

Community Board 12, Manhattan
Minutes for the Public Safety Committee Meeting
September 6th, 2017 – Office Meeting space
530 West 166th Street – 6th Floor
New York, NY 10032

Committee Members Present (6): Richard Lewis (Chair), Domingo Estevez (Asst. Chair), Rud Morales, Katherine Diaz, Derek Peralta, Natalie Espino.

Board Member (1): Sara A. Fischer.

Public (8): Lisbeth Perez (Columbia School of Journalism), Spyridon Mitsotakis, Captain John O'Connell (34th Precinct), PO Matthew Pena (34th Precinct), PO Damieon Frey (NYPD - Transit District 3), Allan S. Valerio (Manhattan District Attorney Office), Captain and CO Richard Brea (33rd Precinct).

Staff: Ely Silvestri.

Welcome, Opening Remarks and the Agenda. Richard Lewis, Public Safety Committee Chair, called the meeting to order at 7:09 pm. Arrangements were made to record the meeting to a digital audio file on an OLYMPUS © handheld device. Board members introduced themselves as did members of the Public present. A quorum was present for the entire meeting. Topics for the evening's agenda were outlined and several items by a unanimous motion were tabled to a later meeting date (to be determined by the discretion of the chair).

The explanation for the agenda change was: *the rescinding of DACA (Deferred Action to Childhood Arrivals) Program by the White House that happened on the day before our meeting and the potential legal and funding consequences of this federal action (even in sanctuary city/state) and the projected wind down period of the program in six months. In the interim and beyond this action could lead to more arrests, detention, and deportation of thousands of individuals and families who through no fault of their own were brought to our country by their parents as minors and as unaccountable arrivals and who came out of the shadow in good faith to register in the DACA program - enacted in 2012. Since the discussion on this matter will take time and a possible resolution crafted it was added to the agenda in place of the tabled items.*

Public Safety Committee Chair's Report

- Announcement of how the committee will determine its input into the board's FY2019 Budget Rankings at the October 4th Committee meeting. (FY2019 = the July 1, 2018 to June 2019 city budget year) A summary of last year's board's and committee rankings and agency responses was given as a handout. The chair asked the uniform services to think about what items they needed in their areas and develop a list we could vote on in the committee's budget rankings as priorities and noted that even though they may not be highly ranked by the full board. The ranking does send a signal to the city or our council members regarding how important these items (either expense or capital) are to your agencies.
- On the agenda is a new monthly item to be reported. This item concerns proactive efforts the uniform services have taken for direct community outreach, crime and fire prevention services or events and other programs or new initiatives. These efforts at civic engagement may be as important as reporting crime statistics and other emergency information.
- Several restaurants and bars in the news have been closed or had their licenses revoked by the NYSLA. These included Vapor Lounge and Mia Sushi, the latter was due to Carbon Monoxide (CO) poisoning related to excessive Hookah smoking.
- The City Council passed new legislation related to the creation an "Office of a Nightlife" and a "Nightlife Advisory Board" to evaluate rules, regulations and policing on an ongoing basis and to make the findings and recommendations that address common issues and trends in the nightlife industry.
- The NYAG issued a warning regarding potential Hurricane Harvey Charity Scams with a Complaint Form available.
- The chair welcomed to our community the new commanding officer of the 33rd Precinct, Captain Richard Brea.

Source Documents Released at the Meeting.

The following source documents were distributed or made available at the meeting.

Man found dead in Hudson River.

<http://www.nydailynews.com/new-york/manhattan/man-found-dead-hudson-river-article-1.3445489>

Serial sex offender gets up to life in prison for 2015 rape of 60-year-old woman on bridge.

<http://www.nydailynews.com/new-york/nyc-crime/bronx-man-life-prison-rape-60-year-old-woman-article-1.3450351>

Gunshot Detection Devices Coming to Fort Greene and Washington Heights.

<https://www.dnainfo.com/new-york/20170807/fort-greene/gunshot-technology-shotspotter-expansion-fort-greene-washington-heights>

Here's How the NYPD's Expanding ShotSpotter System Works.

<https://www.dnainfo.com/new-york/20160518/crown-heights/heres-how-nypds-expanding-shotspotter-system-hears-gunfire>

Washington Heights nightclub sees liquor license suspended after hookah poisons patron.

