



**New York County District Attorney's Office
Testimony before City Council Public Safety Committee
FY 2022 Budget & Oversight Hearings
March 22, 2021**

Good afternoon Chair Adams and members of the Committee on Public Safety. Thank you for the invitation to speak today about my Office's Fiscal Year 2022 Preliminary Budget.

Over the past eleven years, I am proud to have had the opportunity to appear before the City Council on numerous occasions to discuss my Office's contributions to public safety in Manhattan and New York City. The critical support we receive each year from the City Council and the Mayor's Office has helped us implement a wide range of criminal justice reforms over the years and to become digital innovators.

One way that innovation is manifesting itself is through the introduction of data dashboards on our website. For the first time, key metrics, such as the volume and types of cases that we screened and their outcomes, are available to the public in a way that they never have been before, along with demographic characteristics of people coming into contact with the system. For several years, my Office has been working on compiling this data and displaying it in a way that can be easily accessed, understood, and manipulated by the public, and we were proud to finally be able to release it last week. As I have testified on previous occasions, I share the Council's goal of increasing transparency and accountability among law enforcement.

This past year, more than any other in recent memory, has shined a light on the failures of society on social justice, criminal justice, and combating racism. The COVID-19 pandemic has exacerbated inequalities that have always been present in our society and its effects have been disproportionately felt by communities of color. Late last year, my Office formalized this through an [Anti-Racism Statement](#), which allowed us to memorialize our values and expectations as we strive to move justice forward and eradicate systemic racism in the criminal justice system. It states:

Black racism and casteism has been embedded for centuries in the very fabric of our society – and, in particular, our justice system. The brutal murder of George Floyd – as well as the police killings of Breonna Taylor, Rayshard Brooks, and numerous other Black men and women – shocked our consciences, broke our hearts, and made it clear to us that change – real change – to our justice system cannot wait. Moving justice forward requires that we proclaim the undeniable truth in word and deed that Black lives matter.

To undo racism, we must consistently identify it, to dismantle it.

The statement, which can be read in full on the manhattanda.org website, was developed in consultation with my Office's [Equity and Social Justice \(ESJ\) Advisory Board](#), which is believed to be the first of its kind in a U.S. prosecutor's office. The ESJ Board was formed in September with legal and professional staff throughout the office. I rely on the Board's expertise for policy

recommendations and guidance, among other things. Its critical contributions are more important than ever following the murder of George Floyd last year, and as our City faces a rise in hate crimes during the pandemic, particularly those targeting Asian immigrants and Asian-Americans.

My Office analyzes every case involving hate or bias-motivated speech or assaults, and those that do meet the legal criteria are prosecuted to the fullest extent of the law. To combat the rise in bias-motivated crimes, my Office's Hate Crimes and Community Partnerships Units have participated in numerous virtual forums presented by the NYPD and local community boards; we are planning a legal education (CLE) workshop in late April for ADAs throughout the state, in conjunction with other city DA's offices; and we will be taking part in a forum with other agencies tomorrow on this topic. We also have a meeting scheduled with the Mayor's Office to Prevent Hate Crimes to coordinate our awareness and prevention efforts for all hate crimes.

Another category of crime that we're seeing a troubling rise in are shootings. In Manhattan, there have been 41 shooting victims so far this year,¹ compared to 32 shooting victims at this point last year. To put that in context, last year's 32 shooting victims represented a 74% increase from the same time period in 2019, which saw 19 shooting victims. Overall, 2020 saw an 89% increase in shooting victims, from 139 shooting victims in 2019 to 263 shooting victims in 2020. So far this year, there have been 38 documented shooting incidents, a 52% raise from this point last year. Homicides are relatively stable, in that there have been 13 so far this year and there were 14 over the same period last year, but even one homicide is one too many. My Office has always taken a hard line when it comes to prosecuting gun crimes and gun traffickers, but we are not going to prosecute our way out of the gun violence epidemic.

We saw the sickening confluence of these two crime trends – crimes committed against Asian people and gun violence – in last week's horrific mass shootings in the Atlanta area of eight people, including six Asian women. Stronger national gun laws could have prevented these murders by a man targeting women, specifically Asian women, at their workplace. We know that firearms cross state lines. Even though New York has strong gun laws, as a country, we are only as strong as the gun laws in our weakest state.

In 2014, I co-founded Prosecutors Against Gun Violence (PAGV), a non-partisan coalition of 46 prosecutors serving over 60 million people in 24 states. We are dedicated to finding legislative and policy solutions to this public health crisis. I am thankful to the DAs joining me at this hearing for being active members. Earlier this year, PAGV sent a [letter](#) to President Biden and Vice President Harris outlining 30 ways the White House and congress can make our cities safer. Turning the focus locally, we have used the court-imposed slowdown related to COVID-19 to assign more of Manhattan's unsolved shootings to lawyers than ever before. At one point, there were around 85 assigned investigations of 2020 shootings without an arrest.

This rise in shootings is extremely troubling and we are working with all of our law enforcement partners to address it. This coming Saturday, March 27th, we'll be holding a gun buyback with the NYPD at the Convent Avenue Baptist Church in West Harlem. New Yorkers who turn in operable handguns and assault rifles will receive a \$200 pre-paid card.

Another alarming trend I would like to draw attention to is the rise in subway pushings. In Manhattan last year, there were 11 such incidents, defined here as a person being forcibly shoved onto a subway track, in spite of dramatically reduced ridership during the pandemic. So far this year, there have been six pushings in 2021, putting Manhattan on pace for between 27 and 28 pushings

¹ Data compiled using CompStat and DANY statistics as of 3/14/21.

this entire year. In contrast, there were five pushings in 2019 and six in 2018. I am not prepared to offer explanations for this staggering increase, but I do hope that increased ridership on the subways as we emerge from the pandemic will serve as somewhat of a deterrent.

Earlier, you heard me mention the pandemic's effect on racial disparities. The pandemic has also created havoc in our court system. There are approximately 3,500 felony cases awaiting indictment in Manhattan, many of them serious. To address this backlog, we have proactively reviewed virtually every non-violent felony case involving defendants without significant or recent violent felony records, which amounts to approximately two-thirds of the backlog. We've made offers prior to indictment on around 700 or so of those cases. For months, we were without grand juries, and for months after that, we have operated with limited capacity grand juries. To keep the justice system moving forward in the absence of our grand juries, we held 298 preliminary hearings during the pandemic; to put that number into context, we probably handled fewer than a dozen preliminary hearings in the five years preceding the pandemic.

Amidst the backlog caused by the lack of grand juries and total absence of trial juries, our assistants have been diligently working to meet their electronic discovery burden. The discovery reforms that took effect in 2020 have made the need for physical documentation production more necessary than ever before. In order to comply with the unprecedented evidentiary demands, since the fall, our office has compiled well over 2,000 electronic discovery packages on average each month. In order to successfully meet these needs, we ask that the City fully fund the positions that were only partially funded in the November 2019 budget.

Because the success of the State's 2019 criminal justice reforms hinge on New Yorkers being connected with vital services, there are two programs that my Office has self-funded with forfeiture proceeds to date, but will not be able to for much longer: Project Reset and Manhattan HOPE. Funding for two of Project Reset's three Manhattan vendors expires in August, and funding for the third expires in 2022. My office does not have the resources to provide an extension. We are proud that the Council has supported Project Reset's expansion to Brooklyn and the Bronx and are now seeking support to continue the program in all five boroughs.

Based on the success of Project Reset and modeled after the pilot in Staten Island, our Office launched Manhattan HOPE in partnership with the NYPD and Alliance for Positive Change in September 2018. Between January 2019 and December 2020, 190 people enrolled in HOPE, 150 of whom have completed the program and had their cases dismissed or declined to be prosecuted. In addition to potential jail bed savings, Manhattan HOPE yields savings in court and police resources. My Office requests \$625,000 annually starting in FY21 to continue this critical program going forward.

Up until this point, we've been able to use case-generated revenue to support innovation, but this is not a stable funding source or a long-term solution for addressing baseline salary needs. Furthermore, criminal justice reform is crucial to helping the City achieve its goal of closing Rikers Island in under a decade, but we require additional City Tax Levy funding to support our efforts. Specifically, my Office requests an additional \$12 million in personal services funding (otherwise known as salaries) to sustain critical activities that have been self-funded by our office since 2010. Without additional baseline funding support in the future, we will eventually need to drastically cut back on core prosecutorial staffing.

Eleven years ago, the people of Manhattan granted me the opportunity to return to the extraordinary office where I began my legal career. It has been my great privilege to represent the People of New York County in delivering justice, keeping New Yorkers safe, and leaving behind a

fairer system than the one we inherited. Thank you for the opportunity to speak today, and thank you for the continued support of my Office.

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**Testimony of Queens County District Attorney Melinda Katz
New York City Council Committee on Public Safety
Preliminary Budget and Oversight Hearing FY 2022
March 22, 2021**

Good afternoon Chair Adams and members of the Committee on Public Safety. Thank you for the opportunity to speak with you today regarding my Office's Fiscal Year 2022 Preliminary Budget.

2020 was a year like no other. No one could have anticipated the incredible challenges that the year would bring - with the economic and emotional impact of the pandemic still taking its toll on so many of our communities.

Despite these unprecedented difficulties, we were able to achieve so much and I look forward to sharing some of these accomplishments with you today.

In 2020, my first year in office as Queens District Attorney, I was able to implement new policies, put an end to unfair practices, and begin the work to make Queens a safer and more equitable borough. **Some of these new policies include:**

- Ensuring all low-level arrests are closely evaluated; I have declined to prosecute for fare evasion, low-level marijuana possession, protestors failing to wear masks, as these offenses often disproportionately affect lower-income residents and communities of color
- Transitioning towards ending cash bail in Queens as I firmly believe that a person's financial situation should not determine whether they are held in jail
- Increasing the rate at which felony cases charging adolescent offenders are removed to Family Court
- Making more equitable parole recommendations and taking into account a defendant's efforts at rehabilitation
- On day one, ending the unfair practice of requiring defendants to waive their rights, and allowing defendants to engage in plea negotiations at any stage of the process
- Utilizing diversion and alternative sentencing much more – placing a strong emphasis on these programs to ensure that individuals who have been arrested are offered opportunities for appropriate interventions and a path to a better future

- Raising the level of professionalism in the Office, by enhancing training at all levels, mandating ADAs attendance at local community events to raise awareness of the communities we serve, and enacting protocols to address mistakes that may potentially impair our ethical standards
- Working with cure violence and community groups to promote youth development and violence prevention
- Increasing transparency by broadening categories of information we disclose in FOIL requests

Also in my first year, **I restructured and reorganized the Office** – to improve inter-Office collaboration, improve connections with our partners in the community and law enforcement, and to better address the needs of Queens neighborhoods.

- One of my first priorities was the creation of a Conviction Integrity Unit to ensure that no one has been wrongfully convicted of a crime in Queens County. This Unit has already achieved so much. Relief has been granted and convictions have been overturned in five separate cases.
- I created the new Rehabilitation Programs and Restorative Services Bureau - to ensure that while we keep Queens safe, we administer justice with compassion and equity.
- I also enhanced the Community Partnerships Division, have opened the doors to my Office, and strengthened ties to our neighborhoods in Queens.
- I established a Domestic Violence Helpline, where members of the community can call 24 hours a day, 7 days a week to reach a member of the Domestic Violence Bureau with any questions.
- Numerous other specialized bureaus, units and positions were created - some of which I will highlight for you today – including those targeting financial crimes, violent organized criminal activity, hate crimes, wage theft/worker safety, human trafficking, cold cases, and an Immigration Specialist to assist in the prevention of unwanted immigration consequences, just to name a few.

Budgetary Issues and Requests

While these are all positive steps to ensuring a fairer and more equitable justice system, your funding support is critically needed to continue this important work and maintain the progress made to date.

By way of background, my Office has a \$75.4 million baseline budget. In FY 20, we gave back \$8.25 million in savings as part of the City's PEG program. We were able to do this in large part because I had just taken office, and some of my policy items had not yet been implemented or fully developed. Now, while many of these changes have been put into place, our transformation continues, and funding is needed for their continued development and success.

All of the changes that have been made thus far were implemented utilizing existing budget funds. Although my Office submitted a comprehensive new needs request last year- my inaugural year- we did not receive any funding for these new initiatives. As a result, we are not able to staff these newly created bureaus and units beyond the minimum levels that existing baseline budget funds would allow.

I would like to briefly highlight just a couple of the initiatives included in our new needs request and why they are so important at this time.

Addressing Guns, Gangs and the Rise in Violent Crime

Queens, like many other areas of the City, is seeing an increase in gun violence and other violent crime. According to CompStat statistics, Queens South saw a 112% increase in shooting incidents from 2019 to 2020 and Queens North saw a 45% increase during the same period. Murders are also on an upward trend, as well as burglaries and auto theft. All of this cannot be ignored. We need to get a handle on these spikes in crime before violence takes hold of our communities.

In order to address this, funding is needed for my **Violent Criminal Enterprises Bureau**. This bureau focuses on the identification and prosecution of violent street gangs, narcotics distribution operations and firearms dealers. Just recently, this bureau handled an investigation that led to a 182-count indictment against a firearms trafficking ring that allegedly sold weapons in Queens that were originally purchased in Virginia. These are the types of proactive investigations that are needed to keep guns off our streets and keep our residents safe.

