

Transcript of the Meeting of the  
CHARTER REVISION COMMITTEE  
held on Thursday, August 16, 2001  
at 9 Metrotech Center, Auditorium  
Borough of Brooklyn

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Meeting convened at 6:10 p.m.

P R E S E N T

RANDY M. MASTRO  
Chairman

COMMISSIONERS:

HOWARD WILSON

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YVONNE LIU

TOSANO SIMONETTI

MARTA VARELA

HERBERT RUBIN

LISA LEHR

AMALIA BETANZOS

CLAUDE MILLMAN

MARY SANSONE

EXPERT PANEL SPEAKERS:

ANGELA ALBERTIS

Executive Director

Mayor's Commission to Combat Family Violence

DAVID YASSKY

Assistant Professor

Brooklyn law school

VICTORIA CRUZ

Domestic Violence Counselor, Victims Advocate

New York City Gay and Lesbian Antiviolence Project

BEA HANSON

Vice President for Domestic Violence Programs

Safe Horizons

JUDITH KAHAN

Executive Director

Center for Elimination of Violence for the Family

Chair, New York City Coalition of Domestic Violence

Residential Service Providers

EDWARD FERGUSON

Former Executive Director, Chairman

New York City Trade Waste Commission

RAY CASEY

Executive Director, Chairman

New York City Trade Waste Commission

Executive Director, Gambling Control Commission

RICHARD SHEIRER

Director,

New York City Mayor's Office of Emergency Management

EDWARD JACOBI

New York State Emergency Manager Director

Chairman,

New York State Disaster Preparedness Commission

MICHAEL EMMERMAN

Government Liaison Officer

Red Cross of Greater New York

CHAIRMAN MASTRO: Good evening. We have a full program tonight, so we'll get started.

The first portion of this evening will be sessions arranged by the Commission staff to take expert testimony on three of the proposals that the Commission staff has recommended the Commission be given serious consideration for this election cycle. The three areas where we will be hearing expert testimony first this evening are the staff recommendation that there be a Charter office created to coordinate the services to combat domestic violence. Then we will hear expert testimony and a proposal to create by Charter an Organized Crime Control Commission that will merge the functions of those City entities or agencies currently involved in regulating industries and areas adversely affected by organized crime and corruption, and finally, we will hear expert testimony on the staff recommendation that the Office of Emergency Management become a Charter agency.

After we're done with the expert panels, and we have many expert speakers tonight and we appreciate them all being here, but we're going to try as close as we possibly can to start the public hearing at 7:00, which is when it was noticed for, that's when we'll hear from members of the public on

any subject on which they wish to speak related to the Charter, not just the subjects that are going to be covered in the expert presentations tonight.

They're not just the proposals that the staff has recommended to the Commission. Members of the public are being encouraged to comment on any and all proposals.

So let's begin by calling up those who are here to testify. Let's begin by calling those experts who are here this evening to present testimony on the recommendation to create by Charter an office to coordinate services relating to victims of domestic violence and to combat domestic violence.

So we will hear from Angela Albertis, David Yassky, Bea Hanson, Judith Kahan, Victoria Cruz. If they could please come up.

Thank you. Who would like to go first.

MS. ALBERTIS: I'll begin. My name is Angela Albertis and I'm the executive director of the Mayor's Commission to Combat Family Violence. The Mayor's Commission to Combat Family Violence was established by Executive Order on April 26, 1994. Upon taking office, the Mayor vowed to lift the veil of secrecy that had so long cloaked domestic violence and created the Commission to develop a coordinated, comprehensive strategy of municipal

action and public/ private initiatives to combat this hidden crime.

The Commission formulates policies and programs relating to all aspects of services for victims of domestic violence, develops methods to improve the coordination of systems and services for victims, develops mechanisms to insure that affected City agencies respond appropriately to domestic violence situations and that there is collaboration among those agencies, and implements public education campaigns to heighten awareness of family violence and its devastating effects on society.

Comprised of Mayorial appointees who serve without compensation, Commission members represent a broad spectrum of experts from the fields of health care, social services, law, education and housing. Individuals from both the public and private sector serve on the Commission, and it currently has an executive director and full time staff within the office of the Mayor.

Domestic violence is a critical health, social service and criminal justice issue, which affects people of all ages, races, ethnicities, sexual orientations and educational backgrounds. Combatting domestic violence requires a comprehensive, multi disciplinary approach.

There are more than ten City offices and

agencies involved in domestic violence prevention and intervention services and programs. As the chart behind me indicates, there are many different programs that are implemented by different offices and agencies. There are the criminal justice offices and agencies such as the office of the criminal justice coordinator, the New York City Police Department, the Department of Probation and the Department of Correction.

There are the health agencies such as the Department of Health, the Health and Hospitals Corporation and the Department of Mental Health, Mental Retardation and Alcoholism Services, as well as the agencies that provide housing and other human services, such as the Human Resources Administration and the New York City Housing Authority.

Additional agencies and offices involved in the City's fight against domestic violence include the Administration for Children's Services, the Department of Youth and Community Development, the Department for the Aging and the Board of Education.

One of the most outstanding accomplishments of this administration has been its public education campaigns which have increased awareness about domestic violence and encouraged victims to come forward and request assistance. The

City's success in these public education campaigns has resulted in a 100 percent increase in calls since 1994, reaching a high of more than 116,000 calls in the year 2000. The City's hotline is currently run by Safe Horizon, a not-for-profit organization that has a contract with the Office of the Criminal Justice Coordinator. Additional funding has been provided by HRA.

The Commission is currently working with those partners to increase the services the hotline provides. The hotline's domestic violence advocates are available 24 hours a day, seven days a week and provide callers with immediate assistance, including safety planning, referrals for counseling, health and legal services, links to shelters and information on how to obtain an order of protection.

Under the Mayor's leadership, this administration has made tremendous improvements in the criminal justice system's response to domestic violence. There are currently more than 300 domestic violence prevention officers and investigators in the New York City Police Department. Consequently, the Police Department has been able to increase the number of arrests for violations of orders of protection, the number of home visits and the amount of support provided to victims of domestic violence.

In fiscal year 2001, the New York City Police Department made 23,905 family-related arrests, 4,013 of which were for violations of orders of protection.

The Police Department has been working closely with community based organizations to educate the public about domestic violence and to understand the needs of different populations throughout New York City.

The Commission and the NYPD Domestic Violence Unit have jointly applied for a grant to conduct a Citywide community outreach project with ten community- based organizations, with the goal of increasing programs aimed at prevention and early intervention. The Commission in collaboration with HRA and the Board of Education piloted an innovative program to prevent teen relationship abuse entitled the Adopt-a-School program. There are currently ten high schools participating, 5 in the Bronx, 5 in Brooklyn and ten more schools will be added in the fall. A relationship abuse counselor is required to work at each school on a full time basis and provides comprehensive relationship abuse services to students.