<http://www.nydailynews.com/news/politics/nightclub-loses-liquor-license-hookah-poisons-patron-article-1.3455427f>

Washington Heights Building Evacuated After Spike in CO Levels, FDNY Says.

<https://www.dnainfo.com/new-york/20170818/washington-heights/carbon-monoxide-evacuation-320-wadsworth-ave-fdny-con-edison>

NYC City Council Committee on Consumer Affairs Intro 1688-2017 - A Local Law to amend the New York city charter, in relation to establishing an office of nightlife and a nightlife advisory board - Enactment date: 9/19/2017 - Law number: 2017/178.

<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3131400&GUID=E6CEAE78-6D18-4C8F-8124-D9445FEF838F&Options=&Search=>

New Law Requires NYPD to Get CPR Training.

<https://www.dnainfo.com/new-york/20170828/midtown/brianas-law-nypd-police-cpr-training>

The CPR We Don't See on TV - BY DHRUV KHULLAR, M.D. - JULY 17, 2014

<https://well.blogs.nytimes.com/2014/07/17/the-cpr-we-dont-see-on-tv/>

CPR Statistics- CPR & Sudden Cardiac Arrest (SCA) - Fact Sheet

http://www.heart.org/HEARTORG/CPRandECC/WhatIs%20CPR/CPRFactsandStats/CPR-Statistics_UCM_307542_Article.jsp#.WaTk1dQrLs0

AHA Guidelines Highlights English.

<http://eccguidelines.heart.org/wp-content/uploads/2015/10/2015-AHA-Guidelines-Highlights-English.pdf>

Schneiderman: Watch Out For Harvey Charity Scams.

<http://www.nystateofpolitics.com/2017/08/schneiderman-watch-out-for-harvey-charity-scams/>

Welcome to CharitiesNYS.com

<https://www.charitiesnys.com/>

Complaints

https://www.charitiesnys.com/complaints_new.html

Statement from President Donald J. Trump Rescinding DACA.

<https://www.whitehouse.gov/the-press-office/2017/09/05/statement-president-donald-j-trump>

Remarks by the President on Immigration – June 15, 2012.

<https://obamawhitehouse.archives.gov/the-press-office/2012/06/15/remarks-president-immigration>

Trump Moves to End DACA and Calls on Congress to Act.

<https://www.nytimes.com/2017/09/05/us/politics/trump-daca-dreamers-immigration.html>

REP. ADRIANO ESPAILLAT STATEMENT ON PRESIDENT TRUMP'S DECISION TO END THE DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) PROGRAM – Press Release.

<https://espaillat.house.gov/>

Cornell Chronicle: Pollack issues statement responding to White House rescission of DACA program.

<https://news.cornell.edu/stories/2017/09/pollack-issues-statement-responding-white-house-rescission-daca-program>

Pollack urges Trump to support DACA program

<http://news.cornell.edu/stories/2017/09/pollack-urges-trump-support-daca-program>

Discussion from the 33rd Precinct – CO/Captain Richard Brea.

Highlights of the latest COMPSTAT report were presented by the precinct's commanding officer, Captain Richard Brea. Highlights are as follows:

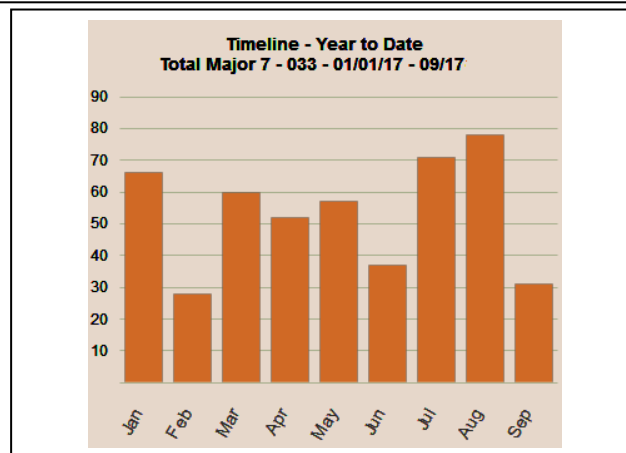
- The 21 day report compared to last year at the same time period indicated - there were: 11 robberies vs. 10; 9 burglaries vs. 2; 25 grand larcenies vs. 26; 4 grand theft auto vs. 3.
- The precinct is now dealing with a surge in residential burglaries, primarily through fire escape entries.
- Summer report: Washington Heights United block party was a great success, more so than their 'National Nightout'. It was held at West 160th Street between Broadway and Fort Washington Avenue.