My **Community Partnerships Division** works closely with Queens' communities and emphasizes community prosecution through peer mentoring and

collaboration with anti-violence organizations. Staff assigned to this division attend community and precinct council meetings to better understand how crime is affecting different neighborhoods; oversee youth initiatives to connect our young people with the services and support they need to stay on a better path; and participate in a variety of community events including cultural celebrations, town hall meetings, gun buy-back and warrant forgiveness programs.

A **Crime Strategies Unit (CSU)** will be created and will focus on gathering and analyzing intelligence and statistics in order to proactively identify crime trends. The CSU will identify and map areas indicating high levels of criminal activity, with a particular focus on violent crime. In order to reduce violence and improve public safety, the Unit will pinpoint neighborhoods where resources should be focused and deployed. Utilizing state of the art technology, the CSU staff will serve as a resource for bureaus throughout QDA and will assist assistant district attorneys with making data-driven decisions regarding investigations and prosecutions.

This new unit will also work with community leaders and organizations to proactively identify crime trends and develop effective strategies through regular information sharing.

Focusing on Financial Crimes and Scams

At a time when so many are experiencing economic hardship, we must do our best to protect our residents from the many types of financial fraud that we are seeing including mortgage fraud, credit card fraud, identity theft and consumer scams. Funding is needed for my Frauds, Major Economic Crimes, and Housing and Worker Protection Bureaus to combat these types of crime. My Frauds Bureau recently conducted an investigation that resulted in the seizure of 1.7 million alleged counterfeit 3M N95 respirator masks from a Long Island City warehouse before they could be distributed to the public. This type of fraud is deeply concerning as it affects the health and well-being of unsuspecting consumers.

Combatting Domestic Violence

We continue to make domestic violence a priority but need your support to continue our efforts moving forward. As outlined in my New Needs Request, I am seeking critically needed funding for my Office's Domestic Violence STAT program, which was funded in FY 20 and not in FY 21 or the outyears. This is truly an innovative program which identifies and enhances the prosecution of high-priority, pre-arrest domestic violence cases through coordinated efforts with the NYPD and victim services organizations. The program has been highly successful to date. Our high

domestic violence caseload needs to be meaningfully addressed and we need to ensure that domestic violence survivors are receiving all of the services needed to keep them safe.

Restoring Confidence in the System

Funding is critically needed to continue our efforts in creating a more transparent Office and a more equitable criminal justice system. Towards that end, I am seeking funding for a specialized Immigration Consequences Program.

To better serve our immigrant community, I created the position of Immigration Specialist. As many of you know, a broad range of criminal convictions may trigger severe immigration consequences for noncitizen defendants such as removal from the United States and denial of other benefits. The Immigration Specialist serves as an office-wide resource and primarily helps Assistant District Attorneys navigate through plea options.

Since the creation of the position, our newly hired Immigration Specialist and our Appeals Bureau has advised ADAs on the collateral consequences to plea offers made to immigrant defendants and have assisted with more than thirty (30) dispositions this past year. Additionally, I agreed to reduce or vacate entirely the convictions of 21 defendants in order to avoid harsh immigration consequences.

Moreover, the Office of Immigrant Affairs (OIA) works with every bureau and unit to protect the rights of all immigrants who are victims of crimes. OIA is focused on helping immigrants navigate the criminal justice system, educating our communities on their rights, issuing U and T-Visa certifications and protecting the rights of all immigrants regardless of their immigration status.

OIA also offers trainings and presentations at events to educate our communities on their rights, and processes hundreds of U-Visa and T-Visa applications yearly to assist undocumented witnesses who have cooperated with the prosecution of their cases or been the victims of trafficking crimes.

Funding is necessary to continue all of this work. These initiatives and policies are making a real impact and are yielding positive results.

I would also like to mention some particular funding issues that I hope to see resolved this year.

Criminal Justice Reform Funding

It is crucial that we receive the remaining portion of the criminal justice reform funding that was not funded at the full 12-month value in order to keep hiring the staff needed to meet the requirements of discovery reform. This is critical as my staff is struggling to keep up with the tremendous backlog in cases that has resulted from the pandemic. The City made a commitment to the DAs to effectuate bail and discovery reform and the full annual funding is needed given that the scope of discovery obligations remains the same.

Revenue Sharing Agreement

We also need renewal of the revenue sharing agreement through which my Office receives a portion of the revenue it generates for the City as a result of investigations and prosecutions back into my budget. We have inquired with OMB as to whether this agreement will be renewed, however, we have not received a response at this time.

Return of Workforce/Office Space Needs

Lastly, as we begin to plan for safely transitioning staff back to in-person operations, it is necessary that we have the proper infrastructure in place to do so.

First, a shortfall in funding relating to my Office's contracted security guard services needs to be addressed. These guards not only provide security to my Office facilities, they also assist with ensuring that employees and visitors are adhering to COVID-related protocols which include daily temperature screenings and sign-in logs.

Secondly, my Office continues to face a severe shortage in available office space. This ongoing problem has hindered hiring in critical areas and has prevented my Office from moving forward on projects and initiatives simply because we do not have the space to put people. This issue has only been magnified as my Office seeks to maintain adequate social distancing. Pre-COVID, many of our staff would routinely double- and triple-share offices built for one. However, this is no longer possible and we are faced with the situation that we simply do not have enough space for everyone. We have bureaus whose staff are not housed together and are sometimes not even located in the same building. This is no way to operate an office, and the people of Queens deserve

a District Attorney's Office that is not forced to make policy and hiring decisions based on where we can find a corner to add another desk.

My staff is actively seeking out rental space in the vicinity of the courthouse and has identified space available in a nearby building. This is still far short of what is needed overall, but if obtained, will help alleviate a portion of our problem in the short-term. My Office needs the City's help in expediting the rental of this space before it is no longer available.

In addition, a comprehensive solution is needed in the long-term. With the extensive construction planned around the courthouse, including the building of a borough-based jail and the upgrade of the electrical and fire alarm systems in the Queens Criminal Courthouse, now is the time to include a modern facility for my Office as part of this planning. I ask for your support in finally moving forward on this important issue.

Conclusion

I thank you for the opportunity to appear before you today. I have submitted a detailed write-up of my budgetary requests as an addendum to my testimony. Again, I critically need your support of these requests. My Office cannot sustain the progress that it has made and I cannot even think of making much-needed enhancements without funding support. I look forward to working with you and your staffs as we navigate these challenging times and move forward on important criminal justice initiatives in the months ahead.

OFFICE OF THE RICHMOND COUNTY DISTRICT ATTORNEY

FISCAL YEAR 2022 PRELIMINARY BUDGET



THE COUNCIL OF THE CITY OF NEW YORK

THE COMMITTEE ON PUBLIC SAFETY

MARCH 22, 2021

MICHAEL E. McMAHON

DISTRICT ATTORNEY

OVERVIEW

Good afternoon. It is an honor and pleasure to appear before the City Council today. I want to thank the Chair of the Committee on Public Safety, Adrienne Adams, and her fellow members, for their time and hard work in presiding over today's hearing. I also want to acknowledge and thank Speaker Corey Johnson for his leadership. I hope you and your families are well and safe and I look forward to continuing our work to improve our criminal justice system in line with our shared goal of better protecting and serving the people of the City of New York.

I also want to thank Staten Island's Council delegation: Minority Leader Steve Matteo, Council Member Debi Rose, and Council Member Joe Borelli for their ongoing advocacy on behalf of the people of Staten Island and their continued support of the Richmond County District Attorney's Office (RCDA).

As we sit before you today, a year into readjusting our world to fight a pandemic that has taken way too many lives, that continues to threaten the health and safety of New Yorkers every day, and that has created a grim fiscal outlook for our City and State, it goes without saying that this time has been filled with challenges and setbacks. Despite these difficult times, however, I am proud that my office, RCDA, has adapted and persevered. We have remained vigilant and consistent in our dedication to the rule of law, the protection of victims of crime, and the overall improvement of public safety on Staten Island. Our staff and ADAs in particular have performed valiantly during a time of uncertainty and vast change, and their work ethic and dedication as they have performed essential frontline duties has been second to none. I am extremely proud of them all!

Although we still have a long road ahead until our operations and the courts are fully reopened, today is a significant day in that journey because it is the first day that trials have resumed in Richmond County since March of 2020. This critical juncture marks a step forward in the quest to reduce the large backlog of cases that has ballooned over the past year and which presents a daunting task for our offices, the courts, and the defense bar to overcome.

As additional steps to reopen are taken in the months ahead, there will undoubtedly be complications and further challenges to our work force, to the safety of our work environments, and to our workloads. The financial implication of these next steps remains up in the air at this time, but it is likely that by the Executive Budget hearings in May there will be further requests and updates to help prepare our agencies to manage these transitions as seamlessly as possible.

With that said, I want to focus the remainder of my testimony on the following subjects:

- **The State of Public Safety on Staten Island;**
- **Our Continued Efforts to Address Racial Equity and Build Bridges between Law Enforcement and the Community; and**
- **Our Dire Fiscal Outlook and Priority Budget Needs for Fiscal Year 2022.**

THE STATE OF PUBLIC SAFETY ON STATEN ISLAND

Similar to the rest of the City, Staten Island's overall crime rate remained relatively constant from 2019 to 2020 with a 0.3% increase in index crimes overall. However, there were very troubling trends in a number of areas, most notably in violent crimes, particularly homicides and shootings. There were also significant increases in burglaries and grand larceny auto cases. These trends mirror similar ones seen not just across the City, but the state and country as well. While this uptick in violence is something that we are monitoring closely and working tirelessly with the NYPD and community partners to address, it is important to note that with a population of almost 500,000, Staten Island remains the safest community of its size in the country. This is a testament to the work of the NYPD, our partners in the community, and the men and women of my office who work tirelessly every day to strengthen our hometown and improve public safety.

Shootings and Homicides

As noted above, there was a dramatic increase in violent crime in 2020 from what were historically low years in 2018 and 2019. This is particularly true when it comes to homicides and non-fatal shootings.

Homicides: While in 2019 there were 14 victims of homicide on Staten Island, in 2020 there were 21 victims, a 50% increase. This is compared to a 42.9% increase in homicides citywide. There have sadly been 4 homicide victims in 2021 already.

Non-Fatal Shootings: While in 2019 there were 19 victims of non-fatal shootings on Staten Island, in 2020 there were 31 victims, a 63% increase. This is compared to a 103% increase citywide. There have unfortunately already been 5 non-fatal shooting victims on Staten Island in 2021.

This surge in violence has rightfully generated a lot of attention and press coverage in the past year, leading many to ask the question: Why are we seeing this increase in violence? We have asked ourselves this question and done a deep dive analysis of the cases in our jurisdiction and reached the conclusion that there is not one factor driving this increase. There are many different reasons converging at once that are contributing to this rise in violent street crime. Whether it is COVID and the pressures of quarantine, remote learning and lack of school structure, no after school programs, rising unemployment, these are all presumed to be contributing factors to increases in crew activity, drug operations, thefts, robberies, and GLAs. This conduct tends to lead to violent incidents. Many of the shooting incidents in our borough are tied to crew activity, retaliation for earlier shootings, or the settling of minor disputes over girls, social media, and perceived insults.

What have we been doing to prevent & mitigate violence?

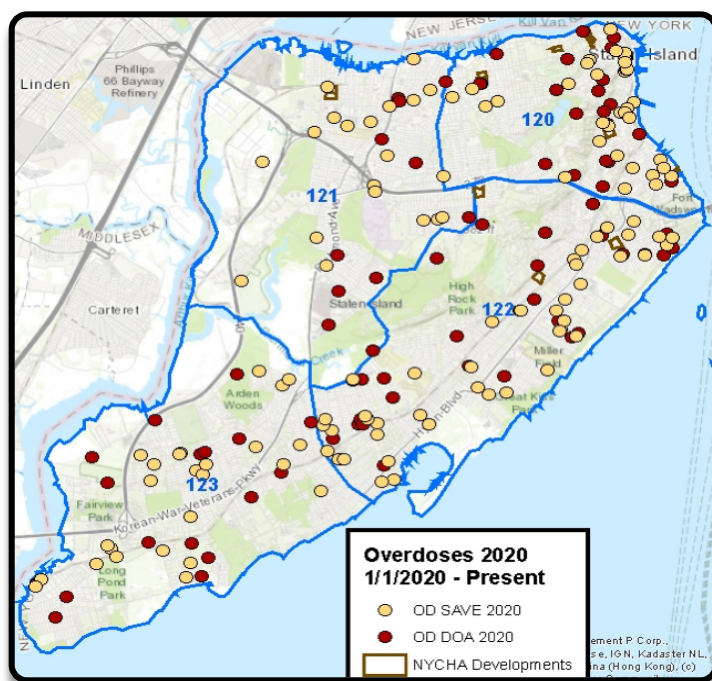
- With our elected officials and community leaders we have continued to send a unified message that: Every Staten Islander deserves to feel safe in their home and on our streets. Violence is unacceptable and those who pick up and use guns will be held accountable by our communities and our justice system.
- We have identified, met with, and deployed community organizations and stakeholders who can credibly engage with gangs, crews, and disaffected youth to prevent or resolve conflict in non-violent ways. We have further engaged teenagers and young adults in meaningful and safe activities, and supported other organizations doing the same.
- We have identified hotspots for violence and deployed community stakeholders and strategic resources to make those areas safer for everyone. This may include installation of lighting, increase public presence of law enforcement, surveillance technology, etc.
- We have raised public awareness and supported anti-violence campaigns that work to increase access to community resources and trauma services for neighborhoods impacted by violence.
- Working with our partners in the NYPD, we have bolstered our analytics and work towards precision policing and precision prosecution. We continue to use data to identify and focus on those actors who drive violent crime.
- Neighborhood Action Plans: Through our community convenings, which we have hosted every three weeks since July, we have been developing and

delivering on our Neighborhood Action Plans. These plans work to support neighborhoods historically inflicted with the most violence to address the needs of these underserved communities with a holistic approach to support overall wellness and safety.

