

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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HELD AT: 250 Broadway-8th Fl.- Hearing Rm. 3

B E F O R E: Oswald Feliz
Chairperson

COUNCIL MEMBERS:

Joann Ariola
Chris Banks
Jennifer Gutierrez
Kamillah Hanks
Sandy Nurse
Justin E. Sanchez
Phil Wong

A P P E A R A N C E S (CONTINUED)

Michael Gerber
NYPD Deputy Commissioner of Legal Matters

Olufunmilola Obe
NYPD Chief of Transportation

Seth Severino
NYPD Assistant Commissioner

Hindy Poupko
United Jewish Federation

Mark Treyger
Former Council Member

Elizabeth Bender
Neighborhood Defender Services of Harlem

Joe Rosenberg
Catholic Community Relations Council

Jaclyn Goodman
Legal Aid Society

Judy Baum
Jewish Community Relations Council

Alan Abraham
The People's Plan

Ariel Savransky
92nd Street Y

Brandi Rubin
ADL New York/New Jersey Region

Ro Pena
Transformative Schools

A P P E A R A N C E S (CONTINUED)

Steven Weill
Strix Defense

Jasira Champion

Naila Awan
New York Civil Liberties Union

Andrea Ortiz
Dignity in Schools

Janice Chong
Yaya Network

Habibah Laidi
Malikah Community Safety Organization

Kaiser
Alliance for Quality Education

Chauncy Young
New Settlement Parent Action Committee

Maria Bautista
New Yorkers for Racially Just Public Schools

Gavin Healy
District 2 Community Education Council

Tazin Asad

Christopher Leon Johnson

SERGEANT AT ARMS: Good morning everyone and welcome to today's New York City Council hearing for the Committee on Public Safety. If you would like to testify, you must fill out a witness slip with one of the Sergeant-at-Arms, even if you signed up already online. At this time, please silence all electronic devices and no one may approach the dais at any time. Chairs, we are ready to begin.

CHAIRPERSON FELIZ: [gavel] Thank you. Good morning, everyone. I'm Council Member Oswald Feliz, Chair of the Committee on Public Safety. Before I provide my opening statement, I'll pass it on to our Speaker, Julie Menin, for her opening statement.

SPEAKER MENIN: Thank you so much, Chair, and I want to welcome everyone to the Public Safety Committee hearing today. I'm Julie Menin, Speaker of the New York City Council. It's wonderful to see everyone here today. I want to first of all begin by thanking our Chair of the Public Safety Committee, Council Member Feliz, for convening this important hearing. Today we're hearing seven bills, which Chair Feliz will shortly outline. I wanted to speak specifically about one of the bills, Preconsidered

Introduction number 2026-2052, sponsored by Council Member Encarnacion, in relation to a plan regarding security perimeters adjacent to educational facilities. As many of you know, the Council heard a different bill, Introduction 175, related to this issue back in February. The Council received overwhelming feedback in support of that bill from the public, both at the hearing and in hundreds of meetings and correspondences after the hearing. The council then passed the bill with a strong majority of council members in support. With that said, in the time since February, the Council has taken dozens of meetings and received feedback from hundreds of New Yorkers. We've introduced a new bill that we are hearing today, which reflects extremely helpful feedback we received and which we believe strengthens the legislation. The process we have undertaken demonstrates the Council's commitment to a democratic and deliberative process that is rooted in openness, honesty, and the importance of meeting the needs and wants of everyday New Yorkers. This bill recognizes two very simple truths, neither of which should be remotely controversial. Our children deserve to be safe in school, and freedom of speech is sacrosanct

in a democratic society. This bill holds both of these truths at the same time by requiring transparency from NYPD. This bill protects students by allowing them to breathe easily and focus on learning, knowing that they will be safe entering and exiting their school buildings. And this bill protects freedom of speech by providing information to those wishing to express their views peacefully about how, when, why, and where the NYPD utilizes security perimeters. The bill requires communication between NYPD and schools and also between NYPD and those wishing to express their speech. Transparency leads to more safety for everyone, and it also leads to stronger oversight when plans are not followed, when situations end up differently than expected or when violence occurs. This is not controversial. Transparency is good for everyone. I'd also like to provide some examples to remind us, just as I did in February, of why we are here today and what we are responding to, because unfortunately the need for this legislation has not decreased since February. In May 2026, there was an out-of-control situation outside Park East Synagogue. Many know about this. What many do not know is that this situation outside

the synagogue was also adjacent to a preschool that was forced to close as a result of the gathering. In May 2026, swastikas were found at a Queens playground right next to a daycare and synagogue. In January 2026, swastikas were also found at a Brooklyn playground, and specifically 73 swastikas. In March 2024, Swastikas were drawn on desks and bulletin boards at Origins High School. In May 2024, antisemitic graffiti was found at PS 197 in Brooklyn. In November 2023, shortly after the horrific October 7th attacks, an unruly gathering at Hillcrest High School over a teacher's support for Israel led to this teacher hiding in a classroom until the group disbanded. And we also heard at our hearing in February about a number of unprovoked incidents that occur on a near-daily basis that go unreported, where students must endure hurtful, intimidating encounters with individuals on their way into and out of school. Schools are supposed to be safe places. That is why this legislation is important. I wish this was an entire list of examples we can pull from, but in reality, children in New York City and around the country are becoming far too accustomed to hatred, to intimidation and to interference with their

1
2 educations. We will not tolerate this becoming the
3 new normal. I also want to repeat what I closed with
4 back in February because it bears repeating. New York
5 is the most diverse city in the country, and that is
6 a source of incredible pride. We must maintain that.
7 This pride comes from our confidence to showcase our
8 identity and our diverse opinions. Hate tries to harm
9 that confidence, and we will not be a city that
10 tolerates any type of hate. Hate of all kinds is
11 unsuited to our city and incompatible with our
12 values, and we are doing everything we can to move
13 towards a New York without hate. When the voices of
14 hate are loud, we must be louder. As New Yorkers, as
15 friends, as human beings, and as public officials,
16 our solutions must be robust and our actions must be
17 effective. I now want to turn it back over to Chair
18 Feliz. Thank you.

19
20 CHAIRPERSON FELIZ: Thank you, Speaker.

21
22 Good morning everyone again. I'm Council Member
23 Oswald Feliz. I wanna welcome members of the Police
24 Department, including Michael Gerber, the Deputy
25 Commissioner of Legal Matters, and also Olufunmilola
26 Obe, Chief of Transportation. Today the committee
27 will hear several bills addressing many topics

related to public safety, transparency, accountability, ghost cars, school safety, police recruitment, and confirmed shots fired incidents. The committee will hear intro 459 sponsored by Council Member Vernikov, which would require the creation of a centralized public database and notification system for towed vehicles. This legislation seeks to create a single publicly accessible source of information for vehicles towed by the NYPD, licensed private tow operators, sheriffs, marshals, and other entities. The goal: ensuring New Yorkers know when their car has been towed and ensuring they have information on where they can find it. The committee will also hear intro 552, sponsored by myself, which will require the NYPD to maintain sufficient tow pound capacity to meet its enforcement needs and provide annual reporting on tow pound capacity and usage. Over the past several years, concerns have been raised regarding the city's ability to tow vehicles, including and especially ghost cars, ghost cars specifically with fraudulent paper plates. NYPD officials have previously testified that limited storage capacity can hinder enforcement efforts. Cars can't be towed if there's no space to store them. As

a result, the law cannot be properly enforced to the extent that it should be. This legislation seeks to provide transparency regarding tow pound capacity and ensure that the department has the resources, including the space necessary to carry out its enforcement responsibilities. The committee will also hear Intro 551, sponsored by myself, which would prohibit the sale and distribution of fraudulent paper plates, including- paper plates, but all types of temporary plates. Ghost cars and fraudulent plates undermine public safety and accountability. They allow drivers to evade tolls, avoid traffic enforcement cameras, and drive their car dangerously, and be able to do so with very little to no accountability. This legislation would enhance pre-existing state law by creating new additional local penalties for those who sell or distribute fraudulent plates and help deter the growing market that enables these violations. The committee will also hear intro 843, sponsored by Council Member Stevens, which would establish a school emergency alert system. This legislation would require the city to develop a notification system and establish protocols to provide alerts during school emergencies

while preserving the flexibility necessary to protect ongoing investigations and public safety. The committee will also hear 913, sponsored by Council Member Farias, which would raise the maximum age for taking the police officer civil service exam from 35 years old to 43 years old. This legislation would align the city's requirements with state law and potentially expand the pool of qualified applicants interested in serving as police officers. The committee will also hear two preconsidered introductions. The first, sponsored by Council Member Encarnacion, which would require the NYPD to develop and publish a plan regarding security perimeters adjacent to educational facilities. This legislation would require the department to establish a framework determining when security perimeters may be appropriate, how they should be implemented, and how the rights of all individuals can be protected. Our Speaker said it perfectly, our schools should be safe places for everyone. And for too long we've had far too many incidents that we cannot normalize. Finally, the committee will hear a preconsider introduction sponsored by myself, which would require the NYPD to provide weekly reporting on confirmed shots fired

1 incidents. Currently, the NYPD provides data on
2 shooting victims and shooting incidents, but this
3 data does not include incidents in which gunshots are
4 fired but no one is struck, preventing a full picture
5 of gun violence in the city of New York. The bill
6 will require reporting on these shots fired
7 incidents. Having data on escalating conditions will
8 enable communities to better access
9 intervention-related strategies by creating a fuller
10 picture of the public safety risks affecting
11 communities. This legislation will provide data on
12 situations that can lead to future violence to help
13 make sure that we can take steps to keep communities
14 safe. I again want to welcome members of the Police
15 Department. I look forward to hearing testimony from
16 representatives of the NYPD, advocates, legal
17 experts, stakeholders, and members of the public.
18 With that said, I will turn to the sponsor of these
19 bills for remarks, and I want to thank everyone who
20 has joined today. I'll start with Council Member
21 Encarnacion for her opening statement.

COUNCIL MEMBER ENCARNACION: Thank you,
Chair. Good morning. I am Deputy Whip Elsie
Encarnacion, and I want to begin by thanking the

Speaker and Chair Feliz for holding today's important hearing. I am proud to sponsor one of the pieces of legislation that is being heard at today's hearing, Preconsidered Introduction number 2026-2052, in relation to a plan regarding security perimeters adjacent to educational facilities. As the Speaker mentioned, this bill is responsive to growing hatred within our city and also responsive to a need for transparency around police response to protest activity outside of our educational facilities. Further, and as the Speaker mentioned, this bill reflects many conversations and a great deal of input from the public. I want to be incredibly clear about what this bill does and does not do. This bill requires the NYPD to develop and implement a plan to address and contain the risk of physical obstruction, physical injury, intimidation, and interference at certain educational facilities in New York City. While preserving and protecting protest rights. The plan would address these issues through the use of security perimeters at the entrances to and exits from childcare facilities and certain elementary, middle, and junior high schools. The plan would be submitted to the Council and the Mayor and posted on

the NYPD website. Everything I just described is exactly what the bill does. The bill is pro-civil liberties. It protects the right to exercise free speech. It protects the right to freedom of movement, and it protects the right to freedom of education. What this bill does not do is attempt to silence protests. This bill simply calls for transparency, clarity, and consistency from the NYPD. That's it. Every New Yorker I speak to believes that police transparency and accountability is a good thing. This administration believes that police transparency and accountability is a good thing, and my council colleagues also believe that police transparency and accountability is a good thing, and that accountability looks like the NYPD providing us with information about security measures that are already undertaken on a very regular basis. That is what this bill does. I want to again thank the Speaker and the Chair for convening today's hearing. I look forward to hearing from the administration and from the public on their feedback for this bill. Thank you, and I now turn it back to you, Chair.

CHAIRPERSON FELIZ: Thank you, Council Member Encarnacion. Next, we'll hear from Council Member Farias.

COUNCIL MEMBER FARIAS: Good morning. Thank you, Chair Feliz, the members of the Committee on Public Safety. I'm Council Member Amanda Farias, and I'm proud to be the prime sponsor of Introduction 913 on the agenda today that would raise the maximum age for taking the civil service exam to become a police officer in New York City. At its core, this bill addresses a practical barrier in the police hiring process. There are New Yorkers who have the discipline, maturity, physical ability, and commitment to serve but are currently excluded because they reached the maximum hiring age before they can even be appointed. Over the last few years, the NYPD has had to discontinue processing several hundred candidates because they exceeded the current maximum hiring age of 35 years old before their hiring process could be even completed. That does not include the people who never apply because they have already aged out by the time they are ready to pursue this career. This legislation responds to that problem directly. It does not change the standards

required to become a police officer, nor does it increase headcount. Candidates would still need to meet all applicable qualifications, complete the civil service process, pass the required background checks, satisfy physical and medical requirements, and complete police training. Intro 913 simply allows more qualified candidates to remain eligible for consideration. This is also consistent with the city's broader recruitment efforts. Over the past two years, the NYPD has taken steps to bring more applicants into the pipeline, including reducing the college credit requirement to 24 credits and offering more free police officer exams. Those changes have helped produce five times as many filers for the police officer exam in the past 12 months compared to prior years. Raising the maximum age is another responsible step in that same direction. It can help the department retain experienced applicants in the hiring pipeline, improve recruitment outcomes, and support the operational needs of the NYPD without weakening the requirements of the job. This bill should be viewed alongside the work happening at the state level around public safety careers and the 20-year pension. City and state elected officials

have a responsibility to work together on comprehensive workforce solutions that support blue-collar workers, improve attrition rates, and ensure that no qualified candidate is left behind because the process itself moved too slowly. For many applicants, especially those coming from military service or other civil service titles or physically demanding blue-collar work, age does not diminish their ability to serve. In many cases, their work history and life experience can make them steadier, more mature and prepared, and more committed to the responsibilities of the role. By raising the maximum age, Intro 913 gives the city another tool to recruit and retain qualified candidates, strengthen the hiring pipeline, and meet the staffing needs of the department in a more realistic way. I want to thank the administration, Commissioner Jessica Tisch, for her support of this piece of legislation, her team, and the Police Benevolent Association's President Patrick Hendry, the Council Speaker, and my colleagues. I look forward to today's testimony and to continuing this work with our partners in government, labor, and public safety. Thank you.

CHAIRPERSON FELIZ: Thank you so much,
Council Member Farias. Next we'll hear from Council
Member Vernikov.

COUNCIL MEMBER VERNIKOV: Good morning.
Thank you, Chair Feliz, Speaker Menin, and members of
the Public Safety Committee. I'm thrilled that this
bill is having a hearing today. We first introduced
it a few years ago, and it was inspired by something
that happened to our own staffer when he parked his
car, went to dinner, and could not locate it for
hours as it was towed. He had no idea where to turn
to. Neither— as neither the NYPD nor 311 had any
information on where it was. And as we were
introducing this bill, my district office also
received calls from constituents whose cars had been
towed and they did not know how to go about finding
them. I want to be clear that this bill is only
concerned with the aftermath of the towing event and
passes no judgment on why someone's car may have been
towed. Your car disappearing from the street can be a
very confusing and stressful event. You may be told
by the NYPD, City Marshal, Sheriff, or by a private
company, or possibly by the Port Authority if it's at
a local airport. The costs of towing are high, and

1 they're higher each day you don't come pick up your
2 car. But you can't pick up your car if you can't
3 locate it. Bringing greater organization to the
4 system, saving some money, time, and stress for all
5 involved in an era where things are increasingly
6 expensive in the city, is the goal of this bill. And
7 the creation of a publicly accessible,
8 well-advertised notification system for towed
9 vehicles aims to do precisely that. Thank you for
10 hearing this today, and I encourage my colleagues to
11 sign on as co-sponsors, especially if you are someone
12 or know someone who has personally experienced and
13 can attest to how confusing and intimidating this
14 system can be. Thank you very much.

15 CHAIRPERSON FELIZ: Thank you, Council
16 Member Vernikov. So we're actually having some
17 technological difficulties, so we're going to pause
18 for a quick minute until we get the livestream back
19 up. Thank you. Alright, we're back on. And just want
20 to echo the words of Council Member Vernikov. I had a
21 very similar scenario. I parked my car across the
street from where I live. The next day it literally
disappeared, and I had to walk around my neighborhood
to find it. To this date, I don't know why it was

1 moved, when it was moved, or how it was moved. And
2 obviously this is something that we hear from a lot
3 from New Yorkers. So again, want to thank you all for
4 being here. Good to see you all. Long time no see,
5 right? Just two weeks. Want to recognize members who
6 have joined us today, including Council Members
7 Encarnacion, Banks, Farias, Hanks, Vernikov, Brewer,
8 Ariola online, and also Council Member Wong. And I'll
9 pass it on to the Committee Counsel for some
procedural items.

10 COMMITTEE COUNSEL: Hey folks, can we just
11 swear y'all in? Just raise your right hand, just
12 affirm, that you affirm to tell the truth, the whole
13 truth, and nothing but the truth, and to answer
honestly to council member questions.

14 DEPUTY COMMISSIONER GERBER: I do.

15 COMMITTEE COUNSEL: Seeing that you do,
16 you may go ahead and testify. Thank you.

17 DEPUTY COMMISSIONER GERBER: Good morning,
18 Chair Feliz and members of the council. My name is
19 Michael Gerber and I'm the Deputy Commissioner of
20 Legal Matters for the NYPD. I'm joined here today by
21 Chief of Transportation Lola Obe. On behalf of Police
Commissioner Jessica Tisch, we thank you for the

opportunity to testify regarding the seven bills being heard today. Council Member Encarnacion's preconsidered bill would require the Department to describe the considerations that go into our use of frozen zones during protests outside certain educational facilities. I testified before the Committee to Combat Hate on February 25th of this year regarding the department's use of frozen zones. As I said at that hearing, the ability to enter and leave school safely without harm or interference is non-negotiable. We also must allow protesters to exercise their First Amendment rights. The NYPD uses its discretion consistent with the law to accomplish both of these objectives. If there is a protest outside a school, we set up frozen zones as necessary to ensure that those approaching or leaving the building are not obstructed while still ensuring that protesters' rights are protected. In these situations, the determinations that need to be made by the NYPD are extremely context-specific and based on the particular facts on the ground. This bill would require the NYPD to memorialize these considerations. To be clear, this will not alter our practices in any way. We will describe how we already

1 analyze and approach these types of situations. We
2 have no objection to doing so. Council Member Feliz's
3 preconsidered bill would mandate that the NYPD report
4 on confirmed firearms discharges. We have no
5 objection to the principle underlying the proposed
6 legislation. However, before we start any such
7 reporting, we must have clear systems in place to
8 ensure that this is done rigorously and
9 comprehensively, and that will take time. As drafted,
10 the bill would take effect after 120 days. We would
11 ask for a year before it takes effect. The bill would
12 require reporting on a weekly basis. Given the work
13 that goes into confirming firearms discharges and the
14 need to then aggregate and validate the data, we feel
15 strongly that the reporting should be quarterly.
16 Finally, while we have no objection to reporting on
17 the date, time, and location of confirmed firearms
18 discharges, the requirement that we describe each
19 such incident would impose significant additional
20 burdens on the Department and would be inconsistent
21 with how we report on a wide range of criminal
conduct. We look forward to working collaboratively
with the Council to address these concerns. Intro 489
would direct the NYPD to create an online database so

that vehicle owners can obtain information about towed vehicles. Such an online searchable database is already maintained by the City and includes information about vehicles towed by the NYPD for parking violations, as well as vehicles towed by the Sheriff and New York City Marshals. It does not include information about vehicles towed by private tow operators. We fully understand the need to have private tow information easily accessible to vehicle owners. And we welcome the chance to work with the Council to think about the ways in which that can be best accomplished through a legislative introduction. However, adding a separate and likely duplicative database for vehicles towed is not something we can support, and so we are opposed to the bill as drafted. Intro 551 would impose a civil penalty on a person who sells or distributes fraudulent license plates. We have no objection to this bill. Intro 552 would require the NYPD to operate tow pound facilities with towing capacity sufficient to meet the Department's enforcement needs. The NYPD shares that goal. As the Council is aware, the state forced us to close our Manhattan tow pound in January 2021. Since that time, we have been unable to find a

substitute location in Manhattan. This bill would also impose certain reporting requirements on the NYPD regarding our towing capacity, vehicles subject to towing, and vehicles towed. We have no objection to reporting on these matters. At the same time, we have a number of concerns about the wording and scope of the reporting obligations as drafted, and also believe that a sunset clause should be added to ensure that the department's reporting obligations reflect the Council's ongoing needs. We look forward to working with the Council to address these concerns. Intro 843 would require the city to establish a school emergency alert system. The NYPD has no objection to this bill. We respectfully submit that this is a matter for the New York City Emergency Management Department in conjunction with the Department of Education. Intro 913 would raise the maximum age which an individual can apply to be a police officer. From under 40— from under 35 to under 43, reflecting a change that was made to state law in 2025. The NYPD supports this legislation and is thankful for the Council's partnership in putting this measure forward. It will broaden the pool of potential applicants and allow individuals with

1 additional life experience to bring that experience
2 to the NYPD for the benefit of all New Yorkers. Thank
3 you for the opportunity to speak with you today, and
4 we look forward to answering any questions that you
5 may have.