- There was a hit and run accident at the intersection of West 157th Street and St. Nicholas Avenue – late at night. A car accelerated from a dead-end street, turned left against a red signal and hit a woman walking her dog. She remains in a hospital. CSI place a 24 hour digital TIPS sign on wheels prominently displayed in the area. Several days later the perp, who lives in the neighborhood turned himself in. He had a suspended driver’s license and a few priors.
- The Neighborhood Safety Officers (NCO) sector meetings are scheduled and calendars and flyers will be e-blasted and posted on the board’s Facebook © account.
- **Shotspotter Systems:** These are a triad of units that detect and locate gun shots. This NYPD initiative is now installed in ever undisclosed locations in the neighborhood. They required the consent of building owners. Some may be installed in other cityscape structures.
- Highbridge Park’s indexed crimes have decreased - 4 this year versus 11 last year.
- There were some issues raised about the homeless hanging out in Duarte Square – some 33 complaints reported.



Year to Date Robberies.

CompStat Book						
	Week to Date			28 Day		
	2017	2016	% Chg	2017	2016	% Chg
Murder	0	0	0.0 %	0	0	0.0 %
Rape	0	0	0.0 %	0	1	-100.0 %
Robbery	5	1	400.0 %	10	11	-9.1 %
Felony Assault	3	4	-25.0 %	16	21	-23.8 %
Burglary	1	0	- %	8	1	700.0 %
Grand Larceny	4	1	300.0 %	22	19	15.8 %
Grand Larceny Auto	1	1	0.0 %	3	3	0.0 %
Total	14	7	100.0 %	59	56	5.4 %



Discussion from the 34th Precinct – Captain John O’Connell.

Highlights of the latest COMPSTAT report was presented by the precinct’s Executive Officer Captain John O’Connell.

- COMPSTAT: Overall decreased in total crime was 21% in a 21 day period compared to last year. Stats are as follows for the same periods: Rape 1 vs.0, Robbery, 17 vs. 18, Assault 10 vs. 26, Burglary 11 vs. 7, Grand Larceny 45 vs. 57, and Auto 7 vs. 7. Collisions are down dramatically.
- There was a West 207 street shooting on August 22 and the investigation is ongoing. One person was injured.
- There is a reduction in nightlife club crime. As reported, MIA Suchi now has an NYSLA suspension due to poisoning from defective hookah pipe and a recent stabbing. Voga has lost its license.

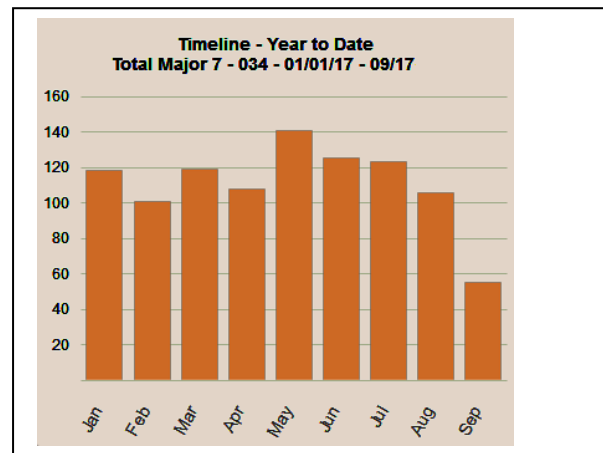
Playroom has temporary suspension for 20 days. Two after hours (“speakeasies”) were shut down on West 207th Street.

- NCO meetings have been completed and domestic violence presentations for October are scheduled.
- As of September 28th, the Shotspotter System will be implemented up to West 193rd Street.
- The next Precinct Council meeting takes place on September 27, 2017 at 7pm - the Fort Tryon Rehabilitation Center.



Year to Date Robberies.

