPUTY DIRECTOR LOGAN: We're also
11 exploring right now, um, ways to utilize technology
12 to expand our training offerings, um, looking at
13 webinars and other, um, you know, such offerings so
14 that we can reach larger audiences, um, and create a
15 wider impact with our training initiatives.

16 CHAIRPERSON ROSENTHAL: Um, the RFP you
17 mentioned before while the—not the annual—the annual
18 expenditure would be \$1.9 million, but next year \$2.2
19 million. How many people do you expect to reach? I
20 think there was a preliminary indication that it
21 would be 1,600 people across all five boroughs.

22 DEPUTY DIRECTOR LOGAN: Uh-hm. Just give
23 me one moment.

24 CHAIRPERSON ROSENTHAL: Is that still the
25 expectation?

3 DEPUTY DIRECTOR LOGAN: So, for respect
4 and responsibility, we're anticipating that annually
5 we'll serve, um, approximately 1,200 participants in
6 a multi-hour course, 225 participants in a multi-week
7 course and 450 clients through case management and
8 counseling, which will--

9 CHAIRPERSON ROSENTHAL: [interposing] Can
10 you say that just a little bit louder--

11 DEPUTY DIRECTOR LOGAN: Sure.

12 CHAIRPERSON ROSENTHAL: --and a little bit
13 more slowly.

14 DEPUTY DIRECTOR LOGAN: Sure.

15 CHAIRPERSON ROSENTHAL: Thank you, 1,200
16 in a--?

17 DEPUTY DIRECTOR LOGAN: So, we're-we're
18 anticipating that annually we'll serve about 1,200
19 participants in a multi-hour course.

20 CHAIRPERSON ROSENTHAL: Multi-hour course.

21 DEPUTY DIRECTOR LOGAN: Over 200
22 participants in a multi-week course, and
23 approximately 450 clients through case management and
24 counseling, and that's for respect and
25 responsibility.

3 CHAIRPERSON ROSENTHAL: Will that meet the
4 demand?

5 DEPUTY DIRECTOR LOGAN: Again, we are
6 filling a knowledge gap that we currently have with
7 participants outside of the Criminal Justice System.
8 So, during this demonstration project we're both
9 identifying the participants and the demand outside
10 of the Criminal Justice System, and testing this
11 intervention, and then we'll, um, as we conduct the
12 multi-year evaluation that will coincide with the
13 Demonstration Project. We'll be able to then assess
14 how this program and those deliverables meet the
15 demand.

16 CHAIRPERSON ROSENTHAL: How many years is
17 the contract for?

18 DEPUTY DIRECTOR LOGAN: It will be a
19 three-year demonstration project.

20 CHAIRPERSON ROSENTHAL: So, it's only in
21 the budget. The—in the fiscal year does it start
22 fiscal year 20 or 19 or 21?

23 DEPUTY DIRECTOR LOGAN: So, we anticipate
24 the program will come online in '21. The program is
25 in development in '20.

3 CHAIRPERSON ROSENTHAL: Uh-hm, so next
4 year we will spending \$300,000. In 2021, we'll be
5 spending \$2.2 million. In 2022, \$1.9 and in 2023
6 zero?

7 DEPUTY DIRECTOR LOGAN: No, so the annual
8 operating costs are the \$1.9--

9 CHAIRPERSON ROSENTHAL: Uh-hm.

10 DEPUTY DIRECTOR LOGAN: --um, which is
11 for the three-year Demonstration Project. Um, the
12 \$300K is for development.

13 CHAIRPERSON ROSENTHAL: Got it. Does the
14 \$1.9 stay in the budget into perpetuity? Is it
15 baselined?

16 DEPUTY DIRECTOR LOGAN: Yes.

17 CHAIRPERSON ROSENTHAL: So, the
18 expectation in the budget. Can you confirm that?

19 DEPUTY DIRECTOR LOGAN: Yes.

20 CHAIRPERSON ROSENTHAL: If that, the RFP
21 will be reissued on an annual basis, we will always
22 be spending \$1.9 million?

23 DEPUTY DIRECTOR LOGAN: We will asses the
24 success of the program at the end of the
25 demonstration project and then explore additional
solicitations for ongoing programming.

3 CHAIRPERSON ROSENTHAL: So, in 2023,
4 Fiscal Year 2023--tell me if I have the years wrong--
5 you'll be doing an assessment about whether or not to
6 continue with the program, tweak whatever. Would you
7 consider as part of the--could part of the assessment
8 be completed in 2021 or 2022 and could you start
9 making tweaks or expanding immediately?

10 DEPUTY DIRECTOR LOGAN: So, the
11 evaluation will run the course of the Demonstration
12 Project and will begin at the launch of the
13 Demonstration Project, and we'll be assessing the
14 results of the evaluation throughout the course the
15 three years.

16 CHAIRPERSON ROSENTHAL: When's the first
17 point of assessment?

18 DEPUTY DIRECTOR LOGAN: Um, I can look at
19 the milestones. Just give me one minute. Okay. Just
20 give me one minute, um to look at the milestones for
21 the evaluation, um, or if you prefer, I'm happy,
22 Chair to get back to you with that answer.

23 CHAIRPERSON ROSENTHAL: I think it's
24 important. It just feels like given the number of
25 people who come forward, um, saying that they have
been, um, there's been violence perpetrated against

1 them, the number of people that are being, um, taken
2 care of, you know, 450 in a very meaningful way, um,
3 seems small.
4

5 DEPUTY DIRECTOR LOGAN: Uh-hm.

6 CHAIRPERSON ROSENTHAL: Uh, the other two
7 methods I don't understand how they're not different
8 than what's being done now if it's a multi-hour
9 program or multi-week program. Um, all evidence
10 points to those programs not having a meaningful
11 effect. So, I'm really just looking the 450 who are
12 going to get case management.

13 DEPUTY DIRECTOR LOGAN: Um, so the
14 evaluation as I said will run the course of the
15 demonstration Project, and will begin at the time
16 that the program launches. Um, and we anticipate
17 meaningful results as early as between months 9 and
18 20, um, and that's when we'll start to look at the
19 results of the evaluation that started to come in and
20 be able to modify and tweak the program as needed
21 during the evaluation—during the Demonstration
22 Project. So, by the end of the demonstration, project
23 we'll have a solid foundation to be able to reflect
24 the success of the intervention in the program, but
25 we'll be evaluating the results, and are already

3 planning, um, the next step, um as the program is in
4 development.

5 CHAIRPERSON ROSENTHAL: Is there a reason
6 that—is it because of the nature of the contracting
7 process that you can't say month 9 is February 2021?

8 DEPUTY DIRECTOR LOGAN: Yes, we can't
9 anticipate yet because we have a solicitation open
10 right now. I can't anticipate yet when a contract
11 will begin.

12 CHAIRPERSON ROSENTHAL: Do you have a
13 sense of when it will begin? Let's assume everything
14 works perfectly. When will it begin?

15 DEPUTY DIRECTOR LOGAN: It's hard to be
16 able to commit to a start date when we have an open
17 solicitation right now, but we're, um...

18 CHAIRPERSON ROSENTHAL: When does the
19 open solicitation end?

20 DEPUTY DIRECTOR LOGAN: So, December 16th.

21 CHAIRPERSON ROSENTHAL: December, and so
22 then it goes through the contract process, which
23 takes six months?

24 DEPUTY DIRECTOR LOGAN: So, it will go
25 through a selection process, a vendor selection
process where we'll identify a vendor.

3 CHAIRPERSON ROSENTHAL: And that that
4 takes--?

5 DEPUTY DIRECTOR LOGAN: I can't commit to
6 an exact timeline in terms of how long that would
7 take, but we anticipate identifying a vendor shortly
8 after the close of the solicitation.

9 CHAIRPERSON ROSENTHAL: Okay, so, and then
10 will it have to go through a few--will you be able to
11 start funding the program immediately or will it then
12 have to go through a year-long registration project-
13 process?

14 DEPUTY DIRECTOR LOGAN: So, the contract
15 will have to be registered, but we anticipate
16 beginning the program shortly after vendor
17 identification, but we will be following procurement
18 processes.

19 CHAIRPERSON ROSENTHAL: So,
20 hypothetically it could start in--I'm making this up--
21 March or June of 2020, and the program would start
22 and also the registration project-process would
23 begin.

24 DEPUTY DIRECTOR LOGAN: We anticipate the
25 program coming on line in FY21. We will have, um,
more information by the end of this calendar year,

3 and can circle back with you then to talk more about
4 the timeline for implementation.

5 CHAIRPERSON ROSENTHAL: Okay. I want to
6 be able to hear from others who are here. Thank you
7 so much for your time. Council Member, do you have
8 any additional questions.

9 CHAIRPERSON LANCMAN: I don't. Thank you
10 vey much. We've got some things we—we're going to
11 follow up with. You have some—some homework to do if
12 you don't mind me describing it that way, and, um,
13 we're very much looking forward to this coming budget
14 conversation and negotiations where, you know,
15 hopefully the, um, the city's approach to the funded
16 court ordered court connected, um, programs, uh, have
17 the kind of metrics that we're looking for, and—and
18 are structured with current thinking towards what—
19 what works and what doesn't.

20 CHAIRPERSON ROSENTHAL: Yes.

21 CHAIRPERSON LANCMAN: To be continued.
22 Thank you. Um, next, we're going to hear from the
23 District Attorney of—the District Attorney's Office
24 from Brooklyn and Manhattan, and I think we have a
25 representative from Staten Island, and I think we're
inviting the Urban Resource Institute to come and

3 testify alongside the Manhattan District Attorney.

4 So, if you all would please come to the—the witness

5 table, we can—we can get started. [background

6 comments/pause] Alright, thank you for your patience.

7 If you raise your right hand we can get sworn in and

8 proceed. Do you wear or affirm the testimony you're

9 about to give is the truth, the whole truth and

10 nothing but the truth?

11 I do.

12 CHAIRMAN LANCMAN: Terrific. Um, Mr.

13 Gonzalez, um, would you like to get started?

14 Sure.

15 CHAIRMAN LANCMAN: Thank you very much.

16 DISTRICT ATTORNEY GONZALEZ: Good

17 afternoon. Thank you, Chairman Lancman and the

18 members of the Committee on the Justice System, and

19 Chairwoman Rosenthal and the members of the Committee

20 on Women and Gender Equity for the opportunity to

21 testify today regarding—regarding Batter's

22 Intervention Programs also known as Abusive Partner

23 Intervention Programs. Domestic violence

24 specifically intimate partner violence accounts for a

25 large percentage of 911 calls, NYPD arrests and

prosecutions in the Brooklyn District Attorney's

1 Office. Historically, the number of cases my office
2 has handled in relationship to, um, family based
3 violence is approximately 10,000, um, each year, the
4 vast majority of which are misdemeanor crimes.
5 Domestic violence accounts for a large percentage of
6 cases on the Criminal Justice System, but it's not
7 just a Criminal Justice matter. It's a public health
8 crisis. Despite this reality, and despite the
9 public's increasing awareness and empathy towards
10 survivors, there is still unfortunately a
11 significant, um, shortage of effective evidence based
12 programming and services that focus on prevention and
13 intervention. It has been 25 years since the passage
14 of the Federal Violence Against Women Act, but we
15 still know very little about the root causes and
16 cures of intimate partner violence. We need to
17 invest money in research and effective evidence-based
18 programming. We also need programming that takes a
19 holistic approach to the issues facing those who
20 commit these crimes. While sending domestic abusers
21 to jail may protect survivors over short term,
22 incarcerating offenders and hoping they won't re-
23 offend when they're released has not proven itself
24 and effective way to keep survivors safe over the
25

1 long term. Quite frankly, we cannot prosecute and
2 incarcerate our way out of this public health crisis,
3 and our country has not made it a true priority to
4 study the root causes of domestic abuse, and how to
5 prevent it. As with so many other pressing issues
6 that needs our attention, there simply has not been
7 adequate funding. In my office we determine on a
8 case by case basis whether to offer an individual
9 charged with a domestic violence offense the ability
10 to participate in one of these programs as part of a
11 plea disposition. If offered a program, the
12 defendant can choose between two providers: Power
13 and control, the PAC Program, which requires
14 participants to attend the one-hour session once a
15 week for 24 weeks. They receive funding from the
16 Mayor's Office of Criminal Justice. The other
17 program is run by Treatment Alternatives for Safer
18 Communities or as known as TASC, which requires
19 participants to attend the two-hour session once a
20 week for 16 weeks. TASC does not receive outside
21 funding, but both of these programs are educational
22 programs where the participants and a trainer discuss
23 issues such as power and control dynamics, healthy
24 and unhealthy relationships, effective communication
25