In line with the same line of furthering prevention and intervention services, the Commission in conjunction with the Human Resources

Administration and the Department of Mental Health piloted a substance abuse domestic violence program. The program addresses the co-occurrence of domestic violence and substance abuse by integrating substance abuse treatment and domestic violence services. In a further effort to increase services for victims, the Commission partnered with HRA and the NYPD to develop and implement the alternative to shelter program. This program offers victims the options of remaining in their homes rather than relocating to a shelter by providing them with home and pendant alarms that can be activated if the abuser approaches the victim or the residents.

The Commission collaborated with more than 10 City offices and agencies in the PHONES, People Helping Others in Need of Emergency Services initiative, launching the largest cell phone drive in the country. The drive resulted in the donation of more than 22,000 phones. 10,000 of those phones are currently being distributed by City agencies to domestic violence victims, the elderly and others in need. The creation of the Commission to Combat Family Violence and the presence of its full time staff within the Office of the Mayor have provided the City a coordinated comprehensive strategy to combat domestic violence. The collaborative initiatives, programs and policies implemented thus

far illustrate the efficacy of such an approach.

The City must continue to insure that the policies and programs of each office and agency are efficient and responsive to the needs of domestic violence victims.

The City must also insure that there is not only coordination and collaboration among governmental entities, but also between Government and the private sector. This can only be achieved through the consistent guidance and leadership of a permanent Domestic Violence Office within the office of the Mayor. The Commission staff strongly recommends that the City Charter be amended to establish a permanent Domestic Violence Office.

Thank you.

CHAIRMAN MASTRO: Thank you. Who would like to go next?

MR. YASSKY: My name is David Yassky. I'm assistant professor at Brooklyn law school, where I teach criminal law and Constitutional law and administrative law, and prior to that, I served as Chief Counsel to the House of Representatives Subcommittee on Crime, and I am also here today to testify in strong and enthusiastic support of the proposal to create a special office within the Mayor's office to oversee domestic violence efforts and I want to just get a little bit of context for

why it is so important that somebody focus specifically on this problem.

When I served with the Subcommittee on Crime, we passed the Violence Against Women Act of 1994 and in preparation for, in preparing that bill we held a series of hearings on domestic violence that created a record that was I think that established what everyone in the field really had already known, which is that for years, domestic violence was an underenforced crime, to put it mildly. Too often, police departments simply did not treat domestic violence like a crime at all, and while New York Police Department had been relatively enlightened on this compared to many other police departments in the United States, it, too, was not as good as it could have been.

I think that with the leadership of the Violence Against Women Act and of law enforcement leaders in recent years, that has been turned around, and law enforcement now treats this crime, this behavior in the way it needs to be treated, like a crime. But I think particularly in light of this history, it's very important to have somebody at the level of the office of the Mayor focus on this problem to insure that it gets the attention that it deserves.

There are also serious coordination

efforts. This is a problem that requires response, as you've heard, not just from law enforcement but also from social services, from the schools, virtually from a broad array, from housing, from a broad array of City agencies, and so the coordination needs here I think are unique and due a special office.

There also I believe will continue to be evolving challenges in the domestic violence area, as the law enforcement community grapples with, for example, the prevalence of domestic violence in same sex couples, which there's recent evidence is just as prevalent as in heterosexual couples, and I think a policy-making office will help to craft responses.

I also want to comment on a couple of other proposals that are in your draft that I think are very meritorious. Two of these deal with gun control and gun safety, and that is a proposal to prohibit sales to persons under the age of 21 and the other is the gun-free schools proposal. Both of these are extremely valuable additions and I commend you for making them. They mirror Federal provisions, but here again, I think there's a real need for State and local law enforcement.

Unfortunately, the Federal law enforcement arm that focuses on firearms, the Bureau of Alcohol Tobacco and Firearms, has been a troubled agency, has been

an agency that's not nearly as active as it needs to be and I think in this area there's a real need for leadership from the State and local governments and I think you're helping to provide that here.

Lastly, I also want to support your proposals to strengthen the enforcement powers of the Conflicts of Interest Board, I think those will help add teeth to the City's conflict of interest provisions and I just want to put on the table two things that you have not addressed related to that, but whether it's this round or in some future round, that you continue to be involved in, I just wanted to have them here in the record and on the table. One of them is to strengthen conflict of interest provisions for City Council members in particular. I as a candidate for City Council this year and teaching Constitutional law, I've had quite a bit of occasion to think about the importance of Government structure on the City Council, and the current conflict of interest provisions are quite flexible, and I propose that you consider prohibiting City Council members from taking, drawing salaries from law firms or lobbying firms that do business with the City or from accepting representations from judges who are elected through the electoral process. That's one thing I want to have on the table.

A second thing would be to consider having set Council Members salaries that cannot be supplemented by virtue of committee chairmanships or task force leaderships or other assignments such as that. I think the example I have in mind here is of Congress, in which salaries are fixed and set, and people's, Council Members, elected officials' salaries do not depend on their positions as committee chairs and that gives I think a certain amount of independence that's important. So I wanted to put those two on the table, but I wanted to commend you for the proposals that are in here and thank you very much for the opportunity to testify before you here today. I'm grateful for it.

CHAIRMAN MASTRO: Thank you.

MS. HANSON: Good evening my name is Bea Hanson, I'm vice president for domestic violence programs at Safe Horizons. It was called Victim Services up to a year ago. Safe Horizons is the nation's leading crime victims agency. We were founded in 1978 and our mission is to provide support, prevent violence and promote justice for victims of violence, abuse and their families. In addition, I'm co-chair of the U.S. Interagency Task Force on Domestic Violence, which is a coalition of City agencies and private not-for-profit agencies and advocates who are working with victims of

domestic violence.

I'm here today and I was also here two years ago, to fully support the proposal before the Commission to institutionalize the coordination of domestic violence services under the office of the Mayor within the City Charter, so hopefully my efforts and the efforts of my colleagues here will be rewarded and we'll be able to get that included in the City Charter this time around.

Domestic violence is a serious problem and I know we all know that. Statistics indicate that at least one out of every five women in this country will be physically abused by a husband or boyfriend at some point in her lifetime. At the local level, effective response to this problem requires a concerted and coordinated effort at the executive level of City Government. This coordination involves bringing together a wide variety of Government agencies, not-for-profit service providers, business leaders, domestic violence advocates as well as victims of domestic violence themselves. A Commission with staff within the Office of Mayor sends a clear message that domestic violence is considered a crucial issue in the City of New York, and lets us be leaders in the struggle against domestic violence which we have been to date.