In 2021, curbing the tide of violence will continue to be a main priority and focus for our office and a driving force behind our initiatives and need for resources.

The Opioid Epidemic and a Surge in Overdoses

Prior to the start of COVID, we had begun to see tangible progress in the unintentional overdose numbers on Staten Island. In 2019, there were 92 reported overdoses that occurred on Staten Island, a 17% decline from the year before. In 2020, however, we show preliminarily that there were at least 91 overdoses that occurred in the borough. Although one less than the year before, this count is certain to rise when final numbers for the year are reported. Based on anecdotal accounts from throughout the pandemic, we expect the final numbers for 2020 to be much higher once they are released from the Department of Health and Mental Hygiene (DOHMH). In fact, recently, DOHMH reported that there were more unintentional overdose deaths in NYC in the first half of 2020 than ever before. And, in the first half of the year, Staten Island had the second highest rate of overdoses of any borough. This troubling trend has continued into 2021. Since January 1, 2021, preliminary reports show that there have already been 43 overdoses, including 20 fatal overdoses in our borough.



In many ways, this surge of overdoses is expected given the strains on mental health and the isolationism of COVID. But, much more significant and a major contributing factor to this increase is the pervasive availability and presence of fentanyl and fentanyl analogs. Not only do the preliminary toxicology reports from 2020 show that fentanyl and its analogs were present in over 80% of all overdose fatalities, but we are seeing fentanyl in pure form, mixed with heroin, and also mixed with multiple other substances as well, including cocaine, pills, meth, etc. Fentanyl, with its toxic potency, relatively low cost, and easy availability, continues to be an unparalleled deadly force in our communities. Law enforcement must focus our attention on this issue of supply, but we know that this is not a problem we can solely arrest our way out of; we must also strengthen and work with our partners in public health to stifle demand and connect those in need with services and treatment.

We continue to run the Overdose Response Initiative that investigates overdoses, as well as the HOPE program and its expansions to HOPE 2.0 and OAR, which have continued to show success in diverting individuals suffering from substance use disorder and low-level criminal histories out of the criminal justice system. Although resource centers had to curtail their operating hours at the beginning of the pandemic, and new diversion offers slowed in those early months, in recent days we have seen those numbers rise again and most resource centers have continued to offer services and remain connected with clients via video and phone conference. We also continue to spread public awareness to the opioid crisis through our SIHOPE.org initiative and Faces of HOPE and we continue to financially offer our support towards the collection of unused prescription pills in local pharmacies with Medsafe containers.

Our dedicated staff also continues to remain a resource for the community and in particular for those families and individuals who need to be connected with treatment. We have multiple certified CASACs, including a peer recovery coach, who work to connect victims of overdoses and families who do not know where else to turn to receive support and treatment services. We have found this particularly vital during the coronavirus pandemic.

Notably, this year we also received a federal grant to launch a program we are calling Ripples of HOPE, which identifies children and families who are in households that have been impacted by substance use disorder. Through the program these children and families are connected to the YMCA Little Steps program where they receive

therapeutic and behavioral services to support their needs and to try to end the cycle of trauma and addiction in their families. This program launched in October of 2020 and has already connected dozens of children and families with services.

Mental Health - Suicides

As referenced above, we remain deeply concerned about the impact that this pandemic has had on the mental health of our constituents. The trauma caused by the disease itself, the interruption it has placed on the grief process, social gatherings and the domino effect it has had on the economy, family structure, work-life balance, and our overall quality of life is significant and something we continue to monitor closely. We have been working with public health partners to develop strategies and programs to address this issue.

Grand Larceny Auto, Burglaries, & Scams

Grand Larceny Auto (GLA): Citywide, GLAs were up over 66% in 2020 and in Staten Island they were up over 37%. We have been working with community organizations and the NYPD to raise public awareness to this trend and to take precautionary preventative steps by reminding the public about not leaving their keys in the car and not leaving their cars running. Shockingly, over 40% of all GLAs on Staten Island in 2020 had keys in the car, and 14% were cars that were left running.

Burglary: Citywide, burglaries were up 41.7% in 2020, while on Staten Island burglaries were up 14.8%. A significant number of these incidents were part of larger patterns across the Island affecting commercial properties. We have been working with NYPD to meet with businesses and commercial landowners across the Island to develop strategies for ways they can increase the security of their facilities, protect their businesses, and hopefully prevent burglaries in the future.

Scams

In the past year, we have seen a dramatic uptick in scams and in the last few months alone, we have seen the loss of hundreds of thousands of dollars from Staten Islanders to these schemes. Although scammers target seniors more than any other group, we have seen victims of all ages and demographic groups. It is incredibly frustrating and sad to hear that a hard-working Staten Islander has lost tens of thousands of dollars of their life savings and limited income to these unscrupulous criminals.

Working with our partners in government, and the NYPD, we have been raising public awareness in recent months to this issue. Prevention is the best course in these cases, as it remains difficult to track and identify these scammers because of technological barriers and because many of them operate from overseas. In the coming days we will be launching a full-scale campaign to raise public awareness and Slam the Scam! Please keep a lookout for that announcement and information that will be coming to our website shortly. We ask all of you in the Council to help spread the word about this issue to your constituents and to take whatever legislative action you can to enhance protections for our fellow New Yorkers and hold these scammers accountable.

RACIAL EQUITY, HEALING, AND CREATING A FAIRER JUSTICE SYSTEM FOR ALL

Apart from COVID, the past year has of course been marked by racial and civil unrest, including protests and conversations, both difficult and courageous, about systemic racism and the tensions and frustrations that exist between law enforcement and communities of color. Like many agencies and law enforcement groups, we have been motivated this year to renew and reinvigorate our efforts to improve diversity and inclusion in our office, to address and end implicit bias and systemic racism where it exists, and to continue to ensure everyone receives equal justice under the law in Richmond County.

Here is a brief recap of just some of the work and efforts we have undertaken in the past year:

RCDA Internal Working Group:

Following the murder of George Floyd, we made a commitment to our staff and constituents that our office would establish an internal working group so that staff could have open and courageous conversations about racism, equity, and the state of our justice system. Our internal working group is made up of dozens of staff members who volunteered to participate and are divided into three subgroups which each have a focus on one of the following areas: 1) Improving office culture; 2) Identifying and eradicating racism and bias from our handling of cases; and 3) Strengthening and improving trust between law enforcement and the community.

These subgroups are led by a diverse group of staff members (both managerial and non-managerial, men and women, persons of color and not) and have been meeting regularly (weekly or biweekly) for months. They have served as

an outlet for staff to have difficult conversations about race and equity in our profession and our City, and as a mechanism to discuss and bring new ideas and improvements to our office and justice system.

Community Convenings:

Starting in late June/early July of last year we began hosting community convenings to discuss the state of public safety and the dramatic spike in shootings and homicides, as well as the overarching conversations about race, equity, the future of policing, and how to better support vulnerable communities in our borough. We continue to host these meetings every 3 weeks. We have had great turnout from the Staten Island community so far and have developed individual neighborhood action plans for our most affected neighborhoods. We have engaged with stakeholder organizations to present and discuss on the work they are doing in the community as well. As part of this effort, we have hosted a conflict resolution and restorative practices session, sessions on health care access on Staten Island, domestic violence, criminal justice 101, the opioid crisis, job resources, and more. We have also begun soliciting proposals for organizations to conduct neighborhood healing circles, and training for RCDA staff and community stakeholders in mediation, restorative practice, and conflict de-escalation practices.

Community-led Courageous Conversations and Racial Healing Groups:

Members of our staff are participating in over half a dozen different community-led racial equity working groups and taskforces to ensure we are part of the ongoing conversation in our neighborhoods.

Implicit Bias Training

Last year our office provided a mandatory implicit bias training for the ADAs. We have also promoted and financially made available to all staff numerous opportunities to attend outside implicit bias trainings offered by city, state, and national organizations. In 2020, most of these programs were available virtually. We have issued an RFP and are in the review process now to engage a consultant to conduct more in depth implicit bias and diversity and inclusion trainings for our whole staff in the Spring of 2021.

Named a Chief Diversity Officer & Expanded EEO and Diversity & Inclusion training to more staff:

Earlier this year we named a Chief Diversity and Inclusion Officer and expanded by 200% the number of EEO Counselors in our office. We also sent several leaders to both City-sponsored and privately sponsored EEO & Diversity and Inclusion trainings and virtual conferences.

Since being named, our new Chief Diversity and Inclusion Officer has already established internal affinity groups, hosted multiple staff events highlighting and celebrating our staff diversity, expanded recruitment and outreach efforts nationwide, and created a spotlight page in our weekly office newsletter to promote these ideals.

Community Partnership Efforts:

Staten Island Hate Crimes Task Force. In addition to the community convenings listed above, we continue the work of our Hate Crimes Task Force, which was created in 2018, and brings together a wide cross-section of diverse leaders from communities all across Staten Island. As a taskforce, we have hosted a joint program with law enforcement and community leaders, which was previously featured by the NDAA entitled: What You Do Matters: Lessons from the Holocaust. We also are undertaking an initiative and website launch for Staten Islanders Against Hate – a public awareness campaign that opposes hate and celebrates the many diverse communities and individual stories in our jurisdiction.

Youth Advisory Council. Recognizing the perspective, strength, and conviction of voices of our younger generation in calling for reform as part of the protests this year, we launched an RCDA Youth Advisory Council (YAC) that is comprised of about two dozen diverse young Staten Islanders (ages 14-20). The YAC is designed as a place for youth to share their ideas and vision for the needs and problems facing the community, to develop initiatives to deal with those needs, and also for our office to help give them a chance to better connect with their community through service and learning opportunities, exposure to mentors, resume building, and expanded knowledge of the criminal justice system.

FUNDING NEEDS AND CHALLENGES

We recognize the significant budget challenges facing the City in this unprecedented time and as such have limited our requests below to items that

merely continue existing funding commitments that are absolutely critical. We worked with the Office of Management and Budget last year when almost \$1.3 million dollars of funding was PEG'd from our FY20 unspent funds, most of which only existed as a result of delayed hiring from the new criminal justice reform funding provided in January 2020. We also worked with the administration and this Council to take a one-year cut of \$450,000 to our OTPS budget in Fiscal Year 2021. But these cuts, and other unfulfilled promises, have set back important efforts and have left our personnel budget in a troubling position for the year ahead.

Provide Full Annual Funding for New Criminal Justice Reform Personnel – \$1.529 million (PS)

When the administration provided funding and support for the hiring of 61 additional personnel to respond and adequately handle the changes brought on by the new criminal justice reforms, it was only provided on a pro-rata basis for FY20 and FY21, not for the full annual salaries of those positions. We had been assured by the administration that the full funding of these salaries would follow as hiring progressed. At this time, we have filled 90%-95% of these new positions. There is no question all of these staff members are vital to fulfilling our obligations under the new criminal justice reforms. In fact, if anything, we may have underestimated needs in certain areas.

By not providing the full funding promised, the City has put our office in a dire fiscal position and will force layoffs of dozens of staff in months ahead if not corrected. In Fiscal Year '22 we are currently projecting a \$1.5 million deficit in our personnel services budget. In fact, we would be operating in a deficit this year but for attrition of staff, coupled with a self-imposed hiring freeze. These actions have severe long-term consequences in an office as small as ours though and cannot be sustained for much longer. When mid-level and senior ADAs leave to take higher paying jobs at other City and State agencies, or in the private sector, they take their years of experience and wealth of knowledge with them. In a year where we saw a dramatic increase in violent felony cases – shootings and homicides—the loss of ADAs with this level of experience is devastating for us. You cannot assign cases of this magnitude to one- and two-year assistants. We cannot continue down this road, nor will we be able to fulfill our discovery obligations mandated by state law, when the courts fully reopen without that new staff hired in 2019 and 2020.

Baseline Rent for Additional Space for Recently Added Personnel – \$150,000 (OTPS)

Our agency has grown from 105 employees in 2016 to almost 230 employees in recent years, without being provided any additional physical space. In recognition of this need and the provision of 61 new positions for criminal justice reform legislation, we identified and requested funding to rent a newly identified private office near the Staten Island Courthouse. Although we were provided with the capital funds to renovate the space and install the necessary technology infrastructure in January 2020, we were not provided with the OTPS funding to cover the relatively modest rent for the space on an annual basis. DCAS has already determined there is no available City-owned space in the nearby vicinity, and we are well on our way to procuring this new space but have yet to receive the baselined rent funding we have been assured we would receive. This request has become critical for us to provide basic workspace for our staff and also to meet social distancing requirements when we fully reopen, in the coming months.

Re-Fund Our Conviction Integrity Review Unit - \$425,000 (PS)

Three years ago, we were granted an historic first for our office when this Council granted us funding for a Conviction Integrity Review Unit. We recognized the importance of reviewing past convictions to ensure justice was properly handed down for all defendants, and we were grateful that the Council provided the needed funding to accomplish this mission. When funded in FY19 and FY20 however, the funding, which was for salaried positions, was not baselined. And, last year in FY21, the program was not funded at all. This has left us in a perilous position with this important unit and its work.

