

103
**REVIEW OF GIULIANI PLAN TO
MERGE POLICE**

Y 4. B 22/1:103-165

Review of Giuliani Plan to Merge Po...

FIELD HEARING

BEFORE THE

SUBCOMMITTEE ON
GENERAL OVERSIGHT, INVESTIGATIONS,
AND THE RESOLUTION OF
FAILED FINANCIAL INSTITUTIONS

OF THE

COMMITTEE ON BANKING, FINANCE AND
URBAN AFFAIRS

HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

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SEPTEMBER 19, 1994
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Printed for the use of the Committee on Banking, Finance and Urban Affairs

Serial No. 103-165



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REVIEW OF GIULIANI PLAN TO MERGE POLICE

MONDAY, SEPTEMBER 19, 1994

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON GENERAL OVERSIGHT, INVESTIGATIONS, AND THE RESOLUTION OF FAILED FINANCIAL INSTITUTIONS, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS,

Washington, DC.

The subcommittee met, pursuant to notice, at 10 a.m., in the Adam Clayton Powell Street Office Building, 163 West 125th Street, New York, NY, Hon. Floyd H. Flake [chairman of the subcommittee] presiding.

Present: Chairman Flake and Representative Velazquez.

Also present: Representative Rangel.

Chairman FLAKE. Good morning. We would like to welcome you to today's hearing.

At the request of my colleagues, Representatives Nydia Velazquez and Charles Rangel, the Subcommittee on General Oversight, Investigations, and the Resolution of Failed Financial Institutions has convened this hearing today to allow Mayor Giuliani and the members of the police department an opportunity to explain their proposal to merge the New York City Housing Authority Police with the New York City Police Department in a public forum as is now required by statute, that we might hear all sides of the issue and come to some conclusion whether this is in the best interests of tenants who live in public housing.

While I am certainly aware that this proposed merger also includes the New York City Transit Authority Police, this subcommittee, under the jurisdiction of the Committee on Banking, Finance and Urban Affairs, is primarily concerned with the impact of this merger on the residents of public housing.

New York City has approximately 1 million residents in public housing and 2,500 housing authority police officers to maintain the safety of those residents. As we all know, far too many of our city's public housing residents reside in overpopulated and very often poorly maintained and underserved neighborhoods—a combination in which criminal activity can flourish.

Therefore, I believe that it is important not only for the mayor to share his plan with us, but for him to have an opportunity to hear the concerns our witnesses may have with this proposal.

The safety of all the residents of New York City is important and of primary concern to all of us who have gathered here this morning. If this merger can result in the strengthening of that effort, and I believe it will if implemented appropriately and properly, and

improve current safety measures used to protect the residents of public housing, I believe we would agree that it may be a good thing for the city of New York.

However, if we cannot have assurances that this proposal allows us to be able to protect to the maximum degree possible the interests of those persons who are residents of the public housing complex, then we need to do a more thorough examination.

We should make sure that merger results in an increase in the safety services for all of the residents of public housing. The city stands to lose approximately \$57 million in Federal subsidies as provided by the Department of Housing and Urban Development, over whom I have oversight.

At this time I would like to introduce my colleagues who share with me in this hearing today. My colleague to the left, who is a member of the House Banking Committee and a member of the Subcommittee on Oversight and Investigations, Ms. Nydia Velazquez. To my right, a person who needs no introduction, the Honorable Charles B. Rangel, who represents this area where we are meeting today, and who stayed with us through the process of trying to assure that we would be able to have a hearing to protect the interests of the citizens of this city.

I present now Ms. Velazquez for her opening statement, and then we will hear from Congressman Rangel.

Ms. VELAZQUEZ. Thank you, Mr. Chairman.

The people of my district have a great many concerns about the quality of life in New York. Crime and security top the list. At every turn, my constituents share with me their fear of the streets and demand that something be done.

But not this way. The city has disregarded the residents of public housing. It has cut out of the process the people with the most to lose.

Mayor Giuliani promised resident input. Did they get it? No. The city gave them one meeting to discuss the merger, and then issued a 200-page plan with little or no resident input.

The residents have been treated with disrespect. Is this the same attitude they can expect from NYPD officers in the housing developments? From what I have heard of the mayor's plan, the residents should be very worried, and angry. Eliminating the HAPD may mean less safety in housing developments. The merger also threatens to break the close relationship that has developed between HAPD officers and public housing residents.

Housing cops patrol the projects because they have chosen to work there. Some are or have been residents of housing developments. Like public housing residents, many are members of minority groups. They know the people and the buildings.

Housing authority cops also know what works. Foot patrols, vertical policing, and bicycle patrols keep them in touch with the residents and deter the criminals.

Public housing residents have come to respect the men and women who choose to police their housing developments. They appreciate their approach to fighting crime. The security needs of housing developments are clear. More housing authority officers, more vertical patrols, more community policing.