6 CHAIRPERSON FELIZ: Thank you. Thank you
7 so much again for being here. Thank you for your
8 testimony. So we have a lot of bills that we're
9 hearing today. I'll start with questions related to
10 the toll pound capacity bill. As we know, there's a
11 lot of- we've had a lot of conversations about this
12 issue. I know about two years ago during COVID in my
13 opinion, through the height of this ghost car
14 epidemic, we heard the NYPD testified and basically
15 said that there wasn't enough space to be able to tow
16 vehicles to be able to properly enforce the law. Is
17 this still the case, or do we have enough capacity to
18 be able to quickly tow a ghost vehicle if there is
19 one?

20 CHIEF OBE: Okay. Good morning, CM Feliz.
21 So I just want to make- again, we met with you two
weeks ago as it pertains to ghost plate operations.
So I testified then that multi-agency effort with
other law enforcement partners, for those operations,

1 we do not have any concern about storage, because the
2 MTA and TBTA have ample space. So totally separate
3 from, you know, what's happening on the streets, what
4 you just mentioned about your vehicle getting towed.
5 But when it comes to ghost plate operations, the
6 multi-agency operations that we have across bridges
7 and tunnels, MTA, TBTA, that is where we store the
8 vehicles. So no issues there.

9 CHAIRPERSON FELIZ: Talk to us about those
10 agencies and partners. Who are those partners? So the
11 MTA--

12 CHIEF OBE: [interposing] MTA, DBTA, New
13 York State Police, BAPD. We typically have an
14 operation-- naturally not now because there's so much
15 going on in the city, but on average about four times
16 a month.

17 CHAIRPERSON FELIZ: Talk to us about the
18 storage facilities operated by the NYPD. How many
19 spaces do you have in total? How many per borough?
20 Also talk to us about the usage. Is it at full
21 capacity?

CHIEF OBE: Yes, so we have three tow
pounds citywide. Commissioner Gerber mentioned the
loss of Manhattan, the Manhattan tow pound in January

2021, so we're down to three. The Bronx tow pound, naturally, it's located in the Bronx, Brooklyn tow pound in Brooklyn. Queens tow pound— so we have three in Flushing, Queens. As it pertains to tow capacity, as of May 31st, the authorized capacity for the Bronx is 350 regular vehicles plus 28 heavy-duty trucks. The current inventory is 414 regular vehicles and 23 heavy duty. So nothing crazy, maybe just over by 64. Brooklyn tow pound, 392 regular vehicles plus 15 heavy duty. Current inventories, 852 regular plus 24 heavy duty. I must say, of the 852, we store our motorcycles and mopeds. So of the 852, 443 are motorcycles and mopeds. So just to, you know, put a different layer to this. Queens tow pound, 250 regular vehicles and 12 heavy duty. Current inventory is down a little, 196 regular and 23 heavy duty. Again, Queens is our bread and butter, as we've heard through multiple Council hearings. So they have a high capacity for heavy duty tow trucks. So that's where we are as it pertains to tow capacity.

CHAIRPERSON FELIZ: So just to summarize the question about tow pound capacity, how many spaces would you say are currently available under NYPD tow pound facilities?

CHIEF OBE: Okay. So those are the spaces that we have available. Again, in the Bronx is 350. When you think of a tow pound, a tow pound, I think a lot of people think of like a parking garage where everything is nicely, you know, lined out and all that. It's a pound. There's no lines. We put the vehicles in as much as we possibly can. Again, I don't think there was super overcapacity. Like I mentioned, in the Bronx, 350, we're at 414. There is something called redemption. So when it comes to space, for the most part, when people get their vehicles towed within a day or two, right away that space is released because they come and they get their vehicles. In all of 2026 so far this year, we've had about 21,000+ vehicles towed. We have only about 767 vehicles that are unclaimed. So that space is released very, very quickly rather than having vehicles just sit there. So there's a process in place when it's 30, 90 days and all that, then we have to work with DOF and work towards auction. But for the most part, space is released very quickly and vehicles are released. I mean, the owners actually pick up the vehicles very quickly. So, but I don't

1 know that the capacity is so outrageous. I think it's
2 just about where we should be.

3 CHAIRPERSON FELIZ: Right. So, and just to
4 be clear, when you say available, do you mean open
5 and available or just generally available?

6 CHIEF OBE: Generally available.

7 CHAIRPERSON FELIZ: How many are currently
8 open spaces?

9 CHIEF OBE: Okay. So I can't tell you
10 what's currently open. I can tell you what we have
11 right now as of 5/31. That was the last date I had.
12 414 vehicles in that particular spot, in the Bronx,
13 that is. And then we have 23 heavy-duty tows.

14 CHAIRPERSON FELIZ: Okay.

15 CHIEF OBE: Any changes? We have average
16 for Bronx tow pound in all of 2026, we average about
17 285, and then 22 heavy-duty. In all of 2025, say,
18 using again the Bronx, 418. Again, that's a— that's
19 including mopeds and motorcycles. On average, three
20 mopeds and motorcycles occupy a space for one
21 vehicle. But I just want you to know that this is
quick. People come, they pick up their vehicles.
There's a process in place to get the cars out very,
very quickly. And again, 21,000 in 2026. And really,

1 we have only about 700 left. So it's not a problem of
2 space. That space is created very quickly and we get
3 rid of the cars very quickly.

4 CHAIRPERSON FELIZ: Yeah, that's my next
5 question. How quickly does the average vehicle owner
6 recover?

7 CHIEF OBE: A day- a day, within a day or
8 two for the most part, people will pick up their
9 vehicles. And then 21,000 in 2026, we have about 700.
Unclaimed.

10 CHAIRPERSON FELIZ: And what percentage
11 would you say are generally picked up versus auction
12 because they're just not recovered?

13 CHIEF OBE: I could tell you what we have.
14 Vehicles that are not claimed, I'd say less than
three percent in a year.

15 CHAIRPERSON FELIZ: Sorry, repeat that
16 again.

17 CHIEF OBE: About three percent.

18 CHAIRPERSON FELIZ: Three percent, okay.
So very low.

19 CHIEF OBE: Yeah, so it's very low. But
20 people come very quickly to pick up their cars and
they free up space.

CHAIRPERSON FELIZ: Okay. Talk to us about the process for reporting ghost cars and then getting NYPD to respond? I'm sure 311 is one potential system for—

CHIEF OBE: Yeah. So with— with ghost cars— with ghost cars, I just— I talked about the multi-agency effort. I think I provided the same stats from the last meeting. Again, that's with our law enforcement partners. In all of 2026, we've had 21 joint operations, 219 arrests, 13,144 summonses, and 1,320 vehicles seized. Again, this is across bridges and tunnels. Again, like I mentioned to you, no issue with space here because we don't provide— you know, our partners provide the space. So no issues here. In 2025, all of 25, 53 joint operations, 809 arrests, 34,077 summonses, 2,933 vehicles seized in all of 2025. On the local level with— as it pertains to ghost plate operations, but these are parking summonses now. We've written in all of 2026, year to date as of 5/31/26 104,000 summonses, and mostly obstructed plate— obstructed plates. And this is written by our traffic agents in all of '26. And in 2025, in all of 2025, there were 247,000 summonses for obstructed plates.

CHAIRPERSON FELIZ: Talk to us though about the process for reporting a ghost vehicle? I'm sure calling 311 is one way, also notifying the local precinct. Can you talk to us about the process and also the different agencies that are involved? I'm sure the DSNY also plays a role, for example.

CHIEF OBE: I can't speak to DSNY. I think they really deal with derelict vehicles. But for us, mostly, like, you know, 311, community complaints, and we'll respond to the location. If there is a- if there is an obstructed plate, we'll write a summons.

CHAIRPERSON FELIZ: Do you have any data on how quickly the NYPD has been responding to these incidents or these?

CHIEF OBE: I can't tell you how quickly. If it's a community complaint, we'll respond very quickly. I get emails. I get calls. We get out there, we, you know, speak to our operators, our tow operators. When they also get out in the community too, they're able to see these vehicles and also write summonses. We also have a lot of TEAs on foot. So they get- you know, when they see an obstructed plate, they'll write a summons. So I can't speak to

1
2 time, but it's something that we see and we address
3 very quickly.

4 CHAIRPERSON FELIZ: Okay, good. So, I'll
5 move on to introduction- Preconsidered Introduction
6 2058, the shots fired bill. As we know, or my
7 understanding is that currently the NYPD provides
8 data related to shooting incidents and shooting
9 victims. I was- I and many others were under the
10 impression that shooting incidents included incidents
11 when no one was struck, but it seems like shooting-
12 the shooting incidents data only includes when
13 someone is hit by gunfire. So a few questions on
14 that. I know there's a lot of challenges with that
15 topic because for a lot of reasons, but my question
16 is, does the NYPD keep track of the confirmed
17 shooting incidents? Again, I know there's a lot of
18 challenges. Not everything is confirmed, but at least
19 the confirmed incidents. Does NYPD keep track of
20 that, internal track.

21 DEPUTY COMMISSIONER GERBER: So, we do not
track the data in a systematic way. In other words,
there's certain- there's certain data that we have
that we track internally on a variety of things. For
confirmed shots fired, I definitely would not say

1 that. It's not part of the CompStat book. It's not
2 something where we're analyzing that in terms of
3 crime trends. I do want to acknowledge that we
4 certainly do, and I can talk more about this, have
5 information about certain shots fired incidents,
6 confirmed shots fired incidents. And there are
7 certainly times when if we— if the Department is
8 aware, for example, of a spike in confirmed shots
9 fired, shots fired incidents in a particular
10 location, that will affect deployment. So it's not
11 something that, you know, it's— I want to be very—
12 it's not that we have no data about it. It's
13 something we don't think about. We do have some
14 quantum of data about that. It's something we
15 certainly consider when it comes to deployment.
16 However, we don't internally, or for the public at
17 this time have really a systematic way of tracking
18 this that we would be comfortable using internally or
19 externally.

17 CHAIRPERSON FELIZ: So the ShotSpotter is
18 one type of technology used by the NYPD to identify
19 sounds of gunfire and provide officers with real-time
20 notifications. What is the process for the department
21

1 to review, investigate, and confirm reports from
2 gunfire detected by the ShotSpotter?

3 DEPUTY COMMISSIONER GERBER: Right. So, if
4 we get a ShotSpotter alert, right? Operations- we'll
5 put that over the radio, right? An ICAD will be
6 generated, an ICAD generated for every ShotSpotter
7 alert. And patrol officers will respond to the scene.
8 And you can have- you can imagine an incredibly wide
9 range of circumstances that officers encounter in
10 response to a ShotSpotter alert, right? You can
11 imagine situations where there is a tremendous amount
12 of evidence that a shooting just happened, right?
13 Multiple witnesses, ballistics, there's video
14 evidence, a mountain of evidence. You can imagine
15 situations sometimes when it's actually quite clear
16 that there was not a shooting, right? Officers
17 respond to the scene and multiple witnesses say, oh
18 yeah, a tire just went out. It was a very large bang.
19 We saw it happen, right? That, that happens
20 sometimes, right? And so that's pretty clear what
21 happened there. Sometimes the officers respond to the
scene and at least initially they really just don't
know, right? You can imagine a shots fired incident.
Excuse me. You can imagine a ShotSpotter alert comes

1 in, officers respond to the scene and there's nothing
2 there, right? There are no people there. There's no
3 ballistics. And the question is, what happened? And
4 officers, the patrol officers will do the best they
5 can at the scene to try to figure out what happened.
6 If it's really sort of just up in the air, you know,
7 you'll have a- the complaint will be left open for
8 the Detective Squad to investigate, and detectives
9 will do an investigation to the best of their ability
10 to try to figure out if in fact there was a firearms
11 discharge, a confirmed firearms discharge, or it
12 can't be confirmed.

13 CHAIRPERSON FELIZ: Talk to us about the
14 data that the NYPD keeps related to shots fired
15 incidents. I know you said you keep some data
16 internally. Talk to us about that.

17 DEPUTY COMMISSIONER GERBER: So, here's
18 what I'm saying. So we don't have like some internal
19 system of, okay, like on any time frame or by sort of
20 borough or precinct, like the number of confirmed
21 shots fired. We just don't- we don't track the data
that way because as I said, we don't really have that
system in place at present. We do, however, on a 61,
right, on a complaint, you have a box for, you know,

1 shots fired, you know, a firearm discharge, you know,
2 confirmed or not confirmed. Now, it's not a mandatory
3 field. So, and, you know, making that a mandatory
4 field and when that would be mandatory is actually a
5 little bit complicated. But there certainly are times
6 when you have, say, a ShotSpotter alert, officers
7 respond to the scene. They- there's lots of evidence
8 that there was in fact a firearms discharge. They
9 will check the confirmed box, right, on the
10 complaint, right? And then we have that data. That's
11 information that we have. So if on the enforcement
12 side, if the Department sees, oh, in a particular
13 command, in a particular zone, a particular block,
14 there have been a number of these confirmed shots
15 fired, that's going to affect deployment, or
16 certainly potentially could affect deployment for
17 pretty obvious reasons. But we don't have- again, we
18 don't have the internal systems in place such that we
19 would be comfortable even internally saying, oh,
20 here's like data for the Department in terms of the
21 universe of confirmed shots fired.

19 CHAIRPERSON FELIZ: Okay. So in other
20 words, we have the data, but we just don't have it
21 organized in a database.

DEPUTY COMMISSIONER GERBER: So, it's-

it's more than that. If I could just explain actually what's complicated about this. So- and again, this is doable. I want to be clear. This is doable, as I said in my testimony, and we are prepared to do it. I think I don't know about the timeframe for getting this done, but- so certain types of data, you're talking about a subset of one particular crime, right? I imagine you have a burg- you know, we're interested in gathering additional data about certain types of burglaries, right? So it's actually- that's much easier to do. You just say, okay, every time you have a burglary complaint, you're going to have a mandatory field on the complaint, right, where whatever data we're looking for those burglaries, before the complaint can be finalized, you have to say yes or no or whatever the data field is. Because one type of crime- what makes this more challenging is that shots fired can come up in an incredibly wide range of possible criminal activity, an incredibly wide range, right, ranging from murder to property damage in a storefront, to actually- not sure there was a crime at all. All we have is a report of shots fired and we have nothing. So, what you have is an

incredibly wide range of situations where you might have to gather this data. But in those- many of those crime categories, you don't necessarily have a shots fired. Just to give an example, you could have a robbery where there is a shots fired, a confirmed shots fired. It is also the case, though, that in many robberies, there's no firearm. There's no question about a confirmed shots fired. So in order to do this in a systematic way, what you would have to do- what we would have to do is identify the full range of criminal activity that might give rise to this question about a confirmed firearms discharge. Right? In that range of criminal activity, then require officers to say on the, you know, checkbox, confirmed, you know, shots fired, yes/no. We also have to think about how we're going to do this, because if we're mandating that field, we're going to be mandating it in many situations where there's no firearm at all. And obviously so, right? There was a robbery, it involved a knife, there was no gun. And so that- that's just- again, this is all totally doable. But it is more complicated than just saying, oh, just a checkbox on a complaint, right?

CHAIRPERSON FELIZ: Yeah. Okay, thank you for the information. We look forward to working together on that bill and the rest of the bills on the agenda. So I'll pause here. I'll pass it on to Council Member Hanks for some questions.

COUNCIL MEMBER HANKS: I thank you very much. Good morning, how are you? I'm going to go back to the towing. So, just so you know, the Q Teams that have been launched in numerous neighborhoods have been incredibly effective. My community boards and my civic associations, we tell them to call 311 when it comes to getting cars, ghost cars, or towing off the streets. That 311 Q Team aspect works incredibly well. So I just wanted to say that. So on all of the bills here, how are we communicating this to the civic associations? Because you know, as an elected, we get a lot of our information from community groups that gather together to address quality of life issues. And so is there a— something that's set up to where we can call on your community affairs or NYPD to come in and kind of give a tutorial on all of this? Because these are really great questions. I mean, these are great bills, especially reporting bills. For me, shots fired would

1
2 be great because of our Cure Violence. We would want
3 to know how we're integrating our violence
4 interrupters in that situation where you may see,
5 like, you know, that Stapleton has a lot of shots
6 fired, like, how are we deploying resources to help
7 you and to help the community? So a lot of this- my
8 question is, how are we engaging the public on the
9 programs and the things that the NYPD is doing so we
10 can better inform our civic associations, our
community groups, our Cure Violence groups. And so
that's all. Thanks.

11 CHIEF OBE: Okay, so I'll speak
12 specifically to towing. So, Intro 489, I know we
13 touched on that a little, concerns about towing. So-
14 and I'll get to how to search for a vehicle and all
15 that when your vehicle has been towed. So, the bill
16 itself as written, you know, calls for the NYPD to
17 create a centralized online database accessible
18 through the Department's website. As Commissioner
19 Gerber testified, we already have that. It's called
20 CTOPS, and that's- CTOPS stands for Citywide Towing
21 Operations System. So we do have a system where we
maintain all information about towed vehicles. Now,
citywide, there is another- speaking to duplication,

1 right? Under 311 is New York City Serve, right? So
2 everything that's in New York City Serve- I mean,
3 CTOPS, PD database is in- is in New York City Serve.
4 So think big picture, right? City, and then, you
5 know, CTOPS for the NYPD. Everything we have in our
6 database as it pertains to CTOPS, our towed vehicles,
7 is in New York City Serve. So you can go into New
8 York City Serve for- this is for towed vehicles, that
9 is. And again, I'll speak to Melissa Eager [sp?]
10 about, you know, different things you touched on, but
11 for towing, we'll certainly- I'll be happy to visit
12 you. When you go into New York City Serve under 311,
13 the information- and I actually tried it out this
14 morning because we actually had a towed vehicle, so I
15 can go through this. I will not give you the plate
16 number though. This particular vehicle we have was
17 towed. It gives you the date, it gives you the
18 location. It gives you- it also states when you look
19 at the report for violations shown on CTOPS, PD
20 information, as well as New York City Serve, that's
21 New York City. It also gives you a list of the
violations. Again, violation tow, we tow because, you
know, based on violations. So that's all listed
there. It gives you the tow details, vehicle details,

1 redemption information, tow pound location. I think
2 that's very important. You should know where your
3 vehicle was towed to. Gives you an idea of the fees.
4 All of that is in New York City Serve. So that's what
5 we have on the PD end. I cannot speak to private tow
6 companies as to if they're- you know, if the
7 information is in New York City Serve, but for what
8 we have, which is our violation tows, is in CTOPS,
9 and everything that's in CTOPS is in New York City
10 Serve.

11 COUNCIL MEMBER HANKS: So the- when the Q
12 Teams are, are contacted through 311, we're using
13 your system, not a private system.

14 CHIEF OBE: Oh no, we're using our
15 system.

16 COUNCIL MEMBER HANKS: That's all I was-
17 so we want to make sure that some of those- that
18 information is accessible by the public so they can
19 look and see. Or because it's been working just fine
20 with calling 311. We would get the number, the
21 constituent would call us back. We would have the
number, and it's just been working great.