1 skills and conflict resolution. Both providers charge
2 a fee to participate, but set rates on a sliding
3 scale. The fee has been a significant barrier as many
4 domestic violence offenders say they cannot afford
5 the cost of the program. There is some scholarship
6 money for those that cannot afford the fee, and there
7 are a few programs available in the city that do not
8 require payment. One of those programs requires the
9 participants to have Medicaid. However, advocates are
10 opposed to health insurance covering these programs
11 because they would often require domestic violence
12 offenders to obtain a mental health diagnosis such as
13 intimate and explosive personality disorder. From
14 one perspective, the act of domestic violence is a
15 choice someone makes, and by turning it into a
16 psychological diagnosis, we are removing
17 accountability from the batterer. Requiring
18 offenders to pay for the program is one way of making
19 them take responsibility and accountable for their
20 behavior, but as part of the recent wave of criminal
21 justice reforms, that thinking has been criticized
22 and challenges unfair to those charged with crimes
23 and to their family members. But the truth is in
24 Brooklyn we send very few domestic violence offenders
25

1 to these programs. Many don't agree to participate
2 whether for cost reasons or otherwise, and even those
3 w who do participate there's currently very little
4 evidence tracking whether or not these programs are
5 actually effective. The Center for Court Innovation
6 conducted studies in Brooklyn and the Bronx in the
7 early 2000s. The Brooklyn Study compared recidivism
8 rates for participants sent to different types of
9 batterers intervention programs as they were called
10 back them. One based on an educational model, the
11 other using cognitive behavioral therapy. The Bronx
12 Study examined recidivism rates for those sent to a
13 batterers intervention program versus those cases just
14 simply monitored by the court and a judge. In both
15 studies there was no significant difference in
16 recidivism rates. Furthermore, determining the
17 success of these programs is much more complicated
18 than examining re-arrest and recidivism rates. Many
19 survivors do not call the police again if the
20 defendant reoffends or the abuser could have moved on
21 to a new relationship and a new partner. Although the
22 abused may not reach out to law enforcement. Very few
23 of these participants ever agree to speak to us about
24 post-program behavior particularly if they are
25

1 continuing to abuse their partner. We have to reach
2 out to survivors, and essentially poll them on
3 whether the programs worked, and this to many may re-
4 traumatize survivors. CCI has recently developed a
5 new abusive partner curriculum after conducting
6 research on innovative programming in the United
7 States, Canada and England. CCI's new program
8 appears to be a more responsive and comprehensive
9 program for abusers that includes in its curriculum
10 the following: Risk and needs assessments, cognitive
11 behavioral learning, trauma informed practices and
12 procedural fairness. I'm hopeful that this new
13 program will be successful. I'm looking forward to
14 its implementation. I was pleased to hear about the
15 First Lady's Interrupting Violence at Home initiative
16 for abusive partners who are not involved in the
17 Criminal Justice System and, of course, appropriate
18 interventions for those who—who harm is only one part
19 of our obligation to a safety plan for survivors of
20 intimate partner violence. I would be remiss here
21 today, um, to speak about domestic violence without
22 also addressing the specific needs of survivors who
23 come to my office seeking assistance to obtain
24 justice, but also help getting back on their feet.
25

3 Without adequate resources survivors are often forced
4 to stay in abusive relationships, and based on what
5 we hear from survivors, their most critical needs
6 include basic life necessities such food and clothing
7 as well as expenses related to moving, a moving van,
8 first month's rent, new pots and pans, and furniture,
9 but also many survivors also need assistance with
10 childcare. The lack of childcare often forces a
11 survivor to remain dependent on an abuser because it
12 interferes with her ability to access service-
13 services. We often hear from survivors that they
14 can't come to the office to talk about their case
15 because they have no one to watch their children or
16 pick them up from school. Finally, survivors need
17 assistance with housing. They struggle with the
18 city's limited shelter beds, and as we all are well
19 aware, the lack of affordable housing in New York
20 City. Combatting this public health crisis of
21 domestic violence, by preventing abuse in the front
22 end or supporting survivors in the back end must be
23 one of the top safety priorities of-of this city, and
24 I want to thank the City Council for your attention
25 and commitment to these issues. Thank you.

3 CHAIRMAN LANCMAN: Thank you. Does it make
4 sense to just go down the line? Sure.

5 REP FOR DA MCMAHON: Good afternoon. It's
6 an honor and a pleasure to appear before the New York
7 City Council today. I want to thank the City
8 Council's Committee on the Justice System and the
9 Committee on Women and Gender Equality-Equity, excuse
10 me-for holding this hearing and inviting the Richman
11 County District Attorney's Office to share our
12 thoughts and concerns about the efficacy and
13 efficiency of abusive partner programs in our
14 borough. Recognizing that domestic violence presents
15 one of the clearest threats in the lives of many
16 individuals and families on Staten Island, District
17 Attorney McMahon has made combatting this issue a
18 priority for his office. He's taken numerous steps
19 such as building RCDA's first dedicate Domestic
20 Violence Bureau helping to open Staten Island's
21 Family Justice Center and creating a separate
22 domestic violence complaint room with an-with
23 extended night time hours in order to build stronger
24 cases while providing immediate support to victims.
25 As a result, domestic violence arrests on Staten
Island have declined by about 20% and domestic

1 violence dismissal rates have dropped by almost 50%.
2
3 Despite our best efforts, though, serious crimes of
4 domestic violence continue to occur here in Staten
5 Island with several high profile cases garnering
6 significant media attention over the past year. Just
7 this weekend for example a man allegedly stabbed his
8 wife, set their house on fire and seriously injured
9 himself during a chaotic scene that unfolded on
10 Staten Island's North Shore Saturday evening. At the
11 same time the majority of homicides that we have seen
12 throughout the borough have been domestic violence
13 related leaving prosecutors searching for answers as
14 to how we can do more to prevent such tragedies from
15 occurring in the future. In our office, Abusive
16 Partner Intervention Programs are offered as a
17 companion of sentence, as well as a mechanism to help
18 individuals understand accountability and cultivate
19 pathways to working through anger without violence.
20 Additionally. These programs do offer an opportunity
21 for participants to identify and address other
22 underlying issues that may contribute to criminal
23 behavior such as substance abuse, mental health or
24 trauma, providing meaningful wraparound services that
25 maintain—excuse me—that remain available following

1 the completion of the program and impacts sentence
2 any how, and while we Believe that the Batterer
3 Intervention Programs or Abusive Partner Intervention
4 Programs can work to help change or improve, um,
5 behavior, negative behavior possibly preventing
6 future crime or violence, there remains a serious
7 lack of variety to accessible programs for our
8 defendants on Staten Island. In fact, after years of
9 never having a Batterer's Intervention Program
10 available at all in our borough, the city just last
11 year contracted the PAC Program to fill that void,
12 and while we are grateful, um, we have found that
13 only having the one option available to hundreds of
14 defendants limits the program's overall reach and
15 effectiveness. There must be a wider and more
16 flexible offering of local community-based
17 programming available to defendants on Staten Island
18 in order to promote greater outcomes. While we have
19 made significant progress in combatting domestic
20 violence greatly reducing the number of domestic
21 violence arrests and lowering the dismissal rate, and
22 offering a wider variety of victim services, more
23 must be done to prevent offenders from escalating
24 their crimes into further acts of violence. As we
25

3 look for solutions it is clear that Staten Island
4 still lacks the necessary resources to address the
5 root issues of a defendant's criminal behavior.

6 Abusive partner intervention programs can be and are
7 a useful tool to tackle their program, but only if a
8 robust network of community-based programming exists
9 to serve the individual needs of each defendant.

10 Thank you.

11 CHAIRMAN LANCMAN: Thank you.

12 AUDREY MOORE: Chairman Rosenthal and
13 members of both committees. My name is Audrey Moore
14 and I'm Executive Assistant District Attorney and
15 Chief of the Special Victims Bureau at the Manhattan
16 District Attorney's office. I'm joined by my
17 colleague Maggie Wolk who is the Chief of Strategic
18 Planning and Policy. On behalf of District Attorney
19 Vance, we thank you for the opportunity to testify
20 before you today. Today's hearing is being convened
21 at a time when incidents of domestic violence locally
22 and nationally continue to increase even as rates of
23 other types of crime have dropped. Domestic violence
24 and intimate partner violence in particular is a
25 long-standing ongoing problem that seems to resist
traditional models of law enforcement. Millions of

1 people are affected each year costing society
2 billions in healthcare, lost wages and traumatized
3 lives. In 2018, NYPD responded to over 13,000
4 domestic violence complaints in Manhattan. That is
5 more than 35 incidents each day. The prevail—the
6 prevalence of domestic violence is not just a
7 criminal justice crisis. It is a national public
8 health crisis that affects all neighborhoods and
9 communities, and threatens our most vulnerable family
10 members particularly women and children. One of the
11 first steps DA Vance took when he was elected in 2010
12 as to create a Special Victims Bureau to enhance the
13 training, supervision and coordination of resources
14 applied to prosecution cases involving some of the
15 city's most vulnerable victims. DA Vance was also a
16 champion key implementer and partial funder of the
17 Manhattan Family Justice Center when it opened in
18 Manhattan in 2014. In 2014, our office likewise
19 convened the Domestic Violence Initiative a year-long
20 series of working groups comprised of criminal
21 justice stakeholders, public health officials and
22 community-based organizations that were brought
23 together to develop recommendations to permit—to
24 prevent domestic violence and enhance responses
25

1 across systems. One of the key recommendations from
2 the working group members, which was later identified
3 as a key recommendation of the city's Domestic
4 Violence Task Force was the creation of a trauma-
5 informed abusive partner intervention program. In
6 recent years this has been a growing focus on the
7 impact of trauma on individuals' wellbeing and the
8 need to consider this pervasive public health issue
9 in the delivery of behavioral health, and other
10 social services. Research suggests a link between
11 the experience of childhood trauma and adversity and
12 the perpetual—the perpetration of future domestic
13 violence. We therefore set out to develop and
14 implement an abusive partner intervention program
15 that is trauma-informed and addresses the underlying
16 behavior associated with abusive behavior. Unlike
17 traditional methods that focus solely on issues of
18 power and control, our goals were more expansive. In
19 addition to holding the abusive partner accountable
20 for their behavior, our new model aims to increase
21 the likelihood that the abusive partner will gain
22 insight into their behavior, develop empathy for
23 survivors, accept responsibility for abusive
24 behavior, respond to the intervention, and engage in
25

1 meaningful and sustained behavior change. As part of
2 DA Vance's Criminal Justice Investment Initiative,
3 our office invested \$1.475 million to pilot a trauma
4 informed APIP that offers a more holistic approach
5 than traditional batterer intervention programs. With
6 support of our technical assistant consultants at the
7 CUNY Institute for State and Local Governance, our
8 office released a Request for Proposals in November
9 2016 soliciting a vendor to implement this model. A
10 multi-disciplinary team of reviewers scored the
11 responses to our RPF, and selected the Urban Resource
12 Institute, URI to create and pilot the new program.
13 URI has extensive experience providing client-
14 centered services to domestic violence survivors and
15 other vulnerable populations and has successfully
16 operated programming for perpetrators of violence.
17 Since there were no local examples that could serve
18 as models as this was the first time a truly trauma-
19 informed APIP was being developed in New York City,
20 we engaged URI in a 10-month planning process and
21 sought the expertise of two leading experts in the
22 field of abusive partner intervention and trauma,
23 Chris Huffine and Carrie Mose. Mr. Huffine is the
24 Executive Director of Allies in Change, a Portland-a
25

1
2 Portland Spaced Non-Profit that offers a wide range
3 of counseling services and batterers' intervention
4 programs and is nationally recognized as a leader in
5 the area, and Ms. Mose is the Executive Director of
6 Court Appointed Special Advocates of New York City
7 with over 25 years of experience in child welfare,
8 domestic violence and youth development. These
9 national experts assisted URI in adopting a
10 curriculum, developing policies and procedures that
11 reduce re-traumatization, and training staff on
12 trauma-informed approaches. Over the course of the
13 26 session programs-program, participants learned
14 skills to actively evaluate their choices and develop
15 accountability for their actions by discussing and
16 reflecting upon learned behavior, life stresses,
17 regulating emotions, family functions and the impact
18 of trauma. URI employs highly trained facilitators to
19 deliver this curriculum in both English and Spanish
20 on a rolling basis. Each session lasts approximately
21 two hours. The newly developed curriculum teaches
22 abusive partners to change the justifications,
23 attitudes and belief perpetuating their abuse. The
24 program operates out of a newly designed space in
25 Central Harlem. Unlike other APIPS, URI offers a