Under contract with the City, Safe

Horizons operates the nation's largest 24-hour hotline. In fact, the volume for our domestic violence hotline here in the New York City is greater than the volume for the National Domestic Violence Hotline. Every day we receive over 350 calls from clients in need of services, shelter and support. During fiscal year 2001 we received more than 130,000, calls which is a 164 percent increase, larger than the one that was talked about before; over the fewer than 50,000 calls we received when we first began operating the City's domestic violence hotline in fiscal year 1995 and we're seeing an increase every year in those number of calls. We attribute the bulk of this increase to greater awareness and attention to the problem of domestic violence.

The Mayor's Commission to Combat Family Violence has played a very key role in responding to this critical problem through the success of a number of initiatives. These initiatives include the deployment of specially trained domestic violence officers in all precincts, creation of a 24-hour domestic violence hotline, expansion of the domestic violence shelter beds, establishment of alternatives to shelter programs to keep women safe in their homes, the development of school-based

responses to dating violence and the creation of hard-hitting citywide domestic violence awareness campaigns.

To illustrate the effectiveness of one of these programs, every time the Mayor's Office conducts an antiviolence campaign for the subways and buses for the City's domestic violence hotline, calls to the hotline increase by 20 percent. While in most cases and in most campaigns once the campaign the over, the calls will decrease, however, for the domestic violence hotline, the calls do not decrease but remain constant, creating a new higher volume baseline for the number of calls to the hotline.

This example indicates the importance and effectiveness of sustained outreach to reach and serve victims of domestic violence who are so in need of support. However, this kind of publicity would be impossible without the support of the Commission to Combat Family Violence and the Office of the Mayor. Institutionalization of the Commission in the City's Charter will insure that the issue of domestic violence remains a priority from one administration to the next.

Victims of domestic violence have many needs: Assistance obtaining order of protection, information to develop a safety plan and help

finding a safe place for themselves and the children. Furthermore, all these issues must be worked through in a time of crisis when they've been assaulted by somebody they love, when they've lost their primary means of financial support or they have no place to spend the night.

When you listen to these calls, as I sometimes do, you realize the importance of coordination and cooperation. This coordination involves a variety of City agencies, including the Police Department, Human Resources Administration, Department of Homeless Services, Health and Hospitals Corporation, Department of Health and a number of other agencies that were mentioned earlier. It also involves family and criminal court judges, District Attorneys' offices in each borough, hospitals, health care providers, employers as well as residential and nonresidential domestic violence programs. But from our experience in the field, we know that domestic violence is preventable, but to be successful requires the combined effort of City agencies, the police, the courts, the advocates and the educators. All are necessary to provide adequate support for the victims as well as reinforce the message that domestic violence will not be tolerated by our society.

The institutionalization of a Citywide

coordinated response to domestic violence at the executive level will help New York to maintain and expand its reputation as a leader in the struggle to end domestic violence.

Thank you.

CHAIRMAN MASTRO: Thank you.

MS. CRUZ: Good evening. My name is Victoria Cruz. I'm a domestic violence counselor and victims advocate at the New York City Gay and Lesbian Antiviolence Project. I thank the Charter Revision Commission for the opportunity to comment on the proposal to create the permanent office to combat domestic violence within the Mayor's office.

The Antiviolence Project started in 1980 to address response of incidents to antigay violence and gaps in the criminal justice systems. AVP currently serves gay, lesbian, transgendered, bisexual and HIV victims of crimes of violence. Although AVP initially began to service victims of bias crimes, by 1983 the agency recognized that 30 percent of our calls were victims of domestic violence, same sex domestic violence. Domestic violence now accounts for 50 percent of our calls.

Under the current administration, New York City sought domestic violence provision because of Mayoral initiatives and although there is still a lot of work to be done all over, to us and them,

under the initiatives, the City saw the collaboration and formation of a main domestic violence hotline and increased the domestic violence shelter and an expansion of social and legal services throughout the five boroughs. These changes have been essential and these services have often proved crucial to get adults and children victims to safety.

Can we use more beds; expand more nonresidential services; well thought out programs to address batterers? Yes, we could. AVP, for AVP there is an additional consideration. AVP is the only program specifically designed to serve gay, lesbian transgendered and bisexual victims of domestic violence within New York City. It is also the only program of its kind in the tristate area.

For AVP domestic violence, often we found, means encountering many of the same system gaps that heterosexual victims faced back thirty years ago. In the case of same sex relationships, law enforcement and even many social service providers often fail to recognize the nature of abuse relationships, see only the form of the roommate dispute or worse, not understanding the danger in the situation because there are two men or two women involved.

LGBT victims face a variety of myths

surrounding domestic violence. The most common one being that domestic violence for same sex victims is a physical fight between two equals. Other myths include the falsehood that women can't be violent. Others are gay men are too weak to hurt each other. This myth reflects biased stereotypes and lack of understanding on how the dynamics of power and control uniquely impacts the gay and lesbian domestic violence victims. The reality is that domestic violence is just as serious, just as frequent and just as potentially deadly in LGBT relationships as it is in the heterosexual female community.

Many social service providers still see LGBT domestic violence as "others," often not realizing that among their mothers, sisters, children are bisexual and lesbian adult victims fitting the system, which is geared to address the heterosexual female victim. Many male victims often are wrongly identified as the batterer.

Transgendered victims are often at risk for verbal, outright physical abuse, from the very legal and social services professionals to whom they turn for help.

LGBT victims rarely have access to family courts for order of protection. This means LGBT victims are exposed to the greater risk, further

victimizing, usually requiring an arrest before being able to access legal protection. We also note that even with expanded domestic violence shelter and the ability to get victims into shelters is an often difficult process. There are only a handful of shelters in New York City equipped to train and sensitized to address the needs of LGBT victims. This severely reduces the number of potential shelter space for LGBT victims of domestic violence.

Advertising campaigns, laws and services, even those who have the best of intentions to be inclusive are often not specific enough, leaving LGBT victims without an understanding of their experience or their options. In the case of laws and services, this lack of clarity means victims assume, often rightly so, that they will not be served.

AVP does hundreds of trainings a year for social, legal, law enforcement and health providers throughout the New York City and the State. The agency provides outreach, education, exposing helping professionals to the unique dynamics of domestic violence faced by the LGTB victims and provides consultation to agencies on how to service LGBT domestic violence victims within a variety of settings. For an example of this work, in a recent successful collaboration between New York State

Department of Health, New York State Office of Prevention Against Domestic Violence and AVP developed the first ever state level curriculum to address LGBT domestic violence.