DEPUTY COMMISSIONER GERBER: Yeah. So, as
Chief Obe said, you know, if we are- any car that we

1 are towing that- the NYPD doing a violation tow,
2 right, that's going to go into CTOPS and then it's
3 gonna go into the 311 system. There is a separate
4 issue in terms of the private tows, row tow, that
5 sort of stuff. That- and that comes up obviously, and
6 that's relevant for New Yorkers, 100 percent. And
7 that's not going to be- that is not presently- that
8 is not presently in the 311 system. You know, the
9 point we're making before is that we totally
10 understand the idea that if someone's car somehow
11 disappears and they're wondering whether it was
12 towed, they frankly, at that moment- at that moment,
13 they don't care whether it was towed by the NYPD or a
14 private tow. They want to know where their car is,
15 and they need to have a means of figuring that out.
16 And we get that. But, I think that what our point is,
17 we already have a preexisting database through the
18 311 system. And the question is, you know, for the
19 Council is, you know, how should that be, you know,
20 expanded or what do you want to do with that in terms
21 of the scope of what's in there? We don't think it's
a good idea to have two competing systems, right?
There should be one place where the vehicle owner can
go, not two.

COUNCIL MEMBER HANKS: Thank you, and thank you, Chair.

CHAIRPERSON FELIZ: Thank you, thank you, Council Member Hanks. A few questions on that topic. So the database only includes cars towed by the NYPD?

DEPUTY COMMISSIONER GERBER: No, so it's a little more than that. So, as I understand the 311 system, what that's going to include is Sheriff tows, it will include City Marshal tows, and it will include— and I want to be very specific about this— NYPD violation tows, right? So that's— so if we, if we tow— if the NYPD towed a car because of some parking violation, now that wouldn't include— again, that wouldn't improve— it would not include private tows. It would not include row tows or DARP. That would not include NYPD tows that were, say, like evidence tows, for example. So if we were getting a search warrant on a car and seizing a car connection with some criminal investigation, that's not being towed because it's a parking violation. It's because, you know, we're getting a search— we have a search warrant for the car. We're going to do forensics on the car. That would not be in the— that would not be

1 in CTOPS, and that would therefore not be in the 311
2 system.

3 CHAIRPERSON FELIZ: And how quickly is
4 that system generally updated? So a car is towed at
5 nine in the morning. Generally, how quickly is that
6 information entered into the system so that people
7 know where their car is at?

8 CHIEF OBE: It's pretty quick. The car's,
9 you know, towed again to one of the three tow pounds
10 that we have. I'd like to say at least within two
11 hours.

12 CHAIRPERSON FELIZ: So safe to say that
13 the NYPD generally keeps track of cars that are towed
14 by the city, by the NYPD, Marshals, Sheriff?

15 CHIEF OBE: By the NYPD. No. No.

16 DEPUTY COMMISSIONER GERBER: No, no. So,
17 if I may.

18 CHIEF OBE: Go ahead.

19 DEPUTY COMMISSIONER GERBER: So, okay. The
20 311 system is getting that data on Sheriff and
21 Marshal stuff separately. That's not coming through
us. How they got that data, I'm not even sure, quite,
quite frankly. I don't know about that. Our system,
CTOPS, that tracks the violation tows by the NYPD,

1 feeds into that 311 system. Right? So if it's going-
2 if it's going in CTOPS, through the NYPD, then it's
3 going to go into the 311 system. And so our NYPD
4 violation tows, that's what's in CTOPS. That's what
5 goes in the 311 system. Information that we get
6 about- well, first of all, other tows that we do, for
7 example, like for evidence, right? Like that's,
8 that's not going to go in CTOPS. That doesn't mean a
9 separate system. And then to the extent, you know,
10 for example, in our row tow system, you have a- it's
11 a private tow, though it is that- you know, we call
12 the towing company, right? It's the NYPD's direction,
13 right? That data is coming into us, but it's not
14 going into CTOPS, right? And then private tow
15 operators, for example, are required to call the NYPD
16 to say, hey, we towed a car, here's the information
17 that comes in. But that's not coming into that
18 system, right? Because that's a system for our own
19 tows.

20 CHAIRPERSON FELIZ: Alright, so in other
21 words, we have a system, but it doesn't include all
the cars that are towed, including by some players,
including the private-

DEPUTY COMMISSIONER GERBER: [interposing]
Correct, correct, correct. That's- that's right.

CHAIRPERSON FELIZ: Would the NYPD support this bill if it simply requires that the private tow operators report to the NYPD and then the NYPD relates the information to-

DEPUTY COMMISSIONER GERBER: So, what we would suggest is, because- and to keep it both simple and actually more manageable for everyone involved, you already have an online database, right, usable, accessible with lots of information. Rather than having a private tow operator, you know, call into the NYPD, have the NYPD put information, then have that go over to 311, it should just go from the private tow operator straight to 311. You don't, you don't need us for this.

CHAIRPERSON FELIZ: Right, right. Okay.
And what are the different circumstances that can lead to the towing of the vehicle? You know, as you said, the evidence-based towing.

DEPUTY COMMISSIONER GERBER: Yeah.

CHAIRPERSON FELIZ: Well, also one, one category that we're not talking that much about is when a vehicle is towed- I don't even know if this

counts as a towing when a vehicle is basically moved. Let's say there's a community event, the streets are being closed. So the—

DEPUTY COMMISSIONER GERBER: [interposing] Yeah, relocation, yeah, yeah, yeah. So, but go ahead.

CHAIRPERSON FELIZ: Is that considered to be a towing under the definition that you use?

CHIEF OBE: So that information is in CTOPS. We put the tow, like, for parades, and that's one of our tows. So it's in CTOPS, yes.

CHAIRPERSON FELIZ: Okay. Alright, so I'll pass it on to Council Member Farias for her questions.

COUNCIL MEMBER FARIAS: Thank you, Chair. I'm going to switch gears a little bit from towing to my Bill 913. Just want to speak a little bit to the current age limit of 35 years old and how this is affecting the NYPD's recruitment efforts, if at all.

DEPUTY COMMISSIONER GERBER: Right. So, and again, we just— I want to start by saying thank you again for the introduction. We very much appreciate it. So there is— we do have some data on people who applied to be— and you, Council Member, you alluded to this in your opening remarks. You

1 know, there are people who, you know, uh, applied,
2 were being considered to be police officers, but then
3 because of the age limit could not, could not
4 proceed. Now, that number has not been huge. I would
5 say this is very, very rough maybe around 80 per
6 year, over the last few years. Of course, those
7 numbers add up, but the real point, of course, is
8 that we don't even know how many people didn't apply
9 at all because they knew about the age limit. And so,
10 you know, that's really the open- that's really the
11 open question. It's- this is one of those things
12 where it's a little hard to know what the numbers
13 will be like until we actually try.

12 COUNCIL MEMBER HANKS: And has the
13 Department conducted any analysis in that at all,
14 looking at potential applicants?

15 DEPUTY COMMISSIONER GERBER: Not that I'm
16 aware of. I don't think so.

16 COUNCIL MEMBER HANKS: What about
17 currently in the police academy that could
18 potentially go, become eligible if we move the age
19 back?

DEPUTY COMMISSIONER GERBER: We wouldn't have— I don't think— we wouldn't have someone in the academy now who would otherwise be ineligible, right?

COUNCIL MEMBER HANKS: Okay.

DEPUTY COMMISSIONER GERBER: But I guess I wanna, if I may, just come back to the point that you were making earlier. You know, the part of this is like, yes, it increases the applicant pool and, and for pretty obvious reasons, that's, that's helpful to us. But it also is this point about people who bring to the job life experience, which is a great thing. It's a really great thing. People who are, you know, a universe of people who hypothesis, want to be police officers, who have life experience, additional maturity, and that's just a great contribution to the Department and to the city.

COUNCIL MEMBER HANKS: Yeah, I agree. I mean, you know, I've had a lot of conversations both in community. This bill actually came into fruition last year for me through conversations at my precinct council meetings, and it just been happenstance that we're all talking about it in silos and it come together in this way. Even more recently with the Bronx split announcement, you know, we had several

1 state elected officials and council member colleagues
2 that were concerned about the newest class going into
3 the busiest precincts, and I feel in this position
4 with this bill, we're able to maybe even, even that
5 out with new folks coming in that are maybe more
6 experienced and different- have had different
7 careers, whether that's in the military or in a
8 different city agency prior. So, I appreciate that.
9 In terms of any like operational or fiscal concerns
10 with recruiting towards this group of folks from the
admin?

11 DEPUTY COMMISSIONER GERBER: No, no.

12 COUNCIL MEMBER HANKS: Okay.

13 DEPUTY COMMISSIONER GERBER: I mean, for
14 us, this is- this would be a great benefit. As, you
15 know, we're very supportive of this bill. For us,
there's really only upside in this.

16 COUNCIL MEMBER HANKS: Okay. And then I
17 just have a last question on the recent reduction in
18 the number of required college credits to join the
19 Department. Is that expanding the applicant pool at
all?

20 DEPUTY COMMISSIONER GERBER: It has. It
21 has. Yes.

COUNCIL MEMBER HANKS: Okay, got it. Those are all my questions. Thank you so much. We will continue the conversation, and I'm sure from testimony today we'll get some great insights. Thank you, Chair, for some time.

CHAIRPERSON FELIZ: Thank you. Thank you so much, and we look forward to, yeah, working together on that bill, that bill and the many bills pending before this committee today. So a few questions. Want to move on to Pre-considered introduction 2052 by Council Member Encarnacion, which would require that a plan be created to address and contain the risk of physical obstruction, injury, or intimidation at educational facilities through the use of security perimeters at entrances and exits from public schools and non-public schools, elementary, middle, and high schools. You said it perfectly, and also the Speaker during the testimony, people should be able to enter our educational facilities safely without intimidation or fear of harm and more. So a few questions on that. Does the Department currently have any written guidance governing the establishment of security perimeters around schools?

DEPUTY COMMISSIONER GERBER: No, and not-

CHAIRPERSON FELIZ: [interposing] During demonstrations specifically?

DEPUTY COMMISSIONER GERBER: No. So, if I understand the question, if you're saying do we have some particular, you know, policy regarding- we use the phrase frozen zones. I mean, so do we have some policy about frozen zones around schools in particular? No, we do not. I will say that we have had, and I think we've been very clear with executives in the department about how we think about frozen zones consistent with the law. Comes up at places of worship, up at schools, come up at a hospital or a courthouse. They come up in various situations. And we have done repeatedly trainings for executives to go over what the expectations are, the legal framework. I do think there is clarity among executives about both the law in this area and the expectations from the Department.

CHAIRPERSON FELIZ: What factors does the NYPD currently consider when determining whether a security perimeter or frozen zone is necessary?

DEPUTY COMMISSIONER GERBER: Right. So, the- they're- I mean, the key is to consider all

1 relevant factors. I mean, what- it is incredibly
2 context-specific. And the- under the First Amendment,
3 right, these are called reasonable- have to be
4 reasonable time, place, and manner restrictions. And
5 there are a number of different legal components that
6 go into that, but that reasonableness is crucial and
7 really turns on all the facts. So, I mean, among
8 other things, right? You're thinking about- we're
9 thinking about the- you know, the anticipated size of
10 the- if it's a protest, let's say outside a school.
11 You know, the size of the anticipated protest, the
12 layout of the location, other sensitive locations,
13 time of day, are we- is this a time of day when we're
14 anticipating students coming in and out of school?
15 How many students coming out? Are there other
16 protests in the area? You know, these are just some
17 examples of considerations. It's not an exhaustive
18 list. The message in this regard is, and again, there
19 are certain legal constraints, but within those
20 constraints, it is a totality of the circumstances
21 analysis.

CHAIRPERSON FELIZ: Just curious, how far
have these frozen zones stretched? 20 to 100 feet?

DEPUTY COMMISSIONER GERBER: So, we never do it that way. We don't- we don't think about it in terms of feet. And I think it's actually really important. Because I know sometimes we talk about, you know, sometimes the discussion is in terms of feet, right? I think that's really- that's really not how we do it. And I think it's important not to do it that way. And what I mean is what we're thinking about when we do a frozen zone is, okay, we need to make sure people can get in and out safely, securely, without obstruction. We need to make sure that people can- if the protesters can protest consistent with the First Amendment, have sight and sound to the location. Right? And we're balancing- it's not a trade-off. We are doing both of those things. And we needed- if we're doing a frozen zone and designating protest areas, we're doing a configuration that accomplishes those goals. Whatever the- like, whatever that number of feet happens to be is sort of a byproduct or an outcome of that analysis. And it's not some- it's also not going to be some, like, fixed number of feet, some radius around the location, right? That wouldn't- I mean, that's not how we think about it at all. It's okay,

1 here's where people are coming in. Here's where
2 people are going out. Here are the protesters. Where
3 are the protesters going to be? Okay. Given that they
4 have sight and sound, what's the path in? What's the
5 path out? And then we're not standing there with a
6 measuring tape figuring out how many feet that is.

7 CHAIRPERSON FELIZ: Yeah, no, certainly
8 understand that. You know, obviously a school or a
9 church or any place that has, for example, the
10 entrance in the middle of a block, that might need
11 more space to keep the sidewalk clear so people could
12 easily enter. They don't have to cross through the
13 middle of the street to enter directly into the
14 school. You might need a larger—

15 DEPUTY COMMISSIONER GERBER: [interposing]
16 Exactly.

17 CHAIRPERSON FELIZ: frozen zone for that.
18 But if you were to give us a ballpark, how far can
19 they stretch based on what you've seen? I know this
20 is not the main thing, but just—

21 DEPUTY COMMISSIONER GERBER: [interposing]
I really— I don't— I don't know. And I don't want to—
I don't want to guess and be wrong.

CHAIRPERSON FELIZ: Yeah.

1
2 DEPUTY COMMISSIONER GERBER: But again, I
3 think if someone- I think if you look at how we do
4 these on the ground, I think we are really careful
5 about making sure that protesters have sight and
6 sound to the to the entrance. I think we do that in a
7 reasonable and fair way consistent with the law. And
8 to be clear, like, I don't- I don't want to guess and
9 be wrong about the number of feet, but one thing
10 we've emphasized- like, we do not want- the last
11 thing we want is some incident commander thinking
12 about like, oh, there's some fixed number of feet
13 that matters here. That's not the analysis.

14 CHAIRPERSON FELIZ: Yeah. So talk to us
15 about the analysis. What are factors that you
16 consider when determining how large the safe zone
17 should be. I'm sure, the entrance, school entrance is
18 one of them.

19 DEPUTY COMMISSIONER GERBER: Yeah. And I-
20 yeah.

21 CHAIRPERSON FELIZ: What else?

DEPUTY COMMISSIONER GERBER: So again,
it's a totality of the circumstances. In some ways
it's a very pragmatic sort of analysis, right? So,
again, the key legal framework here, right, is the

determination has to be content and viewpoint neutral, but it can't- it cannot turn on the substance of the protest. Right? That would be- that would violate the First Amendment. So it's content or viewpoint neutral. It has to- there has to be ample alternative means of protesters getting their message across. Talk about sight and sound, right? You- they want to protest at this location. They're going to have a means of being heard by the people who are going to that location. And then, it cannot burden substantially more speech than necessary in order to achieve the goal of, you know, preventing obstruction and the like. So there's like that- that reasonable test built in. Now within that legal framework, you're looking at everything, right? Is it a- is it- are we talking about five protesters or 50 or 5,000? Are we talking about, like, dismissal time at the school, or is it a weekend and there's no one in the school? Right? What's the layout of the block? Are there other- are there other sensitive locations on the block? Right. We can't put protesters in a location where they're going to actually- we're creating a problem for some other school or a house of worship or something like that. So, it really- and

1 we're thinking about are there other events nearby,
2 right? Other protesters going to march? That is- that
3 obviously comes up. It's very significant. Is it
4 going to be a stationary protest? Are they going to
5 be moving around? And Chair Feliz, if I may add, I
6 think, you know, one important thing to emphasize in
7 this context is we make really every effort to speak
8 with both the leaders of the institution where this
9 is happening and to speak with protest leaders,
10 right? There are times- and no one has to talk to us
11 though. So, you know, there are times when we want to
12 get information about a protest and protest leaders
13 are actually happy to speak with us and share
14 information. And that can be actually very helpful in
15 this regard. There are times when protest leaders
16 will not communicate with us. Now that's their right,
17 but you can see where that makes things much, much
18 more challenging in planning and doing this analysis.

19 CHAIRPERSON FELIZ: Can you describe some
20 of the specific incidents where the NYPD determined
21 that individuals were not able to safely enter or
exit schools due to protest activity?

DEPUTY COMMISSIONER GERBER: Yeah, so I'm
not aware of a situation in which that happened in

1 recent memory. I'm not saying-- again, it may have
2 happened, I'm unaware of it. That certainly could be.

3 CHAIRPERSON FELIZ: Or experience
4 intimidation, even if we don't get to the physical
5 safety situation.

6 DEPUTY COMMISSIONER GERBER: I mean, in
7 terms of-- look, I got to say, you know, think about
8 the last-- certainly the last few years, we have not
9 seen in my-- again, just in my memory, my experience,
10 we haven't seen a rash of incidents where you had
11 protesters targeting elementary schools or high
12 schools. I'm not aware of that. Again, I'm not saying
13 it didn't happen ever, but that's not a trend that we
14 have seen. Now, there was a time a few years ago,
15 obviously, as you're aware, in 2020, 2024, we had a
16 lot of protest activity on university campuses,
17 outside of university campuses. That was, of course,
18 a major issue. And we did have situations in which we
19 had a lot of protests outside university campuses.
20 And the question was, you know, making-- we needed to
21 make sure that whatever else was happening consistent
with the First Amendment, people could access the
university campus, right? That was a very live issue,
particularly in 2024. But in terms of sort of

1 targeting of elementary schools or middle schools or
2 even high schools, that's not really something that
3 we've been seeing.

4 CHAIRPERSON FELIZ: Okay. And final
5 question, and then we'll move on to Council Member
6 Wong. So as we know, and as you, stated, we have a
7 lot of interests at stake, the interest of keeping
8 people safe, but of course also protecting the
9 fundamental right- the fundamental First Amendment
10 rights of protesters. So what are safe- what
11 safeguards exist to ensure that security perimeters
12 are not used to unnecessarily restrict lawful protest
13 activity?

14 DEPUTY COMMISSIONER GERBER: Right. So a
15 few things. One, you know, in these situations, the
16 incident commander is consulting with an attorney
17 from the Legal Bureau. That happens all the time.
18 And again, I think the uniform executives,
19 enforcement executives understand. They hope- they
20 often actually have a lot of experience with these
21 issues. But in any event, they are talking to a
lawyer, who is- you know, can look at this from a
firsthand perspective. That's very important. And
then, you know- there will always be a- if we're

1 doing a frozen zone, that also means we are doing one
2 or more designated protest areas with sight and
3 sound. That's going to happen every time. Like,
4 you're not gonna have a situation in which we do a
5 frozen zone and there's no designated area for sight
6 and sound for protesters. Now, a few things. One, We—
7 protesters are not required to go into that
8 designated protest area. Sometimes protesters don't
9 want to go there. That's— that is their right, of
10 course, but it has to be available to them. I also— I
11 do want to emphasize that everything I'm talking
12 about is much easier to do when we know about the
13 protest in advance and we can plan and set things up.
14 Sometimes, not often, but sometimes there's a protest
15 that we did not know about in advance. Officers are
16 responding to the scene in real time. Everything that
17 I've been describing, we will still try our very best
18 to do, right? Consistent with the law, consistent
19 with making sure people can get in and out safely,
20 all that. It just— I do want to emphasize that it
21 gets a lot messier and harder when we are showing up
at times with very limited resources and things are
already happening. You know, and again, that doesn't
change the legal analysis, doesn't change the

operational analysis. It just— it does obviously get more complicated when we have not had the opportunity to plan in advance.