CompStat Book	Week to Date			28 Day		
	2017	2016	% Chg	2017	2016	% Chg
Murder	0	0	0.0 %	0	0	0.0 %
Rape	0	0	0.0 %	0	0	0.0 %
Robbery	3	1	200.0 %	13	12	8.3 %
Felony Assault	7	7	0.0 %	24	27	-11.1 %
Burglary	2	2	0.0 %	9	4	125.0 %
Grand Larceny	9	11	-18.2 %	39	48	-18.8 %
Grand Larceny Auto	0	3	-100.0 %	6	8	-25.0 %
Total	21	24	-12.5 %	91	99	-8.1 %



Discussion from Transit District 3 – TO Dameion Frey, Community Affairs.

Transit Officer Dameion Frey from the Community Affairs Division of Transit District 3 discussed crime statistics in the jurisdiction that covers both the 33 and 34 precincts.

- Compare to last year and for the same 28 day period there was 1 crime versus 4.
- For the year, 96 total crimes versus 150. So they are down 73% compared to last year.
- There are joint collaborations with NYPD’s NCOs at various subway stations, leafleting and occasional meet and greets at subway stations. They have their own National Nightout Event and that was held at Fort Tryon Park.

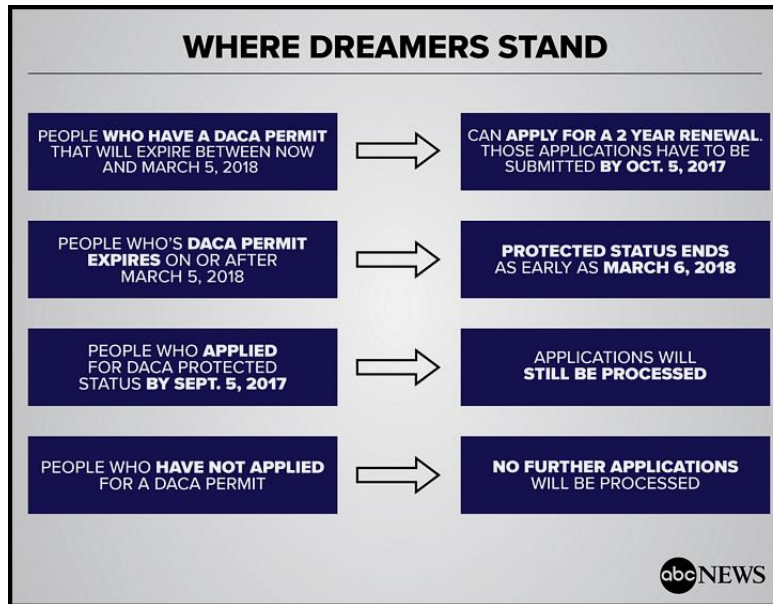
Discussion from the Office of the District Attorney – Allan S. Valerio

Allan S. Valerio appeared and discussed his role in the DA’s Office

- Open to attend community meetings
- Shared DA’s office interest and support on their own DACA statement
- Shared the creation of an Immigrant Affairs and Hate Crimes unit

Discussion on the Rescission of the Deferred Action on Childhood Arrivals (DACA) Program.

Late in the afternoon on September 5th, 2017 the current White House announced through the Attorney General that the administration was rescinding the Deferred Action for Childhood Arrivals (DACA) program and will phase it out over the next six months, leaving the fates of Dreamers in the hands of Congress. "To have a lawful system of immigration that serves the national interest. We cannot admit everyone who would like to come here. It's just that simple" and recommended that to the Department of Homeland Security and to the White House that the DHS should begin "an orderly lawful wind down, including the cancellation of the memo that authorized this program". Below is a graphic of the new rules.



Here is a summary of some of the details of the new policy as well with highlighted dates:

- The administration won't consider new applications for legal status dated after **September 5, 2017**.
- People not already protected by the program are out of luck, although pending applications filed before Tuesday, **September 5th, 2017** will continue to be processed.
- Anyone with a DACA permit expiring between now and March 5, 2018, may apply for a two-year renewal of protected status. Those applications must be submitted by **October 5th, 2017**.
- Other 'Dreamers' protected status will end as early as **March 6, 2018**.