Since creating this Unit three years ago, we have put in place an experienced team that has already undertaken and expended a tremendous amount of time and resources to reviewing the cases in question. In fact, the Unit is currently reviewing multiple cases of incarcerated defendants awaiting our results. This work enhances the community's trust in the criminal justice system and our ability to pursue justice without bias. If this funding is not provided, we will have no choice but to stop this work and abandon these reviews that require an enormous amount of time and dedicated attention, travel, and even OTPS resources. Thus, we are asking for \$425,000 for the Conviction Integrity Review Unit in FY22. While we would of course prefer it to be baselined, discretionary funding would be welcome too as long as we can continue this important work. This is essential and just.

Move Funding from Capital to Expense (OTPS)

A number of the non-personnel items approved by the administration for implementation of the criminal justice reforms were initially funded in capital dollars instead of expense, despite the fact that many of them were not capital eligible. We raised this issue immediately when the funds were first allocated and were assured that there would be no issue in moving these funds, but a year and a half later, the funds are still not moved and thus we are unable to use a significant amount of funding that is necessary and intended for us for criminal justice reform implementation. Here is a list of those items:

- Adobe Licenses, \$20k annually – DOITT no longer covers the cost of these subscriptions for our agency, our staff use this software extensively for discovery obligations, and this covers the additional subscriptions needed for new hires under criminal justice reform.
- HP Expanded Storage (Maintenance Costs), \$312,665 in FY23 – The maintenance costs associated with the purchase of expanded server storage from HP is not capital eligible. This purchase can be delayed until FY23 but will be necessary every three years after. This expense cost is required with the capital expansion of digital server capacity, which is necessary because of the changes in discovery laws.
- Case Management Upgrades (PCMS), \$1.15 million over FY23-FY26 – To respond to demands for electronic discovery, digital storage, and to better track case data, upgrades are necessary to our case management system, PCMS. These upgrades are not considered capital eligible at this time. We have already spent almost \$60,000 in the past year to cover these costs out of our own expense account but will need the capital funds moved to expense to continue to make these modernizations.
- Multiple Portable Storage Options, \$15k per year for 5 years starting in FY22– Additional digital evidence, expedited discovery demands, and remote work schedules require this funding.
- Software Extract, \$106,587 in FY22 and \$60,357 FY23-FY26 – Software that expedites redaction process and makes discovery process more efficient. Subscription based software and not capital eligible.

- Salesforce, \$170,000 in FY22 – Licensing for data management and communication interface for ATI and pre-arraignment diversion programs. Expanded eligibility and program growth corresponds with changes to DAT law and bail reform laws.
- Track It, \$12,720 in FY22 - Additional licenses for internal task management tool for new employees in operations, administration, and detective investigator bureaus.

RELATED PROGRAMMING AND CRITICAL NEEDS FOR PUBLIC SAFETY ON STATEN ISLAND

Sexual Assault Forensic Examiner (SAFE) Program at Richmond University Medical Center (RUMC)

Recently we were informed that as a result of budget cuts, a number of programs on Staten Island that have historically been funded through the U.S. Department of Justice STOP VAWA Grant would not receive any funds in the upcoming fiscal year. While we understand and acknowledge the extraordinarily difficult fiscal circumstances facing the City and State as a result of the novel coronavirus (COVID-19), this loss of funding will undoubtedly have a devastating impact on our most vulnerable victims. Therefore, we implore this Council to take action in the City's upcoming Fiscal Year 2022 Budget to help address this gap in funding.

Most critically, funding was zeroed out for Richmond University Medical Center's (RUMC) Sexual Assault Forensic Examiner (SAFE) Program. This program has for 14 years offered sexual assault survivors specially trained providers who can address the physical, emotional, and mental-health related needs in the wake of an attack. This support not only provides crucial advocacy and education to survivors, along with multidimensional wrap-around services, but it is also vital to minimize re-traumatization, thereby easing some of the difficulties faced by those who come forward and take part in the criminal justice process. This benefits the survivor and the community at large, as it is often only with survivor involvement that the prosecutorial process is effective.

As opposed to the other four boroughs of New York City, which each contain between two (2) and (9) SAFE designated hospitals, RUMC operates as the sole SAFE-designated hospital in Staten Island. Thus, this loss of funding means that this community of almost 500,000 people will have no forensic examiner and corresponding services to offer sexual assault survivors. And, once again, our

community will be underserved in critical healthcare services, a problem exacerbated by Staten Island's unique location and lesser access to transportation infrastructure. It goes without saying that individuals recovering from the trauma of a sexual assault should not be forced to undergo further risk and the burden of travel to seek critical healthcare treatment simply by virtue of living in Staten Island.

To maintain the essential SAFE Program, we request the City provide funds to RUMC in the amount of \$85,000 in Fiscal Year 2022.

Project RESET

Project Reset, which was originally created by District Attorney Vance in Manhattan, diverts individuals with limited criminal histories arrested on low-level misdemeanors out of the criminal justice system. It recognizes that a person's interaction with the criminal justice system can be an opportunity for meaningful intervention and takes a behaviorally informed approach to connect participants with resources and opportunities to reflect and learn from their behavior.

We were proud to join the other boroughs in launching Project Reset in Staten Island in the Spring of 2020. We were off to a strong start with the diversion of dozens of individuals from the criminal justice system when we were unfortunately notified that the City had defunded the program in FY 21 in Staten Island, Brooklyn, Manhattan, and Queens. This forced us to wind down operations in the Fall of 2020. We know from our limited experience last year that this program has the potential to impact hundreds of cases each year and make a real difference in our community. Currently, there are no pre-arraignment diversion options, specifically for the individuals charged with these petit crimes in our borough.

We urge this Council to reverse this decision, and baseline funding for this program for all boroughs, for years to come. This is precisely the type of reform and jail reduction strategy that New Yorkers are demanding of law enforcement and our courts. The entire cost citywide is approximately \$5 million dollars annually, and funding goes directly to providers like the Center for Court Innovation and Osbourne Society.

I thank you for your time and consideration of my testimony. It would be my pleasure to answer any questions you may have, and I look forward to working with this body and its members to achieve these goals and further our shared mission of a safer and more just New York for all.

Thank you.

**STATEMENT OF CHRIS M. KWOK
BOARD DIRECTOR
ISSUES COMMITTEE CHAIR
ASIAN AMERICAN BAR ASSOCIATION OF NEW**

YORK TO THE

**NEW YORK CITY COUNCIL
COMMITTEE ON PUBLIC
SAFETY**

T2021-7250

**New York City Council Budget and
Oversight Hearings on the
Preliminary Budget for Fiscal Year 2022,
the Preliminary
Capital Commitment Plan for Fiscal
Years 2021-2025 and the Fiscal 2021
Preliminary Mayor's Management
Report**

March 22, 2021

REMOTE HEARING (VIRTUAL ROOM 2)

1. Introduction

Good afternoon, my name is Chris Kwok and I am a Board Director of the Asian American Bar Association of New York (“AABANY”). I also serve as Chair of the Issues Committee, which advises AABANY’s Board on issues that affect the Asian American & Pacific Islander community in New York. AABANY is a professional membership organization that is comprised of Asian American attorneys, judges, law professors, legal professionals, and law students serving New York. Since its incorporation in 1989, AABANY has advanced issues involving the Asian American & Pacific Islander (AAPI) community, improved the study and practice of law, and ensured the meaningful participation of AAPIs in our legal system. AABANY currently has over 1,600 members in the city and state of New York and is the largest affiliate of the National Asian Pacific American Bar Association. We are among the largest affinity bar associations in the country. We are grateful to the Public Safety Committee for holding this hearing and including AABANY.

AABANY is participating in today’s hearing to express our firm commitment to championing two changes to the funding of Hate Crimes Units of New York District Attorneys’ Offices. First, the Hate Crimes Units should be staffed with full-time prosecutors and legal support personnel. Second, the Committee on Public Safety should perform periodic

audits to ensure that dedicated funds for hate crime prosecution are being used solely by Hate Crimes Unit personnel. Presently, there are not enough dedicated full-time prosecutors and detectives assigned to Hate Crimes Units. Moreover, Hate Crimes Unit personnel, in addition to their other roles and responsibilities, are provided with no dedicated resources. These divisions also lack necessary foreign language support staff, such as qualified interpreters.

AABANY first presented these recommendations to fully fund and fully staff anti-Asian hate crime divisions in law enforcement and prosecutors' offices in its report titled, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions*.¹ The report called for greater representation of AAPIs in law enforcement, public office, and the courts. Specifically, the report identified the "Jade Squad"—a police division that was formed in the 1970s to combat Chinese gang violence—and concomitant Asian Gang Units that were formed at the District Attorney's office.² In line with these successful historical efforts, AABANY recommended that Asian hate crime units be created at each District Attorney's Office.³ As the report noted, "[t]he divide between law enforcement and the Asian community is exacerbated by the under-representation of Asians in the police force, in public office, and in the court system."⁴

2. AABANY condemns the unrelenting assaults on members of the AAPI community in New York City, which continue with alarming frequency.⁵

AABANY through its report has recounted numerous attacks and harassment against AAPIs in New York over the course of the COVID-19 pandemic. More recently, the following incidents have been reported in the press and media:

- Filipino man was slashed in the face on the subway
- Asian American mother was shoved to the ground at a bakery in Flushing, Queens
- Group of teenagers attacked a 51-year-old woman on an MTA bus in the Bronx

Just this month:

- "Go back to China" verbal harassment in Kips Bay⁶
- Aggressor spat on Asian mother and her baby, calling the mother a "Chinese

¹ See generally Asian American Bar Association of New York & Paul, Weiss, Rifkind, Wharton & Garrison LLP, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes, Solutions* (2021), https://cdn.ymaws.com/www.aabany.org/resource/resmgr/press_releases/2021/A_Rising_Tide_of_Hate_and_Vi.pdf?fbclid=IwAR2WwVM92z8xr5M1oRvRzDm3Tg8hZpAEeXsRSgGbXBB5wZkztHMKKv46MM0.

² *Id.* at 22.

³ *Id.* at 23 (AABANY offering recommendation to "[c]reate an Asian Hate Crimes Unit in each District Attorney's office across the city").

⁴ *Id.*

⁵ *Id.* at 3–5 (collecting instances of anti-Asian violence).

⁶ NYPD Asian Hate Crimes Task Force, <https://twitter.com/nypdasianhctf?lang=en>.

virus”⁷

- Six women murdered by gunman in Atlanta, Georgia⁸

3. **Since AABANY’s report was published on February 11, 2021, media outlets, community leaders, and politicians have adopted AABANY’s position vis-à-vis increasing funding for and formally staffing personnel to anti-hate-crime initiatives such as the NYPD Task Force. These recommendations apply in full force to Hate Crimes Units within prosecutors’ offices.**

February 25, 2021 Asian Community Leaders Meeting. In a response to a question by Chris Kwok, Deputy Inspector of the Asian Hate Crimes Task Force Stewart Loo confirmed that the Task Force would be better able to perform its job if it were fully funded and formally staffed.

March 6, 2021 Community Forum. AABANY co-sponsored a community forum entitled “Asian Voices: Advocating for our Rights in NYC,” sponsored by Chinese Christian Herald Crusades, NYC Commission on Human Rights, Mayor’s Office of Immigrant Affairs, NYPD-Asian Hate Crime Taskforce, and the Office for the Prevention of Hate Crimes, and NYC Council BLAC. Many elected officials joined the Zoom meeting, including Congresswoman Grace Meng. Early in the meeting, this exchange took place, stressing the need for full and adequate funding of the NYPD Asian Hate Crime Taskforce:

14:18:11 From Jerry C: Understand the Asian a crime task force is all volunteer. Wh[en] can we have a permanent team focusing on Asian hate crime[?]

...

14:20:58 From NYPD-Asian HCTF to All panelists: Good afternoon Jerry, that is something we are working on with City Hall and the Dept

14:21:52 From NYPD-Asian HCTF: Good afternoon Jerry, that is something we are working on with City Hall and the Dept

14:24:34 From Chris Kwok to All panelists: AABANY is proud to have highlight[ed] this in our report and we have been pushing for Asian HCTF funding and full time assignment

14:24:48 From Jerry C: Reporting a crime on 911 is difficult for people who don’t speak English. We need a solution for that issue.

14:25:07 From Chris Kwok to All panelists: we need the community to make

⁷ ABC7, *Asian Americans told to “go back to China” in racist rant in New York City* (Mar. 15, 2021), <https://abc7ny.com/amp/asian-hate-crime-maria-ha-dan-anti-asian/10419611/>.

⁸ New York Times, *8 Dead in Atlanta Spa Shootings, With Fears of Anti-Asian Bias* (Mar. 19, 2021), <https://www.nytimes.com/live/2021/03/17/us/shooting-atlanta-acworth>.

this known to Mayors office and electeds.

New York City mayoral candidate Andrew Yang stated earlier this month that “I would take the increase in anti-Asian violence very, very seriously” and “I would fully fund the Asian Hate Crimes Task Force. It would not be a volunteer force.”⁹

At a March 10 Candidates’ Forum for City Council elections for District 1, all candidates expressed support for funding the Task Force in response to a question submitted by Chris Kwok.