CHAIRPERSON FELIZ: Thank you for the information. One very final question before we move on to Council Member Wong. Somewhat unrelated, but still in the context of security parameters. Approximately how many police officers did we have yesterday? Was it yesterday or the day before where Donald Trump came to the Madison Square Garden? We had security perimeters, frozen zones, and a lot of different security things going on.

DEPUTY COMMISSIONER GERBER: I don't know. There obviously were a lot of police officers there. We don't have that number for you, but we can certainly get a few.

CHAIRPERSON FELIZ: Okay, thank you. Alright, so next we'll move on. Council Member Wong briefly stepped out, so we'll move on to Council Member Gutierrez.

COUNCIL MEMBER GUTIERREZ: Thank you so much, Chair. Good to see everyone. I had— I wanted to start off with asking questions around Intro 2052. So I think the bill that the Chair's been at— line of

1 questioning for. So I'm encouraged to hear what you
2 shared about specifically protests around the areas
3 of educational facilities, particularly K-5, middle
4 school, high schools. I do have concerns. I had
5 concerns about the last bill with, with a similar
6 framework, and there's advocates here today that I
7 think will testify and you'll hear from. But under
8 what scenario would passing this legislation create
9 preventative measures for schools? Because sometimes
10 what I hear from people that won't want to support
11 this bill is like, we do want to keep everyone safe,
12 we want to prevent everything. And I think there's
13 two different things. There's people protesting is
14 one thing, which I think we have to protect, and then
15 there's like an of just safety. So in your
16 experience, like, what would passing this legislation
17 do to prevent issues with safety for young people,
18 for students?

16 DEPUTY COMMISSIONER GERBER: Yeah, so-

17 COUNCIL MEMBER GUTIERREZ: [interposing]

18 Or the staff.

19 DEPUTY COMMISSIONER GERBER: So this bill
20 does not change what we do. It's about transparency,
21 as the speaker said at the outset. So, you know, the

1 bill requires us to describe the considerations that
2 go into kind of the analysis, how we do this, some of
3 what I've been talking about with Chair Feliz. So
4 it's putting that on paper. It's not giving us more
5 power or less power. It's not directing us to do
6 anything differently. The bill says, NYPD, describe
7 in words, how you do this. That is essentially what
8 the bill does. And so I don't see this bill changing
9 in any way the content, the substance-

10 COUNCIL MEMBER GUTIERREZ: [interposing]
11 The way that you have to show up.

12 DEPUTY COMMISSIONER GERBER: Right, it
13 does not change any of that. But it is- it provides a
14 document that describes what we are already doing,
15 articulates it, puts it on paper.

16 COUNCIL MEMBER GUTIERREZ: Do you think it
17 creates different scenarios where PD is interacting
18 with students and young people more?

19 DEPUTY COMMISSIONER GERBER: No, no. I
20 mean, the communication piece of this is, and this
21 again is not particular to schools. In any protest
situation, we are going to try to speak with protest
leaders, right? And again, they can talk to us, they
cannot talk to us. That's up to them. If they're-

COUNCIL MEMBER GUTIERREZ: [interposing]

And wait. I'm sorry to interrupt. In instances where you can remember there being protests, there's instances where they're coordinated with PD?

DEPUTY COMMISSIONER GERBER: Well, you say coordinated, there are lots of situations.

COUNCIL MEMBER GUTIERREZ: They're in the know.

DEPUTY COMMISSIONER GERBER: What's that?

CHAIRPERSON FELIZ: You— PD is in the know, a local precinct is in the know if there's—

DEPUTY COMMISSIONER GERBER: [interposing]
Oh, it happens, it happens all the time.

COUNCIL MEMBER GUTIERREZ: Okay, great.

DEPUTY COMMISSIONER GERBER: But not always.

COUNCIL MEMBER GUTIERREZ: Right. I'm just concerned that we're not solving for something with this bill. It's unclear, and I think for me in my community, I hesitate tremendously at creating or empowering more interactions between young people and PD or students and PD when I think that we should be doing more to invest in restorative justice, in mitigation efforts. And this is coming from young

1 people. So I understand what you're saying, which is
2 like this bill is not gonna change anything, but I
3 think the whole like, theater of us wanting to pass
4 this legislation does create vulnerability for people
5 because I think PD in one way or another will be even
6 more empowered. So I guess I just wanted to have a
7 sense of, like, comfort if that was the case, but I'm
8 not necessarily hearing that.

9 DEPUTY COMMISSIONER GERBER: Well, again,
10 I don't see this as empowering us in any way. It
11 does— again, this does not change what we do

12 COUNCIL MEMBER GUTIERREZ: It's going to—
13 you're saying that it's not changing anything you're
14 doing?

15 DEPUTY COMMISSIONER GERBER: Correct.

16 COUNCIL MEMBER GUTIERREZ: It's just
17 putting it on paper? Correct. Okay. Alright. Well,
18 you'll hear from— hopefully you'll be able to stick
19 around or PD will be able to stick around to hear
20 from advocates because I think they have some
21 questions. I do have one more question related to—
sorry, am I over time, Chair? You said something? I'm
sorry. I just have one more question. I wanted to ask
about— I kind of walked in on the conversation. I

1 think the Chair was asking you about the gunfire, his
2 gunfire bill, the shot- can you- So I'm familiar with
3 ShotSpotter. As you know, you came to my hearings
4 when I was tech chair. I have deep concerns about the
5 efficacy of ShotSpotter. We've seen nationwide it's,
6 it's not rel- it's not reliable necessarily. But what
7 can you tell me about the future of the contract with
8 ShotSpotter in the city with PD?

9 DEPUTY COMMISSIONER GERBER: We have a
10 contract with ShotSpotter.

11 COUNCIL MEMBER GUTIERREZ: Until how- do
12 you know until when?

13 DEPUTY COMMISSIONER GERBER: Uh, I have
14 that for you actually. If you just one moment. I feel
15 like there was some reporting of about 80, 85 or so
16 percent of the time it being false. Yeah, they could
17 tell you. It's not accurate.

18 DEPUTY COMMISSIONER GERBER: Okay. Right.
19 Allright. So we have-

20 COUNCIL MEMBER GUTIERREZ: [interposing]
21 I'm sure there's all kinds of noise. Sorry.

DEPUTY COMMISSIONER GERBER: Our present
contract with ShotSpotter runs through, 20- through,
through the end of 2027.

1
2 COUNCIL MEMBER GUTIERREZ: Okay. Okay. And
3 then in your experience- and I get- so this is my,
4 the con- one of the issues that I, along with
5 advocates have is like, it captures all sorts of
6 sound, a car backfiring, fireworks, and in every one
7 of those instances, PD is prompted to go out, right?
8 Because you don't know what is really a gunfire
9 versus a firework, like firework, for example.

10 DEPUTY COMMISSIONER GERBER: Patrol will
11 certainly respond to any ShotSpotter alert.

12 COUNCIL MEMBER GUTIERREZ: Okay. And do
13 you have a percentage of, in those instances when it
14 can be verified that it was a gun that was captured
15 by ShotSpotter.

16 DEPUTY COMMISSIONER GERBER: I do not have
17 that, no.

18 COUNCIL MEMBER GUTIERREZ: But you can
19 have it. You just don't have it today.

20 DEPUTY COMMISSIONER GERBER: Well,
21 actually- no, it sort of actually goes to the point
we're talking about earlier. We do not at present
have a systematic tracking system for confirmed shots
fired. So, no, it's not that we just have it- it's
not we don't have it here today.

COUNCIL MEMBER GUTIERREZ: There's no way of verifying?

DEPUTY COMMISSIONER GERBER: So we were actually talking about this before. So on a 61, there is a box for, you know, firearms discharge, confirmed/not confirmed. It's not a mandatory- you can finalize the complaint without checking yes or no. And we don't- so, there are certainly situations, 100 percent, where there's a ShotSpotter alert. It's confirmed as yes, there was a firearms discharge. Lots of evidence of that, right? There are shell casings on the ground, witnesses, all sorts of things, that definitely happens. And that box is checked and we have that. There are times when it's clearly not and check no. But we do not have a system in place right now that really ensures that for any report of a firearms discharge, whether ShotSpotter or 911 or a pickup job, we don't have a system in place right now that really gives systematic data about, you know, percentage confirmed versus percentage non-confirmed.

COUNCIL MEMBER GUTIERREZ: Okay. I think that's something that we need to work, because nationally I know of PD- like, departments that do

1 capture that data and can testify whether or not the
2 utility of this tool- I don't feel confident that it
3 is useful to you all based on this. It sounds like
4 you do capture it, but you don't collect it. You do
5 have a sense of, like, when it's verified, but you,
6 you don't collect it. It's- that doesn't- there's not
7 a reporting of it.

8 DEPUTY COMMISSIONER GERBER: Well, it's
9 not exactly that. It's that there are times when
10 whether it's patrol, the Detective Squad, you know-

11 COUNCIL MEMBER GUTIERREZ: [interposing]
12 You're not making me feel confident about the utility
13 of ShotSpotter.

14 DEPUTY COMMISSIONER GERBER: What I'm-
15 Council Member, what I'm talking about is totally
16 separate from the utility of ShotSpotter. I'm talking
17 about how we collect data and how we may have to make
18 changes to that in light of the- in light of Chair
19 Felice's bill. But this is totally separate from the
20 effectiveness of ShotSpotter. This is a question of
21 what are mandatory fields that officers have to fill
out in connection- it's not particular to
ShotSpotter. What I'm saying- this sort of open- this
question where we would have to develop sort of the

1 systems we've been talking about, that's also true
2 for a 911 call of a shots fired or a pickup job where
3 an officer thinks they just heard a gunshot. So
4 there's it is not particular to ShotSpotter at all-

5 COUNCIL MEMBER GUTIERREZ: [interposing]
6 And you're saying you don't collect the data- those,
7 in those scenarios, you don't collect that kind of
8 data either?

9 DEPUTY COMMISSIONER GERBER: We do have
10 some data which we use sometimes in connection with
11 deployment. However, internally, we do not have a
12 sort of system that we use. It's not like the ComStat
13 book or anything like that-

14 COUNCIL MEMBER GUTIERREZ: [interposing] I
15 see.

16 DEPUTY COMMISSIONER GERBER: where we have
17 systematic, oh, like, here's confirmed firearms
18 discharges data for the city or for a borough or for
19 a precinct. That's not how it works right now.

20 COUNCIL MEMBER GUTIERREZ: Okay. Alright.
21 Thank you. Thank you, Chair.

CHAIRPERSON FELIZ: Thank you, Council
Member Gutierrez. And on that issue, putting aside
confirmed versus unconfirmed incidents, do we have

any data on how many times the ShotSpotter system has been triggered?

DEPUTY COMMISSIONER GERBER: So that's actually- I don't have that here, but that is certainly data we could get for you.

CHAIRPERSON FELIZ: Yeah. Okay. Alright. Next, we'll hear from Council Member Brewer and then Mealy and then Joseph.

COUNCIL MEMBER BREWER: Thank you very much. Just two questions. One is, it's my understanding that the governor's bill on buffers is only for faith-based. Is that correct? In other words, it doesn't have the same target as this bill. Or am I wrong?

DEPUTY COMMISSIONER GERBER: So, the governor's bill covers places of religious worship-

COUNCIL MEMBER BREWER: [interposing]
That's what I mean by faith-based. Yeah.

DEPUTY COMMISSIONER GERBER: So defined incredibly broadly. But I do want to just say, council Member, the governor's bill is- does not create a buffer zone at all. Okay. There's, there's no- there's- I mean, the way we use a buffer zone or frozen zone or security perimeter, right? Like, that

concept is really not what the governor's bill is doing.

COUNCIL MEMBER BREWER: Okay. Alright, but it's just faith-based also. It's nothing-

DEPUTY COMMISSIONER GERBER: [interposing] Yes, the bill by its terms is applying to places of religious worship defined quite well.

COUNCIL MEMBER BREWER: Okay, just whatever it does. They're all- I believe that the PD is doing the right thing in this situation, so I don't have as much concern as others. I think you're doing the same thing that you've been doing, which is what you've been saying. My is just generally- I have been- was there when Pier 76 closed, no tow pound, watched the Governor Cuomo do that, blah, blah, blah. What are we going to do about Manhattan? I'm just saying, for like, I know it's almost 20 years now. What are we doing for finding a place in Manhattan to car tow cars?

DEPUTY COMMISSIONER GERBER: So I'm going to ask-

COUNCIL MEMBER BREWER: [interposing] I mean, I know we can't find it. I've been out looking, but something has to come. These folks are going to

1 the, uh, all over the place looking for their cars,
2 and 311 is getting the complaints. I know that for a
3 fact.

4 DEPUTY COMMISSIONER GERBER: So I'm going
5 to ask my colleague Seth Severino to speak to this
6 issue.

7 ASSISTANT COMMISSIONER SEVERINO:
8 Assistant Commissioner Seth Severino, Management and
9 Budget, NYPD. So we have been working very closely
10 with OMB and with DCAS. We've been trying to identify
multiple sites.

11 CHAIRPERSON FELIZ: Sorry to interrupt.
12 Just got to briefly swear you in. If you could just
13 raise your right hand and say that you swear to say
the truth and nothing but the truth.

14 ASSISTANT COMMISSIONER SEVERINO: I do.

15 CHAIRPERSON FELIZ: Thank you.

16 ASSISTANT COMMISSIONER SEVERINO: Sure. So
17 as I mentioned, we've been working with OMB, working
18 with DCAS, doing multiple site survey. Back in 2019
19 and 2020, there was a capital project scope
20 development project that was done to get into the
21 nitty-gritty of without that site in Manhattan, over
200,000 square feet, what are our options? What are

1
2 some plots that we could look at and what would those
3 costs be? And in short, there's been a lot of high
4 costs associated with a Manhattan tow pound. So we
5 have been looking. The cost estimates just as a
6 reference point were upwards of \$200 million in
7 regards to a potential solution, but that doesn't
mean that that solution actually existed.

8 COUNCIL MEMBER BREWER: So people have to
9 go— so there's no— we're not doing a Manhattan tow
pound ever, is what you're saying?

10 ASSISTANT COMMISSIONER SEVERINO: Site—
11 so there are ongoing conversations. You know, even
12 recently there were a couple locations that were
13 being looked at, 10 potential sites in Manhattan, but
nothing's come to fruition.

14 COUNCIL MEMBER BREWER: Alright, but I'm
15 just saying, so How many— do you have some sense of
16 how many 311 calls you've gotten? I know there's a
17 lot from persons who are concerned about losing their
18 cars into other boroughs. It most— also, my
19 understanding is most of the tows come from Midtown
20 because people come from tourists and they don't
21 know, and so they're traveling all over the place. I
don't think people should park illegally, I get it,

but I also want to be somewhat customer service related. Go ahead.

CHIEF OBE: No, you're right.

COUNCIL MEMBER BREWER: We love you, Chief. Go ahead.

CHIEF OBE: So, we still tow out of Manhattan. Naturally, the loss of the tow pound, the Manhattan tow pound did hurt us. 2019, we had 105,000 vehicles towed. Half of that came from Manhattan, to your point. But I want to assure you that the work still continues. I do understand the concern that you have about people who reside in Manhattan, or visitors, or who park in Manhattan and have their vehicles towed. So, like I mentioned in the past hearing, north of 59th Street gets towed to the Bronx, south of 59th to the Brooklyn Tow Pound.

COUNCIL MEMBER BREWER: Okay, but I mean, I'm— Board 4, somebody should contact Community Board 4. They had some ideas, believe it or not, in Hudson Yards. So I think you should look to talk to them and talk to some of the community boards. People want it to be in Manhattan. They feel like it's the right thing to do. So I'd like to have some further conversations. I can't believe that it's impossible.

You could also rent some space in some of these private garages. That's another possibility. Thank you. This conversation should not end. We've got to find a place in Manhattan. Thank you.

CHAIRPERSON FELIZ: Thank you, Council Member Brewer. I want to recognize Council Member Justin Sanchez, who has joined. Next, we'll hear from Council Member Mealy and then Joseph.

COUNCIL MEMBER MEALY: Yes, hi. Numerous questions have been already answered now, but regarding the tows, could you tell me what percentage of tow vehicles are retrieved by owners, and what percentage of the vehicles are auctioned?

CHIEF OBE: Okay. So I'll give you the 2026 numbers, year to date 21,610 vehicles towed. So that's through 5/31. Only 767 remain on three lots across the city.

COUNCIL MEMBER MEALY: Excuse me?

CHIEF OBE: 21,610 vehicles towed.

COUNCIL MEMBER MEALY: 700 what?

CHIEF OBE: Only 767 remain as of 5/31.

COUNCIL MEMBER MEALY: Why do you feel a lot of people do not pick up their vehicles?

CHIEF OBE: For various reasons.

COUNCIL MEMBER MEALY: Some of them are illegal and some of them-

CHIEF OBE: [interposing] Some of them are.

COUNCIL MEMBER MEALY: Do you know how long it takes to find where your vehicle is?

CHIEF OBE: So finding the vehicle, I addressed earlier.

COUNCIL MEMBER MEALY: People call my office. I got to call the Police Department to see if someone stole it, then find out it was towed. But then you got to find out where it's towed.

CHIEF OBE: True.

COUNCIL MEMBER MEALY: Do you know how long that process is?

CHIEF OBE: So I'll speak through the process very quickly. I mentioned this earlier, and this goes to Intro 489 that calls for a centralized online database accessible through the department's website. We maintain our data. So, I- called CTOPS. So CTOPS, we have our violation tows documented within the NYPD's database, right? That data is fed to a citywide 311 called- a system called New York City Serve, or NY City Serve. So when you get into

1 that- into that system- and I tried this out again, I
2 mentioned this earlier. I used a vehicle we had
3 towed. It'll give you a ton of information: where it
4 was towed from, the violations owed on the vehicle,
5 where the vehicle is towed to, the fees, redemption
6 instructions and all that.

7 COUNCIL MEMBER MEALY: Okay. I kind of
8 read all that.

9 CHIEF OBE: The issue is NYC Serve gathers
10 the data of towed vehicles from PD, Marshals and
11 Sheriffs. We mentioned that, but the concern of
12 course comes into private tows. So I don't know that
13 it's a complete picture. As we mentioned earlier, you
14 know, we're willing to work with the council on a
15 better system.

16 COUNCIL MEMBER MEALY: Have you ever
17 thought about- or maybe is it already in the pre- the
18 police precincts when someone walk in, if you feel
19 your car has been towed, call these numbers. Is that
20 posted in every precinct? Is it?

21 CHIEF OBE: So if your vehicle has been
towed, you know, again, some company-

COUNCIL MEMBER MEALY: [interposing] I
just asked that question, because that will help

constituents instead of going and waiting for the police like I went.

CHIEF OBE: Oh, you can walk into a local precinct, absolutely.

COUNCIL MEMBER MEALY: Sometimes they don't need to talk to the officers. They supposed to be busy.

CHIEF OBE: Yeah.

COUNCIL MEMBER MEALY: I have to-- if I come in, I got to wait for them to see that I'm there, and then they'll finish their conversation. Then they'll say, oh, you need help? Yes, I only been here 10 minutes. But if a constituent come into any precinct, you could just look at the wall and say, oh, I think my car may have been towed, let me call them before I interact. Because sometimes people come in in moods that they don't want to interact with the police, because they already had their car is gone, then people there ignoring them. So in order to have interaction, the best way is to have it posted, and then if they can't find it through those avenues, then they should come back to the precinct. And that's best for the precinct also, is it not?

1 DEPUTY COMMISSIONER GERBER: Right. And
2 Council Member, I mean, I think the idea long term is
3 to take the 311 system, right, and that could be
4 expanded. So the one that- because to your point, I
5 mean, to the extent you have to call multiple- if you
6 talk about multiple call-

7 COUNCIL MEMBER MEALY: [interposing]
8 Multipl, yes.

9 DEPUTY COMMISSIONER GERBER: I think
10 that's obviously not ideal, right? And what you'd
11 really want is to have a single database, a single
12 system. Hey, you know where to look, you go there,
13 and hopefully the information's there.

14 COUNCIL MEMBER MEALY: We're not talking
15 about a database. We just talking about a sign.

16 DEPUTY COMMISSIONER GERBER: Right. But
17 I'm just saying that wherever that sign is, where is
18 it directing the person to, right?