The proposal to create a permanent Office to Combat Domestic Violence will institutionalize the importance of this major public health issue for the administration to follow. This office will permanently focus on points to address service gaps, improve the expansion of service as needed. It is also recommended that this proposed office be created. It is our strong recommendation that this new office address all victims of domestic violence, including LGBT victims.

If there are any questions or the Commission would like to utilize AVP as a resource, please contact Diane de la Soto, CSW, AVP Director of Client Service.

Thank you for letting me have the opportunity to speak.

CHAIRMAN MASTRO: Thank you.

MS. KAHAN: Good evening, my name is Judith Kahan. I'm Executive Director of the Center for Elimination of Violence for the Family and Chair of the New York City Coalition of Domestic Violence Residential Service Providers. Collectively, the New York City coalition memberships serve tens of

thousands of battered women and their children with services ranging from legal counsel to shelter.

The Center was the first organization in New York State incorporated for the sole purpose of ending domestic violence. When the Center was founded 25 years ago, only battered women advocates were at the table trying to make things better. In the past two decades, we have seen police and also recommended that this proposed office be created. It is our strong recommendation that this new office address all victims of domestic violence, including LGBT victims.

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MS. KAHAN: Good evening, my name is Judith Kahan. I'm Executive Director of the Center for Elimination of Violence for the Family and Chair of the New York City Coalition of Domestic Violence Residential Service Providers. Collectively, the New York City coalition memberships serve tens of thousands of battered women and their children with services ranging from legal counsel to shelter.

The Center was the first organization in New York State incorporated for the sole purpose of ending domestic violence. When the Center was founded 25 years ago, only battered women advocates were at the table trying to make things better. In the past two decades, we have seen police and prosecutors, legislators at all levels, private funders, physician and clergy enter the fight.

The problem of domestic violence will not go away without a concerted effort. That is why I am here today to ask the Charter Revision Commission to establish a permanent office within the Executive Office of the Mayor to bring the force of all the City agencies to bear against domestic violence. Certainly the legislative findings outlined in the recommendation to add a new Section 19 to the Charter are compelling. Domestic violence is indeed a tremendous public health threat. Thousands of households in New York City are threatened each year. Last year almost 14,000 people called the domestic violence hotline for shelter. On an average, these calls were made by women seeking shelter for themselves and two children. Shocking, isn't it?

Nearly 42,000 New Yorkers need shelter because their lives are threatened at home.

As a service provider, I see the human

faces of this threat every day. Battered women arriving at our shelters with only their children in their arms. In fleeing abuse, families make themselves homeless. To apply for NYCHA, subsidized housing streams, they must obtain a permanent order of protection from Family or Criminal Court. Many families leave all of their documents behind, and must reestablish their identities. To do this, they need new birth certificates from the Department of Health. They must reestablish public assistance, Medicaid and food stamps. Children have to register in new schools. Everything must be done confidentially. Health Department, NYCHA, HHC, the police, Family or Criminal Court, the Board of Education, HR. There is scarcely a branch of the City's bureaucracy that doesn't touch a battered women in her quest to provide for her children and escape the abuse.

You could see the importance of coordinating services. You can also see how important the proposed offices' other functions become. The Commission to Combat Family Violence has been able to invoke the clout of the Mayor's Executive Office to not only improve coordination, but improve City agencies' response to domestic violence. HSC now routinely screens for domestic violence in emergency rooms. ACS requires foster

care and prevention agencies to train staff members about domestic violence and to forge links with domestic violence services such as ours.

The police cannot walk away from the domestic incident without filing a domestic incident report or making an arrest and victims of domestic incidents routinely receive information about how to assess domestic violence services.

I'm going as fast as I can.

The number of family violence-related arrests and arrests for violations of order of protection rise annually. In this City, the weight of the Mayor's office is important. So many priorities face the City's agencies. How else are we to move the fight against family violence to the forefront?

The Center is one of several domestic organizations providing services to teenagers through the Commission to Combat Family Violence, the Board of Education and HRA in an outstanding program that works to prevent patterns of abuse relationships from extending into adult relationships. Through the Adopt-a-School program, our social workers reach thousands of teens in high school classes, peer leadership activities and group and individual counseling. It is very effective, in large part because of the cooperation among the

partners at all levels. This cooperation is made possible because the Adopt-a-School program is the Mayor's program.

The Center also operates a privately funded teen dating violence prevention program in partnership with the Board of Education. Let me tell you, it is far more difficult to get the attention of overworked educators and administrators without the support of the Mayor.

I respectfully offer my support to the addition of Section 19 to the City Charter to establish within the Executive Office of the Mayor an Office to Combat Family Violence.

Thank you for your attention.

CHAIRMAN MASTRO: Thank you. Thank you all for being here. Any questions by the Commission members? Thank you very much for being here.

Our next panel will address the issue of creating an Organized Crime Control Commission that would consolidate the functions presently performed by a number of City agencies, including the Trade Waste Commission, Gambling Commission and the market oversight functions currently performed by the Department of Business Services.

Our speakers are Ray Casey, who is the Executive Director, Chair of the Trade Waste Commission and Ed Ferguson, the former Executive

Director and Chair of the Trade Waste Commission.

I want to add before we hear from you gentlemen, thank you very much for being here, it is much appreciated. We also have received a letter of support for this proposal from Barry Mawn, the Assistant Director in charge of Federal Bureau of Investigation's New York office, who writes that: "In spite well-publicized accomplishments against the LCN," that's La Cosa Nostra, "during the past decade, none of the five New York-based families LCN families is dead. To the contrary, each continues to be form of a threat to the law-abiding public as they induct new members at an alarming rate. While it is often tempting to declare victory and move on to other matters, and realize a noteworthy achievement, to do so in the case of LCN at this point would be a grave mistake. Collectively we have made great progress. However, much work remains. The LCN has displayed an unwillingness to relinquish its corrupt control over a variety of entities and remains eager to regain dominance at the earliest moment opportunity. I would like to commend the City for its efforts against the LCN, which have had a tremendous impact on the public and to the detriment of the LCN. For those reasons stated above, I would urge continued diligence and would welcome the opportunity to work with the

Organized Crime Control Commission in whatever manner possible, should the City elect to consolidate its regulatory efforts within that body."

Now we'll hear from our speakers.

MR. FERGUSON: Good evening. My name is Edward Ferguson. I am here tonight because, as the Chair pointed out because up until September of last year, I was the Executive Director and Chairman of the New York City Trade Waste Commission, the agency established in 1996 at the initiative of Mayor Guiliani to rid organized crime from the City's commercial carting industry.