1 range of free voluntary services to participants
2 including case management, trauma specific
3 interventions and referrals to address other needs
4 such as job readiness and housing support. Cases are
5 screened by the resource coordinator in the Domestic
6 Violence Court part as well as the leadership of the
7 Officer's Domestic Violence Unit. While we weight
8 victim input on our decision making program, base
9 dispositions are ultimately case specific and are
10 only offered after careful review of an individual's
11 criminal record, domestic violence and DIR history
12 and current violent behavior. Because the program is
13 free, no individual is denied placement due to high
14 costs or inability to pay. After a referral is made,
15 URI utilizes a series of screening and assessment
16 tools to complaint-to complete a risk assessment
17 before accepting a potential participant into the
18 program. Through this process URI identifies an
19 individual's needs such as an immediate need for
20 substance abuse treatment and level of access to
21 resources including medical insurance and providers,
22 transportation, housing, overall health, employment,
23 criminal justice supports, educational supports and
24 services, paid support such as mental health
25

1 providers and natural support such as family and
2 friends. Understanding the long-term and short-term
3 needs of abusers can help providers better address
4 the underlying reasons for their abusive behavior.
5 The first trauma-informed APIP group began on July
6 30th 2019. There have been 15 referrals to date, and
7 nine male identified individuals have enrolled in the
8 program. All nine are actively participating. Two
9 additional individuals are pending a political
10 assessment and a court approval. While four
11 individuals were denied placement for such reasons as
12 serious mental illness or criminal-or criminal
13 history. During its first year of implementation,
14 the APIP will serve 20 individuals total during year
15 2 and 3 the program will serve individuals per year.
16 The safety and survivors of children remain a top
17 priority of this initiative. Coordinated
18 communication between URI and court stakeholders as
19 well as established protocols for reporting non-
20 compliance, breaches in orders of protection and
21 victim and child safety concerns ensure that non-
22 compliance is addressed swiftly and law enforcement
23 is informed immediately of risk to a survivor's
24 wellbeing. The program connects survivors to a wide
25

1 range of resources through both the Manhattan
2 District Attorney Office—Officers Witness Aid Service
3 Unit, and URI’s crime victim services. Survivors
4 have immediate access to counseling, safety planning,
5 legal service, referrals to shelters, advocacy for
6 government entitlements and workforce development
7 programming. Survivors have agency to determine when,
8 if and to what extent they would like to remain in
9 contact with the program. Finally, to test the
10 efficacy of this model we are funding a process and
11 outcome evaluation. The Urban Institute, a
12 nationally recognized research institution has been
13 selected as the evaluator, and we will have a
14 preliminary report available in the summer of 2022.
15 Final results will be available in January 2023.
16 Thank you for the opportunity to testify before you
17 today and describe the process we underwent to
18 develop and implement this innovative model. With
19 continued support from our partners we will continue
20 to use all the levers available for us to address
21 this public health crisis with the hope of creating
22 approaches that lead to lasting change and reduction
23 in intimate partner violence.
24

3 CHAIRMAN LANCMAN: Thank you.

4 DR. CARLA SMITH: Good afternoon Council
5 Chairs and members of both committees. My name Dr.
6 Carla Smith, and I have the pleasure of serving as
7 the Chief Program Officer for the Urban Resource
8 Institute. I am joined by Luis Matos, our Senior
9 Director of Community Education and Prevention
10 Programs, and we are thankful for the opportunity to
11 come before you and share our work with abusive
12 partners, which we, too, see as a vital health and
13 human services area. For those of you who are not
14 aware, URI has been in operation for close to 40
15 years and is now the largest domestic violence
16 shelter provider in the country. We currently offer
17 close to 1,200 beds to victims of domestic violence
18 on any given evening, and we'll be increasing tier 2
19 capacity in the future. As you have heard, we have
20 been and remain committed to developing and
21 delivering innovative client centered and trauma-
22 informed services to victims of domestic violence and
23 other vulnerable populations to include—include
24 perpetrators of abuse. URI recognizes the need to
25 serve under-served communities including those that
have been identified as perpetrators of abuse, and

1 over the last three years in collaboration with both
2 the Department of Probation in Westchester and more
3 recently the Manhattan DA's Office have responded to
4 the call for—call for the operation and development
5 of services in an effort to increase accountability
6 and ultimately end domestic violence. For URI that
7 call consisted of a request for us to consider
8 assuming operation at the time of an existing API
9 program—APIP program in Westchester from a provider
10 who no longer saw these services as core to their
11 mission and as indicated in the previous testimony
12 more recently URI responded to a call for providers
13 to consider that the development of a pilot program
14 that would endeavor to create a trauma-informed
15 accountability program for perpetrators of abuse,
16 convicted of a DV offense in Manhattan. You've heard
17 in the previous testimony how these programs came to
18 fruition and that URI participated in a 10-month
19 collaborative planning process that was designed to
20 provide and result in the development of what is a
21 now—what is now a trauma-informed curriculum for
22 abusive partners. That process included experts in
23 the field that also included experienced URI staff
24 who have been provided—providing APIP services in
25

1 Westchester since 2012, which resulted from—which
2 resulted after a two-year planning process. The
3 design of pilot services in Manhattan grew out of
4 this experience, which confirmed what you heard in
5 the previous testimony indicating that many
6 perpetrators are abuse—of abuse have been—have had
7 previous experiences of trauma and may be predisposed
8 to commit violent acts during the course of their
9 lives. Specifically, we have found in our Westchester
10 program that approximately 80% of the participants
11 have experienced some form of violence in their
12 lives. So far in Westchester—so far in Manhattan
13 around 67% have reported childhood exposure to
14 violence. Now, we do not see this as an excuse for
15 behavior, but as a tool to inform the way we—in which
16 we work, um, in a trauma-informed manner to engage
17 participants and deconstruct unhealthy behaviors that
18 have been learned over extended periods of time. The
19 way in which these two programs operate and track
20 information are different, but our hope is to
21 standardize the practice and outcome measures within
22 each of these programs following the completion of a
23 comprehensive evaluation on the impact of each
24 modality. With respect to the Westchester Program,
25

1
2 it was developed in collaboration with a number of
3 partners in the County to include the Department of
4 Probation, which influenced the structure of the
5 partnership and the length of mandated participation
6 based on research of evidence based practices at the
7 time. The model is based on several behavioral
8 interventions, and concepts that take place in a 90-
9 minute weekly group format over the course 65 weeks.
10 Participation is mandated and participants must pay a
11 fee based on a sliding scale. It provides services
12 both to male and female identified individuals. We
13 have served approximately 240 individuals during the
14 time of tenure. Effective rates have—effective rates
15 have been historically based on recidivism as it
16 relates to DV re-offense and other non-DV related
17 crimes were also tracked early on for those who
18 remained in the county. Due to resource constraints,
19 the program has had limited capacity until recently,
20 and we'll begin using a database that we designed for
21 the New Manhattan Program to track and record
22 information and outcomes. The Department of Probation
23 continues to demonstrate its commitment to the
24 program and is seeking support from the Department of
25 Criminal Justice to study and evaluate the program.

3 As mentioned, the Trauma-Informed Program in
4 Manhattan was developed as stated following an
5 analysis of URI's Westchester model and other best
6 practices in the field. The program uses a model
7 developed by Chris Huffine as its base with an
8 enhanced trauma-informed lens and a variety of needs
9 and accountability-needs and accountability
10 assessment tools added in. It operates with a two-
11 hour group format over the course of 26 sessions.
12 Participation is free reducing income as a barrier to
13 participation and food is provided at each session
14 per participants with limited access to resources.
15 Groups are facilitated by train facilitators whose
16 role is to establish and maintain a favorable
17 interchange and a mutual aid system. Hence, the
18 facilitators trained on the curriculum begin the
19 process to manage environmentally induced stressors
20 like job readiness, housing-need for housing support,
21 case management, and interpersonally induced
22 stressors, trauma specific interventions. In a short
23 time that the group has been running, our success has
24 been in addressing these two challenges in order to
25 create an adaptive balance among the group
participants. The co-facilitators male and female

1 identified have helped the participants to develop a
2 sense of purpose and commonality about the impact of
3 intimate partner–intimate partner violence. They
4 share experiences and concerns. During the group
5 process, safe and less threatening issues are raised
6 first to test the facilitator’s trauma-informed
7 response and other participants genuous–genuine and
8 competence. Through curriculum focused assignments,
9 the participants have become willing to risk sharing
10 more sensitive and sometimes even taboo concerns. The
11 trauma-informed process has–has taught the
12 participants to share and relate to one another will
13 all participants investing and engage in the process
14 of change. So, what is different about this program?
15 The program expands beyond the traditional models
16 including incorporation of some innovative
17 components, which include the following: No fees
18 charged as stated, reducing barriers based on
19 financial limitations; ongoing access to wraparound
20 services to address immediate daily living needs, and
21 reduce stressors. Eventual access to economic–an
22 Economic Empowerment Center that is being established
23 by URI, and to open early in 2020. Short-term
24 clinical support and access to long-term counseling
25

1 through referrals; incorporation of victim
2 perspective on accountability for periodic engagement
3 with victims who wish to do so, and a periodic
4 completion of an accountability assessment from the
5 victim's perspective. Understanding victim
6 perspective on accountability is key to understand
7 whether or not a participant has changed their
8 engagement in the use of a range of abusive tactics
9 to include those not traditionally considered like
10 pet abuse, and incorporation of an accountability
11 power and control will for use in the program with
12 the participants. We also provide information and
13 referrals to victims interested in receiving support
14 that is client centered and based on identified
15 needs. We give participant access to continuing
16 accountability support beyond the 26 sessions,
17 recognizing that individual needs vary and that the
18 length of time that support may be needed for some
19 individuals to increase accountability may also vary.
20 This service allows participants who have
21 successfully completed the 26 sessions to engage in
22 ongoing individual and group support with others who
23 have done so, and to influence others who may have
24 completed the program after them. We—we are
25

3 encouraged about the possibility of engagement in
4 these services as thus far participants are also
5 regularly wanting to stay beyond the two-hour group
6 for either group or one-to-one conversations. Part
7 of this we believe is due to the program design, the
8 experience and training of staff and facilitators,
9 and we are hopeful that this will enhance the desire
10 to receive ongoing accountability services. These
11 aftercare services also allow the program to re-
12 engage as needed, and to provide support to enhance
13 and monitor accountability over time. We also have a
14 peer model, which provide opportunities for those who
15 have completed the sessions to maintain-maintain
16 accountability, and have been screened by the program
17 to have an opportunity to serve as a paid peer
18 facilitator after a period of time. This also part-
19 also offers positive reinforcement for individuals
20 who may not have received it otherwise. There is a
21 focus on ongoing evaluation for use of both an
22 internal and outside evaluator that you have heard
23 about engaging in process documents-in process
24 documentation and observational evaluation to
25 determine program impact, efficacy conducted by the
Urban Institute as you heard, and new eyes internally

3 established Quality Improvement, Evaluation, and
4 Training Department, and while the program is
5 currently providing services to male identified
6 individuals, it has written for the most part in a
7 gender neutral manner, and is positioned to be
8 modified in the future to accommodate individuals
9 whose gender identity and sexual orientation differ
10 from those currently participating in the program.
11 We have also taken into consideration language
12 proficiency, and will be able to in the future
13 provide, if funding is available to make other
14 modifications to the curriculum following evaluation
15 to have material available in languages beyond
16 English and Spanish. So, what does this—what does all
17 of this mean given that the program has just recently
18 initiated Aberrations. You've heard about the number
19 of people currently enrolled, and our targets for the
20 program over the next three years. We have observed
21 that participants are invested in the model, and
22 while it is early—while it is early, we are
23 encouraged by the engagement in wraparound services
24 and group conversations. Conversations about trauma
25 history and impact have begun to take place keeping
accountability at the center. We are starting to see

1 that there has been the acknowledgment of childhood
2 traumas, and similar life stressors and participants
3 have begun to demonstrate that they are receptive to
4 others' views and suggestions as to how these
5 stressors have become maladapted perceptions and
6 abusive behaviors in their adult lives. Through
7 proper use of curricula-curriculum assignments, the
8 participants have begun to develop and practice new
9 interpersonal processes, and environmental activities
10 and receive feedback from the group on their
11 individual efforts. URI's trauma-informed group
12 process has begun to create the potential through
13 which participants act and gain control and mastery
14 over self and their environment. Hence, the program
15 assists the participants in acknowledging their re-
16 enact-the re-enacting of their behaviors in their
17 intimate relationships. Once again, we thank for the
18 opportunity to come before you today and talk about
19 the programs, and we are-the APIP program we remain
20 committed to working with participants in these
21 programs keeping accountability and victims safety at
22 the core of all that we do. While there are no
23 guarantees, we are hopeful that evaluation of this
24
25

3 innovative model will result in positive outcomes
4 that will also inform the field.

5 CHAIRPERSON ROSENTHAL: I just thank you
6 all so much for your work, your public service, um,
7 and really appreciate all your thought and effort
8 going into this. My only question really has to do
9 with scale. Um, I'm trying to understand the
10 difference between, um, the amount of services that
11 we provide, how many people are captured in that
12 compared to how many cases come in. So, um, DA
13 Gonzalez, you mentioned that every year roughly—you
14 have roughly 10,000 DV cases. Could you make a
15 guestimate of that, how many individuals that
16 reflects?

