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Gale A. Brewer, Borough President

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RE-IMAGINING PUBLIC SAFETY

I am Manhattan Borough President Gale Brewer and I thank Public Safety Committee Chair Donovan Richards and the committee for the opportunity to submit testimony today.

The murders of many Black men and women by the police have demonstrated the horrific legacy of racism upon which our country was built. That legacy is apparent in the tragic ends met by Eric Garner, George Floyd, Breonna Taylor, Amadou Diallo and so many others.

Saint Augustine said, “In the absence of justice, what is sovereignty but organized robbery?” When our institutions, policies, and funding priorities are characterized by the absence of transparency, fairness, and due process for so many, we actively conspire to deny individuals, their families and communities of their basic rights and freedoms.

Out of the pain and oppression must come activism, and in its crucible is a chance to create a more just society.

I fully support the long-overdue Int. 536-A, introduced by Council Member Lancman, to designate the use of chokeholds and other deadly techniques like placing a knee on a person’s neck, as a misdemeanor, as well as the Eric Garner Anti-Chokehold Act and the repeal of 50-A which passed the State Legislature yesterday, June 8. They are on the Governor’s desk and it is expected that he will sign them.

The Civilian Complaint Review Board (CCRB) plays a vital role in ensuring that everyone in our city receives equal protection before the law. It provides a fair and effective process for handling complaints of police misconduct. The 2019 Charter Revision Commission, created by legislation I introduced with Council Speaker Johnson and former Public Advocate Tish James, proposed a number of reforms affecting the NYPD and CCRB.

Several of these reforms were overwhelmingly approved by voters in November 2019, including changes to the appointment of the members of the Board; the requirement that the Police Commissioner provide an explanation when recommended discipline is not applied; the delegation of subpoena power to senior Board staff; and protection of the CCRB personnel budget.

These were essential reforms that will make the Board a more effective body. All have taken effect, with the exception of the budget measure which starts with Fiscal Year 2021 (beginning July 1, 2020), and the terms of the two new CCRB members which will begin on July 6, 2020.

But the Commission did not offer a ballot proposal that would obligate the Police Commissioner to adopt a consistent, transparent disciplinary process. I fully support Int. 1309, introduced by Chair Richards, which mandates this overdue reform and requires that the disciplinary guidelines be made publicly available.

However, I urge the Council and future Commissions to also consider the following additional needed reforms:

-The CCRB may currently investigate the truthfulness of any material statement that is made within the course of ongoing CCRB investigation; and where officers are found to have been untruthful the CCRB would be empowered to recommend appropriate discipline. This power should be coupled with the ability of the Board to impose discipline in cases of false representations made during CCRB investigations.

-The Charter should be amended to codify and make permanent the current Memoranda of Understanding (MOU) that authorized the NYPD Administrative Prosecution Unit and established that the NYPD must cooperate with the Board beyond the investigative stage of a proceeding.

-The CCRB's budget should be set permanently at 1% of the NYPD budget. The 2019 ballot referendum requires that the CCRB personnel budget be high enough to support a staff size equal to 0.65% of the budget for uniformed police officers. By tying the two budgets, we can ensure that as NYPD's resources change, the CCRB can continue to carry out its responsibilities and investigate and pursue new issues as they arise. An independent, adequately-funded CCRB guarantees fair and equal treatment for both citizens and officers. We must ensure that the body charged with making that guarantee a reality is funded sufficiently to do so.

Having said all of this, I also know from a recent IBO analysis: <https://ibo.nyc.ny.us/cgi-park2/2020/06/last-november-voters-approved-an-increase-in-civilian-complaint-review-board-staffing-does-the-mayors-budget-plan-provide-the-funds/>) that the Administration is planning to defer funding CCRB staffing levels passed in the 2019 City Charter Revision until FY22 for a total savings of \$1.1 million. The Mayor is allowed to do so due to "unforeseen financial circumstances"; but IBO sites that the FY22 budget gap is estimated as far worse than FY21. This funding should not be delayed.

Events have made it clear that we must take a hard look at NYPD budget priorities. Hiring fewer new officers, reducing overtime, and cutting the OTPS budget can bring reductions in line with the 6% cut being taken by other city agencies. Many have suggested a \$1 billion dollar cut - approximately \$250 million a year for 4 years.

The City Comptroller is suggesting a 5% cut to the NYPD. He has made specific recommendations.

In the past, generally, where budget cuts were needed, most Mayors told agencies how much to reduce but not specifically what areas to reduce. This year, the Council and advocates looking at the budget should focus on specifics.