I have prepared a written statement in support of the staff recommendation to create an Organized Crime Control Commission as a Charter agency, and with the Chair's permission, would submit that written statement for inclusion of the record of these proceedings.

In the interests of time, I will merely summarize or encapsulate some of the points made in my written statement.

There are a number of worthy reasons to elevate to Charter status the City's efforts, particularly its regulatory efforts against organized crime, and its adverse effects over decades on the City's economic life. There are

issues of efficiency, which are somewhat obvious.

The current effort that the City makes with respect to organized crime in various sectors of the City's economy is splintered. It's splintered because the steps that the City took to address the problem of organized crime and the economy were steps that were taken one at a time. As a result, the current state of affairs is that the City's efforts to regulate industries historically dominated by organized crime are carried out by four separate agencies: The Gambling Control Commission, the Trade Waste Commission, the Department of Business Services and the Department of Investigation.

However ably those efforts are managed and carried out by those in charge of the functions at those agencies, there is no question that if those functions were centralized in one agency, they would be better carried out, they would be performed more efficiently and opportunities for enforcement and investigation that now slip through the interagency cracks would not be missed.

There are also issues of enhanced coordination with other law enforcement agencies, particularly the Federal Bureau of Investigation, the local U.S. Attorney's Offices, the State Organized Crime Task Force. I believe that with the creation of an Organized Crime Control Commission at

the City level, which would act more of a counterpart to those organizations, cooperation, including information sharing and joint investigations between the City, State and the Federal Government, would be proceeding at a greater pace than they currently are.

We have achieved a lot with respect to coordination over the past several years with Federal and State law enforcement agencies, but there is much more that can be done, and I believe that the creation of an Organized Crime Control Commission at the City level would enhance that effort significantly.

But perhaps the most important reason to create an Organized Crime Control Commission as a Charter agency is the necessity to make permanent the gains that have been made over the past eight years of the Giuliani administration. It is, I think, a starting point that those gains have been impressive, indeed, unprecedented. In the carting industry alone, the savings to the City's businesses from the diminished influence of organized crime that has been achieved within the City's efforts over the past several years amount to one-half billion dollars per year.

Turning, for instance, to the Fulton Fish Market, it's now I think clear that the fish market

is probably freer of organized crime influence now than at any time since World War II, but it would be a terrible mistake, and this I believe echoes Mr. Mawn's statement that the Chair just read, it would be a terrible mistake to think that the status of the success we have achieved will be maintained without significant vigilance and significant diligence on the City's part to preserve those efforts, to preserve those gains, and the creation of an Organized Crime Control Commission at the level of a Charter agency would be a very strong and effective statement on the City's part that it, like organized crime, is in this for the long haul.

Organized crime is here and has been here for a long, long time. It takes the long view. We know because we have information obtained from organized crime figures speaking in unguarded moments, that it is the plan of many in organized crime simply to wait it out, to wait until the current Mayor leaves office, hopeful that the next Mayor and the Mayor after him and the Mayor after that, will be less skillful, less diligent, less interested, whatever, in the fight against organized crime.

We should not let that happen. The City has achieved too much over the last eight years in the fight against organized crime to let that slip

away by simply resting on our laurels and saying we've won, let's turn to something else. It doesn't work that way. Organized crime doesn't work that way. The effort takes sustained diligence and one way to promote that diligence is for the City to send a message, both to its people and to organized crime and, fundamentally, to itself, that it will fight organized crime whatever it takes for the long haul. And that to me I think is the most important reason to consolidate the existing organized crime, antiorganized crime efforts that the City is currently undertaking into a Charter level agency, an Organized Crime Control Commission. Thank you.

CHAIRMAN MASTRO: Thank you.

MR. CASEY: I would first like to thank you, Mr. Chairman, and the distinguished Commission for the opportunity to address you tonight. My name is Raymond Casey and I'm the current Chairman of the Trade Waste Commission, and also the Executive Director of the Gambling Control Commission.

The issue I'm going to address is whether or not investigative and regulatory functions performed at four agencies that regulate various industries in this City that historical have profited organized crime should be consolidated. The answer to that question to me is a resounding yes. Such a proposal has my complete support.

Each of these agencies, the Trade Waste Commission, Gambling Control Commission, Department of Business Services and DOI investigate, regulate and license businesses and individuals in industries that have all had a history of systemic corruption and control by organized crime or La Cosa Nostra. In my view, this proposal should be seen as just another weapon to battle organized crime's infiltration into our City's economy, not unlike various state and federal laws also designed to improve the Government's ability to combat organized crime, RICO and OCA to name just a few.

For decades, the mob, working through corrupt unions and businesses has influenced and controlled an entire segment of the City's economy. This has included everything from simple garbage pickups to brokers on Wall Street and many things in between that I can't mention here. As a result, the mob has collected an enormous tax on businesses and consumers in this City. It has added up to billions of dollars to the cost of just doing business in the City.

The Giuliani administration's response to this blight was to engage organized crime at the Fulton Fish Market first where various LCN figures decades ago had first controlled the docks and later the market itself. What this success proved was

that an industry could be freed from the influence of the LCN. Regulatory schemes were put in place in the carting industry, the shipboard gambling industry and other wholesale food markets.

At the time of enactment of these local laws, a separate case, I agree, needed to be made for the regulation of each industry. However, now is the time to adopt the staff's proposal to consolidate all of the existing functions and all of the successes. This is consistent with our Mayor's track record of reinventing Government. You have the opportunity to evaluate these agencies and propose a better way for them to fulfill their mandate. Although no one can dispute the successes that traditional law enforcement agencies such as the various prosecutors offices, the NYPD and FBI have had in combatting organized crime, criminal prosecutions alone in my view cannot free the City's business community from its influences. Yet in the area of public markets, carting, shipboard gambling, the City with the support of law enforcement has achieved these objectives through strict regulatory schemes.

These successes have not only created a more civilized business environment in the affected business sectors, it has put money back into the hands of those businesses and taken it away from

LCN. For example, in the carting industry, the mob controlled cartel that existed for years had a little stranglehold on competition. It stopped being a legitimate industry and just became a cash cow for the mob. Criminal prosecutions are effective for the short-term, but when one wise guy is put in prison, there is always another one waiting in the wings to take his place.

The Trade Waste Commission ensured that that practice ended. Through regulation with backbone, it has been able to virtually eliminate the control of organized crime and has freed the marketplace. This in turn has driven costs of carting services down by 50 percent. Briefly, the charts behind me and you'll have a package that I'll submit to the record, can indicate just briefly that carting costs that were once almost \$15 have dropped to an average of 7.50 or \$5 and have stabilized at that amount over this year. That translates, as the other speaker indicated, to a savings to the City of over \$500 million a year.