17 DA GONZALEZ: Well, 10,000 individual
18 offenders--

19 CHAIRPERSON ROSENTHAL: Separate-
20 individual.

21 DA GONZALEZ: Yes.

22 CHAIRPERSON ROSENTHAL: Thank you.

23 DA GONZALEZ: But obviously, you know
24 tens of thousands of family members.

25 CHAIRPERSON ROSENTHAL: Um, and then, um,
in Manhattan the statistic was given by the number of

3 incidents that NYPD responded to. Do you have a
4 sense of in the Manhattan DA's Office how many
5 individual cases, individual offenders there might
6 be?.

7 AUDREY MOORE: So, in, um, 2018, we had
8 6,000, over 6,000 domestic violence related
9 arraignments in Manhattan Criminal Court.

10 CHAIRPERSON ROSENTHAL: Great, and any
11 idea from Staten—I don't have your testimony in front
12 of me so—

13 DA MCMAHON: Um, in Staten Island we've,
14 um, we've seen a decline over the last two or three
15 years from this roughly 2,200 cases per year.

16 CHAIRPERSON ROSENTHAL: So when the
17 Administration says that they're going to be able to
18 help 450 people intensely, could one say that if we
19 multiplied the number of people that we could help by
20 a 100, we might be getting to the need in New York
21 City? Right? I mean if just doing mental math here
22 we've got 10,000 and then another 10,000, and then
23 Queens say is another 10,000, you know, we're -and
24 the Bronx, we're up to 40,000 individuals who need
25 help, and what I heard the city say was that they're—
they're doing something to help 450 people. You were

3 going to say something. It wasn't a question. I
4 guess I'm making a statement. Was there anything
5 anyone wants to add?

6 ERIC GONZALEZ: A need for, you know, for
7 my thinking on intimate partner violence without the,
8 you know, full evaluation of the, you know, whether
9 or not these programs are actually making a
10 difference, you know, while we have many thousands of
11 cases, we are, um, we only put a vey small percentage
12 in programming currently. I would estimate the
13 number to be under 300. There's some that, um,
14 defendants choose not to do the programming when
15 offered, um, but quite frankly, in a lot of cases
16 with escalating violence, um, with histories of, you
17 know, domestic incident reports and other, um,
18 concerning behavior, I'm not prepared to, um,
19 recommend that kind of disposition or outcome
20 without, you know, further studies in whether or not
21 they're effective programming, and so, um that is a
22 factor. In Brooklyn, we went many, many years in
23 excess of a decade without ever putting a person into
24 one of these types of programs, and have really only
25 more recently started to explore this.

3 CHAIRPERSON ROSENTHAL: I mean I don't
4 mean to ignore other programs that perhaps exist that
5 are not specifically batterer intervention. I mean
6 there is also a need for substance abuse treatment
7 and individuals do get-- could I safely assume they
8 do get into those programs or mental health programs?

9 REP FOR DA MCMAHON: Correct.

10 CHAIRPERSON ROSENTHAL: Okay. Thank you
11 very much.

12 CHAIRPERSON LANCMAN: So, I want to start
13 with something that, um you said, Mr. Gonzalez, which
14 I think captures the--the essence of it all, and--and
15 why we're even having a hearing like this. You said,
16 While sending domestic violence abusers to jail may
17 protect survivors of the short term, incarcerating
18 offenders and hoping that they won't re-offend when
19 they are released has not been an effective way to
20 keep survivors safe over the long time, and that's
21 what we all want to achieve. I (coughs) have heard--
22 heard you say maybe directly maybe I'm reading in
23 between the lines, but not too much, though, a real
24 question about whether these programs are effective
25 and--and I think that was the best answer that you
could come up with to the Council Member's question,

3 which I know put you all a little bit on the--on the
4 spot. Why would we even think about expanding a
5 program or programs until we know whether they--they
6 work or not? And I'm sitting here saying I--I don't
7 know what works, and what doesn't work. What's your
8 impression as the District Attorney of--of Kings
9 County having to make these choices as to who's going
10 into the program and who's not, and I'm sure you see
11 people who have been through a program, and now
12 they're--they're back on the docket again, what's your
13 impression of whether these programs do--you have PAC
14 and you have--you have TASC I believe.

15 DA GONZALEZ: Correct.

16 CHAIRPERSON LANCMAN: Do they work, and--
17 and in so far as they--they do or they don't, they can
18 certainly be made better. What would you like to see
19 as the city contemplates or goes through a new round
20 a new RFP and potentially, um, a new model for these
21 kinds of programs, and potentially expanded capacity?

22 DA GONZALEZ: Well, I think Allison took
23 part of the prior testimony from the, um, Mayor's
24 Office of Criminal Justice or MOCJ, and I think
25 largely Councilman, your questions about metrics was
an important question, and how do we define what

1 success of these programs actually look like. Um, I
2 don't believe like in other diversion programs that
3 solely looking at our recidivism—recidivism rates are
4 going to be an effective measure, and I kind of
5 detailed some of the reasons why in my testimony
6 because we actually don't know, um, whether or not
7 the person is reoffending. We only know if the
8 person is—maybe gets arrested again. Um, it doesn't
9 speak to whether or not survivors feel that the
10 program is providing safety to them. It doesn't
11 speak to whether or not they're happy with the
12 services or the outcomes of services. It doesn't
13 speak to where or not there's an escalation or de-
14 escalation in the home of violence. So, we really
15 haven't explored what the root cause of, you analysis
16 is on whether or not these programs work and so in
17 terms of me and in terms my obligation to fight
18 gender-based violence, um, before I, um have my
19 assistant district attorneys explain the programming
20 options, and sort lead them to believe that these
21 inter-batterer intervention programs, abusive partner
22 intervention programs are going to make a different
23 in their lives, I want to feel comfortable that's, in
24 fact, happening. Now, there are cases that, um, the,

1 um, survivor of violence would like to see that, um,
2 tried, and so we try them, but it is, you know, it is
3 sort of a difficult position for us to say to a
4 survivor of this crime this is what we would like to
5 do with the case, and we think it's going to be
6 effective, and we stand by this, you know, procedural
7 outcome, um, of the case without having that kind of
8 information. And, in terms of compliance, we didn't
9 even—I didn't hear any questions about compliance
10 but, I don't think that we have a great record of
11 compliance. People who are not doing well in the
12 program are given multiple opportunities to continue
13 in the program. There is not a lot of accountability
14 for people who don't, um, really meet the obligations
15 in the most earnest of ways, and they get through it
16 at the end. Um, but like anything else, it's—there's
17 effective compliance and there's just people who get
18 through the program, and so, you know, I have a lot
19 of concerns. Like, you know, the practices that
20 appear to be—they're being developed in Manhattan
21 sound great to me and, you know, I indicated a CCI
22 as something that sounds promising. Um, but before as
23 district attorney that I put my stamp of approval on
24 these programs I have to see outcomes.
25

3 CHAIRPERSON LANCMAN: Uh-hm. Um, the
4 Manhattan and--and--and URI folks for a layperson, can
5 you explain the difference between the URI approach
6 and program and PAC, the PAC program?

7 DA GONZALEZ: Well, um--

8 CHAIRPERSON LANCMAN: So, if you're going
9 to testify, I do need to swear you in. It's a--

10 DR. CARLA SMITH: He, he, um, raised his
11 hand during the--

12 CHAIRPERSON LANCMAN: Oh, he did?

13 DR. CARLA SMITH: Yes, it's Luis Matos,
14 who I named him.

15 CHAIRPERSON LANCMAN: Your fingers do not
16 cross. [laughter] He raised them.

17 DR. CARLA SMITH: He oversees the program
18 at the senior level.

19 CHAIRPERSON LANCMAN: Okay, good.

20 LUIS MATOS: Okay, thank you. Um, well,
21 um, one of the prime differences is the fact they
22 have, um, 10 months planning process that we have
23 with District Attorney's Office where we went, you
24 know, step by step, um, considering exactly the area
25 where the program is going to be placed. Um, how are
we going to go about with the hiring process--the

3 hiring process. Um, diverse sensitivity or oppressed
4 sensitivity and all these different factors that take
5 place in designing the program. The fact that we had
6 experts, national experts come in who have been so--

7 CHAIRPERSON LANCMAN: So, so I understand
8 and I respect and appreciate the process that you
9 went through to establish the program and it seems
10 really thoughtful and comprehensive--

11 LUIS MATOS: Right.

12 CHAIRPERSON LANCMAN: --and preventive.

13 LUIS MATOS: Uh-hm.

14 CHAIRPERSON LANCMAN: So, so I'm an
15 applicant, I'm a participant in--in both programs.

16 LUIS MATOS: Uh-hm.

17 CHAIRPERSON LANCMAN: Right. What--what is
18 the difference in my experience as a participant in--
19 in URI's program verse the PAC program, and I'm only
20 kind of picking on PAC--

21 LUIS MATOS: [interposing] Alright, one
22 difference is -

23 CHAIRPERSON LANCMAN: --because that's
24 what the city is funding

25 LUIS MATOS: --that you probably pay a
fee, right? Another difference is that the program

3 is probably placed inside your community rather than
4 in the area, rather in a government building or
5 something that's outside your community, um, that we
6 might have individuals that speak Spanish, which is
7 something that we take into account. There is the--
8 that the whole design of the actual environment
9 you're going into is responsive to probably some of
10 your needs that the clients and schedule where we're
11 running groups, it's responsive to you schedule and
12 your needs.

13 CHAIRPERSON LANCMAN: I also saw in your
14 testimony--

15 LUIS MATOS: Uh-hm.

16 CHAIRPERSON LANCMAN: --one of your
17 testimonies that, um, there's a--there's these other
18 services available.

19 LUIS MATOS: Right, wraparound services.

20 CHAIRPERSON LANCMAN: Could you describe
21 that a little bit because we--we talk about that a lot
22 in the context of funding for public defenders, and
23 so they've got a client who is defending the case,
24 but he or she is now solving an immigration problem,
25 a housing problem, et cetera. Can you talk about your
wraparound services?

1
2 DR. CARLA SMITH: Sure. So, we have case
3 management staff as well as the clinical, um, staff
4 member. When clients come in or participants come
5 in, they—we do a comprehensive needs assessment so we
6 have an understanding of what their needs are related
7 to housing benefits, medical issues, economic
8 empowerment into jobs, things of that nature. Um, and
9 we go through that comprehensive assessment to
10 determine what are those factors that may also
11 contribute to or add stressors to their lives and
12 impact their ability to really engage in the
13 programming, and so our case manager will immediately
14 begin to address any immediate needs. We also
15 provide food, and we have found that people when they
16 are coming into—for either an initial assessment may
17 not have eaten that day, or may not have eaten before
18 they come to a group. So, we will provide some food,
19 um, to get people sort of not thinking about being
20 hungry. Um and we also have spaced designated—within
21 our—our office space as Mr. Matso—Matos talked about,
22 the office space has been designed to be trauma-
23 informed. The way that it looks gives encouraging
24 messages, um, things that we have on the wall, color
25 chosing—choosing, things of that nature. In addition,

1 we have space designated, computer space designated
2 for participants to use computers to do job searches,
3 housing searches. We are an experienced provider to
4 victims of domestic violence and other individuals
5 and so we understand that there's a need to connect
6 people to services, um, immediate services in order
7 for them to fully engage. So, we try to address all
8 of those things, and then we have partnerships with
9 other organizations. So, we assume we can't do it by
10 ourselves. So, we work collaboratively with the DA's
11 Office and other organizations to make referrals for
12 people, and then follow up on those referrals with
13 them to see if they've actually engaged. Are they
14 experiencing any challenges. We provide
15 transportation assistance Metro Cards so people can
16 get to and from the office, to and from appointments
17 that we may help them schedule so that it releases
18 them from sort of thinking about all those things
19 that might interfere with their ability to engage in
20 the program, and in the Clinical Services we do a
21 mental health, full comprehensive mental health
22 assessment including a trauma history questionnaire
23 as well as a PTSD assessment if necessary depending
24 on what comes up in the trauma history, and determine
25

3 whether or now we need to do—we will offer individual
4 short-term work with them and determine whether or
5 not we need to do referrals for outside mental health
6 support.

7 AUDREY MOORE: If I may just add, um, one
8 aspect that I think is unique about the Manhattan
9 model that was just describe, while I can't speak to
10 the specific aspects of the PAC program, um, I can
11 that unlike other traditional abusive partner
12 intervention programs, this model provides services
13 in addition to the abusive partner to the victim as
14 well so the survivor can access services through our
15 office through the Manhattan DA's office, and in
16 addition you or I, um, have the mechanism for
17 providing those services as well clinical and
18 wraparound.