Media Reports

- On February 26, 2021, the New York Times reported and recognized that “[t]he Asian American Bar Association of New York recently issued recommendations for ways to address the attacks, including clearer reporting mechanisms for victims and formalizing the Asian Hate Crime Task Force as a funded unit.”¹⁰
- On February 12, 2021, NBC New York cited Chris Kwok and AABANY’s recommendation to make the NYPD Asian Hate Crime Task Force permanent and not rely solely on the services of volunteer officers.¹¹
- Other articles also referenced AABANY’s recommendations for increased funding and formal staffing.¹²
- On Feb. 19, 2021, ABC7 quoted community leader Don Lee, who questioned the efficacy of the Task Force because it consisted only of volunteer personnel.¹³ ABC7 subsequently reported that the Task Force is “unfunded and an all-volunteer force” and

⁹ Cameron Jenkins, *Andrew Yang Condemns Attacks against Asian Americans*, THE HILL (Mar. 5, 2021), <https://thehill.com/homenews/campaign/541854-andrew-yang-condemns-attacks-against-asian-americans>.

¹⁰ Alexandra E. Petri and Daniel E. Slotnik, *Attacks on Asian-Americans in New York Stoke Fear, Anxiety and Anger*, NY TIMES (Feb. 26, 2021), <https://www.nytimes.com/2021/02/26/nyregion/asian-hate-crimes-attacks-ny.html?action=click&module=Top%20Stories&pgtype=Homepage>.

¹¹ Zijia Eleanor Song & Jennifer Vazquez, *Study Shows Rise of Hate Crimes, Violence against Asian Americans during the Pandemic*, NBC NEW YORK (Feb. 12, 2021), <https://www.nbcnewyork.com/news/local/crime-and-courts/study-shows-rise-of-hate-crimes-violence-against-asian-americans-in-nyc-during-covid/2883215/>.

¹² See Kay Dervishi, *What can be done to stem hatred against Asian Americans*, CITY & STATE NEW YORK (Mar. 3, 2021) (“The NYPD anti-Asian hate crimes task force should be funded and have officers assigned to it full time, instead of being volunteers.”); NYPR The Takeaway, *Amid COVID-19 Pandemic, Anti-Asian Violence Spikes Across the U.S.* (Feb. 15, 2021), <https://www.wnycstudios.org/podcasts/takeaway/segments/amid-covid-19-pandemic-anti-asian-violence-spikes-across-us> (“Well, they created an anti-Asian task force and we applaud them for that. Our recommendation was that they go further along. They made it permanent recently but we think that-- Right now it's a volunteer task force, which means that the detectives are serving full-time on another role and then take this on on a volunteer basis. We think it should be a full-time assignment and the commander be given a budget and have this exist until there's no need for it.”).

¹³ CeFaan Kim, *NYPD task force provides answers on violent attacks against Asian*, ABC7 (Feb. 19, 2021), <https://abc7ny.com/asian-hate-crimes-subway-attacks-americans-task-force/10355594/>.

that “Mayor De Blasio and the Human Rights Commission is working and meeting with Asian community leaders this week on the next measures the city needs to take.”¹⁴

- Many other articles voice concerns over the current structure of the Task Force¹⁵ and note that the officers presently on the Task Force are volunteers with other full-time jobs in the NYPD.¹⁶

4. AABANY recommends that funding be dedicated towards efforts to improve reporting structures for the NYPD Hate Crimes Task Force and Hate Crimes Units at District Attorneys’ Offices.

Despite the large number of incidents reported on social media and in the news, very few are classified as hate crimes. The NYPD should be provided with adequate funding and resources so that they can create reports of race/bias motivated incidents, and then indicate how many of these reports they have taken, investigated, and made arrests on. Hate Crimes Units also need sufficient resources so that they can thoroughly review these reports.

AABANY believes that the failure to classify incidents as hate incidents is another type of discrimination that Asian Americans face. For example, when a senior Asian woman in Flushing, Queens was thrown to the floor “like a rag doll,”¹⁷ district attorneys charged the perpetrator with assault in the third degree and did not consider prosecuting the wrongdoing as a hate crime. And even after the New York Times reported that the attacker had stated “you are in america ... NOT CHINA! Please give me space with coronavirus,”¹⁸ prosecutors failed to revisit their theory of the case and failed to consider whether the conduct could constitute a hate crime.

The NYPD Hate Crimes Task Force and District Attorneys’ Office Hate Crimes Units require dedicated funding and full-time personnel in order to produce much-needed reports detailing their investigations, arrests, and prosecutions. An understanding of the reports and actions of the NYPD and Hate Crimes Units would allow the AAPI community to assess the efforts of law enforcement to actually stem the tide of these attacks. NYPD and Hate Crimes

¹⁴ ABC7 Eyewitness News, *Mayor de Blasio says Asian Hate Crime Task Force working to combat slew of bias crimes in NYC*, ABC7 (Feb. 23, 2021), <https://abc7ny.com/queens-hate-crimes-asian-americans/10364245/>.

¹⁵ Kimmy Yan, *Critics fear NYPD Asian hate crime task force could have unintended consequences*, WSJ (Sept. 2, 2020), <https://www.nbcnews.com/news/asian-america/critics-fear-nypd-asian-hate-crime-task-force-could-have-n1239012>.

¹⁶ Shan Li & Ben Chapman, *NYPD Forms Asian Hate Crime Task Force*, WSJ (Oct. 18, 2020), (noting that “[t]he officers are loaned to the task force as needed, but also have full-time jobs elsewhere in the department”); Taylor Romine, *NYPD creates Asian Hate Crime Task Force after spike in anti-Asian attacks during Covid-19 pandemic*, CNN (Aug. 18, 2020), <https://www.cnn.com/2020/08/18/us/nypd-asian-hate-crime-task-force/index.html> “The task force will be permanent ... and other culture-based task forces may be considered in the future.”).

¹⁷ Alexandra E. Petri & Daniel E. Slotnik, *Attacks on Asian-Americans in New York Stoke Fear, Anxiety and Anger*, N.Y. TIMES (Feb. 26, 2021), <https://www.nytimes.com/2021/02/26/nyregion/asian-hate-crimes-attacks-ny.html>.

¹⁸ *Id.*

Units initiatives have been ineffective to date, and the lack of real action creates the appearance that members of the AAPI community can be attacked with impunity, without any consequences, which may explain why attacks against AAPIs continue unabated, even after several public protests and rallies denouncing anti-Asian violence.

5. Fully-funded and Full-time Hate Crimes Units Are Needed.

To foster trust with the AAPI community and encourage reporting, there needs to be accountability for violence and harassment committed against AAPIs. Calls to inform the police and be vocal have been heeded by the community. Yet time and time again we hear from members of the community that these reports are not taken seriously by Hate Crimes Units and prosecutors, possibly due to language and cultural barriers. Creating dedicated and fully funded hate crime divisions within the District Attorneys' Office to handle anti-Asian hate crimes is critical, with legal professionals who have the language skills and cultural competence to deal with complaints and reports. Adequate funding and full-time staffing are also needed for the Hate Crimes Units to carry out their roles and responsibilities effectively. Anything less represents nothing more than an empty exercise. We urge the City Council to take immediate steps to fully fund hate crime prosecution divisions and to staff them with full-time personnel.

Appendix

Articles that have referenced AABANY's Report

- Miranda Bryant, *"There's so much gratitude": engineer who created viral vaccine site for \$50*, THE GUARDIAN (Mar. 1, 2021), <https://www.theguardian.com/us-news/2021/mar/01/turbovox-vaccine-website-huge-ma> (discussing development of a TurboVax, an online bot that finds available vaccination appointments, and suspension of the service in protest of rising frequency of anti-Asian violence).
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Anne Robinson
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To the City Council,

My name is Anne Robinson. I'm a resident of Manhattan and a member of the NYC-DSA, which has more than 7,000 members in New York City fighting to defund the NYPD, tax the rich, and create an economy organized for the public good instead of private profit.

I was unfortunately unable to virtually attend today to testify in person due to unforeseen conflicts, but I believe fervently that the preliminary budget falls short of the needs of my community and my city, so I hope to make my voice heard through this written testimony.

The amount of money allocated to the NYPD budget truly shows where the city's priorities lie, as every other agency faces budget cuts. But the NYPD do not prevent crime. I've seen their inability to help firsthand, back when my home (in Brooklyn at the time) was robbed and they seemingly arrived just to leave more of a mess with their fingerprinting dust everywhere. I never heard from them again regarding my case and, because the police do not provide protection from crime, my landlord nailed my windows shut. I worked in the East Village for nearly a decade and it was an unspoken rule that the NYPD were not to be called when someone seemed to be having a mental health crisis due to their tendency to escalate situations. Last summer, my close friends and family took to the streets to protest the active harm that the police do by murdering Black people at an outrageous rate. A health condition kept me inside during the pandemic, but I listened to the stories of my loved ones watching the NYPD beat peaceful protesters and even kidnap a woman off of the street near my apartment. Every single tale recounted the police instigating the violence.

This cannot be reformed with more training, with body cameras, nor with diversity quotas. Instead, I respectfully request that money for the NYPD's budget be moved to fund services and infrastructure that can actively help our communities: good jobs, dignified housing, food security, childcare, elder care, mental healthcare, transit, and education. I believe cops should be removed from schools, mental health crisis response, and homeless outreach. Disbanding SRG and Vice Squads that harm protesters and sex workers could provide the money needed to give

care and real safety for the people who need it most in this city. The City Council should fight for a budget that gives money to solutions that target the roots of social problems, not to the NYPD. Please allocate the bloated NYPD budget elsewhere to help make New York a more beautiful, liveable, and safer place. Thank you.



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Courtney Bryan. Director

Center for Court Innovation

- Written Testimony for submission to 3/22/21 New York City Council Preliminary Budget Hearing of the Committee on Public Safety
- Summary of FY22 Major Proposals
- Letter to Council from Courtney Bryan, Executive Director, Center for Court Innovation
- Op-Ed authored by all 5 New York City District Attorneys in support of citywide expansion of the Center's pre-arraignment diversion model, Project Reset (September 2020) "[For a safer NYC, save this program: The city's five DAs say the city must fund criminal diversion efforts](#)"



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**Center for Court Innovation
New York City Council
Committee on Public Safety Preliminary Budget Hearing
March 22, 2021**

Good afternoon Chair Adams and esteemed Councilmembers. Since its inception, the Center for Court Innovation has supported the vision embraced by New York City Council to reduce unnecessary and harmful involvement in the justice system wherever possible and to build public safety through sustainable solutions. With the populations we serve facing ongoing police violence and a public health crisis that disproportionately impacts Black and brown communities, realizing this vision is now more important than ever.¹ The Center's longstanding partnership with Council has helped bring this vision to life through evidence-based and racially just programming that spans the entire justice continuum: from diversion programs that route low level arrests away from costly court appearances; to proven alternatives to jail and prison that reduce recidivism for people charged with felonies; to community-based programs that reduce crime and shrink the footprint of police; to anti-gun violence interventions; to recognizing housing instability as a contributing factor to intersection with the justice system.

Our firsthand experience in each of these priority areas uniquely positions us to serve as a model that City Council can look to as it considers the development and support of initiatives that responsibly respond to the needs of New Yorkers. In each instance, our aim is to provide a meaningful and proportionate response, to treat all people under our care with dignity and respect, to prioritize public safety, and to produce much-needed cost savings for the City. And, as an anti-racist organization, to ensure the needs of marginalized New Yorkers are addressed.

In addition to renewing four key Council-funded initiative, we ask Council to continue to support the **Points of the Agreement to responsibly close Rikers*** so we can provide New Yorkers with the needed investments to lower the jail population and end the scourge that is the Rikers jail complex. We ask that Council renew four key initiatives to pre-pandemic levels, given their value reducing incarceration and operating throughout the COVID-19 pandemic and beyond:

1. **Brooklyn Felony Alternatives to Incarceration Court (ATI):** An evidence-based pilot program for people otherwise facing jail or prison time.
2. **Pre-arraignment Diversion, Project Reset:** New York City's first foray into early diversion prior to the criminal court process, with Council funding the program in the Bronx, but with funding discontinued for other parts of New York City by the City.

*The commitment to pre-arraignment diversion programming laid out in the POA has no 'due by' date as defined in other parts of the POA. Alternatively, the POA defines three years of funding for a Community Justice Center in Far Rockaway, poised to end in FY23 despite an operational launch date of this year. The Center stands ready to implement the full three years of Far Rockaway, despite City delays caused by COVID-19.

3. **Driver Accountability Program:** A proportionate response achieving accountability in Vehicle and Traffic Law cases.
4. **Innovative Criminal Justice Programs:** Core funding for a range of community-based justice initiatives across New York City that reduce reliance on policing.

Reduction of Unnecessary Incarceration: The Points of Agreement, the Center's pre-arraignment diversion model: Project Reset, and Brooklyn Felony ATI

Responsibly reducing incarceration requires a long-term commitment to innovative responses. In 2017, the Center played a central role in crafting the plan to shutter the notorious jail complex on Rikers Island by coordinating the Independent Commission on New York City Criminal Justice and Incarceration Reform, otherwise known as the Lippman Commission. This achievement was a monumental step forward in the mission to reduce incarceration in New York and included Council's commitment to significant community investment. These commitments were laid out in the Points of Agreement (POA).