I want to point out to you that that's just not \$5 million that has gone nowhere. That money has gone back into the economy, has gone back into businesses, and I believe has fueled the economy that we've seen over the last few years and more importantly, that money has been taken away

from the Mafia.

I have an example here of a number of different types of businesses in the City, and as you can see from the examples, carting rates have dropped over 50 percent in many of the businesses. They represent places like the New York Post, the World Trade Center, 85 Broad Street, some small restaurants around the City.

However, these achievements alone should not be the reason that you place this Charter question on the ballot. It should be done because it just makes good sense. Over the last eight years, various organized crime measures were enacted in incremental steps. However, we now have essentially four agencies that are doing the same thing. Each agency regulates the industry, combats organized crime, licenses businesses that meet a reasonable test of good character, honesty and integrity. Each agency needs to maintain individual relationships in the law enforcement community, each agency needs to set and maintain standards, each agency needs to monitor the activities of the LCN and other nontraditional organized crime groups and each agency must bear the cost of its own bureaucracy.

Furthermore, the knowledge of organized crime and how it infiltrates the economy is an

expertise and development of that expertise takes time and experience in dealing with organized criminal groups that portray itself as legitimate to the casual observer.

Where multiple agencies exist to investigate and analyze these associations, multiple inquiries and hundreds of staff hours are duplicative, from agency to agency. Also, there is significant crossover between the various LCN groups. One family may exercise influence in more than one industry. For example, the Genovese LCN family has in the past extended influence in the carting industry, the fish market and numerous gambling rackets around the city.

So doesn't it make sense to have one agency, just one agency tracking that and making decisions about the industry with the benefit of all the same information? Doesn't that just make sense?

Because of the separation of function, investigative conclusions and connections made during one licensing investigation may not be available to the investigator in a separate agency who may be looking at the same people. This not only leads to tremendous duplication of effort and the need to train duplicate experts, but in the end it leads to a frustration of the original objective of each agency. True organized crime experts are a

rare commodity and should not be spread out over multiple agencies. I can tell you from my experience that in the City with numerous law enforcement agencies, you can have a dozen memorandums of understanding with those agencies, but no information will be shared with the civil regulators unless their work can be effectively coordinated with those agencies.

If there were one agency that was there, that could become a clearing house for that information and communication to regulators would be more efficient. Additionally, I would note that agencies such as the FBI and the NYPD learned years ago that a coordinated attack on organized crime was much more effective than the investigation done by any one agency.

This model has led to some highly successful task forces with the officers from multiple agencies. This model can be equally effective on the civil side. The Commission would accomplish this.

You must understand how organized crime works when it takes over an industry. It's almost always coordinated. A pressure point is exploited, each family gets a seat at the table and the spoils are then split up. They never do this in the same way and they often learn from their mistakes.

Both law enforcement and regulators that combat LCN must remain resourceful and vigilant as well. The former Assistant Director of the FBI noted last year that New York's five La Cosa Nostra families are the largest and most powerful of the LCN families nationwide. However, the utilization of regulatory powers in partnership with law enforcement has already been a highly effective tool in reducing their influence in New York City. I am confident that the spirit of cooperation would continue if the Organized Crime Commission became law.

In summary, I submit to you that this proposal just makes sense, and that you'll look at it that way. It will equip the city with a formidable weapon to better combat organized crime in the future and for future administrations. It will be done more effectively and for less money. Most importantly, it will be good for the citizens of this city. I strongly urge you to adopt the staff's proposal. Thank you very much.

CHAIRMAN MASTRO: Thank you. Thank you both for being here. Much appreciated. Any questions by members of the Commission?

Next we will hear from the expert panel proposal to make the Office of Emergency Management a Charter agency. We'll hear from Richard Sheirer,

Michael Emmerman and Ed Jacobi. Thank you for being here, gentlemen.

MR. SHEIRER: Good evening, Chairman Mastro, members of the Charter Commission and distinguished guest.

I am Richard J. Sheirer, the Director of the New York City Mayor's Office of Emergency Management and as a professional who has spent 34 years working in the field of public safety, it's on behalf of the office of OEM, its staff, the agencies that we work with and the public we serve, that I appreciate this opportunity to speak to you tonight regarding making OEM a permanent agency.

In his January State of the City address, Mayor Guiliani announced the objective to designate OEM and the Administration for Children's Services as Charter agencies. In OEM's case, this important step was taken because OEM has since its establishment in 1996 insured that when emergencies strike, the quality of life of the people who live, work and visit our great City is of paramount importance.

Headquartered in lower Manhattan, OEM is tasked with coordinating the City's interagency response and planning for a multiple of incidents and events, including aviation accidents, weather-related events, biological, chemical and any

other form of terrorism, fires, structural failures, water main breaks, just to name a few.

One of the questions that I'm most frequently asked is why does our City need a permanent emergency management organization? In a City the size of New York, where there are tens of thousands of police, fire and other emergency service personnel, with thousands of supporting persons, saving and protecting the lives of 8 to 11 million people each day, you must have a single agency coordinating those efforts.

Another way of looking at it is our city cannot afford to be caught unprepared for any natural, technological or bioterrorism acts of disaster and their destructive impact on this City's population and our economy.

OEM monitors the ebb and flow of New York City, serving as its eyes and ears and when disaster strikes, becoming its arms and legs, coordinating the efforts of every public, private and voluntary agency to address any situation effectively with efficiency, speed and sensitivity. This in turn enhances the safety of our citizens and emergency service personnel, saves money and time, and improves our quality of life.

During his administration, Mayor Guiliani has taken the lead in terms of management of

emergencies and events in our town. I report directly to him, and as you've heard from Commissioner Scopetta previously, at 8 a.m. every morning, about a dozen of us meet and begin the day with a meeting at City Hall to update the Mayor on what has happened overnight.

As emergency management issues develop during any given day, I contact the Mayor immediately who needs and wants to be informed of what we are doing to address the situation. OEM has the same accountability and priority in this administration that every other public safety agency has.

My long experience working in public safety allows me to tell you what you already know. Disaster victims need all the help we can offer. Many times we are dealing with the most extreme of human emotions, among them fear and loneliness. In the worst cases they are left without their homes, without food or medicines and perhaps with the loss of a loved one. It's at times like that when a person's whole world has come down around him that OEM proves its worth.

Here in the slide behind me, OEM works with emergency service personnel to help coordinate the rescue of people trapped in the collapse of an apartment building on state Street not far from

here, last year. For 27 hours, OEM coordinated the efforts of thousands of emergency workers and thousands of support personnel who worked feverishly to try to save the lives of the three people trapped in that building. Unfortunately, we weren't successful, but the efforts of the people involved with that is an effort you see every day and it's what OEM coordinates.