19 COUNCIL MEMBER MEALY: Because say you say
20 the pounds, we can have whatever pounds the NYPD own
21 that if NYPD told you, you could call these three or
four tow pounds. That'll alleviate a whole lot of
people coming to your precinct. They will call and
find out. If not, they call all four or five. They

1 did not find their car. Maybe their car was stolen.
2 Then they could come back and put in the police
3 report. I'm just suggesting. My bright idea.

4 CHIEF OBE: Yes, ma'am.

5 COUNCIL MEMBER MEALY: Okay, one other
6 thing. How- what is your response if- I have a high
7 school, if they want to protest, they feel this day,
8 June 19th, they're going to protest. They didn't tell
9 the precinct, they just go out and start walking
10 through the streets. What is your plan B in order to
11 control, not harm? You said visual and vocal. What
will be your response to her?

12 DEPUTY COMMISSIONER GERBER: And Council
13 Member, just to be clear, are you talking about a
14 protest out of school or a school walkout by
students?

15 COUNCIL MEMBER MEALY: Like a school
16 walkout.

17 DEPUTY COMMISSIONER GERBER: Right. So,
18 and that we have sometimes, and our practice in that
19 regard- and again, it's easier if we know in advance.
20 It's harder if we don't. We're going to have
community affairs officers who are going to respond,
21 who are going to be walking with them.

COUNCIL MEMBER MEALY: How long would your community affairs officers get to that school?

DEPUTY COMMISSIONER GERBER: It's just going to depend on- I mean, we'll get there as soon as we can. If we learn in real time of a school walkout and students marching in this, you know, marching wherever they're marching to, we're going to have- we're going to respond as soon as we possibly can. I can't give you a number of minutes, but we're obviously going to want to get community affairs officers there as soon as humanly possible. We will try to communicate with the leaders of the walkout to understand what their plans are. They don't have to talk to us, but hopefully they will. That'll make it easier for everyone. And then we will walk with them as they march. And as long as they're doing that peacefully, then, you know, we will facilitate First Amendment activity.

COUNCIL MEMBER MEALY: Okay. So it wouldn't be- you wouldn't stop them. You still just walk with them and maintain it.

DEPUTY COMMISSIONER GERBER: We're talking- we're talking about high school students?

COUNCIL MEMBER MEALY: Mm-hm.

DEPUTY COMMISSIONER GERBER: Yeah, we would- again, assuming peaceful-

COUNCIL MEMBER MEALY: [interposing] Do you know why- and this is my last question. Why would any organized entity would not want to speak to the police?

DEPUTY COMMISSIONER GERBER: Oh, I mean, again, it's much easier for us when they do.

COUNCIL MEMBER MEALY: Aren't we in this together?

DEPUTY COMMISSIONER GERBER: No, but there certainly, there are- there are groups that they don't trust the police. They feel as a matter of principle, they don't wanna talk to us. And that is their right.

COUNCIL MEMBER MEALY: Okay, then we should definitely- because it's about all of us. So thank you. Thank you, Chair.

CHAIRPERSON FELIZ: Thank you, Council Member Mealy. Next, we'll hear from Council Member Joseph and then Justin Sanchez.

COUNCIL MEMBER JOSEPH: Thank you. Thank you. Thank you so much. The bill forces NYPD to create a new plan regarding security perimeters. NYPD

1 testified they already have the policies for how they
2 create security perimeters. Why is this asking to
3 create a new plan when this already exists? And I've
4 done walkouts with my students before from 5th grade.
5 We walk out, you chaperone. Their cause was noble. It
6 was around Trayvon Martin. My students came with
7 hoodies in 5th grade and they walked out and we
8 chaperoned and we walked around the block with them
9 and they came back. We have— we tell young people
10 protest. We say this is a democracy. You got to use
your voice. So walk me through that process.

11 DEPUTY COMMISSIONER GERBER: Right. So the
12 bill doesn't— again, it doesn't change what we do at
13 all. It's not— that's not— that's not what I read the
14 bill to say. That's not how we approach this. It is—
15 it is— it requires us to memorialize our present
16 practice. Right? And, by the way, the bill is not
really about walkouts. It's more about protests—

17 COUNCIL MEMBER JOSEPH: [interposing]
Correct.

18 DEPUTY COMMISSIONER GERBER: [inaudible]
19 So it's not going to change what we do. It will be a
20 document that people can look at and I guess people
21 can—

1
2 COUNCIL MEMBER JOSEPH: [interposing] Why
3 doesn't it already exist that we're not looking at it
4 already?

5 DEPUTY COMMISSIONER GERBER: No. So, we
6 don't have a document for every single scenario that
7 can- that we have to respond to. We have principles
8 that are articulated, conveyed very clearly to
9 executives and are applied. As it stands right now,
10 right, do we have a plan for protests outside of
11 courthouses? Do we have a plan for protests outside
12 of hospitals? No. But that's not- I mean, there's
13 like an infinite number of potential scenarios we
14 have to deal with. Again, there are- we have- we're
15 subject to a protest settlement, of course. We're
16 subject to department policy, Patrol Guide, subject
17 to federal, state, local law. There's guidance that
18 we've given repeatedly in terms of what we expect
19 from incident commanders. And then within that
20 framework, you have whatever the factual scenario is.
21 And-

18 COUNCIL MEMBER JOSEPH: [interposing] But
19 you already have a standing MOU with New York City
20 Public Schools, correct?
21

DEPUTY COMMISSIONER GERBER: Well, not— but not actually with protest activity. I mean with other contexts.

COUNCIL MEMBER JOSEPH: Right.

DEPUTY COMMISSIONER GERBER: But I'm just saying that— you're asking why don't we have— why don't we already have a plan for protests outside of schools?

COUNCIL MEMBER JOSEPH: And you're having another plan. It's like having a plan for another plan.

DEPUTY COMMISSIONER GERBER: Well, I mean, it just— there's an infinite number of documents we could generate. Again, I feel very strongly that we have the right principles, the right approach. And then, you know, it is very context specific. Every scenario is different. And what we— the incident commander, the officers on scene have to follow the Patrol Guide, the protest settlement, the law, and then respond to the facts before them.

COUNCIL MEMBER JOSEPH: But you already have the MOU that cooperates the framework that includes a joint committee consisting of designee, the Chancellor, the Police Commissioner, the Mayor,

1 and it creates a School Safety Community Partnership
2 Committee to convene already. So have any of these
3 groups— which NYPD representative recommend changes
4 to the existing framework of the MOU?

5 DEPUTY COMMISSIONER GERBER: I just don't
6 know. I'm just not sure about that. Again, I don't
7 think about that MOU in terms of, like, school
8 walkouts. When I think about a school walkout, I'm
9 thinking about a protest. I'm thinking about our
10 Patrol Guide procedures in that regard. I'm thinking
11 about the protest settlement. I'm thinking about the
12 First Amendment. So I think about it a little bit, a
13 little bit differently.

14 COUNCIL MEMBER JOSEPH: How many— can you
15 cite any incidents of intimidation outside of
16 non-public schools or public schools that this bill
17 would prevent?

18 DEPUTY COMMISSIONER GERBER: Well, again,
19 the bill doesn't change—

20 COUNCIL MEMBER JOSEPH: [interposing]
21 Right.

DEPUTY COMMISSIONER GERBER: what we do at
all. The bill's about, as I understand it,
transparency, about our articulating what we already

1 do. As I said, we're prepared to do that, but it's-
2 the bill, we don't view the bill as changing what we
3 do day to day.

4 COUNCIL MEMBER JOSEPH: It doesn't live
5 anywhere already in your system on a website
6 somewhere?

7 DEPUTY COMMISSIONER GERBER: No, is- but
8 again, we don't have- we do not have a document for,
9 like, each possible scenario where we might have a
10 protest. There'll be- there'll be a lot of documents.
11 But again, the bill would require us to do that for
12 certain types of educational facilities, and we are
13 certainly prepared to do so.

14 COUNCIL MEMBER JOSEPH: So the bill forces
15 you to create a new plan?

16 DEPUTY COMMISSIONER GERBER: It requires
17 us- yeah, well, it requires us to describe and put in
18 words what we already do in these contexts.

19 COUNCIL MEMBER JOSEPH: But you're already
20 doing it, right?

21 DEPUTY COMMISSIONER GERBER: Yes.

COUNCIL MEMBER JOSEPH: So why we do- why
do we need this bill then? To tell you to do what
you're already doing?

DEPUTY COMMISSIONER GERBER: It is calling upon us to describe what we already do.

COUNCIL MEMBER JOSEPH: Oh. Alright. I'm sure that my young people that are here disagree with us. This is very interesting. We should keep talking. We should keep talking. How about we- if- how about public- non-public schools? How do you interact with that? What are your-

DEPUTY COMMISSIONER GERBER: I don't- I don't know that the- I don't- if we had a protest outside of a private school and it was blocking the entrance to that school and blocking the sidewalk there so students or teachers or parents couldn't get in and out, we would have to- we- they have to be able to get in and out safely. That's true for public schools and for private schools. And if someone was blocking the entrance, preventing, again, parents or students or faculty from getting in and out of a school off a public sidewalk, we would warn them that they have to move. If they refuse to move, we would take enforcement action. That analysis, again, public sidewalks outside a public school versus a private school, I don't think it matters.

COUNCIL MEMBER JOSEPH: What about New York City public schools that are contracted-- that are public school contracted but not in public school buildings? We have that as well.

DEPUTY COMMISSIONER GERBER: I don't-- but in terms of our analysis, if someone is blocking an entrance off of a public sidewalk into any school, it doesn't change the analysis.

COUNCIL MEMBER JOSEPH: It doesn't change it. Okay, thank you. Thank you, Chair.

CHAIRPERSON FELIZ: Thank you so much, Council Member Joseph. A few more questions. Going back to the shots fired bill, if we pass the bill, if we're able to work on the changes that you suggested, including the timeline for implementation, also potentially requiring that the reporting be done every month--

DEPUTY COMMISSIONER GERBER: [interposing] We were hoping for quarterly, but okay.

CHAIRPERSON FELIZ: Quarterly. Okay. Where can this information potentially be posted? Would you be open to doing it in CompStat or on the website, NYPD website?

DEPUTY COMMISSIONER GERBER: So, if- it would be posted publicly. I don't think- it wouldn't be on the CompStat sheet. I think that's separate for a variety of reasons. But, you know, we- there's a lot of data that we put out quarterly, and we would incorporate into that system. So we would be- it would be available, I mean, with the various caveats that I mentioned. It would be available quarterly to the public.

CHAIRPERSON FELIZ: Okay. And also going back to the towing issue. So private tow companies are already required to provide notice to the NYPD when they tow a vehicle, right? Every-

DEPUTY COMMISSIONER GERBER: [interposing]
Correct. That is correct.

CHAIRPERSON FELIZ: Is this happening? How often would you say that they're failing to-

DEPUTY COMMISSIONER GERBER: [interposing]
So, I don't have data for you on this. I will acknowledge it is definitely not perfect. Definitely an imperfect system. Are there private tow operators who do call in? Yes. Are there those who don't? Yes, that is surely the case.

CHAIRPERSON FELIZ: If you were to provide a ballpark, how bad is the issue? Would you say half of them are providing notice? I know it's difficult to determine, but if you were—

DEPUTY COMMISSIONER GERBER: [interposing]
Yeah.

CHAIRPERSON FELIZ: Based on the conversations you have.

DEPUTY COMMISSIONER GERBER: Chair, I don't want to guess. It would be truly a shot in the dark. I don't want to do that. It is hit or miss. And by the way, part of the problem is that really with private tows, if it's not a tow at the NYPD's direction, if they don't call us, we literally have no way of knowing that it happened. Right? Because it didn't— I mean, row tow, that's— we're involved. DARP [sic] we're involved. But a truly private tow that doesn't tell us, we have no way of knowing.

CHAIRPERSON FELIZ: Okay. Also, going back to the Preconsidered Encarnación bill, how many protests at educational facilities has the NYPD responded to in the past few years? And also, how do they compare protests at colleges versus K-12?

DEPUTY COMMISSIONER GERBER: Right. So, we do not track in a systematic way the location of protests. Again, I'm not suggesting we don't know where protests happen. We do. And so, you know, any particular protest operations is going to have data about that. But we don't have, like, in a systematic way, like, oh, here's good data on the location of protests. I also will say it's also- it's not a simple thing, right? Because are you talking about- you know, there are protests that target a particular location, right? They're protesting at X location. Then there are protesters who march across many blocks in the city. Are you- every time they pass by, you know, a school, does that count? Those are very, very different scenarios, totally different scenarios for a lot of reasons. I will say, and this is not, data-driven, just this experience over the last few years, we certainly- and this again, this particularly in 2024, you know, we had a trim- we had a lot of protests outside universities. That was- there was a lot of that. You know, in terms of a protest targeting, like, an elementary school or a middle school, I really can't recall that happening. I'm not saying it's never happened, but over the last

1
2 few years, I cannot— I cannot recall a situation
3 where in which a protest was directed at, like, an
4 elementary school or a middle school. I will say,
5 just, you know, it's— obviously, you could have the
6 house of worship, but they also have, like, in the
7 house of worship an after-school program. So I
8 wouldn't know about that necessarily, you know? But
9 sure, like, something that is obviously, like, a
10 school, an elementary school, and a protest targeting
11 that, I don't recall.

12 CHAIRPERSON FELIZ: Alright, thank you for
13 the information. Next we'll hear from Council Member
14 Justin Sanchez.

15 COUNCIL MEMBER SANCHEZ: Thank you so
16 much, Chair Feliz, and thank you guys so much for
17 your testimony here today. And also, shout out to
18 another former council member in the House, Council
19 Member Mark Treyger. Quickly, I want to talk about
20 the tow operations a little bit. I wanted to know
21 what processes does the department go through to
close 311 requests for illegal parking?

CHIEF OBE: I'm so sorry, I don't have a
response to that. I was just focused on the three
bills, and that's what I was prepared to discuss

1 today. So I don't know, but I could certainly get
2 back to you on that.

3 COUNCIL MEMBER SANCHEZ: Okay, because in
4 order to tow something, you need to have a bunch of
5 311 requests in order to get that done.

6 CHIEF OBE: So the types of tows that we
7 refer to with these bills really pertain to
8 department violations. So these are vehicles that
9 already have violations on the street. We tow, we
10 take to the pound, that type of thing. So, I don't
11 have a response to that.

12 DEPUTY COMMISSIONER GERBER: Council
13 member, just to make sure we understand the question.
14 Is the question when a car is towed, like, how do we
15 in terms of our data, keep and close out the 311-

16 COUNCIL MEMBER SANCHEZ: [interposing] In
17 order for a car to get the violations, to get all the
18 stuff, you need a process in which, you know, they
19 accumulate all these things, they get their tickets,
20 people report them. So my question is, from the very
21 inception of when someone reports a 311 request, how
does the- that from there to the NYPD coming and
being like, oh, this car should be towed. What does
that process look like?

2 DEPUTY COMMISSIONER GERBER: Yeah, and
3 Council Member, we will easily be able to get that
4 for you. We will have that for you.

5 COUNCIL MEMBER SANCHEZ: Thank you.

6 CHAIRPERSON FELIZ: Thank you, Council
7 Member Sanchez. Alright, moving on to Introduction
8 551, which prohibits the sale and the distribution of
9 temporary paper plates. I'll have— I'll ask some
10 questions about that, and then also Introduction 853,
11 and then we'll do a second round, and then we'll
12 conclude. I know we have a lot of members of our
13 community who have signed up to testify, so we want
14 to, of course, hear from them. So, yeah. So,
15 Introduction 551 prohibits or increases the fines for
16 those that are selling fake paper plates. I know
17 we've made a lot of progress on the issue. The
18 problem exploded during COVID. We've made some
19 progress, but to my knowledge, it's still a problem,
20 including the sale of it. I mean, I checked on
21 Craigslist and also the Facebook Marketplace last
night and saw people selling the— promoting those
fake paper tags. So, you know, obviously it's an
issue. How bad of an issue is it? What are you

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1 like, people selling stuff to either— well, using
2 things to obscure their plate, right? So that's a VTL
3 violation, right? If you— if you— it's a separate
4 issue, but I think important, and I think covered a
5 little bit what you're talking about is. The license
6 plate's a real license plate, but you obscure it. So,
7 doing that is a VTL violation subject to fine. And
8 there's also a provision in city law that imposes
9 civil penalties for those who provide or sell the
10 materials that you use to obscure your plate. So
11 there are consequences. And as the Chief said, I
12 mean, this has been a priority for the department for
13 some time. We are doing these enforcement operations
14 at a very regular clip. You have the Q Teams doing
15 this in response to 311 complaints. So it is
16 something that we are very focused on and take
17 incredibly seriously.

18 CHAIRPERSON FELIZ: Yeah. And as we know,
19 people use fake paper plates for many reasons. Many
20 of them want to be able to get on the road and engage
21 in reckless driving, speeding, running red lights
with very little total accountability. What
percentage would you say are individuals using paper
plates to engage in criminal activity?

1 DEPUTY COMMISSIONER GERBER: I don't have
2 data on that. I think that also might be hard data to
3 have, quite frankly, right? Because you're— what
4 you're going to is sort of like their motive, right?
5 And you know, obviously we're going to do enforcement
6 whatever the motive is. If you have, you know,
7 fraudulent plates, you're obscuring your plates,
8 we're going take action, whatever your motive might
9 be. As you said, there's a range of possibilities,
10 none of them good, but there's a range. I don't know
11 that we would really have data on that.

12 CHAIRPERSON FELIZ: Based on the incidents
13 of violence that we've seen in our city, including
14 issues related to gun violence, is ghost cars
15 something that we continue to see involved in these
16 violent incidents? I would assume they want to, you
17 know, they want to make themselves—

18 DEPUTY COMMISSIONER GERBER: [interposing]
19 Sometimes. I mean, sometimes, yes. I mean, there
20 certainly— there certainly has been a real concern,
21 to your point, Chair, about, you know, someone who is
engaged in potentially, like, violent criminal
activity and for pretty obvious reasons doesn't want
their car tracked, doesn't, you know, doesn't want to

1
2 get caught, so they're using, you know, fake plates
3 or fraudulent plates. So certainly something that
4 we've seen. In terms of, like, the trend line,
5 though, that I'm not sure we have for you.

6 CHAIRPERSON FELIZ: Alright. So, we'll do
7 a second round of questions. We'll go back to Council
8 Member Joseph, and then Wong, who is at a Finance
9 hearing, and he should be on his way here.

10 COUNCIL MEMBER JOSEPH: Thank you. Does
11 the NYPD have any examples of instances where a
12 student-led assembly has prevented someone from
13 accessing an educational facility?

14 DEPUTY COMMISSIONER GERBER: A student,
15 you mean like a protest outside of school?

16 COUNCIL MEMBER JOSEPH: Yeah. Do you have
17 any examples of when facilities were blocked because
18 of the protests due to students?

19 DEPUTY COMMISSIONER GERBER: And include—
20 you're talking about elementary schools, middle
21 schools, high schools, universities, anything?

COUNCIL MEMBER JOSEPH: K-12.

DEPUTY COMMISSIONER GERBER: It is— again,
I— nothing comes immediately to mind. I can't say

it's never happened, obviously. But nothing immediately comes to mind, no.

COUNCIL MEMBER JOSEPH: Yeah. What safeguards would exist to ensure security perimeters are not used unnecessarily to restrict unlawful protest activities?

DEPUTY COMMISSIONER GERBER: Sorry, unlawful or lawful? Sorry.

COUNCIL MEMBER JOSEPH: Oh, wait, lawful.

DEPUTY COMMISSIONER GERBER: Yeah.

COUNCIL MEMBER JOSEPH: Law- of course, lawful.