In another huge leap forward, in early 2020, New York State passed landmark reforms to the bail statute with the goals of reducing the pretrial jail population. In the year following reforms, there was a 40 percent decline in New York City's pretrial jail population.² However, beginning July 2, amendments to the initial reforms exposed more people to bail and detention. From July through November 1, the effect of those amendments resulted in a 7 to 11 percent increase in the pretrial jail population relative to the jail reductions brought about by the original law.³ Over time, as judges set bail in more cases that would have been ineligible for it under the original reforms, this increase will grow, with our research predicting a possible 16 percent increase in New York City's pretrial jail numbers.⁴

The Center urges Council to honor the community investment and proposals laid out in the POA. Only with adequate funding for programming set forth in the POA, which includes community investments in vulnerable neighborhoods, can we reduce the jail population enough to close Rikers and realize the vision laid out for a safer, fairer New York. Additionally, alternatives to incarceration can prevent unnecessary disruption to individual lives, while providing linkages to additional services to decrease criminogenic factors that would otherwise grow in confinement. Specifically, included in the POA are three items the Center is prepared to bring to scale or support:

- Community Justice Center in Far Rockaways;
- Expansion of pre-arraignment diversion programming; and
- Community Based Restorative Justice

The Center has a proven track record for implementing data-driven programs like these that reduce incarceration without decreasing public safety. Council renewal of the Center's Project Reset funding for Fiscal Year 2022 would honor the spirit of the POA's inclusion of an expansion of pre-arraignment diversion programming. This program is cost-efficient and helps avoid unnecessary incarceration and the long-term adverse impacts it has on individuals, families, and communities. In addition, by renewing Council funding for Brooklyn's Felony ATI program, Council would advance the goals to responsibly close the Rikers jail complex.

The Center's pre-arraignment diversion model, Project Reset

Pre-arraignment diversion is a component of the Points of Agreement. One such program, Project Reset, helps reduce the jail population by decreasing the likelihood of failure to appear bench warrants at arraignment for low level Desk Appearance Tickets (DATs). The Administration did not renew citywide Project Reset funding in FY21, with City Council continuing to fund the program in the Bronx. We ask Council to reaffirm its commitment to Project Reset, by renewing its longstanding funding in the Bronx, and funding Project Reset citywide in Brooklyn, Queens, and Staten Island (Manhattan is funded by the District Attorney's Office). If Council does not fund the program citywide, we ask Council to urge the Administration to provide citywide funding in FY22.

Project Reset diverts New Yorkers with misdemeanor arrests away from the court system through community-based programming and access to opportunities. As a result of sweeping criminal justice reform legislation that went into effect in January 2020 and due to the significant DAT case backlog resulting from pandemic-related court delays, a large number of misdemeanants are eligible for diversion. Looking ahead, if Project Reset were only to continue in one or two boroughs, the resulting patchwork of programming would lead to an inequitable delivery of crucial services for City residents. To ensure that Project Reset can serve all eligible individuals, citywide funding for the program is imperative.

Further, renewal of Bronx Reset is key. Bronx Reset pivoted quickly at the onset of COVID-19, leveraging technology and video meetings, to continue facilitating restorative justice circles for participants, both providing connection to community during the isolating period of the pandemic's peak, and a diversion from in-person arraignments during the public health crisis. The citywide low arrest levels resulted in fewer cases being referred to the program. The program's contact rate for eligible referrals was also affected, as the pandemic impacted the accuracy and efficacy of contact information due to disconnected phone numbers, changed addresses, or other factors. Nevertheless, in 2020, Bronx Reset had 142 participants successfully complete the program and avoid going to court or receiving a criminal record for their arrest. Additionally, many improvements were made to the process so that the Bronx can continue to divert as many participants as qualify for the program going forward.

In 2021, as the justice system grapples anew with its enduring inequities, Project Reset offers relief from the collateral consequences participants might otherwise experience if arraigned for a low-level crime, such as legal discrimination in housing, immigration, and employment matters, or even a bench warrant for failing to appear.

Brooklyn Felony ATI

Individuals convicted of felonies have an alternative to Rikers Island in Brooklyn. The Brooklyn Felony Alternatives to Incarceration Court (FATI) offers community-based interventions and rigorous judicial monitoring for felony cases which can decrease the use of jail and prison sentences and potentially lead to reduced criminal dispositions. Nearly 90% of FATI participants flagged for mental health needs.⁵ To address these needs, the program is staffed by a team of resource coordinators, social workers, and mental health counselors who conduct

independent assessments, prepare recommendations for programming and supervision, provide referrals to community-based providers, offer ongoing case management, supervision and compliance monitoring, and pilot new services, such as restorative justice interventions. The program and court part seek to significantly increase the use of ATIs, support, and supervision offered to individuals charged with felonies and provide a model for jurisdictions across the country interested in enhancing public safety and reducing incarceration.

The Brooklyn Felony ATI team has offered services since launching in January 2020 and is prepared to continue providing case management and counseling services to felony cases in the coming year. Although the trajectory of the program was interrupted by the COVID-19 pandemic—which caused the closure of the court and grand juries, delayed adjournment dates, and backlogs in the courts—it is connected to a robust offering of services through community partners and in-house programs. Since Brooklyn Felony ATI's inception, 73 participants entered programming, with nearly 90% of closed cases closing successfully. The program fulfills the need in Brooklyn to provide alternative responses to felony cases that are tailored to the needs the participants present, addressing immediate concerns as well as longer-term treatments. Brooklyn Felony ATI has established the team, the infrastructure, and the capacity to act on the momentum and serve more participants in the next fiscal year.

Shrinking the Footprint of Police Through Alternative Investments: Driver Accountability Program and Innovative Criminal Justice Programs

Spurred by ongoing police violence, there is public support to reallocate certain responses from police into community-based approaches. As municipalities work to submit police reform plans by the April 1st deadline, the Center's expertise through sustainable community-driven solutions that enhance public safety can serve as a path forward. Based on lessons learned, we believe that this is not the work of a moment, but rather a long-term shift that will require engaging with previously policed communities in new ways. The Center's blueprint for transformational change requires funding for community-based programs: from restorative justice approaches to addressing harm by focusing on healing relationships across families, communities, and neighborhoods; to mentoring and supporting young people at risk of system involvement through credible messenger models that prioritize the lived experiences of youth; to supporting families through trauma and systemic-racism informed programming that creates security in the home.⁶ This also includes reimagining responses to driving violations, gun violence, and housing safety. These programs also support the vision of the POA, shifting the work of incarceration and traditional systems to community-centered and restorative justice alternatives.

Driver Accountability Program

The Driver Accountability Program (DAP) provides a constructive and restorative response to dangerous driving and works to change the risky driving behavior of people charged with driving-related offenses in criminal court. Preliminary research suggests that the program changes participant behavior and encourages safer driving. Piloted at the Red Hook Community Justice Center in 2015, the program has since expanded throughout Brooklyn, Bronx, Manhattan and Staten Island with funding from City Council. The Center seeks funding to sustain those

operations and expand into the borough of Queens. Funding will also be used to support a second tier of the program that offers a more intensive restorative response for the most serious cases involving serious injury or death.

The need for more meaningful, effective, and equitable interventions on traffic-related cases has never been more urgent. Last year, at least 243 people were killed in crashes on New York City streets, more than any other year since our Mayor pledged to eliminate traffic deaths through the Vision Zero Initiative.⁷ For FY22, the Center proposes to build upon its current operations and further expand the program in two significant ways: (1) a geographical expansion to the borough of Queens so that defendants in every borough have access to DAP; and (2) to implement a new, more intensive version of the program that will be available citywide in cases of serious injury or death. As a result of the pandemic, the volume of cases coming through New York City's criminal courts—particularly for low-level nonviolent offenses—has dramatically decreased over the past year. In addition, there has been a backlog of thousands of cases across the City that were administratively adjourned, or unable to be handled, due to court closures. Despite these challenges, DAP served 138 program participants between July and December of 2020. Over the course of the coming 12 months, the program anticipates serving a total of 2,000 participants in all five boroughs, including the existing program for lower-level offenses and its expansion to the “2.0” model that will handle more serious cases.

Innovative Criminal Justice Programs

The Center's core Council-funded innovative criminal justice programs are built upon community partnerships and serve thousands of youth and adults across the City. Unfortunately, during the FY21 budget our award was halved. It is this funding that permits us to flexibly respond to the immediate needs we see in our communities, pilot ideas, and evaluate them. Due to COVID-19, we focused our funding on housing stability, mental health responses, and domestic violence programming. However, because of these cuts, we had to make hard choices. Among them were reductions in supports for anti-gun violence programming, child trauma support, and DWI screenings and assessments during a time when traffic safety deaths reached some of the highest levels since the start of Vision Zero, amongst others. Renewed funding by Council provides flexibility in the Center's approach to this work, allowing the continuation of the Center's alternative-to-incarceration, youth-diversion, and access to justice programs across all five boroughs. Specifically, Council's support provides mental health services, family development, youth empowerment, workforce development, housing, legal, immigration, and employment resource services. We ask the Council to return the Center's funding to its pre-pandemic level so that it can provide programming to vulnerable New Yorkers.

Through these programs, the Center is making a deep investment in engaging individuals as far upstream as possible, to limit, and ideally prevent justice system involvement. For example, thanks to general Council funding, our Harlem Community Justice Center works to increase housing stability and reduce evictions by empowering tenants with the resources they need to navigate housing court. Similarly, our Legal Hand program, with locations in Brooklyn, the Bronx, and Queens, trains local residents to empower their neighbors with legal information. We also developed a particular expertise in providing trauma-informed social services, which continue to be crucial given the increasing number of justice system-involved individuals facing

mental health and/or substance use challenges. Through our Staten Island Justice Center, we provide clinical support and restorative programming for court-involved youth who have mental health needs. Our Midtown Community Court's Client Navigator works with some of Manhattan's most vulnerable individuals—those who are homeless, battling mental illness and/or substance use disorders—following an arrest and throughout their court involvement. And, in Queens, New Yorkers are receiving community-based services and supports to improve their lives through the Center's Queens Community Justice Center.

Housing as a Justice Issue: Neighborhood Safety Initiatives

This summer laid bare the long-standing inequities in access to safe and affordable housing. The threat of eviction looms large for many households, with renters in communities of color at the greatest risk of facing housing insecurity.⁸ Access to quality, sustainable, and safe housing is a crucial element to the conversation around social justice and equity. Our research shows that 18%-25% of our Felony ATI program participants are experiencing homelessness.⁹ And, much of the gun violence experienced over the past year took place in the City's public housing developments. The Center works to build resident power and address issues of safety in public housing developments, ultimately shrinking the footprint of law enforcement and resident contact with the justice system in some of New York's historically under resourced neighborhoods. Funding for the Neighborhood Safety Initiative (NSI) is due to sunset in June 2022, and we hope for Council to support the continuation of these services to the communities we serve in public housing.

To respond to the public safety needs of public housing residents, the Center is working across the City through its NeighborhoodStat (NStat) program to proactively address these issues. NStat, of which the Center's Neighborhood Safety Initiatives (NSI) is a part, uses deep and lasting engagement to build strong resident networks, utilizes the knowledge and the relationships embedded within these networks to ascertain resident perspectives, goals, and safety concerns; and then supports resident-led efforts to design and implement the solutions with the help of local agencies, organizations, and neighbors. NStat staff help guide this process—gathering data to inform decisions, identifying partners, and coordinating the intervention. In short, NStat and NSI create opportunities for residents to think through new approaches to safety and then works with them to make these ideas happen. Our NSI program was also actively engaged in COVID-19 relief. Through mobilizing of residents and creating mutual aid networks, approximately 10,000 COVID relief packages including food, drinking water, PPE, personal hygiene products, cleaning supplies, and other essential goods were delivered to 7,000 households or 45,000 NYCHA residents. The Center asks that Council urge the Administration to fully fund and baseline the NStat program within the Mayor's Action Plan (MAP) to ensure this important program continues.

Anti-Gun Violence

Reducing incarceration means preventing crime before it happens. In both Brooklyn and the Bronx, the Center works to prevent gun violence by actively engaging those at risk of being involved in violence, building community movements against violence, and providing supports and opportunities to community members in need. Gun violence surged over 200% in 2020, and

this reality motivated policymakers and community member alike to call for solutions to effectively end it. Research shows that community-led efforts can create community safety without involving the police. In groundbreaking research on the drivers of gun violence, Center staff interviewed over 300 young people. Our researchers found widespread experiences of violence and the fear of police are primary motivations for carrying a gun.¹⁰

Community violence can be effectively addressed through prevention programs. These programs, run by the Center across the City, “interrupt violence” without the use of police and are staffed by credible messengers. The resulting trust, respect, and empowerment of residents are especially crucial to the success of these programs. The Center has also launched the RISE Project to address the intersection of intimate partner violence and gun violence citywide. Through collaborating and partnering with communities and stakeholders, we seek funding to continue meaningful interventions that are geared toward keeping youth and communities safe, and out of jail or prison. This funding is critical to ensure we realize a safer, better, and fairer New York City.

Through collaborating and partnering with communities and stakeholders, we seek funding to continue meaningful interventions that are geared toward keeping youth and communities safe, reducing their contact with police and the justice system, and ultimately keeping them out of jail or prison. This funding is critical to ensure we realize a safer, better, and fairer New York City.