Here are some facts on the DACA Program that was rescinded:

The **Deferred Action for Childhood Arrivals (DACA)** program, formulated by the Obama administration in June 2012 allowed certain unauthorized immigrants who entered the country or stayed here as minors through no fault of their own to receive a renewable two-year period of deferred action from arrest, detention, deportation, or imprisonment and be given eligibility status for a work permit. The U.S. Citizenship and Immigration Services (USCIS) since June 2016 received 844,931 initial applications for DACA status, of which 741,546 (88%) were approved, 60,269 (7%) were denied and 43,121 (5%) were pending and of those enrolled some 42,000 reside in New York State (30,000 alone in New York City) where an estimated 21,000 more residents are eligible save educational requirements and another 10,000 will be eligible as they grow older. Nationwide there are some 1.7 million people who also still might be eligible according to the Pew Research Center, the American Immigration Council and the Migration Policy Institute.

To qualify for DACA, applicants must meet several heavy requirements, above those not necessarily possessed by many American citizens and pay \$495 to apply and for renewals - although meeting them does not guarantee approval. It is not a pathway to citizenship and these young people have a real chance to contribute to our society if given an opportunity. In many cases, we have educated them and in many cases they don't even know the former lands from which their parents came. They only know the United States of America.

Discussion on New Challenges and Protections form Possible Legal Outcomes. The committee discussed events and political campaigns that have taken place throughout 2016 -2017 culminating with the issuance of several contentious executive orders from the White House that has had a direct effect on Immigration and travel restrictions in and out of the country and now DACA's rescission. These selective restrictions on several religious countries and faith practicing individuals themselves issued in the name of national security have met with steep and immediate court challenges, court orders offsetting parts of them and many protests and demonstrations.

In fact, there has been a dramatic increase in anti-immigrant policies, anti-immigrant language and anti-immigrant narratives based on questionable, if not false anecdotal examples or crass stereotypes. This political upsurge has lead to more arrests, detention, and deportation proceedings by Immigration and Custom Enforcement (ICE) agents and in some states and cities with the help of local law enforcement. Often it is based on false or no information, physical appearance, surnames, speech or dress in violation of 4th Amendment protections where there is no demonstration or clear evidence of a probable cause of a criminal activity – be it a misdemeanor or a felony.

ICE agents, until recently in NY State have sat in on proceedings in NY State Courts and have made arrests even when individuals and their case have been discharged in their favor. They have also made arrests based on police log books.

There appears then to be a hidden dragnet to round up any class of unauthorized immigrants whether they are protected or not by law. As a public safety policy we do not want even in a sanctuary city or a sanctuary state to place our local law enforcement officers by a federal court orders to become *de jure* immigration enforcement officers. Neither as a public policy do we want our jails to become mass detention centers for possible deportation.

Given the fact that DACA eligible individuals have come out of the shadows and given all their personal information to the USIS and now have a enhanced possibility to be exposed to arrest and deportation through no fault of their own is an intolerable and unfair situation. There is considerable support for these individuals from the corporate, not-for profits, electeds, faith base and educational institutions as well as immigration advocacy groups.

Given the fact that Congress failed to agree on an immigration bill crafted in 2013 where Democrats who held the majority in the Senate passed it only to have it defeated in the Republican controlled House of Representatives, it is highly unlikely that within six months (the new DACA deadline before it's end) that there will be an agreement on DACA given attempts to link it to things like a 'border wall' or other special interests and over the top demands. There is even more divisiveness now in Congress and the nation itself between and among hardliners, moderates and progressives.

There might then be the need for some kind of legal funding to protect individuals from possible deportation outcomes should DACA not be renewed. There is no direct funding for DACA eligible individuals at present in the city or state budgets. Given this situation the committee considered writing a resolution.

Resolution to Protect DACA Eligible Individuals with Funding for Potential Mass Legal Proceedings. Confronted with this massive public safety and potential outcomes of arrest and detention of individuals through no fault of their own the committee passed a resolution to provide funding for all legal proceedings for DACA eligible individuals who are not charged with a criminal activity. The committee felt it was imperative to speak out now and have a community board to do the same as a first in this city. The vote was unanimous: 6-0-0.

The meeting adjourned at 8:48pm

Respectfully submitted,

Katherine Diaz

Edited and Expanded by Richard Lewis, Chair

Public Safety Committee

September 6th, 2017