DEPUTY COMMISSIONER GERBER: Okay. I figured. So there are a number of pieces to that. You know, I- the incident commander, right, knows, and this is, I think, very clear- there's no confusion about this in the Department, right? First of all, the decision to even create a frozen zone is done on a case-by-case basis based on all the facts in consultation with an attorney from the Legal Bureau, right? There's a legal framework, right, in terms of it has to be content and viewpoint neutral, cannot burden substantially more speech than necessary, and has to allow ample alternative means of speech. We

1 talk about sight and sound in that regard. So, you
2 know, even in a situation which, okay, we've got a
3 real, you know, concern here, a problem in terms of
4 obstruction of an entrance. We're going to do a
5 frozen zone. If we're doing a frozen zone,
6 necessarily we are- we're like, okay, so where- if
7 protesters need to have sight and sound, where is
8 that going to be? Right? That is very much ingrained
9 in the culture of the Department. And again,
10 protestors don't have to go there. Sometimes
11 protestors do not want to go in the designated
12 protester area. That's their right. But anytime you
13 have a frozen zone, you are going to have, a protest
14 area with sight and sound to the entrance. What I
15 think is critical, critical. So you, you're going to-
you're really- you will have that in place every
time.

16 COUNCIL MEMBER JOSEPH: Do you have any
17 idea of the protests that require NYPD response? How
18 many have been at private schools versus public
19 schools or high schools or colleges or middle school
or elementary?

20 DEPUTY COMMISSIONER GERBER: I- we- I
21 don't have that data for you. And again, we don't- we

1 have not been tracking in a systematic way, like, the
2 location of the protest. In the sense that we would
3 have data that we would be comfortable using. So we
4 don't- we haven't really- that's not really the way
5 we've tracked it and thought about it.

6 COUNCIL MEMBER JOSEPH: Apart from rallies
7 and protests, what other security-related event might
8 affect this school?

9 DEPUTY COMMISSIONER GERBER: I mean, well,
10 a few things. I mean, for starters, you could imagine
11 a situation where because of some potential, you
12 know, criminal activity, there's an emergency, and
13 we're concerned there could be some danger to-

14 COUNCIL MEMBER JOSEPH: [interposing]
15 Would a bomb threat be-

16 DEPUTY COMMISSIONER GERBER: [interposing]
17 Yeah, something like that.

18 COUNCIL MEMBER JOSEPH: part of-

19 DEPUTY COMMISSIONER GERBER: You know, I
20 mean, sorry to say, but like, you know, there are
21 situations like that, and we would take this- now
we're talking about, obviously, potentially
incredibly dangerous situation, exigency, and we
would take the necessary steps to keep people safe.

1 And you can imagine a situation where we would have
2 to immediately freeze some area to ensure the safety
3 of everyone involved. That, I mean, that certainly
4 could happen.

5 COUNCIL MEMBER JOSEPH: Is there any
6 component of a community engagement piece in this?
7 How is community engaged in this process?

8 DEPUTY COMMISSIONER GERBER: Yeah. So, I
9 mean- I assume you mean in the protest context, not
10 in the, like- I mean, in other words, if there's some
11 true exigency emergency, like a bomb threat, we're
12 going to move immediately. And, you know, obviously
13 we want to communicate as responsibly as we can, but
14 we're dealing with an emergency situation. In the
15 protest context, community affairs officers are
16 reaching out to the relevant stakeholders. And that's
17 happening every time, right? So you have a protest
18 outside, let's say a school. Community affairs
19 officers are going to talk to the leadership of the
20 school. They're gonna try to talk to the leaders of
21 the protest. Sometimes that's a very productive
dialogue. Sometimes not, but they're always going to
try. And that's happening, by the way, that's
happening before the protest, happening during the

1 protest, right? Community Affairs officers— and this
2 is consistent with the protest settlement, right—
3 serving as protest liaisons. That's all about having
4 that dialogue or doing our very best to have that
5 dialogue.

6 COUNCIL MEMBER JOSEPH: Thank you, Chair.

7 CHAIRPERSON FELIZ: Thank you. A few
8 questions about frozen zones and the security
9 measures that we're talking about. I know we've been
10 talking about it in the context of the educational
11 environment. Just curious, unrelated to the
12 educational facilities, but still in the context of
13 security measures, the NYPD is taking security
14 measures today at the Madison Square Garden, the same
15 measures that it did when the President was in the-
16 visiting the city. Why are we taking the same
17 security measures?

18 DEPUTY COMMISSIONER GERBER: Well, I—
19 we're not the right people to speak to the
20 particulars of what we're doing today. And I don't— I
21 don't know to what extent it's identical. We are
certainly taking significant security measures this
evening in the interest of public safety, and given
the challenges that we have had until this point

1 postgame, which are quite serious. And of course, we—
2 people— hopefully the Knicks win and people
3 celebrate. People are able to celebrate and
4 celebrate—

5 CHAIRPERSON FELIZ: [interposing] Safely.

6 DEPUTY COMMISSIONER GERBER: peacefully,
7 safely, safely for everyone, safely for other people
8 celebrating, safely for police officers. And we are
9 trying to do our very best to act responsibly to make
10 sure that people can celebrate in a safe manner.

11 CHAIRPERSON FELIZ: And I know we're
12 obviously taking it one day at a time, but is the
13 plan to have similar security measures at future
14 games? I know—

15 DEPUTY COMMISSIONER GERBER: I really
16 can't speak to that.

17 CHAIRPERSON FELIZ: Okay, so a few more
18 final questions on Introduction 843. I don't see
19 anyone signed up, so I'll ask some questions and then
20 we'll conclude if no one else signs up for questions.
21 So 843 by Council Member Stevens, which will create a
program to provide public notification of school
emergencies. What role does the NYPD currently play

1 in notifying school officials, parents, and the
2 public during school emergencies?

3 DEPUTY COMMISSIONER GERBER: Right. So,
4 you know, in the public school context, obviously we
5 have an entire school safety division, as you know.
6 And so we're in dialogue with schools. And if we have
7 some emergency in a school, you know, again, through
8 school safety and otherwise, we're going to be in-
9 we're going to be in dialogue with leadership of the
10 school. And my understanding is that DOE has its
11 systems for providing notification. We're certainly
12 not the experts on that. But they certainly have
13 mechanisms for communicating with parents. If we have
14 to respond to an emergency at a private school, you
15 don't have the same systems in place as you do with,
16 you know, school safety, but in the nature of any
17 sort of police response, we're going to be reaching
18 out to the leadership of that school and talking to
19 people at school. We're going to have police officers
20 arriving on scene and in dialogue with the school. So
21 again, it's more formalized in the public school
context because of the School Safety Division. But
then in a private school, as with other institutions,

1 if we're responding to the scene, we're going to be
2 talking to leadership on scene.

3 CHAIRPERSON FELIZ: What communication-
4 what communication challenges does the department
5 encounter during school emergencies?

6 DEPUTY COMMISSIONER GERBER: I'm not sure
7 where the right people to really answer that, answer
8 that question. Yeah. I mean-

9 CHAIRPERSON FELIZ: [interposing] Or I
10 guess what are the existing communication protocols
11 between the NYPD? I know obviously the Department of
12 Education also plays a role during the process.

13 DEPUTY COMMISSIONER GERBER: Right. So in
14 terms of- and that's the way I- talking about the
15 bill, right? So our point in this is to the extent
16 we're talking about notifications, I mean, that's
17 really for, you know, in the public school context, I
18 would say some combination. It's DOE and to what
19 extent, if any, NYCEM is involved, but that's really
20 again for DOE and NYCEM. And it's really in the
21 private school context, that's really a question for
NYCEM. I totally understand that- you know, from the
PD side of it, like, you know, we may learn of some
emergency at a school, right? We're responding. And

1 so we have that information and you can certainly
2 imagine a bill that, you know, where we're passing
3 along the information to NYCEM and they are making
4 notifications as appropriate. But to the extent the
5 bill is suggesting that the NYPD directly should be
6 making those notifications, we don't think that's
7 really in our purview.

8 CHAIRPERSON FELIZ: Okay, thank you for
9 the information. Any other questions? I don't see any
10 other questions, so, yeah, thank you so much for
11 joining us today. Thank you for all the work you're
12 doing to keep New Yorkers safe. We look forward to
13 continuing all the conversations on all these bills.

14 DEPUTY COMMISSIONER GERBER: Thank you.

15 CHAIRPERSON FELIZ: Thank you. And let's
16 go Knicks. And we're going to take a five-minute
17 recess. We'll resume at 12:20, six-minute recess.
18 Thank you.

19 [break]

20 12545

21 CHAIRPERSON FELIZ: Thank you, everyone.
We're going to resume the hearing. And I'll now open
the hearing for public testimony. I remind- I remind
members of the public that this is a government

proceeding and that the decorum shall be observed at all times. As such, members of the public shall remain silent at all times. The witness table is reserved for people who wish to testify. No video recording or photography is allowed from the witness table. Further, members of the public may not present audio or video recordings as testimony, but may submit transcripts of such recordings to the Sergeant-at-Arms for inclusion in the hearing record. If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant-at-Arms and wait to be recognized. When recognized, you'll have two minutes to speak on topics related to the legislation being heard today. Again, I'll repeat that part. We are specifically hearing testimony related to the legislation being heard before this committee today. If you have a written statement or additional written testimony you wish to submit for the record, please provide a copy of that testimony to the Sergeant-at-Arms. You may also email written testimony to testimony@council.nyc.gov within 72 hours of the close of this hearing. Audio and video recordings will not be accepted. For in-person panelists, please come to the table once your name

1 has been called. And I'll first call the first— I'll
2 call the first panel: Mark Treyger, Hindy Poupko,
3 Elizabeth Bender, Joseph Rosenberg, Jacqueline
4 Goodman. And we'll start in that order. So Mark
5 Treyger, and then Hindi Popku, and then— good to see—
6 good to see you all. Yep, sounds good. Yes, you may,
7 may begin when you're ready.

8 HINDY POUPKO: Let me first begin by
9 thanking you, Chairman Feliz, for overseeing this
10 hearing, and Councilwoman Encarnacion, thank you for
11 your leadership. It's really an honor to be here, and
12 I know that the council was very deliberative about
13 this process and this bill, and we really do
14 appreciate your commitment to seeing this through.
15 Before I came on, there were a lot of comments that
16 were made that were appropriately factual and about
17 procedure. I want to talk a little bit more
18 personally about why this bill is so important to so
19 many of us in the Jewish community. A week after
20 October 7th, I was walking home on West End Avenue
21 with my three young children, 12, 10, and six. A pack
of teenagers passes us by and they yell at my kids,
"Should we kidnap the boy or the girl?" And I shared
the story with you because across New York City, we

1 are seeing our children being yelled at and
2 intimidated. We very much uphold the right to free
3 speech, to protest. We're often the ones protesting
4 ourselves. But when we drop our kids off at school,
5 it would mean a lot to know that at least here
6 they're safe. You got this done with respect to our
7 houses of worship. It went a very long way, and we
8 hope that today and after this hearing we can get
9 this done for schools as well. Thank you for your
leadership.

10 CHAIRPERSON FELIZ: Thank you.

11 MARK TREYGER: Thank you, Mr. Chairman,
12 Chairman Feliz, dear friend, and Council Member
13 Encarnacion, thank you for leadership, and to all the
14 council members, staff folks who are present. This is
15 personal for me. I have tremendous respect for this
16 esteemed body and for this institution. Building on
17 what Hindy just shared from our great community
18 partner, UJ Federation, what I'll share is that JCRC
19 convened a community solidarity event early May when
20 there was a massive swastika spree in Forest Hills,
21 Queens and across other neighborhoods in Queens. And
as the NYPD testified earlier, houses of worship can
also house early childhood education programs. In the

case of Queens, that's exactly what happened.

Children, families, staff were walking- waking up that day and walking into a situation where there was a crime scene and a massive swastika scrawled on an early child education site house and a synagogue.

Swastikas were also scrawled on people's homes and it was just a very frightening scene. But once the headlines fade, once the newspapers stop writing about it, once the TV cameras are gone, the providers

who actually serve the kids in the program, they're the ones fielding phone calls from parents and staff saying, is it safe to send my kid to school tomorrow? What happened here? And providers are being now

inundated with questions on a routine basis. Is it safe to send my kid to school? What's the plan? And I think, Mr. Chairman, and to members of the Council and staff, this is an issue that has exposed a gap in our transparency structure. Because I'll remind folks that between DOE and NYPD, there is an MOU,

Memorandum of Understanding, that governs the relationship between DOE and NYPD. But over 60 percent of early childhood education programs in New York City are not housed in DOE buildings. They're housed in community-based settings like houses of

1 worship, to which there is no MOU. There is no
2 transparency like there is for DOE buildings. And so
3 in my strong, humble opinion as a former teacher,
4 former Chair of Education Committee, I believe that
5 transparency makes people more safe, not less safe. I
6 think having more understandings about what's the
7 plan— it's not just about protest, even though
8 obviously we must respect the First Amendment. People
9 have a fundamental right to protest. We have no
10 fundamental right to intimidate anyone. And it's— but
11 it's not just about protests, it's about what if
12 there's an incident at the site, whether it's a
13 swastika, whether there's some disruption. People ask
14 rightfully, what is the plan? We don't know because—
15 and NYPD said there's not enough data because there's
16 no requirement to collect data. That's why the
17 Council Members pass bills to get transparency. So I
18 just want to say, at its core, this legislation is
19 about fundamental transparency. Parents, educators,
20 providers, protesters, everyone deserves clarity
21 about safety plans when disruptions or security
incidents occur. Transparency makes us more safe. It
helps protect our kids, our fund— our critical
stakeholders. And I truly appreciate the leadership

of this Council for being deliberative, being very thoughtful about this process, and exposing a real transparency gap that exists in the system today.

Thank you, Mr. Chairman.

CHAIRPERSON FELIZ: Thank you.

ELIZABETH BENDER: Hi, good afternoon. My name is Liz Bender. I'm the Policy Counsel with the criminal practice at the Neighborhood Defender Service of Harlem, public defender office serving Upper Manhattan. NDS opposes this bill because it does not achieve the transparency that we've heard many people talk about today. General Counsel Gerber mentioned many times that what he viewed the bill in its current form as doing was requiring them to report on what they're already doing. But that's not what the plain language of this bill does. It requires them to propose a plan. Propose means show us something new. It does not have detailed reporting requirements about what they're already doing. And in fact, what he said before this council is that he doesn't have that. There is no guide. There is no written memorialization of how they respond to incidents at schools. He also could not point to a single incident at K-12 schools where there has been

any of the b- of any incident that where they've had to respond, right, to a protest activity in K-12 schools in the way that it's contemplated in this bill. So this bill is aiming to meet a need that even NYPD is saying they're not aware exists. But what this bill could be amended to do and should be amended to do is that transparency. I don't know why he reads it to require only transparency when it explicitly says that they must propose a plan, but we would urge this council to amend it so that it does require that transparency and reporting on what NYPD is currently doing. I do want to point out that one of the one of the main reasons that NDS opposes this bill is because we believe that anytime you ask NYPD to propose, generate, do something new, what that means is that the clients we serve will bear the brunt of that increased NYPD activity. And particularly at a time when the Trump administration is already deploying a cruel and inhumane deportation agenda, when just this week Tom Homan threatened to flood our city with more ICE agents than you've ever seen. What this Council should be doing is finding ways to protect parents and the kids that they send to school from increased law enforcement activity,

not inviting the NYPD to propose new plans to police our students and their communities. Thank you.

JOE ROSENBERG: Good afternoon, Chair Feliz, Council Member Encarnacion. I'm Joe Rosenberg, Director of the Catholic Community Relations Council. We thank the committee for holding this hearing on Council Member Encarnacion's legislation. It's an important— it's a timely measure, especially following the latest NYPD data indicating that hate crimes are up by 74 percent in May 2026 compared to May 2025. At a time when these crimes against so many religious groups are on the rise in our city, we must all stand together united against such abhorrent acts. Such solidarity includes supporting this bill requiring NYPD to create security plans to help ensure the safety of students, teachers, and faculty in both public and non-public schools. We have over 150 Catholic schools in New York City alone. Students, teachers, and faculty must not be placed in a situation of being harassed, intimidated, or physically obstructed by demonstrators. And parents as well need to be assured that their children in their schools are entering a safe haven and that these schools remain a place for learning and not a

place for fear. The legislation requires the NYPD to submit plans to the Mayor and the Council, to post them on the agency's website. Plans include the criteria for when the security perimeter should be used and for what duration, the steps taken to ensure the perimeter does not infringe on the right to free speech and assembly, communication with the administrators of both public and non-public schools and the community to understand their needs the concerns, and finally, a point of contact for the general public. It achieves a delicate and important balance. The constitutional right of free speech and assembly are protected, while at the same time, the legislation helps to safeguard schools against growing and increasingly violent threats. Like other faith-based organizations, we're fortunate in having the NYPD as a strong partner. They've been responsive, proactive in confronting the challenges facing our schools and our children. And this bill will continue their ability to do so by just making it more transparent, creates more dialogue, which is what people need to hear. And it'll be more protection for not just the students, but the faculty, the staff, and the parents. We thank Speaker

Menin and you for recognizing these growing threats, and we hope that this- that this legislation passes soon. Thank you.

JACLYN GOODMAN: Good afternoon. Thank you. Good afternoon. My name is Jaclyn Goodman, and I'm an attorney with the Legal Aid Society's Juvenile Rights Practice. We represent over 30,000 children in family courts across the city each year, the vast majority of whom attend the very schools targeted by this bill. I'm here today to speak about our opposition to this legislation. Instead of enhancing school safety, this measure will first disproportionately harm marginalized communities, including Black and Brown, LGBTQIA+, and immigrant students. It will further expose young people and other community members who are already overpoliced to the risk of criminalization for engaging in protected speech and expression, and it will suppress student voices and discourage civic engagement at a moment when students should be empowered to participate in public discourse. This council's own report, Law Enforcement in NYC Public Schools, which analyzed data from 2016 to the second quarter of 2023, indicates that increased police presence around

schools is likely to worsen the criminalization of Black students. For many children, an increased police presence around schools may undermine feelings of safety rather than promote them. And research also shows that school-based policing disproportionately impacts Black and Brown students as well as students with disabilities who are already more likely to face disciplinary action and law enforcement intervention. Extending police activity beyond school buildings through expanded security perimeters first risks further entrenching these inequities. The proposed bills also raise significant concerns for LGBTQ+ youth, particularly transgender, gender non-conforming, and non-binary students who already face heightened scrutiny and disproportionate contact with law enforcement. By granting the NYPD broad discretion to establish and enforce security perimeters or frozen zones around schools, these measures could increase opportunities for profiling and selective enforcement at a time when many young people— may I? thank you— are advocating for their rights and participating civic life. This bill risks chilling student expression and discouraging students from exercising their rights to speak, organize, and

engage in their school communities. And more specifically, the bill's exclusion of public high schools from this measure fails to align with its purported justification. Either all high school students require the protections and intrusions that this bill proposes, or none do. In reality, the proposed approach is unlikely to benefit any students and instead will subject them to increased surveillance, policing, and barriers to civic engagements. Instead of investing in a greater police presence around schools, the City Council should prioritize proven strategies that promote school safety and well-being. This is funding comprehensive mental health services, more counselors and social workers, and investing in restorative justice programs that help students to develop effective conflict resolution resolution skills and foster safer and more supportive school communities. Thank you for this opportunity to share our thoughts.

CHAIRPERSON FELIZ: Thank you, thank you so much. And just have a super fast question for all of you. Whoever wants to answer, you could just answer in about 20, 30 seconds. We have about 30 people signed up, want to make sure we hear from them

1 as well. But just want to briefly hear from all of
2 you just to make sure that we have a full
3 conversation about the issue. Of course, we— this
4 council fully supports initiatives including
5 restorative justice programs, etc. But on this bill,
6 my understanding is that doesn't require or put any
7 new police officers in the area, or doesn't give any—
8 doesn't give them any new authority or power. It
9 simply just requires that they tell us what they're
10 doing to respond. So just curious if anybody wants to
11 give us 20, 30 seconds on that.

12 ELIZABETH BENDER: Hi.

13 CHAIRPERSON FELIZ: Make sure we get a
14 full conversation and get a full understanding of
15 everybody's perspective on this.