Conclusion

Responsibly reducing unnecessary incarceration requires honoring investments in community-based programming and off-ramps for individuals coming in contact with the justice system. We are committed to partnering with Council to advance the POA and realize the closure of Rikers, while building public safety for all New Yorkers. We thank the Council for its continued partnership and will be available to answer any questions you may have.

Notes

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¹⁰Swaner, R. & White, E. & Martinez, A. & Camacho, A. & Spate, B. & Alexander, J. & Webb, L. & Evans, K. (2020). Guns, Safety, and the Edge of Adulthood in New York City. New York, NY: Center for Court Innovation. Available at: <https://www.courtinnovation.org/publications/gun-violence-NYC>.



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Center for Court Innovation Major Proposal Summaries

- **Felony ATI Brooklyn: #108895 (Renewal)** The Brooklyn Felony Alternatives to Incarceration Court offers community-based interventions and rigorous judicial monitoring for felony cases (that are otherwise ineligible for drug, mental health, and domestic violence courts), which can decrease the use of jail and prison sentences and potentially lead to reduced criminal dispositions. The court is staffed by a team of resource coordinators, social workers, and mental health counselors who conduct independent assessments, prepare recommendations for programming and supervision, provide referrals to community-based providers, offer ongoing case management, supervision and compliance monitoring, and pilot new services, such as restorative justice interventions. The program and court part seek to significantly increase the use of ATIs, support and supervision offered to individuals charged with felonies and provide a model for jurisdictions across the country interested in enhancing public safety and reducing incarceration.
- **Project Reset: #108753 (Renewal)** This application will support Project Reset's mission to divert New Yorkers with misdemeanor arrests away from the court system through community-based programming and access to opportunities. This application is for continuation funding for Bronx Reset and for additional funding to operate in the outer boroughs. In collaboration with the District Attorneys' Offices of the Bronx, Brooklyn, Staten Island and Queens, and NYPD, Project Reset would serve more New Yorkers than ever. As a result of the sweeping criminal justice reform legislation that went into effect in January 2020 and due to the significant DAT case backlog resulting from pandemic-related court delays, a large number of misdemeanants are eligible for diversion. To ensure that Project Reset can serve all eligible individuals, this application includes an appeal for funding that would allow Project Reset to operate city-wide, meaning a relaunch of the program that was started in 2020 in Brooklyn, Staten Island, and Queens and continued support for the Bronx.
- **Driver Accountability Program: #108766 (Renewal)** The Driver Accountability Program provides a constructive and restorative response to dangerous driving and works to change the risky driving behavior of people charged with driving-related offenses in criminal court. Preliminary research suggests that the program changes participant behavior and encourages safer driving. Piloted at the Red Hook Community Justice Center in 2015, the program has since expanded throughout Brooklyn, Bronx, Manhattan and Staten Island with funding from City Council. This application seeks funding to sustain those operations and expand into the borough of



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Queens. Funding will also be used to support a second tier of the program that offers a more intensive restorative response for the most serious cases involving serious injury or death.

- **Innovative Criminal Justice Programs: #109250 (Renewal)** This is an application for core funding to support the continuation of our alternative-to-incarceration, youth-diversion, and access to justice programs across all five boroughs in New York City. The Council's support allows us to serve tens of thousands of New Yorkers with flexibility, through mental health services, family development, youth empowerment, workforce development, and housing, legal, immigration and employment resource programs. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources and enhancing public trust in government to make New York City stronger, fairer, and safer for all. The Center hopes Council will restore its funding under this initiative to its pre-pandemic level so that it can best meet the needs of the City's most vulnerable communities.



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Courtney Bryan, Director

March 5, 2021

Dear Esteemed Councilmembers,

From a global pandemic to the continued violence against Black and Brown people, 2020 was a hard year for many. And, as the City still grapples with COVID, this time continues to be one of unthinkable loss and uncertainty. Despite these challenges, the Center continues to serve tens of thousands of New Yorkers in all five boroughs, providing critical programs and services to those most in need. Much of this work has been and continues to be funded by Council. To that end, I want to take this moment to thank Council for its steadfast support of our work, and request renewed support as we look ahead to FY22.

With Council's support through the innovative criminal justice programs initiative, the Center for Court Innovation has continued to operate community-based programs to serve the most vulnerable New Yorkers, while also reducing reliance on police. The vast majority of those served are youth, immigrants, low-income, LGBTQ, and people of color. Last year, funding through this initiative was reduced. We hope Council will restore this core funding to its pre-pandemic level. By doing so, we can make a greater impact in meeting the many needs your constituents.

Through Council-funded programs like the Brooklyn Felony Alternatives to Incarceration Court, Driver Accountability Program, and Bronx Project Reset, we continue to keep hundreds of people out of jail and provide them with off-ramps through meaningful supports and services. We also ask that Council renews funding for these programs in FY22 so that this important work continues unabated.

I cannot close without thanking you again for Council's enduring partnership. We have done an enormous amount with you over the years, including creating a credible plan for closing Rikers Island, implementing the Cure Violence model in multiple neighborhoods, and creating new mechanisms to divert low-level cases out of the criminal justice system. In this time of great uncertainty, renewing funding for our programs will ensure our efforts to make New York City stronger, fairer, and safer for all, are realized.

If you have questions, you can reach me at 718.496.9363 or bryanc@courtinnovation.org. I look forward to speaking with you in the near future.

Sincerely,

A handwritten signature in black ink that reads "Courtney Bryan". The signature is fluid and cursive, with a long, sweeping underline.

Courtney Bryan
Executive Director



CUOMO: YANKEES, METS CAN WELCOME FANS IN THE STANDS THIS SEASON



Insisting she's not racist,
Sharon Osbourne takes aim at
CBS, says she was 'set up'...



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elderly Asian woman, ends up
bloodied and handcuffed to...



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OPINION

For a safer NYC, save this program: The city's five DAs say the city must fund criminal diversion efforts

By DARCEL CLARK, ERIC GONZALEZ, MELINDA KATZ, MICHAEL MCMAHON and CY VANCE
NEW YORK DAILY NEWS | SEP 25, 2020



FEEDBACK



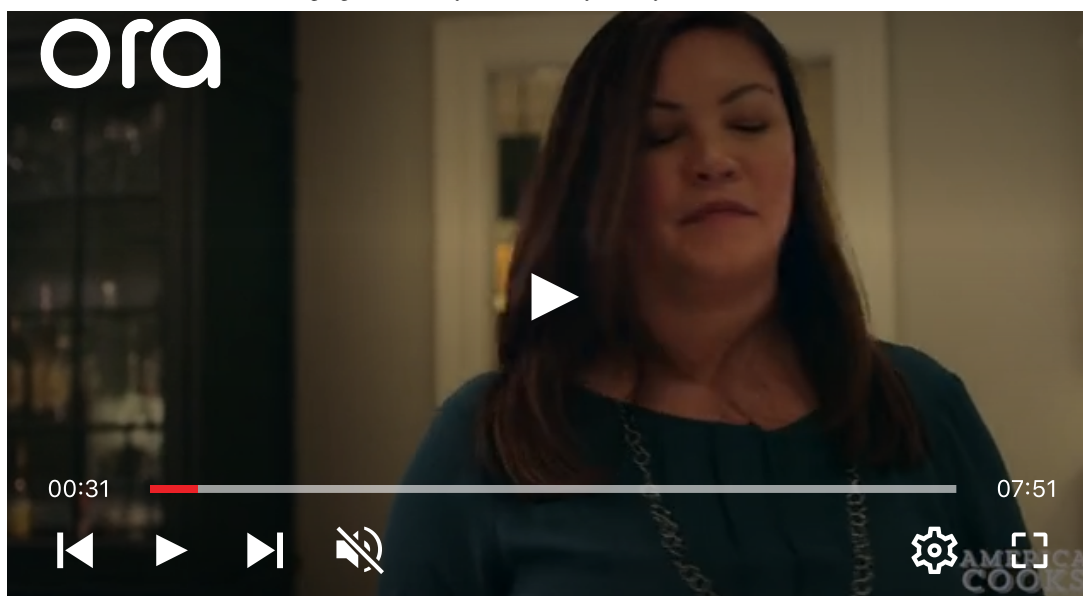
Artist Kraig Blue instructs Project Reset participants at the Brooklyn Museum on Sept. 5, 2019. Photo courtesy Center for Court Innovation/Samiha Meah.

FEEDBACK

As New York City's elected district attorneys, we want each arrest to be a person's last. While we recognize an arrest can be traumatic, experience teaches us it can also be an opportunity for meaningful intervention — one that equips individuals with the tools they need to identify and change behaviors. We believe passionately in these kinds of second chances because they make our communities safer while honoring the human dignity of those affected.

That's why, earlier this month, we urged Mayor de Blasio and other city leaders to prioritize the citywide continuation of [Project Reset](#), a critical pre-arraignment diversion program that has helped more than 4,500 people charged with low-level offenses obtain second chances and meaningful interventions, rather than entering the criminal justice system and suffering long-lasting collateral consequences.

Advertisement



Despite Project Reset's important role in our city's justice reform and jail reduction strategies, it will soon cease to exist unless the city renews funding. The financial cost of continuing this program, while not insignificant in today's economic climate, pales in comparison to the savings it offers in improved court efficiency, faster case processing times and, most importantly, reduced misdemeanor convictions, which disproportionately impede people of color from obtaining employment, education and housing.

In this moment of crisis when our city and justice system are contending with an unprecedented pandemic, centuries-old systemic racism and an [increase in gun violence](#), we simply cannot afford to let this vital program end now.

FEEDBACK

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This summer, during sustained protests of police violence and racial inequality, New Yorkers demanded a fairer and more equitable justice system for all who call our city home. Project Reset's emphasis on providing New Yorkers accused of low-level offenses with essential resources and opportunities to learn from past mistakes — rather than punitive approaches — is precisely the approach called for, in this moment, from law enforcement and our courts. The financial support of the City Council, along with the Manhattan district attorney's office, made these life-changing outcomes possible for thousands, without compromising public safety. Now, we call upon the city to keep its commitment to our residents, our neighborhoods and our communities by continuing to fund Project Reset.

From its earliest days as a pilot program tailored to young adults in Manhattan, Brooklyn and the Bronx, Project Reset has demonstrated that an individual's interaction with the justice system can present an opportunity for a transformative intervention that encourages self-reflection, restoration of self and community, and a reset of values and intentions for the future. We're proud that this program, which was developed and embraced by prosecutors, police, public defenders and local service providers, has retained this guiding philosophy in recent years while subsequently expanding to serve all ages and all boroughs.

FEEDBACK**MOST READ**

Insisting she's not racist, Sharon Osbourne takes aim at CBS, says she was 'set up' about Piers Morgan/Meghan Markle flap

San Francisco man attacks elderly Asian woman, ends up bloodied and handcuffed to stretcher after she fights back: witnesses

Georgia cop who said Atlanta spa shooter was having a 'bad day' shared anti-Asian T-shirt on Facebook

Contrary to a typical, involuntary criminal justice outcome, Project Reset participants are not ordered to attend. They voluntarily opt in, arrange their schedule to participate and show up to sessions, which vary by borough according to need and vision. Participants share within a group how their behavior affected others, acknowledge the voluntariness of actions, discuss steps for making amends, and changes they can make to avoid repeating the behavior. By contrast, traditional sentencings offer fewer opportunities for accountability upfront, and little if any opportunity for personal growth and healing. Their long-term consequences can be quite severe too.

People convicted of a crime can expect to earn at least 16% less, on average, than their peers, according to a [new report](#) from the Brennan Center for Justice. By avoiding a criminal conviction, Project Reset participants are able to pursue a living without barriers they would otherwise face. Early studies show this model reduces recidivism and inspires strong buy-in from participants (i.e., Brooklyn's 93% completion rate).

These encouraging findings highlight not only the program's value to New Yorkers charged with low-level offenses but also the value to our court system. As our offices work to close a [pandemic-related case backlog](#), we need options like Project Reset to shift low-level cases away from the criminal justice system and, in turn, focus our time and attention on more pressing public safety matters such as violent crime.

FEEDBACK

Project Reset supplies us, as prosecutors, with a much-needed framework to successfully carry out our public safety mission while also promoting justice and healing. And it empowers our fellow New Yorkers, who deserve alternatives to incarceration, to pursue brighter futures unencumbered by their past mistakes. It would be a shame for our city to throw a second chance like this away.

Clark, Gonzalez, Katz, McMahon and Vance are the DAs of the Bronx, Brooklyn, Queens, Staten Island and Manhattan, respectively.

Hello, my name is Clint Blakely. I am a resident of New York City and a member of NYC-DSA, which has more than 7,000 members in NYC fighting to defund the NYPD, tax the rich, and build an economy organized for public good rather than private profit.

I am here today to testify that the preliminary budget falls far short of my needs, the needs of my loved ones, my community and my city. The budget is a statement of the city's priorities. Unfortunately, it looks like the city has chosen to prioritize the NYPD over every other aspect of public life and safety. What else are we supposed to think, when every single agency faces budget cuts -- except the NYPD, whose budget is increasing?

The police have never helped me. When George Floyd was murdered, I knew I had to protest. And when I marched this summer alongside tens of thousands of my fellow New Yorkers, they beat and arrested us simply for exercising our first amendment rights. Every single time it was the NYPD who escalated. Every time it was the NYPD who introduced violence. They don't see us as people like them. The way Donald Trump talks about "illegals" and "antifa" - that's how they see us, as bugs to be squashed.