Every day we work closely with every New York City agency, the American Red Cross, the New York State Emergency Management Office, the Federal Emergency Management Agency and scores of other public, private and voluntary agencies. With the assistance of Government and private agencies, we plan and conduct preparedness exercises. We create informational educational material on hazards and how to protect you and your family from them, and through the use of our new emergency management on line locator system, known as EMALS, we use state of the art technology to assist New Yorkers in finding a safe evacuation method during a coastal storm or locating a cooling center during weather like we had last week.

Not every emergency that OEM responds to or addresses is a Citywide emergency. Many of our responses are similar to the one behind you, the collapse of a parking garage in Queens and the need

for rapid stabilization of the fully loaded gasoline tanker which fell into the basement. While this was a potentially serious situation, imagine how serious it might have become had that tanker caught fire.

On average, OEM responds to four or more incidents each and every day, in addition to conducting its planning and preparedness function. In early 2000, OEM responded to a fire in P.S. 36 in Staten Island, one of the City's largest elementary schools, and because that fire occurred during the school year, it was critical for us to find a place for the 1200 students that go to that school and the impact on their families.

Through the assistance of Wagner College, the Board of Education, the school principal in particular, the Borough President's Office, we were able to place each of those children in either a public school or in Wagner College, which was having its intersession, until their school could be reoccupied.

Last week OEM coordinated the City's response to one of the longest heat waves on record. While the temperature soared to record breaking heights, OEM activated its emergency operation center and its 800 hotline and worked closely with Con Edison, the Fire Department, Police Department, Parks Department, Department of Environmental

Protection, Health Department and many other agencies, all of which played an important role in keeping the city healthy and mitigating the isolated power outages that occurred.

Recently we coordinated the interagency preparations for the implosion of the two empty natural gas holders in Greenpoint, Brooklyn. While the tanks were privately owned and a reputable private demolition contractor conducted the implosion, no one would want such activities to take place without proper City permits and supervision. In projects of this complexity and potential impact, OEM provides the degree of coordination necessary to insure that all aspects of any project which may endanger or impact the neighborhood are addressed.

In this particular instance, months of planning were spent preparing for the 11 seconds that it took to bring the tanks down.

OEM has a number of tools we use to accomplish our mission and keep the City safe. This is a photograph of the Emergency Operation Center taken during the winter storm last January. EOC contains space for 70 to 100 agencies, both from City, State voluntary and private sector organizations. The EOC allows those agencies to communicate their needs right on the spot with a minimum of delay in getting the public the help it

needs.

One of the critical things we addressed during that snowstorm was the transportation of dialysis patients who could not get around because of the snow. With the help of the State Emergency Management Agency, the National Guard and the New York City Sheriff, each of these persons who needed transportation were provided during the worst of conditions.

Our activities and mission tend to draw a years to improve both response and the efficacy of its mitigation efforts, the world remains a very complicated place in which you must be prepared. Just as the traditional emergency management challenges may no longer apply, the traditional responses have had to evolve. The widespread potential hazards associated with bioterrorism require that we not only remain ever vigilant, but that we stand ever ready. Only through teamwork, vision, proper planning and accountability will New York City remain at the forefront of crisis planning and emergency management, which a Charter OEM provides.

Thank you, and I'll be happy to answer any of your questions.

CHAIRMAN MASTRO: Thank you. Next speaker.

MR. JACOBI: Good evening, it's a pleasure to be here tonight and I thank you for the invitation to speak on behalf of the proposal to make the Mayor's Office of Emergency Management a Charter agency.

My name is Edward F. Jacobi. I've spent more than 40 years active in public safety and emergency response serving as a volunteer firefighter, ambulance captain, squad member, Superintendent with New York State Forest Rangers, and now as the Emergency Manager Director for Governor Pataki for New York State. I also serve as Chairman of the Governor's Disaster Preparedness Commission, which is a policy making group for the Governor.

In my current role and on behalf of the Governor, I have managed a State response to many large disasters such as TWA 800 explosion, the January 1998 ice storm in upstate New York, Tropical Storm Floyd and several snowstorms which struck the New York City metropolitan area. Each of these events were complex and requiring close coordination of diverse agencies from all levels of Government, whether from the State, Federal, local municipalities and counties.

Official coordination is the role of emergency management agencies during a disaster. It

enables response agencies such as police, fire and EMS to focus on protecting life and property without having to expend resources on the many broader issues that arise when we prepare and work to recover from disasters and emergencies.

My agency and the Mayor's Office of Emergency Management focused broadly on disaster preparedness, including the development of disaster plans, hazard mitigation and management of disaster recovery programs. Recognizing the importance of this broader role is crucial, as your Commission contemplates making OEM in a distinct agency. During my nearly six years as Emergency Management Director of New York State, I've worked closely with OEM and many other agencies in the City of New York.

For example, my agency worked in support of the City's efforts to combat the West Nile Virus. In that case, OEM worked with City Health and Environmental Protection to formulate tactics for combatting the spread of this disease, monitoring and managing these efforts and is working with my staff and Federal officials to obtain Federal reimbursement for City expenses.

OEM is also active in planning for contingencies associated with a variety of potential events, such as public transportation strikes, mass gatherings, transportation of hazardous radioactive

materials and a variety of weather problems, such as snow storms, coastal storms and the recent excessive heat.

Management of these events require the efficient coordination of a variety of agencies. OEM provides this coordination and manages operations to implement plans.

I have also worked closely with OEM as it works to lead the City's effort to prepare for nuclear, biological and chemical attacks. OEM's ability to bring together the City's diverse agencies and the resources is crucial to an effective response and recovery from these events. During these and other events, OEM has proven its value to New York City's efforts to protect the public health and safety.

Making OEM a New York City agency will recognize this unique role within the City's public safety community, and provide OEM with long term stability. I believe that this will benefit the City of New York as it prepares itself for the future crisis and hazards that threaten it.

Thank you. I'll be happy to answer any questions.

CHAIRMAN MASTRO: Thank you. Our next speaker.

MR. EMMERMAN: I know the hour is late, I

will try to keep this brief, but this is really important.

My name is Michael Emmerman, and as of a few days ago I celebrated my 20th year as a Red Cross volunteer and instructor. I currently hold the position of Government liaison Officer with the Red Cross of Greater New York and in that capacity volunteer my time to disaster services effort.

I have direct knowledge and experience in the coordinated efforts of the American Red Cross and the OEM in responding to the emergency needs of our community. I would like to first offer a prepared statement as a representative of the American Red Cross in Greater New York and then close with a few personal observations.

In the interests of time, when I use the terms "American Red Cross," "Red Cross" or "ARC," I am referring to the American Red Cross in Greater New York.