16 ELIZABETH BENDER: So the language of the
17 bill is that the police must submit a proposed plan
18 to address and contain the risk, and then it goes on
19 to describe the risks. What General Counsel Gerber
20 said in his testimony was that such a plan does not
21 already exist, that their response to schools is
varied. It's guided by a number of different things,
and that that isn't memorialized anywhere. So what
the Council is asking them to submit is something

1 that they will have to generate. He admitted that in
2 his own testimony. So you are asking them to create
3 something new, something uniform, right? And there's
4 a 45-day period where that is submitted to the
5 Council and to the Mayor before it is publicly
6 published. That 45-day period suggests that there's
7 going to be back and forth and amendments and changes
8 to that plan. So it is asking them to do something
9 new. If what you want is information about what
10 they're currently doing, then this bill's language
11 needs to change to explicitly ask for that
12 transparency. Proposing a plan is different from
13 reporting on everything you are currently doing,
14 which even knowing what he was going to be asked
15 today, he didn't really have, right? He told you
16 some, like, he listed the factors that they look at,
17 but there was no, this is how we respond. And I'll--
18 this bill also requires that the proposed plan be
19 about security perimeters specifically. It's not show
20 us-- tell us what you're doing to respond to protests
21 in schools. It's give us a plan about security
perimeters specifically. So it is-- I disagree with
the characterization that this is a transparency
bill. There is a transparency bill that could be the

1 result of an amendment process starting from here,
2 but we're not there right now.

3 CHAIRPERSON FELIZ: Okay.

4 MARK TREYGER: Thank you, Mr. Chair. So I
5 also refer the committee back to the hearing in the
6 chambers when things were packaged in terms of houses
7 of worship, and this discussion about education
8 settings or, in CBO settings where the NYPD said, you
9 know, we do have stuff in our patrol guides or we do
10 have stuff. And some members of the council were
11 questioning, well, if it's already in guidance, why
12 do you need to pass a law? And I respectfully remind
13 the Council that many of the laws we've passed
14 started off as a piece of guidance or an executive
15 order that became codified by the Council. And the
16 reason why council members do that is because it
17 creates a binding, concrete accountability and
18 transparency tool. And as I mentioned earlier, when
19 it comes to DOE buildings, there is an existing
20 written memorandum of understanding between DOE and
21 NYPD. And that's already on the books. It's written.
But the majority of our early childhood programs are
not in DOE buildings because insufficient space. So
therefore, we rely on community organizations,

whether they're houses of worship or settings, to house these programs. And I know a lot of discussion today has been so far about protests, but I remind the committee, it's not just about protests. It's about any safety disruptions or issues. What is the plan? Providers are being asked the question, what is the plan the next day to keep our kids and staff safe? And I also remind the committee, that if you look at a national nonprofit security grant program that started off around \$180 million in 2021, and now members of Congress are asking for more than half a billion dollars to a billion to protect houses of worship and education settings that continue to be some of the biggest targets of hate incidents and thwart— and thank goodness thwarted terror attacks. How much money are providers being forced to spend in their budgets rather than spending money on instruction or social— or which— and folks who know me, I absolutely love social workers and counselors and support staff. We've— the Council has added hundreds and hundreds of them. We need more. But how many providers have to spend money from their own budgets for additional private security because they don't have the resources to keep their stakeholders

1 adequately safe. So this bill fundamentally, in my
2 opinion, will say to the NYPD, if it's in your
3 guidance, make it public. Also, the bill calls for--
4 as a mechanism that says there's a draft proposal,
5 there's input for the Council and stakeholders to, to
6 finalize it with stakeholder input. To me, it is
7 about transparency. When you don't have transparency,
8 Mr. Chairman, that's when communities are actually
9 less safe. And that's my take on it. Pass the mic.

10 UNIDENTIFIED:: I concur.

11 JOSE ROSENBERG: I concur with Mark, too,
12 but just also to add that there is a plan. You know,
13 nobody knows what to do in instances like this. This
14 is sharing it with the public so we know as well.
15 People are missing that point.

16 : So I would join with my colleague from
17 Neighborhood Defenders, and I would just also mention
18 that there there are already criminal laws that
19 address alleged harassing and violent conduct outside
20 of educational institutions, and a law requiring the
21 creation of security perimeters, even while requiring
the police to take steps to ensure that the zones
don't curtail protest rights is not necessary when
there are alternatives to achieving the stated

1 purpose of safety, particularly when it infringes on
2 people's freedom of expression. So I think drawing
3 the police's attention to these sites and saying you
4 must do a plan similar to what my colleague said, I
5 think, in especially in the context of the students
6 that attend these schools that are already
7 overpoliced, that are part of these marginalized
8 communities, I think it does set up the-a very clear
9 likelihood that there could be overpolicing and these
youth could be placed at risk.

10 CHAIRPERSON FELIZ: Alright, sounds good.
11 Thank you so much. Thank you everybody for testifying
12 today and for your perspective. Thank you so much.
13 We're going to call the next panel: Judy Baum, Ariel
14 Saransky, Abby Rubin Pope, Zaka Nazir, Alan Abraham.
15 And you could testify in that order, or actually
16 we'll just do it from right to left or left to right,
17 whoever wants to go first. You'll have to- you could
begin when you're ready.

18 JUDY BAUM: Great. Good afternoon,
19 everyone, and thank you to the Chairs and the
20 honorable members of the Committee on Public Safety.
Thank you for the opportunity to testify here today.
21 My name is Judy Baum, and I'm Co-chair of the

Government Relations— Government Affairs Committee for the Jewish Community Relations Council. JCRC New York is the preeminent convening group of New York's Jewish community. We build relationships to advance the values, interests, and security of the Jewish community and to create a more interconnected New York for all. We speak in solidarity as members and leaders of New York's Jewish community to urge support for the Preconsidered Intro concerning a local law to amend the Administrative Code of the City of New York in relation to a plan regarding security perimeters adjacent to educational facilities. This legislation is important for the safety of New Yorkers, and personally, as the grandmother of kids who are in New York City schools and have gone through shooter trainings and all kinds of other stuff, having this bill passed makes me sleep better at night that I know my grandkids will be safe and protected by the NYPD and the City of New York. So we believe that educational facilities for children should not be places where movement to or from is restricted by protests. Students, faculty, and staff should not be intimidated, as Mark Traeger said, or physically obstructed from their educational

1 facilities. Classrooms and campuses must remain safe
2 spaces for learning free from intimidation so that
3 our kids can exercise their fundamental right to
4 peacefully express themselves without fear. In
5 addition, I was a kid who was protesting against the
6 Vietnam War, and I remember all of the stuff that we
7 went through, and we need to keep those protesters
8 safe. I have to wind it up right now. Okay, well,
9 I'll just say thank you so much, Chair and the
10 committee. And as she suggests, I call her Congress-
Council Member Elsie. Thank you so much.

11 CHAIRPERSON FELIZ: Thank you.

12 ALAN ABRAHAM: Thank you, Chair and
13 members of the committee. My name's Alan Abraham. I'm
14 a New York City resident and the Director of
15 Organizing at the People's Plan. And I went- you
16 know, grew up through the New York City school system
17 as well. I'm here today to oppose the bill as it's
18 currently written and urge the council to amend it to
19 actually make it a transparency measure. Instead of
20 advancing the bill in its current form, the Council
21 should amend it to require that the NYPD publicly
disclose and regularly report on its existing
policies and procedures for responding to protests

1 around schools. Any amended legislation should also
2 explicitly affirm the protections established by the
3 2024 protest settlement and safeguard First Amendment
4 rights under both the federal and state
5 constitutions. Supporters of the bill haven't
6 identified a single instance of students being
7 harassed or threatened by protesters outside of
8 schools that would justify the creation of new
9 security perimeters. Rather than improving safety,
10 this proposal risks discouraging students from
11 exercising their own rights to speak out against
12 injustice while increasing opportunities for policing
13 and criminalization of Black, Brown, and other
14 marginalized communities. So for these reasons, I
15 oppose the bill as it's drafted. You know, the city
16 doesn't need a new protest-related security plan,
17 expanded police authority, or security perimeters
18 around schools. Protest in itself is not a security
19 threat. Requiring the NYPD to develop new operational
20 plans for protests near educational facilities also
21 risks undermining the 2024 protest settlement, which
was established in response to NYPD's treatment of
Black Lives Matter protesters in 2020 and requires

police presence at demonstrations to be minimized whenever possible. Thank you.

ARIEL SAVRANSKY:: thank you, Chair Feliz, for the opportunity to testify today on legislation regarding establishing security perimeters adjacent to educational facilities. Thank you also to Council Member Elsie Encarnación for spearheading this legislation, and for your leadership and commitment to protecting New Yorkers. My name is Ariel Savransky, and I am the Director of Government and Community Relations at the 92nd Street Y. While 92nd Street Y is not explicitly covered by this legislation, we strongly support its goals. As an institution that serves thousands of children, families, and lifelong learners each year through educational programming, We understand the importance of ensuring that students, parents, educators, and staff can access educational facilities safely and without intimidation. Across New York City, schools and educational institutions face an increasingly complex security environment. According to ADL's 2024 audit of antisemitic incidents, New York State recorded more antisemitic incidents than any other state in the country. These trends have heightened

security concerns for many institutions that serve children and families. At 92nd Street Y, we have experienced firsthand how demonstrations can affect access to community and educational spaces. Earlier this year, during our annual State of the World Jewelry [sic] Address, patrons entering the building were met with drums, flags pushed into their faces, and shouted insults. This did not only impact event attendees. Families arriving for children's programs, students attending classes, and other community members using our facility were also forced to navigate that environment. Students, parents, educators, and staff should be able to enter educational facilities safely and without intimidation. Establishing a transparent framework for evaluating and implementing security parameters when necessary will help protect access to education and ensure that schools have appropriate tools and protocols available when circumstances warrant enhanced security measures. Thank you to the New York City Council, Council Members Elsie Encarnacion and Dinowitz, and Speaker Menin for thoughtfully proposing ways to combat antisemitism and other forms of hatred and strengthen protections for educational

1 facilities. We look forward to continuing to work
2 with the New York City Council to ensure that New
3 Yorkers feel safe in their communities. Thank you.

4 BRANDI RUBIN: Chair Feliz and members of
5 the Committee on Public Safety, my name is Brandi
6 Rubin, and I am proud to serve as the Deputy Regional
7 Director for ADL's New York and New Jersey region. I
8 am pleased to be here today to testify in support of
9 legislation support sponsored by New York City
10 Council Member Elsie Encarnacion, which would require
11 the New York City Police Commissioner to develop and
12 implement a plan that would allow for the
13 establishment of security perimeters around most K-12
14 educational facilities across the city in appropriate
15 cases, thus creating safe access zones to help
16 protect individuals seeking to enter and exit from
17 experiencing physical harm or targeted harassment and
18 obstruction. This bill is a critical piece of Speaker
19 Menin's five-point action plan to combat antisemitism
20 and strengthen community safety, which ADL proudly
21 supports. Unfortunately, New York faces an
unprecedented crisis of antisemitism that demands
immediate action on multiple fronts. ADL carefully
tracks in response to antisemitic incidents across

the country, and according to our 2025 audit of antisemitic incidents, New York State recorded 1,160 antisemitic incidents, the most of any state in the country. This represents 18 percent of all antisemitic incidents nationwide, and most alarmingly 74 percent of all documented incidents in New York State took place across the five boroughs of New York City, which was a new record. My team and I respond to antisemitic acts every day and understand this work firsthand. Our data shows that K-12 schools have unfortunately become hotspots for antisemitic incidents. By our count, in 2025 in New York City, we documented 91 such incidents, and that is just what was reported to us. Councilperson Encarnacion's legislation carefully balances the rights to peacefully protest and engage in free speech with the need to protect public safety. Today we join the chorus in supporting this common-sense legislation to ensure safe access to K-12 educational facilities across New York City and all of Speaker Menin's five-point plan. We urge this committee to give introduction of T2026-2052 a favorable report. Thank you.

CHAIRPERSON FELIZ: Thank you. Thank you so much for your testimony. Next we'll hear from Jasira Champion, Brandi Katz-Rubin, Scott Richman, Stephen Weil, and Roe Peña.

BRANDI RUBIN: I'm BrandI [off mic].

CHAIRPERSON FELIZ: We'll start from left to right. You may begin when you're ready.

RO PENA: Oh, thank you, Chair and members of the committee. I'm Ro Peña, Co-founder and Director of Programming for Transformative Schools. At TFS, I advocate for improving the lived experience of trans and non-binary youth and the educators who support them. TFS opposes this bill in its current form and urges the council to amend it into what it should be: a real transparency measure. Advocacy saves lives. Through organizing, TFS helped build Aunties for Liberation, which pushed Community Education Council 2 to rescind a resolution undermining protections for trans youth. We also organized two rallies that brought together more than 10,000 supporters. That happened because people had the freedom to organize, not because they had a permission slip from the NYPD. And that's the problem with this bill. It assumes protests near school are a

security threat requiring police perimeters. But where's the evidence? The educator in me is looking for the sources, and this bill is turning into an incomplete assignment. There's no record showing K-12 schools are being targeted in a way that justifies this response. This bill creates a solution without demonstrating a true problem. Meanwhile, it gives the NYPD broad authority with no public input, council approval, or meaningful accountability. That's a lot of power for unproven issue. And we know that broad police discretion is rarely applied equally. Measures that expand surveillance, enforcement, and restrictions on public participation often fall hardest on the students who are already most marginalized. I was one of those. Trans youth, Black and Brown students, disabled students, immigrant students, and the families and advocates who show up to defend them, these are the communities most likely to rely on public advocacy when institutions fail to protect their rights. Schools have always been part of movements for justice. For many young people, protests aren't a disruption of democracy, they're how people learn to participate in it. Restricting advocacy near schools risks sending the message that

1 civil engagement is something that needs to be
2 managed and controlled rather than encouraged and
3 protected. The assignment is simple: amend the bill,
4 require the NYPD to disclose its policies, and affirm
5 that First Amendment protection. If the goal is
6 transparency, let's show our work and stick to the
7 assignment. Thank you.

8 UNIDENTIFIED: Hello. Hello. Unfortunately
9 Steven Weill had to step out, so I am presenting this
10 testimony on behalf of him and Strix Defense. Strix
11 is a Brooklyn-based next-generation AI defense
12 company with a singular mission: to proactively
13 protect New Yorkers by anticipating threats and
14 stopping them before they reach New Yorkers' doors.
15 Thank you to Speaker Menin, Chair Feliz, and the
16 members of the committee for giving Strix the
17 opportunity to be a part of this discussion. Strix
18 would like to speak in support of Intro 2052 by
19 Council Member Encarnación. Strix believes this
20 legislation addresses a growing reality. Threats to
21 our schools are no longer theoretical. They come in
many forms, including targeted violence, harassment,
intimidation, hate-motivated incidents, and
disruptions that create fear among students and

families. The need for proactive planning is clear. A June 2026 NYPD report shows that hate crimes remain a significant challenge across New York City, with antisemitic incidents continuing to account for the largest share of reported hate crimes. While felonies and other crime rates have dropped, hate crimes continue to rise. These incidents are not confined to any one neighborhood or institution. They affect schools, houses of worship, community centers, and the families who rely on these places as safe spaces. Over the past several years, there has been an alarming rise in threats directed at Jewish schools, synagogues, and community institutions across the country. The same security vulnerabilities that can be exploited to target a school can also be exploited to target a house of worship or community gathering place. Protecting access to these facilities while preserving constitutional rights is not a partisan issue. It is a public safety imperative. Schools do not exist in isolation from what is happening in the communities around them. When demonstrations, protests, or other public gatherings occur near educational facilities, students, parents, and educators can find themselves caught in situations

1 that create uncertainty and concern. Every student
2 should be able to enter and leave school safely. Every
3 parent should know that access to their child's
4 school remains secure. At the same time, New York
5 City must continue to uphold the rights of
6 individuals to engage in lawful protest and free
7 expression. That balance is exactly what this
8 legislation seeks to achieve. Importantly, this bill
9 does not mandate permanent barriers or restrictions.
10 Instead, it calls for thoughtful planning process. It
11 requires the NYPD to establish clear standards for
12 when security perimeters may be appropriate, how they
13 should be implemented, how school administrators
14 should be consulted, and how the public should be
15 informed. Thank you, Chair.

14 JASIRA CHAMPION: Hi, my name is Jasira
15 Champion, and I'm here to speak to you guys today
16 regarding a personal matter regarding public safety.
17 I am a member of the public. Thank you all for taking
18 the time to listen to me. After exploring multiple
19 avenues, seeking for the local authorities and other
20 government agencies and offices to hear my voice and
21 take heed to my cries for help, to no avail, I am
here today as a proud American citizen in need of

1 someone to stand up and do the right thing. Public
2 safety is a fundamental priority to maintaining a
3 livable and functional society for everyone in our
4 communities. For an extended period of time, my
5 safety and privacy has been stripped away from me,
6 and the police have continuously undermined and
7 dismissed my desperate pleas for help. There's a loss
8 of genuine care and concern for other human beings
9 when that very thing is what helps us thrive and
10 prosper in our communities. I've made several calls,
11 sent numerous emails, made reports and complaints,
12 and I am still dealing with a very difficult
13 situation that no one seems to have the answers for
14 or even seems to care enough to take any action. The
15 police are supposed to protect and serve, and the
16 government has a duty to ensure for the safety and
17 well-being of its citizens, yet here I stand alone
18 with my back against the wall. If there's anyone here
19 that is proud to advocate and support the people of
20 this city, please take the time to speak to me and
21 offer your assistance in any way possible. I would be
extremely grateful for the chance to finally be able
to live a normal life again. I've made efforts to do
so by contacting the Department of State, the

1 Department of Homeland Security, the FBI, the Queens
2 District Attorney's, the Department of Health, the
3 Civil Complaint Review Board, and of course the
4 NYPD's 101 Precinct. I am a citizen, a member of this
5 society, and it should never be this difficult to
6 find just one person who cares about my safety.

7 CHAIRPERSON FELIZ: Thank you. Thank you
8 so much for your testimony. I'm going to give— Thank
9 you so much everyone for the patience. The next
10 panel: Naila Awan, Janice Chong, Anna Maria Aguirre,
11 Ariana Misha and Gerard T [sic] Valera. So out of the
12 five that I called, just two are in the room, so I'll
13 call some additional members who are still with us.
14 Andrea Ortiz, Rashida Brown Harris, not here. Seth
15 Severino. We'll take two more. Habiba representing
16 Malika. Britney Kaiser. Alright, so I guess we'll
17 start this time from my right to the left. You may
18 begin when you're ready.

19 NAILA AWAN: Thank you. My name is Naila
20 Awan. I'm the Co-director of Policy at the New York
21 Civil Liberties Union. I'm here today to oppose the
new security perimeter bill being considered and
express extreme concern at the speed at which this
bill is being advanced and that the hearing is

happening today on a day when many of our advocates who've been engaged in this fight for so long are having to also split their time between testifying on the budget. While the preconsidered bill narrows the definition of educational facility, no other elements of the bill have changed. It was not amended in any way to address the very real concerns that over 100 organizations representing a wide variety of constituencies, as well as educators, students, and community members have expressed. As we heard from the PD earlier today, there's no record of incidents outside the covered facilities that the bill is designed to effectively address. Instead, this bill will encourage increased law enforcement presence outside of our city schools, helping to fuel the school-to-prison pipeline and undoubtedly being disproportionately enforced against Black, Brown, and LGBTQIA students. And in a city of immigrants, and at a time when we are seeing an inhumane deportation agenda being advanced by the federal government, increasing law enforcement presence at schools is likely to only fuel fear among our immigrant community members. And while the Council has talked about this bill and its precursor as being purely a

transparency measure, that is simply not the case. The bill frames the right to protest trust, a right at the very heart of our democracy, as a security threat. It requires the NYPD to craft a proposal for the deployment of security perimeters around schools and then gives 45 days for back and forth between the PD, the Speaker, and the Mayor before the plan is even made public. It does not recognize that there's numerous response tactics at the NYPD's disposal, of which security perimeters are only one. And it does not ask the NYPD to disclose how it weighs the circumstances and rights at play when determining a course of action, and does not recognize that security perimeters will not always be an appropriate or constitutional response. If the Council is insistent that it wants to truly pass a transparency measure, there are clear pathways and amendments to accomplish this. It's shocking that the Council has chosen to reintroduce a bill that fails to address the bulk of the concerns. That have been consistently raised, and we ask the Council to pause any further movement on this bill until an array of stakeholders have been properly engaged and ask that at a time when the federal government is trying to stifle a

1 protest, our city does not proceed down the same
2 path.