Seeing firsthand the NYPD's hatred, fear, and contempt taught me that the police cannot be reformed through trainings, body cameras, or diversity quotas. I understand now that the only path forward to justice is removing the NYPD from the areas of public life where it has no business, where alternatives to policing have proven more effective, and redirecting that money toward the root causes of social problems.

I ask that the City Council fight for a budget that removes NYPD from mental health crisis response and homeless outreach. That takes cops out of schools. That stops NYPD from policing protests and sex work by disbanding SRG and Vice Squad. I ask that the City Council do everything in its power to defund the NYPD and redirect that money to fund the services and infrastructure that provide real safety and improve people's lives: good jobs, dignified housing, healthcare, childcare, elder care, mental healthcare, education, transit, food security, and free time for culture and community. We have the money to do it. We know it is right. We are organizing for a better world. We ask for your help in this work.

David Jenkins
60 E. 17th Street, Apt. HH
Brooklyn, NY 11226
jenkins.david@gmail.com

Hello, my name is David Jenkins. I am a lifelong New Yorker living now in District 40, and I'm a member of both the NYC chapter of the Democratic Socialists of America – the largest chapter of the nation's largest socialist organization – as well as the Industrial Workers of the World, a worker-led union that in its heyday had over 150,000 members and more than a century later is still fighting to organize the working class.

I am writing to supplement my public testimony and to provide further context and information. I had originally planned to testify about the brutality I and others experienced at the hands of the police throughout the summer, and alternative models of public safety. For example, the very first night of protests I attended in May, I was assaulted by NYPD at a peaceful demonstration outside the 79th Precinct, only to get home and see local reporting of police statements say we'd attempted a break-in along the lines of Minneapolis. Not OK.

But just one week before the hearing I had an encounter with the police that I think perfectly illustrates both the problems and some potential solutions for how the city could address public safety. I was collecting signatures for a City Council candidate when a domestic dispute spilled out onto the sidewalk. The woman engaged me for help, and her husband accosted me and then struck her before a crowd formed and he fled the scene.

Much later, the police showed up across the street. When she first waved them over they rolled their eyes and shrugged. She told me in a terrified whisper she wasn't safe with them and asked me to stay. Sure enough, when they finally came over, they were annoyed, claiming no one called them and questioning her account, despite her visibly injured face – red now shining through her dark complexion, even at night – and her distraught child.

All they could offer her in the end was an arrest of her husband, so she shut it down. She knew how much worse that arrest would make matters for her family. She had told me how hard she'd been working from a shelter to get them all services after losing her job with the city and their housing during the pandemic, and also about her daughter's time ventilated.

And I could clearly see how those officers, who looked like they now really cared, felt helpless as they left. She and I kept talking for a while, and without any slogans or policy jargon we reflected together on how cops don't really do what we think they're supposed to, which is to protect us from harm before it occurs, and simply can't help most folks the way they really need it after harm has occurred. So, we need to radically rethink things.

I hope you'll hold the many, many stories like this one in your heart when considering which services should be the priority in our city's next budget. Significant and eventually entire reinvestments of the budget from the police to various community services and a just transition for any displaced officers and workers, starting now, will change and save so many lives and make stories like mine, which is so sadly true to a word, a thing of the past.

Thank you very much for your consideration and advocacy.

My name is Garon Scott and I am a resident of District 35 and a member of NYC-DSA. I'd like to relate what happened when I was arrested protesting around Bowery and First the night of Saturday, May 30th, when the police escalated suddenly, charging the protestors I was with.

As we retreated, I saw a cop grab a black man who was just standing there, watching. With my hands above my head, I was asking the cops why he was being arrested when I was tackled from behind by two officers. On the transport van, I learned that man wasn't even a protester: he lived in the building, had come outside *in his flip flops* to see what was happening, and was arrested nevertheless.

Also in the van was a young black man with a severe head injury caused by the cops. Parked outside of 1PP, his symptoms began to dramatically worsen: I saw him lose consciousness and fall forward into his own lap. For ten minutes we begged for medical attention and were ignored. Then, he began seizing up. Another ten minutes passed before he was finally extracted from the bus and laid on the concrete to wait for an ambulance. I cannot overstate how unconcerned the cops were, how slow they moved, and how they seemed to resent our requests for medical attention. If you call for a cop's attention, the rule seems to be that he must ignore you at least the first few times; to respond promptly would indicate that *they* were in service to *us*; whereas everything they did seemed calculated to demonstrate the opposite. Even a seizure would be dealt with at their pace.

What do you think causes crime? Poverty? Lack of opportunities? Miseducation? Entertainment? Whatever you think it is, *police cannot solve it*; they can only manage the results -- with violence. For decades the city expanded the NYPD's budget while defunding housing, healthcare, education, mental health support, homeless support, and all the other services that *actually* address the root causes of crime and *actually* keep people safe. It is a moral outrage that this budget cuts funding to every department but the NYPD and the Department of Corrections. To solve the enormous problems our city faces, we need to direct funding to the root causes of these issues. And with an austerity budget, we can't do that without defunding the NYPD.

Last June, the Mayor claimed the NYPD budget was cut by \$1B. Commissioner Shea said the same today. That is a blatant lie, and I can't imagine anyone who protested over the summer believing it. Rather than budgetary sleight of hand and fake caps on overtime, NYC-DSA is calling for \$3B of the NYPD's funds to be reinvested in the communities most impacted by police violence. Police shouldn't get special treatment. It is a moral outrage that while teachers, EMTs, and other essential workers face lay-offs, benefit cuts, and severe hiring freezes, this city is still recruiting new cops. Just to start, freezing overtime for NYPD officers would free up \$800 million per year; instituting a hiring freeze and canceling new Police Academy classes would save another \$450 million.

Last, since Councilmember Rosenthal asked about an alternative to the Mayor's recently released plan, I will say that NYC-DSA has done just that, drawing from the work of Communities United for Police Reform and other community groups, and will release the plan publicly in the next couple weeks. I would be more than happy to share that plan with any interested councilmembers or advocates.

James McDermott
1744 Clay Avenue Apt. 1C
Bronx, NY 10457
718-909-3813, jpmcde@gmail.com
March 23, 2021

NYC City Council
Re: Graffiti Explosion

Dear City Council,

From the NYC 311 website, we learn that...

"The Graffiti Free NYC graffiti removal program for residential and commercial buildings has been suspended indefinitely so the City can devote resources to essential needs. Requests for free graffiti removal on residential and commercial buildings are not being accepted until further notice and open requests have been canceled."

So what are we supposed to do about this?



All of this "art" created since the onset of the pandemic. These steps are DOT property and so maybe a portion of this wall qualifies for removal but you can be sure that the building owners are not interested in addressing this problem. As a result, the wall opposite this on the other side of the Cross Bronx is being populated with graffiti. I reported that to the Parks department since that's their property. But between this and the disgusting increase in trash being disposed of here, this neighborhood is tanking badly.

If you're TRYING to orchestrate a return to the crime and decay 80's, you're doing a good job. If not, please consider the message this communicates to our community, the increase in crime and dumping associated with uncared for areas, and the aesthetic of a neighborhood trying to escape poverty, and reinstitute the Graffiti Free NYC program before we start experiencing the associated effects even more.

Thank you,

James McDermott

The concept of "Defunding the Police" reached the minds and hearts of every American last year, when our nation saw an instant of police brutality that forced us to take much needed action. There were many emotions and discussions during those uncertain and turbulent times. The movements of last year did an excellent job of raising awareness.

It forced much needed police reform and reinvention, and made us question what the future of our communities look like. It is incumbent on elected officials and policy makers to ensure the voice of reform is heard, while keeping the safety of all residents and community members at the center of the policies.

I believe reform and re-invention should take a scientific approach by using data obtained from public feedback surveys. With the data that identifies pain points, we have ways and means to improve police service. Last month the police launched a program called "How did we do?", which gives residents a platform to provide feedback. My vision is to expand these types of data driven initiatives.

As a public official I will ensure the following initiatives are priority:

Use public feedback surveys to identify pain points in policing.

Hire qualified civilian executives to work in precincts and help bridge the cultural gaps between the police and the civilians they serve. Oftentimes, police executives become institutionalized due to decades of being in the policing world.

Incentivize talented officers to remain at the patrol level. Historically, talented officers leave patrol because there's no incentive at the patrol level; this is a common problem in policing around the country.

Changing the way America polices will start at a local level, here in this district. After expanding to the city, state, and eventual national level, I believe that we will become an America that will not repeat the events of last year. I truly envision an America that provides safety to all of its citizens, regardless of factors like race, class, or any other classifications.

Dear Chair Adams and Council Members,

Hello, my name is Roxana Bartolomé, resident of Brooklyn, NY. I am writing to testify that the preliminary budget fails to meet the needs of my city and my community. The budget is a statement of the city's priorities and I am appalled to see that the city has chosen to prioritize the NYPD over every other aspect of public life and safety.

It is unthinkable that every other agency should face budget cuts — except for the NYPD, whose budget is increasing. This is especially outrageous in light of the fact that NYC has the highest civilian-to-officer ratio compared to all other major cities in the United States.

Reducing the NYPD's budget provides an opportunity to reimagine the proper role of the NYPD and stop the over-policing of Black and brown communities. Given the current distribution of resources, NYPD officers are tasked with fulfilling a myriad of roles that do not require an armed response and that could be better served by trained professionals or clerical staff.

Additionally, the astoundingly high recidivism rate in the NYC prison system points to the fact our criminal justice system is failing our communities, despite its ever-growing footprint. The facts shared during Tuesday's hearing are egregious: the incarceration rate is quickly rising to pre-pandemic levels, over 75% of these inmates had been incarcerated before - many for petty crimes and misdemeanors, with 54% suffering from clinically diagnosed mental illness and 20% being arrested for gang-related activities. **We need to stop criminalizing poverty and mental illness and reinvest in youth and mental health services as well as economic development opportunities that will help our communities thrive.**

In conclusion, I wish to live in a city where we respond to "crimes" of poverty, mental health and drug issues with a compassionate solutions-oriented mindset. To this end, it is imperative that NYC: 1) divest in the NYPD by civilianizing and unbundling the police force and 2) invest in much-needed social services and community resources that will help our city flourish: good jobs, dignified housing, healthcare, childcare, elder care, mental healthcare, education, transit, food security and free time for culture and community. Lastly, we need to focus on prioritizing the needs of Black and brown communities, who have been hardest hit by the pandemic as well as historical budget cuts and other forms of systematic oppression. We must end these injustices now and enact a dramatic budget reversal that will address these needs.

Thank you, Council Members and Chair Adams, for accepting my written testimony.

Sincerely,
Roxana Bartolomé

3/19/21

Dear Committee,

My name is Steve Mazzucchi, I have lived in Chelsea for the past 17 years, and I am submitting this statement in regard to the Budget for Fiscal Year 2022, particularly as it concerns the NYPD.

So many incredible people have testified demanding that the NYPD budget be reduced, and I would just like to add my voice to theirs.

There are several good reasons to reduce this budget by at least two billion dollars, including the fact that the NYPD has a number of responsibilities it shouldn't, including mental health emergency responses (a subject I also testified on) and school safety. There are better approaches to handling those matters, as programs like Eugene, Oregon's CAHOOTS have shown, and the City needs to look at adopting similar ones.

Beyond those simple facts, however, I wish to appeal to you on a personal level. At first blush, I probably don't seem like someone to whom this sort of thing would matter. After all I am white, I come from a family of uniformed people (mostly Army), and I spent a good chunk of my life not thinking too much about the police.

But I've spent the past year in the streets, on my bike, riding in peaceful protests and protecting marchers, joining so many voices of all colors and genders in a long overdue demand for racial justice. And what have I witnessed during that time? Along with truly amazing fellow citizens in action, I have been disgusted to see my tax dollars funding helicopters and the Strategic Response Group, watching armed and armored police officers — in vehicles, on bikes and on foot — come out in force to abuse and arrest my brothers and sisters. The crushing irony of cops silencing protests against police brutality with the use of yet more police brutality.

I've also experienced just a small taste of what it must be like to be black or brown on a night when the cops are itching to bust people. That happened when I was arrested while trying to help a friend who had been jumped by the cops as a protest *was dispersing*. My friend, for the record, is like 5 feet and 110 pounds, and simply standing with her bike on the sidewalk. How the cops viewed her as a threat, especially at that point of the evening, truly baffles me.

We were both charged only with Resisting Arrest (which makes no sense — what were we doing to justify getting arrested in the first place?), spent the night in jail with several other protesters and were glad to have some wonderful friends waiting for us when we were released around 3 a.m. We all

embraced and my mood improved, until I saw my bike. The entire gear shift mechanism had been ripped off and the rear brake was also heavily damaged. I could barely ride it home — and I haven't been able to ride it since.

I can't tell you how frustrating it is to know that my tax dollars helped pay to get this bike wrecked — and I'm one of the lucky ones. So many of my fellow protesters have been through so much worse, with the NYPD treating us like we are some kind of terrorist group, when we are simply unarmed folks whose voices — voices raised with love and a desire for racial justice — are our only weapons.

As I've said before, now is the time for compassion, not cuffs. Please take some money — a lot of money — out of the NYPD and put it literally anywhere else. I truly can't imagine it can do more harm than it is doing right now.

Sincerely,

A handwritten signature in black ink that reads "Steve Mazzucchi". The script is fluid and cursive, with a small dot at the end of the line.

Steve Mazzucchi