19 CHAIRPERSON LANCMAN: Does the Manhattan
20 DA's Office also use PAC?

21 AUDREY MOORE: The Manhattan Court system
22 uses PAC so that—that is something that we have used
23 in the past, but our referral pipeline into Abusive
24 Partner Intervention programs currently is focused on
25 the URI model.

CHAIRPERSON LANCMAN: Yes, ma'am.

1
2 DR. CARLA SMITH: Just to add to that,
3 the incorporation of accountability assessments, we
4 have developed two accountability assessment tools.
5 One is a self-report that we will check in
6 periodically above and beyond sort of what we are
7 delivering and seeing in the group, but we thought it
8 was important based on a study that was done, the
9 Marabel study, um, that was done where engaging
10 survivors who are victims who are interested in
11 remaining in contact with the program would allow us
12 to really understand the perspective—from the
13 perspective of the victim, which we thought was
14 important. We also understood that we needed to be
15 mindful for those survivors who decided to complete
16 that with us periodically, and it—it examines a
17 variety of abusive tactics, and levels of perception
18 around do they have—do they feel that they have
19 freedom to do these things? A whole bunch of
20 different things that fall under different categories
21 of abuse in terms of type of abuse, but we—what we
22 wanted to do was to make sure that whatever we
23 gleaned from that, that when we went back to do the
24 work in the group with the participants, we did so in
25 a way that did not jeopardize survivors' safety. So,

1 it's not about saying your partner said, it's around
2 figuring out ways and we do sort of case conferencing
3 with the staff and the facilitators how do we
4 incorporate this issue that we're being advised about
5 that the perpetrator or the participant is not really
6 admitting into an exercise in this session so that it
7 doesn't convey that the survivor has told us anything
8 that may put their safety at risk, but so that we can
9 build it into, um, a curriculum that is flexible
10 enough for us to change things within the module.
11 So, we're hoping that having that victim input tells
12 us the real deal so to speak. Um, and we know that
13 participants may, you know, modify information, um,
14 to get through the program, and so we have ways of
15 sort of circling back on that.

17 CHAIRPERSON ROSENTHAL: Just really
18 quickly, um, you have so many great answers to these
19 questions. It really sound comprehensive. You know,
20 the Year Program or in the PAC Program, um, do you
21 know if there's any, um, specific, um, information
22 or-or intervention that's given for the LGBTQAI
23 population?

24 DR. CARLA SMITH: Currently we have not,
25 um, had referrals for individuals who identify in

3 that way. However, the curriculum itself, as I
4 mentioned is—was set up to be, um, gender neutral as
5 possible understanding that we have access to
6 resources in our agency as continuing its efforts to
7 be culturally competent working with our population.
8 Um, and we are positioned to add modules in the event
9 that individuals who identify as members of the LGBTQ
10 community are coming in. So, it might replace an
11 existing module or there may be a language tweak that
12 we need to do. Um, we may use a different power and
13 control order, which we have access to. Um, so we're
14 positioned for that. Right now the individuals who
15 have been referred to us are not identifying as
16 members of that community.

17 CHAIRPERSON ROSENTHAL: Thank you very
18 much.

19 CHAIRPERSON LANCMAN: Alright, thank you
20 all for your testimony and for the good work that you
21 do, and, um, we all definitely need to keep an eye on
22 what MOCJ is going to go through in terms of, um, a
23 new RFP, and, um, hopefully your views on that will
24 be solicited, and if they're not, let me know.

25 LUIS MATOS: Okay.

1
2 CHAIRPERSON LANCMAN: Thank you very
3 much.

4 DA GONZALEZ: Thank you. [pause]

5 CHAIRPERSON LANCMAN: Alright, so now
6 we're going to hear testimony, and this might be our
7 last panel for the day. Brooklyn Defender Services,
8 the New York City Anti-Violence Project. Are there
9 any other public defender organizations or legal
10 services organizations that are here waiting to
11 testify? You're—you're looking at-[background
12 comments] No, no, we'll get to that. I got you.

13 FEMALE SPEAKER: [off mic] Close the
14 door.

15 CHAIRPERSON LANCMAN: That's it? Okay,
16 good. Um, in—in that case, um, Professor Mit-Mills
17 from NYU, right down—right down the street. Come on
18 down, and this will be our last panel of the day.
19 [background comments/pause] Yeah, um, the Living
20 Commissioner is here. Let's—let's—let's bang it all
21 out in one blaze of glory, one final panel blazing a
22 glorious trail of testimony across the New York City
23 sky. No pressure. [laughter] [background
24 comments/pause] So, if you all can raise your right
25 hands so we can get sworn in. Do you swear or affirm

3 the testimony you're about to give is the truth, the
4 whole truth and nothing but the truth?

5 POLLY BASSETT: Yes.

6 CHAIRPERSON LANCMAN: Good. Who would
7 like to start us off? You're--you're

8 POLLY BASSETT: Sure. Thank you Chair.

9 CHAIRPERSON LANCMAN: You'll do that.

10 POLLY BASSETT: Okay. Good afternoon. My
11 name is Polly Bassett and I'm a supervising attorney
12 in the Integrated Defense Practice of Brooklyn
13 Defender Services. I thank the New York Committee on
14 the Justice System and Women and Gender Equity and
15 Chair Lancman and Chair Rosenthal for holding this
16 important hearing, and providing the opportunity to
17 testify on the efficacy and efficiency of the city's
18 Batterers Intervention Programs. As an institution
19 of provider in both Criminal and Family Court and the
20 child welfare cases, we still see a general over-
21 reliance on Batterers' Intervention programs. We
22 represent thousands of people each year who are
23 mandated by Criminal or Family Court to completed
24 these programs. While we believe in both the Family
25 and the Criminal Courts over-rely on Batters
Intervention Programs in cases where there is an

1 allegation of domestic violence, until alternative
2 options are easily accessible, free and recognized by
3 the courts, these programs must remain available for
4 clients. Now, I think everyone has noted that a one-
5 size-fits-all approach is not meaningful, however,
6 that is still the approach that is used both in
7 Family and Criminal Court, and what we're finding is
8 that these as has been mentioned the Batters
9 Intervention Programs are often cost-prohibitive, and
10 the intake is \$50 for the initial intake assessment,
11 and yes there is a sliding scale. Um, however, our
12 clients are still forced to pay some amount for a
13 course of up to 24 weeks, um, to complete these
14 programs. Um, these—as the Council has noted, um,
15 these links—these programs are not offered in the
16 languages that our clients speak, and they do not
17 address the issues of generational trauma. In
18 addition, I mean they are located in very, um, in
19 locations that are not easily accessible for our
20 clients. Um, and at times that our clients are just
21 unable to attend as many of our clients are often
22 excluded from their home and forced to find
23 additional employment to pay for rent both, um, for
24 their families and for themselves when they are
25

1 excluded from the home in addition to these programs.
2
3 However, these programs are currently necessary for
4 our clients to resolve their cases, and amend orders
5 of protection to unify with their families. Um, so
6 BDS we would like to see alternative programs and
7 options available and more accessible to, um, to our
8 clients. We encourage the city to invest in a wider
9 range of programming for individuals that are just
10 not just domestic violence and intimate partner
11 violence, but also include opportunities for family
12 therapy and supportive programming for mental health
13 and substance abuse issues where it is appropriate.
14 We would like see the Batters Intervention Programs
15 bot Batters Intervention Programs, but also
16 community-based support programs available again for
17 free. I think that as has been noted previously that
18 there are very few programs that are available for
19 free. Um, I believe perhaps in Brooklyn maybe one
20 that we are aware of. Otherwise, most of the
21 programs do have a fee. Um, we ask—and we would like
22 to see more programs available in the designated
23 languages. As we've noted that we've seen clients
24 who have not been able to find programs in Bengali,
25 in Urdu, in, um, Uzbek, and because of that, they are

1 separated from their families for weeks and I have
2 seen for years. Um, and—and it is to a huge
3 detriment to the—to families, um, who are involved in
4 the Child Welfare System. So, we hope that in future
5 Batters Intervention Programs can be meaningful and
6 effectively reduce violence, but until that happens,
7 we need additional tools, we need funding and we need
8 buy-in for programs that meet the needs of families,
9 and that are accepted by Family and Criminal Court.
10 I would like to note that are accepted by the court
11 system to resolve these cases.
12

13 AUDACIA RAY: Hi. My name Audacia Ray. I
14 issue her—her pronouns. I am the Director of
15 Community Organizing and Public Advocacy at the New
16 York City Anti-Violence Project. Um, you have the
17 long version of my testimony, but I am going to kind
18 of pull out, um, some of the—the main points of it.
19 Um, so AVP is the only LGBTQ specific victim services
20 agency in New York City. We're the largest
21 organization in the country that's dedicated to
22 working with LGBTQ, and HIV affected survivors of
23 violence, and we focus particularly on survivors of
24 intimate partner violence, sexual violence and hate
25 violence, um, as well as hook-up, pick-up dating

1 violence, stalking and institutional and state
2 violence. Um, we are a contractor with HRA, the
3 citywide provider of non-residential domestic
4 violence service for LGBTQ communities, and we're
5 also the only LGBTQ specific rape crisis center in
6 New York State. All of our services are free. Um,
7 I'm going to give two examples of some of the work
8 that, um, AVP has been doing around, um, batterer
9 interventions. Um, we serve as chair of the Coalition
10 on Working with Abusive Partners, which—with NGVB.
11 They talked about this a little bit earlier, um, and
12 se co-convened the interagency working group on the
13 New York City Blueprint on working with abusive
14 partners, um, and that report is available through,
15 um, the Center for Court Innovation on their website.
16 Um, Chair Rosenthal also mentioned the pilot project
17 Transform, um, which is a 16 or a 15-week facilitated
18 group that is focused on accountability and healing
19 for LGBTQ people who self-identify as people have
20 committed harm through sexual violence, or have the
21 potential, um, to do harm that way. So, also just to
22 note that, um, you know, we do differentiate between
23 sexual violence and intimate partner violence. Sexual
24 violence often is a factor in intimate partner
25

1 violence situations, but they are separate. Um, and
2 while IPV is related to power and control in
3 relationship dynamics, sexual violence can take place
4 in a relationship and through fights (sic) and other
5 non-ongoing relationships. So that's an important
6 thing to note. Um, so Transform is, um, the only
7 program of its kind that we know of in New York, if
8 not the whole country. Um, it's free of charge, and
9 it was focused on behavior changes for people
10 participating in it, and that involved lots of work
11 around skill building with, um, how to give and
12 receive active-active consent, and especially also
13 managing triggers, um, without resorting to-to
14 harmful behavior. This is a small cohort, um, but
15 100% of the members completed the 15-week process
16 with, um, mandatory, um, participation. Um, and, um
17 all of them have actually recommended, um, people to
18 attend future sessions, which is-which is really
19 interesting because it's-it's showing that folks, um,
20 want this-this kind of programming, um, and they
21 think that other people can benefit from it, um, as
22 well. Um, it's-it's also important to note that, um,
23 this program-I think the success of the program is-is
24 really based on the fact that it's fully voluntary,
25

1 which is difficult when you're talking about, um,
2 people who, um, you know, if someone has--has called
3 the police or, you know, there's law enforcement
4 involved, um, and then you're getting into the
5 territory of how to get a mandate program and this--
6 this program is--is not mandated. It's fully, um,
7 voluntary, and so in--in the like SV and IPV field
8 we've been talking a lot about, um, how effective can
9 a program be if it's mandatory, but also like if
10 someone doesn't want to participate in a program, um,
11 they don't--they--you can't just have no consequence
12 for that. Um, so--so how do you manage those things
13 and it's kind of a big unanswered question that
14 we're, um, we're definitely wrestling with as--as
15 we're doing this work. Um, but, um, we're very
16 excited about being able to continue to transform in
17 the future. Right now, it's actually funded through
18 FVPSA which is the Family Violence Protection
19 Services Act. Um, so--so that--so it has federal
20 funding to it, but it would be also great to be able
21 to expand it. Um, we had a one-year pilot and we're
22 figuring out how to support it in the future. Um, I
23 also want to highlight that particularly for LGBT
24 people, um, people who cause harm to their partners
25

1 are often also themselves survivors. So, um, this-
2 there—the binary of survivor and a person who causes
3 harm is a false binary. It is important for us to
4 recognize an engagement that when we're providing
5 services to people who've done harm to also recognize
6 that they're also survivors and they're processing
7 their own pain and experiences, um, and reactions to
8 violence. Um, there are also a couple of things that
9 I wanted to—to point out, um, just some analysis.
10 Um, right now there are no LGBTQ specific abusive
11 partner intervention programs in New York State. Um,
12 and there are very few programs that will serve women
13 who identified as abusive partners, um and that's
14 even true for when, um, AVP, when we hear from our
15 clients that, um, they have nowhere to go for this
16 programming even when it's mandated. Um, so-so
17 that's—that's a big concern, um, and also the—the
18 fact that most abusive partner interventions are only
19 available through court-mandate creates a particular
20 challenge for LGBTQ people, um, because for lots of
21 different reasons, but one of the reasons is also
22 because that a lot of the behavior that is counted as
23 IPV isn't necessarily a crime, and, um, every
24 instance of—of, um, of IPV incidence aren't
25

1 necessarily resulting in arrests and detention. So,
2 how do you support people who are not committing IPV
3 related crime, but are abusive partners, um, when
4 the—when the only way to get the access is through
5 mandated programs and mandated programs don't serve
6 LGBT people anyway. Um, so the two things that we
7 really want to recommend, um, are that, um, the
8 Council works to identify and release more funding
9 for abusive partner intervention programming that's
10 culturally responsive, inclusive and affirming across
11 the spectrum of gender identity and sexual
12 orientation with specific programming that's designed
13 to work with LGBTQ people. Um, and this must be
14 available for people who are court mandated, and also
15 for people who wish to access these programs
16 voluntarily, and they're also, you know,
17 complications with both of those things. Um, we also
18 want to ensure that the programs are trauma-informed
19 and that they are free of charge. Um, we actually
20 don't feel that, um, the charge, you know, charging
21 people for services, um, makes them more committed to
22 the process and that actually in many cases, um,
23 economic instability is part of the factor that
24 contributes to people, um, becoming abusers in the
25

3 first place. So, that kind of economic sanction on
4 them actually doesn't help. It doesn't make them take
5 it more seriously. Um, and the programs also need to
6 focus on behavior change not just, um, education
7 about like what happened to them and what they're
8 doing, um, but they have to be focused on behavior
9 change and be able to—to show that—that they're
10 making strides in that way. Thank you.