The process should focus not only on cuts but also on re-allocations that bolster communities, including, opportunities for youth, housing security, and a strong CUNY. \$124 million would fund the highly successful and economically vital Summer Youth Employment Program (SYEP), employing 75,000 youth each summer. \$213 million would bring back other programs that support our youth and families - Beacons, Cornerstones, summer camps and more. We have seen time and again that supported and engaged young people make our communities safer, culturally enriched, and stable, and provide role models for younger children.

We must also support our youth by providing them with a stable learning environment. Affordable housing is a proven community stabilizer. Unfortunately, rather than investing in the very tool that generates and preserves affordable housing, the Mayor's proposed FY21 executive budget cuts the New York City Housing Preservation and Development's (HPD) capital budget by more than \$450 million or 38%.

I am already seeing the impact of decreased capital allocations—long-time affordable housing developers, even those committed to projects with 100% of affordable units, admit that without sufficient subsidy from HPD, the affordable units on offer will have to be set at higher income bands. The Mayor plans to add back some of the money in FY2022-2024, but that is not good enough. We need to reinstate HPD's capital budget allocation now. To reiterate, we would like restoration of some portions of the \$450 million back into HPD's FY21 capital budget.*

As the Center for an Urban Future points out, CUNY, especially the community colleges, must be part of our recovery effort in New York City. The \$20 million cut to the Accelerated Study in Associate Programs (ASAP) must be restored, and the City of New York must build on this extremely successful effort. If every CUNY community college student was an ASAP recipient, 16,000 more students would graduate from these colleges every year on time. ASAP is so successful that states such as Ohio are replicating it. Why are we cutting the funding?

I also support making whole CUNY in the Heights, which is now a branch of the Borough of Manhattan Community College (BMCC) but needs the program funding to be successful.

In past recessions, the jobs coming out of the downturn went to New Yorkers who had some college credentials, which is one reason I support funding the community colleges. We are facing the same challenges today with even more automation and digital learning.

I note that the for-profit colleges in New York have, during this pandemic, increased their advertising budgets, whereas CUNY does not have the finances to do ads. Yet students benefit from the BMCC's and other CUNY colleges, but students who attend the for-profits are often left with debt, default, and no job.

Also, to support low-income New Yorkers getting jobs as part of the recovery effort, the City of New York must fund the Bridge Programs, which have been severely cut. Many immigrants cannot get jobs in any industry because the literacy programs have been cut, and when non-

profits select candidates to train for tech jobs, for instance, they weed out those who would not be hired by industry partners. With fully funded Bridge Programs, this would not be the case.

Apprenticeship programs in construction have always been successful when funded, but we need the same effort in technology, finance, and health care.

Many people know that I have fought for a social worker in every school, and I know that we also need a nurse in every school. Last year, in FY20, working with Council Member Treyger and with the support of many members of the City Council, we succeeded in obtaining baselined funding of \$29.7 million for 269 social workers, including \$10.9 million of re-allocated ThriveNYC funding to support 85 School Crisis Responders.

But the need is far greater: the Independent Budget Office estimated last year, in a study I requested, that it would require \$94.4 million to fund a full-time worker in every school that did not currently have one—a total of 716 workers needed system-wide.

Even the goal of having one social worker per school barely starts to meet the need at hand: the National Association of Social Workers recommends one worker per 250 students. For a New York City public school student body population of over 1.1 million, that translates to a total of 4,500 social workers.

Despite massive budget pressures, we must strive to meet this bare minimum goal of at least one social worker per school. This crisis stands to wipe out all the gains and generational benefits of the many strides we've taken on education in this city -including Universal Pre-K- unless there is real social-emotional and physical health for school communities.

What's more, the coronavirus pandemic has led us into a mental health crisis of a scale not unlike the physical health crisis of the virus itself. Children are shouldering the mental health burdens and conflicts stemming from the virus too, all while understanding much less. And the economic aftershocks—including massive joblessness and food insecurity—have been proven to cause their own mental health effects.

New York City needs a tangible response to this mental health crisis. Social workers are mental health professionals who are trained to address those issues— and they can help relieve the pressures on already overworked educators and staff.

Yet, according to the IBO, the Mayor's FY21 Executive Budget proposes a reduction of \$12 million from the Single Shepherd program, which assigns a guidance counselor or social worker to mentor and guide middle school students; and an \$8 million cut to the previously agreed upon FY21 hiring of 25 new school based social workers.

There are many other human service and arts programs that need support during these difficult times. I have listed just a few priorities above.

Finally, the NYPD must continue and expand better recruitment and training efforts. People who live here in the city and are part of its fabric should continue to be recruited for policing jobs. And training must include de-escalation tactics as well as race dynamics. Our police force

must be well versed in the issues facing all of our communities and be able to play a positive role in addressing these issues - whether racism, homophobia, transphobia, or income disparities.

Thank you for your time and the opportunity to submit testimony as we move toward re-imagining public safety in New York City.