The American Red Cross in Greater New York, a nonprofit organization, has developed a mutually beneficial and collaborative working relationship with the Mayor's Office of Emergency Management. Over the last five years, whether the two agencies are responding in the field developing disaster plans or coordinating activities in EOC, that's the emergency operations center, our

partnership has proven to be invaluable. This collaborative effort has enabled us to provide enhanced services to our disaster clients and better fulfill our Congressionally mandated mission.

I would like to start with what we at the Red Cross consider to be one of OEM's defining moments as a leader in the field of emergency management. Just a few months after the inception of OEM in 1996, TWA Flight 800 exploded in midair just off the shores of Long Island. As we all know, there were no survivors from the accident and the recovery and relief efforts continued for many weeks. Red Cross and OEM were on the scene within a few hours of the accident and provided direct services to family members, airline employees and other officers.

A separate note, I served at the TWA Flight 800 scene for the NYPD as an adviser for the scuba team as well as the Red Cross. It was a painful time for the surviving family members of Flight 800, the community and the hundreds of emergency response workers that were involved. As we began to organize our efforts to provide assistance to the families, we quickly discovered that OEM was a valuable resource. Remarkably, even though OEM was a newly created Mayoral agency, it was staffed with highly competent and knowledgeable

individuals who were dedicated to providing the same high quality service for which the Red Cross is known. OEM constantly provided us with timely information and given its status as a municipal agency, was able to facilitate Red Cross access to various vendors such as hotels, food companies and other City state and Federal agencies.

By partnering with OEM, the ARC was able to draw on the expertise and professionalism of OEM staff. The result was that ARC was able to provide exceptional service to the surviving family members of TWA Flight 800 faster than we had ever been able to do so before.

Over the years, OEM has become an invaluable resource to the Red Cross during both routine and mass casualty incidents. The Red Cross responds to over 3,000 disasters every year. In each instance we provide emergency assistance to individuals who are affected by the disaster. By the way, that's 3,000 in New York, Greater New York. Typically, OEM assists the Red Cross by coordinating City resources that are needed to assist the disaster victims. OEM's assistance may include providing transportation services using MTA buses, Board of Education facilities for shelters or reception centers, accurate information or even appropriate contacts at City agencies. OEM's

comprehensive approach to field response has been extremely helpful in expediting ARC's ability to provide direct services to clients affected by the Times Square crane collapse in 1988, the flooding in Springfield Gardens and the many large fires to which we respond to on a regular basis.

The creation of the new EOC two and a half years ago has helped tremendously to coordinate response among the various agencies. The Red Cross has a representative at EOC for every activation. I have sat there as a volunteer in that position. We have found that the new EOC allows for better information, more timely information and a more coordinated effort among the various City and state agencies and voluntary organizations during large scale disasters. Though we prefer activations like Y2K, which was unexpectedly very quiet, it is only through other activations such as the heat wave and power outage of 1999, Tropical Storm Floyd and numerous severe weather events that the value of the EOC can be fully appreciated.

During activations, ARC works as a team with OEM and other City agencies which also have liaisons in the EOC to strategize and solve problems that arise during disasters. ARC typically provides consultation on human services issues such as sheltering, feeding and assisting people with

special needs such as the elderly. The mutual cooperation of ARC, other agencies and OEM enables the citizens of New York to be assisted in the best and most expeditious way in their time of need.

Part of what makes our response so successful in New York City is the disaster planning that is accomplished in concert with OEM. Recognizing that both Red Cross and the City have a responsibility to meet the disaster needs of victims, OEM in 1996 invited a Red Cross liaison to work at their office.

For the last five years, Red Cross has designated a person to serve in that capacity. The liaison participates in disaster plan development, interagency meetings and training. Since 1996, OEM has facilitated agreements with City agencies to further the planning process and increase the capability of the Red Cross and the City to respond quickly and effectively in times of disasters. We now have several model plans in place to coordinate Red Cross and City resources with the Board of Education, CUNY, HRA, the New York City Department of Health, the Housing Preservation Agency and several other agencies.

The goal is always to insure that human resources and supplies are organized and dispatched in the most efficient and expeditious way possible

to alleviate the suffering of those affected by the tragedy or disaster.

It is indisputable that OEM promotes interagency communication, collaboration and teamwork. This approach enhances the response of the American Red Cross in Greater New York, and enables us to provide an even higher level of service to our clients than we would otherwise be able to do.

Over the past few years, I have been called on to respond to emergencies and disasters in the Greater New York area. I have served in the field as well as OEM headquarters. My ability to do my job efficiently has been directly enhanced by the existence of OEM. It has proved incredibly important to be able to look to my left or right and interface firsthand with representatives from the Board of Ed or Human Resources or to be able to access a resource from the law enforcement community or a utility; the ability to have all of the resources of this great City available and structured, that's the important part of this. To respond in times of need is something that is absolutely necessary and not a luxury. The OEM gives us that ability to respond faster, and more efficiently.

Thank you for the opportunity to speak on

behalf of the Mayor's Office of Emergency Management and I would like to say that working with Richard Sheirer over the last year and a quarter has been immensely successful for us and for the agency and I'd like to put a good word in for him.

Thank you.

CHAIRMAN MASTRO: Thank you. Thank you very much. Any questions from the Commission members?

COMMISSIONER VARELA: I don't have a question, I just have a brief comment which I want to put in the record and that is I believe you would agree with me Mr. Sheirer, it was during the Giuliani administration that New York City had the first exercise that was an antibioterrorism exercise and to the best of my knowledge, New York City is only one of two cities in the United States that has conducted those types of exercises as a type of home line defense, and my understanding is also that most counter terrorism experts believe that that is sadly, given the probability of a threat in the future, far too few efforts of that type.

MR. SHEIRER: As I stated in my testimony, we plan for the unthinkable. We have had several major drills, just recently we conducted a major exercise. We constantly prepare for that, and unfortunately, it's a fact of life of the world we

live in that we need to be prepared for any  
eventuality and I believe New York is doing it every  
day, with our partners from every sector, whether it  
be Government, the voluntary organization, the  
private sector, working to make sure that this City  
is the best prepared City in the world.

COMMISSIONER VARELA: Thank you.

CHAIRMAN MASTRO: Thank you very much,  
gentlemen. Appreciate you being here.

(Time noted: 7:30 p.m.)

#### CERTIFICATION

I, LINDA FISHER, a Certified Shorthand  
Reporter and Notary Public, do hereby certify that  
the foregoing is a true and accurate transcription  
of my stenographic notes.

I further certify that I am not employed  
by nor related to any party to this action.

LINDA FISHER, CSR