11 CHAIRPERSON LANCMAN: Vanessa.

12 PROFESSOR LINDA MILLS: Thank you. I was
13 told I had three minutes. So, I'm not going to be
14 very specific about the program that's being studied,
15 but you have the research there attached to my
16 testimony. It is an honor to appear before you today
17 regarding the important question of the efficacy and
18 efficiency--

19 CHAIRPERSON LANCMAN: [interposing] Just
20 one—one second.

21 PROFESSOR LINDA MILLS: Sure.

22 CHAIRPERSON LANCMAN: I don't—I don't
23 have your--

24 PROFESSOR LINDA MILLS: I handed it to,
25 um, someone.

CHAIRPERSON LANCMAN: Oh, okay.

3 PROFESSOR LINDA MILLS: It says testimony.

4 CHAIRPERSON LANCMAN: Now, I got it.

5 PROFESSOR LINDA MILLS: Very good.

6 CHAIRPERSON LANCMAN: Thank you.

7 PROFESSOR LINDA MILLS: Excellent. Does
8 everybody else have what they need? What I was told
9 to bring? Yes. Okay, good. Let me start over. It is
10 an honor to [laughs] to appear before you today
11 regarding the important question of the efficacy and
12 efficiency of Batterer Intervention Programs also
13 know as BIPs. They've been referred to in many
14 different ways today. My name is Professor Linda
15 Mills from New York University, yes just up or down
16 the street depending on how you call New York City.
17 For the past 20 years my research focus has been on
18 creating effective treatment programs for people who
19 commit domestic violence or DV crimes with a focus on
20 reducing violence and enhancing victim safety. This
21 I think responds to many questions that were raised
22 already today. My research partner with me Dr.
23 Brianna Barocas and I have collaborated with judges,
24 treatment providers, victim advocates and community
25 members in implementing and studying a comparison
between batterers' treatment and restorative justice

1 using randomized controlled design—designs or the
2 gold standard. Our research has been funded by the
3 National Science Foundation, and the National
4 Institute of Justice among others. For many years
5 now researchers have evaluated the effectiveness of
6 batterers intervention programs. In sum, the study
7 suggest that there is little evidence that BIPs are
8 effective in reducing subsequent violence. Professor
9 Gondolf studies published in '04 and '07 suggests
10 there may be evidence to the contrary, but this study
11 is an outlier in a sea of very disappointing results.
12 There are 2,500 BIPs in this country and we continue
13 to present them to those convicted of DV crimes as a
14 treatment that will help them. We force people, as
15 we've heard today, who often struggle to put food on
16 their table to pay for these programs. It is a
17 travesty for victims and all those affected that we
18 do not focus more of our attention on identifying
19 effective interventions. Today's hearing is a step.
20 Clearly, all of you are committed to this, and I am
21 very grateful to be here and share this information
22 with you. So, thank you. More recently there are, in
23 fact, many more promising outcomes in the research
24 related to the reduction of violence over time. These
25

1 studies suggest that when BIPs are combined with
2 other treatment approaches including acceptance and
3 commitment therapy, cognitive behavioral treatment.
4

5 In the case of our own research, Restorative Justice,
6 they can, in fact, be more effective in reducing
7 subsequent violence when compared to a typical BIP.

8 In our study recently published Nature Human
9 Behavior, which you have in your hands, we compared
10 two treatment modalities, a hybrid program that
11 combine 12 weeks of BIP with six weeks of Restorative
12 Justice treatment to 18 weeks of peer BIP. We found
13 astonishing results. There was a 53% reduction in new
14 arrests for those enrolled in the Hybrid BIP plus
15 Restorative Justice program compared to the typical
16 BIP. In addition, we saw a 52% reduction in the
17 severity of crimes committed in the hybrid BIP plus
18 Restorative Justice compared to those in BIP only.

19 In this study, 42% of victims chose to participate in
20 at least one Restorative Justice session. This
21 evaluation took place in Utah where the state permits
22 victims to join the treatment following the
23 completion of a number of sessions by BIP—of BIP by
24 the person who was convicted of the crime. I
25 understand that the City of New York may be

1 interested in experimenting with alternatives to BIP,
2 which may include a victim who agrees to participate.
3 This laudable and important. Let me add that in a
4 previous study published in the Journal of
5 Experimental Criminology, we showed that there was no
6 evidence that when victims participated in
7 Restorative Justice treatment that it put them at any
8 more risk compared to BIP, and while the Center on
9 Violence and Recovery has been a pioneer in
10 developing and study Restorative Justice in the U.S.
11 now for over 20 years. We are currently seeking four
12 jurisdictions for replication studies, which can-
13 would compare BIP only plus BIP and Restorative
14 Justice. We would be delighted to include New York
15 City in this important undertaking. Thank you.

17 TYLER NIMS: Good afternoon. I'm Tyler
18 Nims, Executive Director of the Independent
19 Commission on New York City Criminal Justice and
20 Incarceration Reform most commonly known as the
21 Lippman Commission after our Chairperson Judge
22 Jonathan Lippman. Thank you for the opportunity to
23 testify today. I know that my remarks are the only
24 things standing between, um, people and their evening
25

1 plans. So, I'll keep them brief. I'm going to focus
2 on programming in the context of-

3
4 CHAIRPERSON LANCMAN: [interposing] We-we
5 may not be familiar with Council Members' evening
6 plans. [laughter]

7 TYLER NIMS: So, I'm not familiar.

8 CHAIRPERSON LANCMAN: The-the Community
9 Board will wait. Don't worry about it. Go ahead.

10 TYLER NIMS: My fellow panelists' evening
11 plans in that case. [laughter] Um, I'll focus on
12 pre-trial diversion and programming in the context of
13 the always (sic) reforming pre-trial diversion. Um,
14 one of the core principles about work is that New
15 York City should use incarceration as sparingly as
16 possible consistent with public safe. The pre-trial
17 reform legislation that's going to take effect in
18 January reflects this precept by making pre-trial
19 release the presumption in cases, in criminal cases
20 in New York including domestic violence cases.
21 Allegations of domestic violence pose special
22 challenges and risks and in some cases pre-trial
23 supervision and diversion programs can help strike
24 the right balance between those challenges in a
25 mandate to limit pre-trial incarceration. But I do

1 want to note consistent with what the attorney from
2 BDS said is that programs need not be the only option
3 and that there are many people who are released today
4 pre-trial without programming. So, first I'll go
5 through some numbers. Last year there were
6 approximately 200,000 criminal cases arraigned in New
7 York City. Approximately 30,000 of those involved
8 domestic violence allegations. The vast majority of
9 these cases were misdemeanors, 85% of them. Seven
10 percent were classified as non-violent felonies and
11 those are primarily criminal contempt so people
12 accused of violation an order of protection, and then
13 the remaining 8% classified as violent felonies, um,
14 including assault, strangulation, burglary and more
15 and robbery. Although these cases involve special
16 considerations, their pre-trial release rates are
17 parallel to those of cases that did not involve
18 domestic violence. So, 75-76% of people accused of
19 domestic violence allegations or cases involving
20 those allegations are released on their own
21 recognizance. Fewer than 1% were remanded and the
22 rest about 24% had bail set, and it's important to
23 note that many people who have bail set are
24 eventually able to make bail, most of them and are
25

1 not detained through the pendency of the case. Um,
2 also it's very important to note that the racial
3 disparities that are present across our justice
4 system exists, um, in domestic violence cases, and
5 the people of color who are accused of charges
6 including domestic violence, are significantly more
7 likely to have bail set than white people facing
8 similar charges. So, what this means for city jails,
9 um, as of about a month ago on October 16, there are
10 about 470 people incarcerated in city jails on
11 domestic violence allegations. I can give you that
12 breakdown. It's in the testimony, but, um, when bail
13 reform takes effect in January, um, as you know, many
14 are—there are some domestic violence cases that are
15 no longer going to be eligible for pre-trial
16 incarcerate—incarceration at arraignment. So no bail,
17 no remand. Other changes will come with the
18 presumption of release, and a requirement that the
19 least restrictive conditions be imposed even though
20 bail and detention are permissible, and we estimate
21 that if the pre-trial reform legislation had been in
22 place on October 16th, approximately 100 of the
23 people that were detained then would have been
24 subject to release. Again, because many people who
25

1 are held—because people were held in pre-trial
2 detention for misdemeanors average about 15 days in
3 jail. Many of them, most of those people would have
4 made bail or otherwise been released regardless of
5 that pre-trial legislation. There's reason to believe
6 that some of the people who were incarcerated today
7 could be on domestic violation--domestic violence
8 allegations could be released pre-trial with or
9 without conditions. According to a CCI Analysis from
10 last year a significant fraction of the people who
11 are detained pre-trial pose only a low or a low to
12 moderate risk of re-arrest or of domestic violence
13 re-arrest. They—they calculated 27% of the people
14 who are incarcerated had that lower risk level. Um,
15 so with that in mind, we recommend replacing
16 incarceration in appropriate cases with evidence
17 informed alternatives that can hold people
18 accountable, but also promote rehabilitation, um, and
19 these programs can be—may be more effective than
20 incarceration because while jails can offer a
21 temporary reprieve from violence within the burdens
22 that are being created in the community, they rarely—
23 incarceration rarely addresses the problems and
24 circumstances that are driving violent behavior, and
25

1
2 I think DA Gonzalez said it very well, um, we're not
3 going to incarcerate ourselves out of our problems
4 with domestic violence. So, in addition to-to those
5 programs with the implementation of pre-trial
6 legislation, in January we recommend that judges be
7 given the discretion to allow, um, people charged
8 with domestic violence offenses to participate in
9 supervised release. Um, we suggest a specialized
10 supervised release track be developed that emphasizes
11 compliance with orders of protection, and offers
12 programming including cognitive behavioral therapy or
13 Restorative Justice principles to try to get at those
14 cause of domestic violence. So, just to sum that all
15 up, um, allowing some people to be released and
16 engaged in programs that are tailored towards
17 addressing domestic violence can be more beneficial
18 to victims, more productive to charge persons than
19 sending them to jail. As you've heard from everybody
20 today, there's much more that can and should be done
21 to create these types of programs, and make sure that
22 they're effective, and we encourage the
23 Administration and the Council, um, to develop those
24 programs and seek alternatives where possible. Thank
25 you.

3 CHAIRPERSON LANCMAN: Alright, um, so,
4 um, Professor, where have you been all my hearing?

5 PROFESSOR LINDA MILLS: I know. I'm sorry.
6 I want to—I was like trying to get your attention.

7 CHAIRPERSON LANCMAN: Um, I—I hope you
8 don't object to the colleague, but—but earlier on in
9 the hearing Council Member Rosenthal leaned over to
10 me and said, isn't there some professor, somewhere?
11 Maybe it's at CUNY or John Jay or somewhere--

12 PROFESSOR LINDA MILLS: I was here.

13 CHAIRPERSON LANCMAN: Whose researched
14 this stuff and—and—and can—can tell us at least from
15 the academic perspective, a research perspective what
16 works and what—what doesn't work. Um, specifically
17 regarding your testimony, it sounds like the—the
18 current, um, Batterer Intervention Programs are not
19 effective, but what is effective maybe a couple of
20 things, but in particular you focus on Restorative
21 Justice. That there was a study that compared a
22 hybrid between a traditional batterer intervention
23 program, and Restorative Justice model verse a pure
24 Batterer Intervention Program, and—and the hybrid one
25 overwhelmingly. Um, so I just want to understand and
I—and I—I don't know if I'm being too communicative,

1 but [coughing] but wouldn't Restorative Justice
2 program-model and-and maybe some of the other
3 elements if-if that was put together, that-that would
4 be a Batter Intervention Program. It just would be
5 one that incorporated elements that worked verse
6 elements that-that-that-that didn't, and I need to
7 understand that because especially as-as MOCJ is
8 going to-going to put out a new RFP, and we're going
9 to go through the budget process, and we've got to
10 decide what to advocate for or against, I don't want
11 to use the wrong terms. I don't want to say our
12 Batters Intervention Program should incorporate
13 Restorative Justice techniques and these other
14 techniques, um, and-and I'm-I'm not going to sound
15 like I'm making any sense 'cause-'cause-'cause you-
16 the two of you are mutually exclusive. So, could you
17 just explain that for someone like a layperson?