3
4 ANDREA ORTIZ: Hello, my name is Andrea
5 from Dignity in Schools New York. We are here today
6 in strong opposition to this school security
7 perimeter bill. The Council cannot point to a single
8 incident of students being harassed outside of
9 schools or threatened by protesters. This bill as-is
10 is not a transparency measure and it does not respond
11 to real safety need. Instead, it expands policing,
12 restricts freedom of speech, and risks further
13 criminalizing young people and BIPOC communities. At
14 a time of heightened political repression, increased
15 police presence and surveillance will deepen harm
16 particularly for Black and immigrant families. This
17 is especially concerning given the NYPD's school
18 officers can add individuals to a secret gang
19 database with little or no evidence, contributing to
20 the ongoing criminalization of young people. The
21 city's own record raises red flags. The 2024 protest
settlement with the NYPD showed that current policing
practices often violate protesters' rights. We do not
need security perimeters because protests are not
security threats. What we need is transparency,

accountability, and investment in community-based safety. Current school safety policies already rely too heavily on policing and punishment and disproportionately harm Black students who make up less than 20 percent of enrollment but account for 45 percent of superintendent suspensions and 52 percent of school police interventions. We urge the Council to amend this bill to require the NYPD to publish and report on their current policies and procedures for responding to protests around schools, amend the bill to enshrine protections consistent with the 2024 protest settlement and with First Amendment rights under the federal and state constitutions. Freeze hiring of school police, eliminate all vacancies, and reinvest approximately \$90 million in savings into restorative justice, mental health supports, and immigrant protections. Protect restorative justice and mental health access by baselining \$6 million for restorative justice funding and \$5 million for the mental health continuum. Protect immigrant students and families by baselining \$4 million for outreach and communications and passing Intro 798 to eliminate the NYPD gang database. New York City must choose between expanding criminalization or investing in

1 what actually makes schools safe— care, trust, and
2 support. We urge the Council to reject this bill or
3 amend it to be a real transparency bill and
4 prioritize policies that protect students' rights and
5 their well-being. Thank you.

6 JANICE CHONG: Good afternoon, esteemed
7 council members in the Committee of Public Safety and
8 Honorable Chair Oswald Feliz. Thank you for the
9 opportunity to speak today. My name is Janice Chong,
10 and I'm a youth leader with the Yaya Network and an
11 intern in Dignity in School Campaign of NY. Even
12 though I graduated high school just last year and I'm
13 now an incoming sophomore at Georgetown University, I
14 am still here to fight for the rights of the next
15 generation of NYC public school students and college
16 students. First, I want to acknowledge the success we
17 had in blocking Bill 175-B from coming to fruition. I
18 am grateful for the council members who stayed firm
19 in their stance against the bill. However, this new
20 school security perimeters bill is once again
21 threatening our students' right to free speech,
exacerbating the school-to-prison pipeline, and is
disproportionately impacting Black, brown,
low-income, and immigrant communities. As a longtime

student organizer, I have had the privilege to exercise my freedom of speech at rallies, hearings, press conferences alike, and I want to ensure that all students after me can exercise those same rights. This bill jeopardizes young people's civil liberties by not having requirements, standards, or limits to the buffer zones that will surround educational facilities, and what counts as educational facilities is also still broadly unclear. This new bill is framed as a path towards transparency, but it is not a transparency bill. Why is there a normalization of NYPD perimeter authority around public and non-public K-12 schools without justification? Why is there an expansion of fear and criminalization for immigrant, low-income, BIPOC students through increased police presence? Where is the transparency in current NYPD practices towards protests. Therefore, to all the council members who have not signed on, I implore you all to not sign this bill until our concerns are addressed with amendments. For council members who have signed on, push this bill to become a true transparency bill by requiring NYPD to report on and publish its current practices for responding to protests outside schools with protections consistent

1 with the 2024 settlement and First Amendment rights
2 under the federal and state law. The effects of this
3 bill could be dangerous to every student in NYC.

4 Instead of justifying additional police presence in
5 or around schools, the city should invest in the
6 mental health continuum, restorative justice
7 initiatives, and other equity-based services. We
8 should be able to have safety for all communities
9 without unnecessary expansion of police authority.

Thank you.

10 HABIBAH LAIDI: Thank you, Chair and
11 Council. My name is Habibah Laidi [sp?]. I'm an
12 organizer at Malikah Community Safety Organization.
13 Organization in Queens. I'm here today to voice my
14 resolute and categorical opposition to the bill in
15 its current form regarding the security parameters
16 around educational facilities, and instead to turn it
17 in what it should be: a true transparency bill. Let's
18 be clear, the climate in which we are operating— we
19 are witnessing a period of profound hostility toward
20 dissent across the United States. We see surveillance
21 and police expanding in ways that should be deeply
alarming. By codifying these security parameters, the
Council is actively threatening the safety of our

students and our educators and their right to exercise their First Amendment rights. The relevant parties have failed to provide a single verifiable instance of students being harassed or threatened by protesters outside of schools. The proposal is not a response to a documented crisis. It is a solution in search of a problem. In practice, this bill will have a devastating chilling effect on students' speech. It signals to young people that their engagement in politics and a political process is something that should be contained and surveilled rather than a vital civic exercise that it is. Furthermore, we have seen increased policing presence around schools as an inevitable targeting and criminalizing of and traumatizing of Black and Brown youth, reinforcing the school-to-prison pipeline that the city claims to try to dismantle. Moreover, the bill threatens to actively undermine the 2024 protest settlement that was directly a consequence of the NYPD's historic brutalization of BLM protesters in 2020, and explicitly necessitates that the police presence at protests be minimized to protect individual rights. By tasking the NYPD with the creation of these new security plans, this bill invites the return of

1 aggressive, escalated policing tactics that the 2024
2 settlement sought to curb. We do not need more
3 policing. We need radical transparency. I urge the
4 Council to pivot away from the punitive approach and
5 instead amend the bill to function as a genuine
6 transparency measure requiring the NYPD to publish
7 and provide rigorous public reporting in their
8 existing practice and procedures regarding protest
9 and to amend the bill to enshrine protections that
10 are fully consistent with the 2024 protest settlement
11 and constitutional safeguards on both the federal and
12 state level. Thank you.

13 KAISER: Hi, my name is Kaiser. I'm
14 speaking on behalf of the Alliance for Quality
15 Education. AQE organizes parents pushing for quality
16 public education for all children regardless of zip
17 code. On February 25th, hundreds of New Yorkers
18 submitted testimony against Intro 175. At that
19 hearing, Council leadership chose to selectively
20 allow people into City Hall. The hearing was stacked,
21 creating an illusion of support while many had to
wait outside in freezing temperatures for over an
hour and then stay late into the evening for their
chance to testify against it. Since then, organized

public outcry caused the Mayor to veto Intro 175 and caused Council Members to refuse to overturn the veto. We have heard from multiple sources that Council leadership continues to threaten retribution against members who are responsive to their constituents' overwhelming demand to oppose this measure. And today, the only day when New Yorkers can share their input on the entire Executive Budget, across the street, City Council is trying to jam through a new version of the buffer bill in a blatant attempt to circumvent public will. Why? Because people don't want this. It is a favor to a very narrow constituency with outsized resources, and they're hoping the rest of us don't notice. In the absence of a convincing story about how this bill would prevent violence, Council has resorted to claims that it is a transparency measure. We support amendments to convert this bill to a true transparency measure. Without amendments, this bill does not increase transparency. It requires NYPD to create a new plan. In response to questions about whether a new plan is needed, NYPD said, well, we could create infinite documents, which of course would necessitate infinite overtime pay. The mental

1 health continuum, which provides targeted mental
2 health services for very high-need students, is at
3 risk of expiring this month. That program costs \$5
4 million. \$6 million in funding for restorative
5 justice is also on the chopping block. Taxpayers pay
6 hundreds of millions of dollars in police overtime
7 every year. Why are we continuing to sink public
8 resources into duplicative and harmful work by NYPD
9 instead of the services our children desperately need
10 and which are actually proven to reduce bias and harm
11 in schools. This bill is wasteful at best, and we
12 know it will be harmful in practice. We oppose it in
13 any form. Thank you.

14 CHAIRPERSON FELIZ: Thank you. Thank you
15 so much for your testimony. Alright, next we'll call
16 the final panel: Chauncy Young, Maria Bautista,
17 Sandra Mitchell, Aleika Daniels, and Gavin Henley.
18 And also, if you haven't been called and you're here,
19 you, you wish to testify, please see the
20 Sergeant-at-Arms. And also, I know I called some
21 individuals earlier today. It's possible that you
might have stepped out. If that is the case, also
please see the Sergeant-at-Arms, and notify them so

that we can call you next. Okay. Alright, thank you.
You may begin when you're ready.

CHAUNCY YOUNG: Good afternoon, my name is
Chauncy Young. I'm a resident of the Highbridge
neighborhood of the Bronx and the Director of the New
Settlement Parent Action Committee. PAC stands with
coalition partners in strong opposition to the school
buffer bill. At a time when ICE activity and the
federal government is repressing civil rights and
increasingly making families feel unsafe, City
Council seems determined at this moment to make these
very same communities afraid to exercise their First
Amendment rights. Schools are the center of our
communities. Young people, families, and educators
have always centered schools to spark civic
engagement. We must remember that the largest civil
civil rights demonstration in New York City history
and in U.S. history was the 1964 school boycott,
where over 64,000 students protested segregation,
systematic inequity. The Council cannot point to a
single incident of students being harassed outside of
schools by protesters. This bill does not respond to
a real safety need. Instead, it expands policing,
restricts speech, and further criminalizes BIPOC and

1
2 immigrant communities. Current safety policies rely
3 too heavily on punishment, disproportionately harming
4 Blacks and Latinx students. Black students, who make
5 up just 20 percent of New York City schools' public
6 students, account for 45 percent of superintendent
7 suspensions and 52 percent of school police
8 interventions, with the Bronx, Council Member, seeing
9 the highest rate of interventions. We urge Council to
10 amend the bill to make it a true transparency bill
11 that both Council and the public seem to desire.
12 Protect rights. Amend the bill to enshrine the
13 protections consistent with the 2024 NYPD protest
14 settlement and First Amendment rights. Divest from
15 policing. Freeze hiring of school police. Amend-
16 okay, fine. I'll say is that New York City must
17 choose between investing in the criminalization of
18 our communities and investing in programs that
19 support them. We urge Council to reject this bill in
20 its current form, amend it, and create a true
21 transparency bill and prioritize students and
families' rights and well-beings. Thank you.

MARIA BAUTISTA: Hi, my name is Maria
Bautista. I'm an organizer, a lifelong New Yorker,
and I've been organizing for over 20 years. I'm

currently representing New Yorkers for Racially Just Public Schools, and I strongly stand against this bill. I just got back from D.C. last night fighting terrible budget cuts, fighting against pervasive underfunding of schools, fighting against the attacks on children with special needs and the lack of resources that they experience every single day, and the privatization of our public schools. And I got up today and I questioned why Trump-like policies are being peddled here in New York City, and I question why you're smiling, Council Member, and you've been doing that as people have been giving their testimony, and it's very disturbing. I also question why two leaders that are Latinx themselves representing thousands of Black and Brown New Yorkers are pushing this. I question the politics behind it. I've organized countless rallies, protests at schools, and all of them have been directed at the failures of the city, the state, and the federal government and their failure to adequately provide educational opportunities. Never once has it been documented that protesters have harassed or threatened protesters- or threatened students at those schools. Instead, they have used their voice to

1 fight against systemic oppression and
2 state-sanctioned violence. This bill does not protect
3 New Yorkers, but will oppress them, as we've seen
4 across the country as Trump has increased
5 surveillance and policing, and as y'all are trying to
6 push here in New York City. And it's a shame. What
7 this bill does do is threaten our ability to freely
8 speak out against the fascism we're experiencing at
9 every level— city, state, and federal. Hundreds of
10 New Yorkers rose up, beat back 175B, and instead of
11 listening, you fast-tracked a similar version of this
12 bill with the same outcomes. We're asking the City
13 Council today to amend this bill and make it a true
14 transparency bill by requiring the NYPD to publish
15 and report on their current policies and procedures
16 for responding to protests around schools. The
17 amended bill needs to enshrine and protect the 2024
18 protest settlement and our First Amendment rights.
19 Thank you.

20 GAVIN HEALY: Good afternoon. Thank you.
21 My name is Gavin Healy. I'm a member of the District
2 Community Education Council. I'm speaking today
just as a public school parent. I strongly oppose
this security perimeter bill. I believe it could be

1 weaponized against families coming to meetings like
2 those of our Community Education Councils held in
3 school buildings. Families come to CEC meetings not
4 for fun. They come when they have a grievance, when
5 they're angry. Sometimes they bring signs, they raise
6 their voices. Sometimes they organize and come in a
7 big group. In a system of mayoral control, families
8 lack meaningful ways of expressing concerns about
9 their schools. Nothing I've seen as a CEC member so
10 far suggests to me that this vague bill would not be
11 weaponized against those families. In 2024, the
12 District 2 CEC passed a resolution seeking to
13 overturn guidelines allowing students to participate
14 in sports in accordance with their gender identity. I
15 voted against that resolution, and most of our City
16 Council spoke out against it, recognizing it as an
17 attack on the rights of transgender students.
18 Families protested at meetings for more than a year.
19 We went from having half a dozen people attending to
20 having several hundred. Some of our CEC members who
21 supported that anti-trans resolution asked for more
police presence in our meetings and outside, using a
specific word that's in this bill— intimidation. They
said they felt intimidated by families coming to our

1 meetings to call them out for marginalizing
2 transgender students, and they threatened those
3 families with police removal. I don't think it's your
4 intention that this bill will be weaponized against
5 those families, but someday in the future it very
6 well could be. Perhaps it will come after your terms
7 have ended, when you're not around to ensure
8 accountability. But we're living in a moment when any
9 law that gives someone with power the ability to take
10 away the rights of others is likely to be used for
11 just that purpose. Today you have power, and I urge
12 you to use it wisely to ensure that our family's
13 right to protest will not be taken from them. Thank
14 you.

15 CHAIRPERSON FELIZ: Thank you so much.

16 Thank you for your testimony. And also, briefly on
17 the comments, you know, some people smile when they
18 make eye contact with others. Just a natural thing.
19 I— that's me. Alright, so would anyone like— would
20 anyone like to— would anyone who's here who hasn't
21 testified like to testify? If not, we'll move on to
the online testimony. Okay, sounds good. Alright, so
we'll now move on to the virtual panelists. For
virtual panelists, once your name has been

1 called, a member of our staff will unmute you and the
2 sergeant at arms will set the timer and give you the
3 go-ahead to begin. Please wait for the Sergeant to
4 announce that you may begin before delivering your
5 testimony. I'll now call our first virtual panelists,
6 Tazin Asad [sp?] and then Christopher Leon Johnson.

7 SERGEANT AT ARMS: Time starts now.

8 TAZIN ASAD: Hi everybody, my name is
9 Tazin Asad and I'm a public school parent and
10 education advocate, I want to begin by stating my
11 opposition to the perimeter bill and encourage
12 council sponsors to course correct and make this bill
13 the transparency and data disclosure bill by the
14 NYPD. But I really want to emphasize the utter
15 confusion, forget on the part of the public, even on
16 the part of the NYPD, in its- in experiencing- in its
17 experience in determining what the impact of this
18 bill might be. There seems to be a willful concerning
19 misrepresentation of what the bill's language is and
20 a negligent insertion of unfounded bill benefit
21 analysis. The NYPD says the bill doesn't change
anything, but also says they will, for the first time
and for this particular circumstance, establish and
memorialize a plan. That is an exception and

1 therefore new. NYPD says that they don't have an MOU
2 with schools in regards to safety plans. And that's
3 something Mr. Treyger even admitted to. But NYC DOE
4 Chancellor Regulation A414 establishes committees
5 with school stakeholders, including NYPD, that
6 collaboratively develops plans. This bill circumvents
7 that and gives initial and primary deference to NYPD,
8 excluding all other community stakeholders. NYPD say
9 they are ready to develop a plan but cannot name an
10 incident where the context applies and therefore
11 can't address the nonexistent issue. We are, have— we
12 are hearing today from plenty of private parochial
13 school communities. That's important, but I want to
14 point out the lack of engagement from K-12 public
15 school students and parents who arguably this process
16 is marginalizing and disenfranchising. And I hope
17 that the Council is ready to bear the brunt— the
18 burden of this bill's impact that way.

16 SERGEANT AT ARMS: Time expired.

17 CHAIRPERSON FELIZ: Thank you so much for
18 your testimony. Next, we'll hear from Christopher
19 Leon Johnson.

20 SERGEANT AT ARMS: Time starts now.

CHRISTOPHER LEON JOHNSON: Yeah, yeah.

Hello, my name is Christopher Leon Johnson. I oppose this bill, Intro 2052, the perimeter bill. Let's make this clear, these nonprofits that support these bills, like the lady mentioned, but I'll explain to her that all these nonprofits just care about is that net discretionary payout and securing that discretionary payout for FY27. I want to know why did the City Council decide to have this thing on the ticker on the same day and the same time right across the street from here where they having the budget hearing for public testimony. Oh, that's to make sure that the opposition doesn't come out to this hearing and have them wait and desperately get to speak for the public- for testimony for across the street for Finance, because they know that the money's bad [sic] over there. It just- it's just a way to try to make sure that they don't repeat a 75-69 like with last time early this year in January. But I want to say right now, this bill technically, it just give another blank- it gives a blank check to the NYPD to do what they want and put numbers- well, how many people- how long we had to stay back from protests and events that, that these- that the City Council

1 might want to put their organizations into. And
2 everybody know, and I'm going to say this right now,
3 I hope that Mamdani veto this bill again like he did
4 last time, Intro 175. These nonprofits that support
5 these bills, all they care about is getting a
6 paycheck. That's all they care about. It's not about
7 safety. It's not about protecting the rights of
8 so-called Muslims and Jews and stuff like that. This
9 is all about making sure that these guys don't get
10 protested for the stuff that they really are doing,
11 and destroying the city. But I'll say this right now,
12 that I hope that our Mayor Mamdani does a repeat like
13 he did last time with Intro 175 and repeat- and
14 repeal this bill again. Just veto this bill and this
15 bill dies again. So, I'm opposed to this bill. This
16 is a bad bill. You know, I trust the state more than
17 the City Council because the City Council is just
18 giving blank checks. At least the Governor whoever is
19 writing a real check. But that's all I got to say.
20 But, yeah. But this is not a- this is not a bad- this
21 is a bad idea for City Council. Like I said- I'll say
that hope you, Mr. Feliz, do a repeat of this, of
hearing, because, this is not right. This should have

SERGEANT AT ARMS: [interposing] Time expired.

CHAIRPERSON FELIZ: Thank you. Thank you so much for your testimony. I'm also going to call three individuals who signed up, but weren't here when we called them? Amanda Holland, Ashley Davis, Melody Jimenez. Anyone who's here who signed up and hasn't been called yet? Alright, so I think we've heard from everyone who signed up to testify. If we inadvertently missed anyone who would like to testify in person, please visit the sergeant's table and complete a witness slip now. If we inadvertently missed anyone who would like to testify virtually, please use the raised hand function in Zoom, and a member of our staff will call you in the order of hands raised. Seeing no one else, I would like to note again that written testimony, which will be reviewed in full by the committee staff, may be submitted up to the record up to 72 hours after the close of this hearing by emailing

testimony@council.nyc.gov. Once again,
testimony@council.nyc.gov. Thank you to everyone who
joined today and who testified. This hearing is
hereby adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 27, 2026