19 PROFESSOR LINDA MILLS: Sure. They are
20 not mutually exclusive, and this is kind of where we
21 landed. So, we did a pure study of a comparison
22 between Restorative Justice and domestic violence in
23 Arizona several years ago, and we didn't find the
24 kind of dramatic results that we got when we combined
25 the two programs. This was very exciting because as

1
2 you could see from today's testimony, there are lots
3 of people attached to a batterers' intervention
4 approach. So, we wanted to ask the very serious
5 question given the 2,500 programs follow the Duluth
6 Model and that's what the research suggests in one
7 form or another, and we started to look at other
8 research that used trauma-informed whether it's A-C-T
9 or A-C-T-V. There are many versions of this, but the
10 truth is--or C-B-T--the truth is they are all kind of
11 a match-up of trying to get to the learned behaviors
12 and helping people unlearn those behaviors, and
13 create an environment in the case of Restorative
14 Justice or A-C-T-V, you know, a model where people
15 can be heard and felt in terms of their own histories
16 of victimization to get to a place where in essence
17 they acknowledge the way in which they may be acting
18 out in abusive ways, and perhaps linking that to
19 their own histories of abuse, but that can't happen
20 in a tradition batterer's intervention program,
21 period end of story. All the research shows that
22 literally hundreds of programs. We heard the DA talk
23 about it. I mean it just--it's not possible. So, now
24 the question is how do we combine the best of all
25 elements? And this was why we were so encouraged by

1 the results. Let me stop there and see if that's
2 addressing the question.

3
4 CHAIRPERSON LANCMAN: Um, it-it-it does.
5 So, let's-let's move to the-to the-in my mind, what
6 is the next step, or wait. Before we can get to the
7 next step so let's just be clear, PAC, the PAC
8 program, URI, what is your cold-hearted, ruthlessly
9 academic evaluation of those programs?

10 PROFESSOR LINDA MILLS: Well--

11 CHAIRPERSON LANCMAN: [interposing]
12 Because to us it sounded really impressive. All that
13 stuff.

14 PROFESSOR LINDA MILLS: Yeah, yeah. So,
15 while we were sitting here I actually looked online
16 because we were here for a very long time listening
17 to people, and, um, the U, which was great, and very
18 informative and very important, [laughs] but they for
19 example the Trauma-Informed Program, the research
20 shows that it may be a effective in a domestic
21 violence case. Maybe. Our research is the gold
22 standard, and suggests, in fact, that given those
23 conditions it is effective. It's, in fact, effective,
24 and so, you know, where-how you replicate that and in
25 that particular jurisdiction that's one of the

1 reasons why Brooklyn decided not to send any cases
2 because there was a Brooklyn study that showed that
3 Batters Intervention Programs were less effective. So
4 all that is to say it all depends, but the bottom
5 line is that people have moved away from strict
6 Batters Intervention Program, and ask the question:
7 What elements of that program are still useful and
8 that's essentially what we created in Utah, and let
9 me go one step further because I think this addresses
10 your larger question. We didn't just attach a
11 Batters Intervention Program. Excuse me. We didn't
12 just attach a Restorative Justice Program. The ideal
13 is that you infuse from the beginning, and we also
14 have a qualitative study unfolding so there's more
15 data to be had here. It's not just based on
16 recidivism, but all that is to say we—you need to
17 adapt the Batters Intervention Program to have
18 elements of Restorative Justice to respond to many of
19 the cultural concerns that were raised appropriately
20 in all of your questions. And so, you can start to
21 adapt what is working with Batters Intervention
22 Program, which is helping people become aware of the
23 ways in which their behavior may be abusive and where
24 it may tie back to, and you can do that in a more
25

3 restorative or trauma-informed way that is more
4 sensitive so that people feel as though as they go
5 through each one of these days of treatment that
6 they're making progress. It's not just being, you
7 know, shouted at them, and I'll stop. Go ahead.

8 CHAIRPERSON ROSENTHAL: I'll work on that
9 real quickly. I understand what you're saying, but
10 the twist in—in your finding seems to be the element
11 of Restorative Justice.

12 PROFESSOR LINDA MILLS: Yes.

13 CHAIRPERSON ROSENTHAL: Which is critical

14 PROFESSOR LINDA MILLS: Yes.

15 CHAIRPERSON ROSENTHAL: Did you in—in
16 your quick look at, um, the URI program or, um, you
17 know the RFP that the city has put out is there that
18 element of Restorative Justice in those programs?

19 PROFESSOR LINDA MILLS: So, I didn't look
20 at the RFP. I'm more than happy to go back and look
21 and do a kind of analysis of that Restorative Justice
22 for the most part, but Brianna should address this,
23 might be able to address this, might be able to
24 address this—has not been incorporated in any, um,
25 direct way in any city programs that we have seen. I
know there's a little bit of a program going, trauma,

3 you know, a sort of effort to understand how it might
4 be used, but I don't think in any intentional way
5 that is therefore studied and understood as effective
6 or not.

7 CHAIRPERSON ROSENTHAL: So, when, um, the
8 Office to End Domestic Violence ENDGBV Gender Based
9 Violence, testified. They said that in 2015 they had
10 a huge roundtable with everyone at the table.

11 PROFESSOR LINDA MILLS: Yes.

12 CHAIRPERSON ROSENTHAL: Were you at the
13 table?

14 PROFESSOR LINDA MILLS: So, we were
15 trying to remember. We don't think so. um, we have
16 been a part—it's—it's pretty shocking, um, you know,
17 thing to say. Um we have been a part of C-O-W-A-P.

18 CHAIRPERSON ROSENTHAL: COWAP.

19 PROFESSOR LINDA MILLS: Yes, and at times
20 Brianna attends more often than I do. Brianna is
21 often invited more often than I am. Um, you know, if
22 you want to—I mean I'm more than happy to try and
23 untangle this. I've been doing this work for 20
24 years, and as you know, your own questions have been,
25 um, appropriately, um, um, forceful in asking the
really hard questions. For 20 years I have trying to

1 ask the really hard questions . I've raised questions
2 about LGBTQA communities. I have raised questions
3 about the African-American community and the impact
4 of criminalization on the African-American community
5 and the truth is that people found it quite
6 threatening. It's one of the reasons why I moved to
7 Restorative Justice to ask the question: How can I
8 be productive in the field, and contribute in
9 significant ways in your model around the theory that
10 I thought was right, which is that we had it wrong.
11

12 CHAIRPERSON ROSENTHAL: And I hear you.
13 Why did you do a study in Utah or Arizona and not
14 here?

15 PROFESSOR LINDA MILLS: Because we
16 weren't asked to. I think everybody knew this work
17 was happening. Everyone—I mean we did a study in
18 Arizona many years ago now. People knew that work ad
19 nobody asked us to come forward to work with them to
20 create a Restorative Justice response in New York
21 City. We would have been much more willing to
22 actually stay home than to fly to Utah, which, you
23 know, we came—came to be a second home for us, and in
24 Arizona as well.
25

3 CHAIRPERSON ROSENTHAL: In Arizona. Um,
4 and-and then just specifically about your study what
5 time period? I mean I'm-I'm looking at it very
6 quickly. It looks very academic.

7 PROFESSOR LINDA MILLS: Yes.

8 CHAIRPERSON ROSENTHAL: You know.

9 PROFESSOR LINDA MILLS: That's the gold
10 standard, that's the gold standard, and it's not--

11 CHAIRPERSON ROSENTHAL: [interposing] Two
12 years of analysis after the work--

13 PROFESSOR LINDA MILLS: Correct.

14 CHAIRPERSON ROSENTHAL: --to identify--

15 PROFESSOR LINDA MILLS: Correct.

16 CHAIRPERSON ROSENTHAL: --recidivism or
17 whatever.

18 PROFESSOR LINDA MILLS: Yeah, and I mean-

19 CHAIRPERSON ROSENTHAL: [interposing] And
20 what year was this? I'm very-

21 PROFESSOR LINDA MILLS: It was 2013 to
22 2016 or so. Right.

23 CHAIRPERSON ROSENTHAL: Right.

24 DR. BRIANNA GAROCAS: Well, they were in
25 the when we-when it was time its 2012--

PROFESSOR LINDA MILLS: 2012.

1
2 DR. BRIANNA GAROCAS: --to 2014 and--

3 CHAIRPERSON ROSENTHAL: [interposing]

4 Well, I just want to get a sense.

5 DR. BRIANNA GAROCAS: --and then looking
6 for two-year outcome data.

7 CHAIRPERSON ROSENTHAL: Right. So, it's
8 in the teens already. Um, and then real quickly I
9 wanted to ask because I mean the results are
10 astounding, but and you a little bit alluded to this
11 at the--when Council Member Lancman was asking you
12 questions, 53% reduction in new arrests, and 52%
13 reduction in severity of crimes, all extraordinary.
14 What are the other measures of success that you are
15 researching?

16 PROFESSOR LINDA MILLS: Yeah, so, let me
17 say two things that I think might be relevant and
18 important to this. One is the National Science
19 Foundation and the National Institute of Justice from
20 the, you know, 1 to 5% of the proposals that come in.
21 So, I want to give you a sense of the staggering
22 competitive nature to actually be funded by a federal
23 agencies. Okay, just to start with because I think it
24 gives you the--the larger, um, context. Um, your
25 other question was? Sorry.

3 CHAIRPERSON ROSENTHAL: Other measures of
4 success.

5 PROFESSOR LINDA MILLS: Yeah. So MIJ
6 funded us to look at qualitative measures of success.
7 What was the victim's experience of participating?
8 What was the person who arrested for domestic
9 violence? What was their sense of participation, and
10 those results feel as important and convincing as
11 much of the conversation we've had here. So, people
12 felt more engaged. People felt more supported.
13 People felt just by going through the process meant
14 that there was the potential for that kind of
15 transformative change.

16 CHAIRPERSON ROSENTHAL: And can I ask the
17 experts who are the table from New York is—are there
18 elements of Restorative Justice in the trans program
19 that you, um, had? Were there elements of Restorative
20 Justice in there? Sorry to put you on the--

21 PROFESSOR LINDA MILLS: Yeah No, that's
22 fine. Um, so, the Transform program doesn't
23 facilitate meetings between the person who has done
24 harm--

25 CHAIRPERSON ROSENTHAL: Okay.

3 PROFESSOR LINDA MILLS: --and the person
4 who they have done harm to.

5 CHAIRPERSON ROSENTHAL: Okay.

6 PROFESSOR LINDA MILLS: Um so that we
7 haven't done that aspect of it. One of the things
8 that--that I've been hearing a lot about the--about
9 Restorative Justice programming in New York is that,
10 um, lots of--lots of, um, RJ programs won't touch DV,
11 um, and--

12 CHAIRPERSON ROSENTHAL: Lots of which
13 programs?

14 PROFESSOR LINDA MILLS: Well the
15 Restorative Justice. Yeah, RJ. Lots of the
16 Restorative Justice programs don't want to deal with
17 domestic violence and intimate partner violence. Um,
18 so it's--it's great to hear that there has been some--
19 some success with that. So there is a lot of
20 discussion about--about this kind of programming, but
21 it--it hasn't, um, really developed in that--in that
22 space yet. Um, but--but there is some--some work
23 happening around that.

24 CHAIRPERSON ROSENTHAL: Can I just ask--I
25 know there's a lot of--that people are watching

3 online, but is there any--may I ask, are you from the
4 Administration or--?

5 AUDACIA RAY: [off mic] Well, I'm the
6 Director and we're going on the BIDs. (sic)

7 CHAIRPERSON ROSENTHAL: Oh, thank you vey
8 much. So no one from City Hall is here, but NGBB is
9 in the room.

10 AUDACIA RAY: [off mic] Right.

11 CHAIRPERSON ROSENTHAL: Is that accurate?

12 PROFESSOR LINDA MILLS: [off mic]

13 CHAIRPERSON ROSENTHAL: Okay. Thank you,
14 thank you and thank you for staying. I'm sorry. I
15 interrupted you.

16 CHAIRPERSON LANCMAN: That's alright. Is
17 Transform ever, um, used as a court-court-- connected
18 to a court case like court ordered, court assigned,
19 court offered?

20 AUDACIA RAY: We have not that so it's--
21 it's been a pilot. We've done it once. We done a
22 one-15-week cycle, and it was created with the
23 intention of--of serving people who self-identified as
24 people who have done harm, and have the potential to
25 do harm. So, I think that in the future we would also
not connect to a court process, but, um, and now that

3 we've done one cycle and folks are now referring
4 other people they know to it, I think it will grow,
5 but, um, it was definitely very challenging to
6 establish the first cohort because that-that access
7 self-identifying as a person who has done harm is-is
8 very challenging for people to do. Um, and-and even
9 like in-in within AVP trying to figure out like where
10 we were going to hold it because folks had lots of
11 feelings about hosting a program for people who have
12 done harm when we are a victim services agency and so
13 it's really opened up a lot of conversations about
14 how in order to do this work support survivors, we
15 really need to develop these robust programs that-
16 that talk to-talk to and work with people who have
17 harm.

18 CHAIRPERSON LANCMAN: Do you have any
19 objection in principle to-to Transform also being
20 made available as a court ordered program?

21 AUDACIA RAY: Um, potentially. Yeah, I-I
22 don't know that-that that would work for us. I think
23 the, yeah, the fact that it's-it's 100% completion
24 rate and that folks wants more it is-is based it not
25 being seen as punishment and it being seen as
something that folks can opt into, and also we can-

1
2 if-if we can create programs that are optional in
3 that way, they can exist for folks who have not yet
4 committed a crime and-and that also is important as a
5 as a prevention strategy.

6 CHAIRPERSON LANCMAN: Alright well let me
7 ask you this, then as-as a representative of the
8 Anti-Violence Project, what-do you have anything to
9 say about the suitability or efficacy of the programs
10 that are court ordered like PAC or TASC or whatever
11 else is out there for the LGBTQ defendant?

12 AUDACIA RAY: I mean we-we've had
13 cisgender and male clients who have participated in
14 some of those programs and-and have-have found them
15 helpful although the structure is generally very
16 heteronormative so they-they talk along very gendered
17 lines and so, folks find that the-the general
18 strategies are helpful, but because of talking about,
19 um, male abusers and-and female victims that that-
20 that dynamic doesn't speak to them, but, um, also
21 for, um, female, um, folks who are-have been
22 identified and have been charged with-with a crime of
23 DV, those folks are-are like not accepted into even
24 mandated programs at all. So, they're not even
25 having the experience of being able to go through the

3 program, um, because the programs don't make space
4 for them. Um, and—and that's a real problem
5 generally, but also like if the programs are
6 mandated, they should also be able to accept people
7 and, um, and furthermore, you know, under the 2013
8 Reauthorization of the Violence Against Women Act,
9 um, that is the—the first major federal piece of
10 legislation to be explicitly inclusive of LGBTQ
11 people and so under that Act, um, LGBTQ people must
12 have access to these spaces and they don't.

13 CHAIRPERSON LANCMAN: Right. so my last
14 question is in your capacity as and AVP's capacity as
15 Chair of COWAP, are—are you—have you been invited to
16 a dialogue with MOCJ and—and give input into what
17 should be in this—this next RFP? What should come
18 after the—the PAC contract ends in June?

19 AUDACIA RAY: I know we've been talking
20 with folks at NGBV. I'm in the Policy Department. I'm
21 not in the Direct Services Department. So, I'm not
22 sure what the Direct Services folks conversations
23 have been having, but we have been talking to NGBV.

24 CHAIRPERSON LANCMAN: But not MOCJ?

25 AUDACIA RAY: I don't think so, but I
could be wrong.

3 CHAIRPERSON LANCMAN: Could you find out?

4 AUDACIA RAY: Sure.

5 CHAIRPERSON LANCMAN: Because we, one of
6 the things I think one of the take-aways from this
7 hearing is—is our urging and insisting that—that MOCJ
8 solicit input from all of the fine people who have
9 testified today, and their organizations and seven
10 including in our Public Defenders who, you know are
11 there to represent the interests and needs of the
12 individuals who are being put into these—these
13 programs. So, that's all I've got. Yes.

14 CHAIRPERSON ROSENTHAL: One last quick
15 question for you Professor Mills. Your study gets to
16 the Council Member's point about mandatory versus
17 voluntary. Um, it looks like if I'm reading this
18 right, your evaluation was in Utah where the state
19 permits victims to join the treatment after
20 completion of a number of sessions of(sic)by the
21 person who was convicted of the crime. So, in other
22 words, these are people who are convicted, were court
23 ordered to do some BIP (sic) and then chose to be
24 participants.

25 PROFESSOR LINDA MILLS: The first part
was right. Um, it's a randomized control design. So

3 you are assigned based on, um, a lottery in essence,
4 and so, um, you didn't choose to participate in a
5 Restorative Justice. That's what makes it the Gold
6 Standard. Um, and so, 200—let me —let me try and
7 explain. 250 or so people came into six judge's
8 courts in Utah and all the judges for the most part
9 assign people convicted of domestic violence crimes
10 to treatment in Utah.

11 CHAIRPERSON ROSENTHAL: In other words,
12 all of them were mandatory?

13 PROFESSOR LINDA MILLS: All of them were
14 mandated. Then they came to the Treatment Center in
15 the Treatment Center in a randomized way, assigns you
16 to one or the other.

17 CHAIRPERSON ROSENTHAL: Okay. So, this is
18 a successful mandated program?

19 PROFESSOR LINDA MILLS: Correct.

20 CHAIRPERSON ROSENTHAL: And is there any
21 significance to the words the state?

22 PROFESSOR LINDA MILLS: Yes.

23 CHAIRPERSON ROSENTHAL: Is there any
24 significance to Utah? Is it a state--

25 PROFESSOR LINDA MILLS: Yes.

3 CHAIRPERSON ROSENTHAL: -you know, right,
4 so it's a state--?

5 PROFESSOR LINDA MILLS: So, let me tell
6 you what the significance of Arizona and Utah are
7 because I think that's relevant. Because we were
8 researchers, and because we were looking to test
9 using a gold standard, we wanted to partner with
10 judges and the Criminal Justice System who were
11 willing--

12 CHAIRPERSON ROSENTHAL: Got it.

13 PROFESSOR LINDA MILLS: --and in Arizona
14 and Utah we found that willingness. We do not need to
15 partner with judges, but in its early stages it was
16 very important in terms of elevating the significance
17 of the work to partner with the Criminal Justice
18 System.

19 CHAIRPERSON ROSENTHAL: Yeah. It makes
20 sense. Thank you all so for your time waiting until
21 the end of the day. Really appreciate you staying
22 through the whole thing. I hope the city is
23 listening to this--to this panel. Um, you're all doing
24 such excellent work. I feel less disheartened.
25 [background comments] Still disheartened. Thank you
so much. Um, we have one more person who would like

3 to testify today, um, Grace Price from the Close
4 Rosie's Campaign. Welcome.

5 GRACE PRICE: Good evening Councilwoman,
6 Councilman. Thank you for allowing me and me and
7 Frank to be the caboose in the hearing today. I will
8 as always email my testimony this afternoon. Um, of
9 course there are, um, all kinds of things that I was
10 hoping this hearing would be about today because
11 there's all kinds of issues in the woodwork with
12 women jails and the Criminal Justice Reform Process
13 currently hanging like a black cloud looming over the
14 city. Without battering a ram against this hearing
15 and asking you, reminding you that the jail plan is a
16 miasma of Title 9 inequity that no one has addressed,
17 I want to move specifically onto the Mayor's Office
18 to Combat Gender-Based Violence and talk about the
19 funding issues, and how they relate to the DAs, and I
20 also want to reaffirm and ask again for the Council
21 to start thinking about moving away from the NYPD,
22 all interactions with survivors. The Special Victims
23 Units need to be completely divorced from the NYPD
24 and the District Attorney's Office. We need a
25 completely new unit to investigate all of these
crimes in city agencies and our jails and in the

1 community at large. First, I want to address what
2 I've heard Ms. Pennington say about the budgetary,
3 um, accommodations for the BIP programs over the
4 coming years, and I want to remind you that our
5 District Attorney Cyrus Vance here in Manhattan has
6 this behemoth pile of money from the Criminal Justice
7 Initiative that he chooses to dole out whichever way
8 he chooses. Very little of this money has actually
9 come to survivors in New York State. A lot of this
10 and the backlog rape kit nonsense rhetoric that we
11 hear from Loris Khan (sic) and Joy Harden from the
12 District Attorney's Office is about that money being
13 spread across the nation to other jurisdictions. That
14 is money that should have gone into the Crime Victims
15 fund here New York. It should have been distributed
16 to be used locally here in our communities and it's
17 outrageous that it's being spread across the country
18 to build Cyrus Vance's national profile. You know
19 where I'm going with that, but I'll—I'll cut myself
20 short. I'm running just to release myself. Um, I
21 also want to remind you that Cy Vance has just as of
22 October posted seven new jobs for a community
23 engagement unit that his office is creating, which
24 will add over the next 25 years approximately \$75
25

3 million to the budget. The Community Engagement
4 Unit, if you look, and I've emailed all of the
5 Council Members about the new unit that is being
6 created. It's fulfilling the jobs of the NYPD, and of
7 CY Vance's campaign staff, and he's creating this
8 unit precisely as the time where he's run out of
9 money for his campaign. Overall, the cost of his new
10 Community Engagement Unit, and I thank you to draw
11 descriptions that have been posted will add per year
12 over \$2 million to the budget. That's \$2 million
13 that could be used for BIP Programs. I'll move on
14 from that, but it's a egregious that this particular
15 pile of money does not have city oversight, that it
16 is not going through the General Fund, and that you
17 have no say, and the community has no say on where
18 these monies are going.

18 CHAIRPERSON LANCMAN: Miss Price

19 GRACE PRICE: Yes, sir.

20 CHAIRPERSON LANCMAN: Can I just ask you
21 have you had any experience with one of the BIP
22 programs?

23 GRACE PRICE: So, and, of course my own
24 experience is where I wanted to end my quick 30
25 second left in my testimony. I wanted to talk about

1 the number of batterers that are not even being
2 identified as they process through the system. The
3 Mayor's Office to End Gender Based Violence
4 themselves have disclosed that last year there were
5 only 65,000 appointments in all five Family Justice
6 Centers throughout the city of New York. That's
7 65,000 appointments overall. That's for rape, sex
8 trafficking, pimping, domestic violence, abuse, all
9 of these. People are not being reached. So, if the
10 survivors of—of sexual assaults and domestic violence
11 are not even being reached, you can be assured that
12 their batterers are not being identified, and they're
13 not being reached. My batterer right now still is
14 sitting on 120th Street running a gang called the CBT,
15 the Can't Be Touched, and all the little boys in that
16 community they go to the PAL, the Police Athletic
17 League headquarters on 119th Street which is
18 literally a block away, know me by name, and when I
19 go back into the neighborhood they just shake their
20 heads and they say: It is what it is. These are
21 people that are being raised in Tony Southwest Harlem
22 along the glittering restaurant row of Frederick
23 Douglas South of 120th Street. They're being raised
24 in a community that says it's okay to abuse. Yeah, go
25

1 to pal and get your money for your afterschool
2 program, but know that you can throw a woman through
3 a fish tank causing her to need over 80 stitches in
4 her genitalia never be held accountable for it. I
5 think that's a really good place to end. The problem
6 her is not resources. The problem here is that people
7 are not being identified as batterers, the District
8 Attorney's Offices are letting people go. If you want
9 to hear my solution quickly, the Clayton Hearing.
10 [bell] I keep pushing for Clayton hearings whenever
11 we have these sort of domestic violence crossing
12 plains that throw us in Rikers Island, um, that don't
13 identify us as survivors. At that Clayton hearing you
14 can enforce these programs. That's the-that's the
15 moment, but we have to unpack what's happening in the
16 DA's Offices when they don't label the abusers as
17 abusers and they let them go for whatever reason.
18 That's the source of the issue. Thank you. I'm tired
19 of the sound of my voice.

21 CHAIRPERSON LANCMAN: Well, thank you
22 very much.

23 CHAIRPERSON ROSENTHAL: Thank you so much
24 for coming today.

25 CHAIRPERSON LANCMAN:

3 CHAIRPERSON LANCMAN: And I think that
4 concludes our hearing, and since I banged the gavel
5 to open the hearing, perhaps you would like to bang
6 it to close it.

7 CHAIRPERSON ROSENTHAL: Alright. [gavel]
8 The hearing is closed.

9 CHAIRPERSON LANCMAN: Well done.
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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 December 4, 2019