What the city is instead offering is uncertainty and vague promises. Public housing residents may get more police officers. Even so, the new officers are not likely to be as familiar with the residents of the housing developments as are the housing officers. Fewer will be from public housing. Fewer will be African-American or Latino.

Will they share the same sensitivity as HAPD officers? Will they show the same personal commitment to security through vertical and bicycle patrols, or will they simply drive through the housing developments?

These are the concerns of residents of New York's housing developments. They are mine as well. I assure public housing residents that this subcommittee will keep a close watch on the merger plans and its implementation. We have decided to revisit the issue again in the future.

Thank you, Mr. Chairman.

Chairman FLAKE. Thank you very much, Ms. Velazquez.

Mr. RANGEL. Thank you, Chairman Flake, and my friend and leader in the Congress on housing and banking and so many issues. And I want to thank you particularly for calling this hearing.

I think we have a political question before us, and because the mayor has moved so swiftly to have this merger, that I think that it is important to know that no Member of Congress believes that they have any expertise above that of the police commissioner and that of the mayor of the city of New York as to what is in our best interests.

Certainly, we don't have a mandate to superimpose our judgment if in fact it was different from those who have the responsibility to provide security for our citizens, whether they are underground or in public housing or on our streets.

The real question is, why the tenants in public housing have been denied the opportunity to find out whether they are going to be better off or worse off? And it is so conflicting that the city has refused to discuss this with the congressional delegation, which as you can see, because of these hearings, have a responsibility not to set the rules, but to make certain that the Federal funds are being used the way they are supposed to be used.

Now, as you know, the only two cents we have in this is to provide the tens of millions of dollars to HUD to make certain that the city contracts appropriately to provide for the protection of those places, those people that live in public housing.

Why should not the delegation know what the plan is? Why should not the mayor aggressively reach out to us and share these things? Why is it that the tenants really don't know?

We find, everyone agrees, that they live in the most dangerous situation as relates to their own personal and property security. No one challenges that.

It would seem to me that if the idea was nearly as good as you witnesses think it is, that they should be breaking their necks getting at this table saying, For God's sake, don't set aside a good thing.

Now, we find ourselves as lay people in a very, very unusual situation. It is not that we have that much respect for Mr. Caruso's expertise as relates to policing. But, certainly, he does have influence over the people that are members of his union. And, obviously,

they support him and they feel so strongly about it that they have told the mayor of the city of New York they are not going to enforce the law no matter what he tells them to do.

A couple of years ago, 4 years ago, you testified in front of the New York City Council, and you said that you thought it was a bad idea. That was May 1990. We have professors at John Jay, and they are supposed to be experts. They say it is a bad idea. The tenants, I have never really heard them praise the New York City Housing Authority Police to the extent they have recently, but they are scared to death that they don't know what they are going to get in lieu of what they have.

And something that really bothers me, with all due respect to Chief Leake, is, what really does the housing authority policeman feel about this? I mean, let's face it. They are supposed to be experts. I don't know the difference between lateral patrol or vertical patrol. But somehow they have been letting the word out that now, former Police Chief Leake is going to be the housing authority chief, and so he now puts on this new hat.

But you know when there is a controversy, politically it doesn't fly. What the mayor is saying now is, I made a distinction and it really doesn't make any difference who opposes it. One of my best men will be taking it over, and what I say goes.

Well, that may be so legally, but the relationship between the Congress and the cities has to be a very positive one. We should not have to put into legislation what you can and cannot do merely because you failed to come forward and to sell this, not as a budget tightener or something that the mayor needs to balance the budget, but to be able to say with the enthusiasm, which I wish you had, that, my God, don't you people see it? We have got to have more safety, more policemen, more patrols than we have ever had before. This just makes a heck of a lot of good sense.

Now, I know it was a campaign promise, but sometimes worse than a campaign promise is keeping it if it is a bad campaign promise. And I have not studied what happened in Chicago, Philadelphia, and Houston. But I do know one thing; that I have more concentration of people that live in public housing than probably any congressional district in the entire country. And it would just seem to me that whether the fear is real or not, that the relationship between a community and its law enforcement officers has to be one of cooperation if the police are going to be effective.

And so even though the mayor and the President, for that matter, may have reached some agreement as to the direction in which they go, we have to remind the Secretary of HUD that his appropriations come from the Congress, and that the question really is a contractual concept, as I see it, and I do hope you address yourself to it, and that is that all you have to do is to provide to HUD a contract where they are convinced that the tenants in public housing do not receive inferior security as a result of this merger.

Now, the chairman would say, well, he is going to review it. I am saying that I am not going to wait for a reviewer. I think that if you have a good package, you ought to sell it. And, certainly, if the PBA of both bodies believe that they are going to be looked upon with more esteem, more credibility because they are providing more services, why aren't we all on the same team?

And if it is a political question, I can handle those best, because I promised to stay out of the question of the expertise. And so, Mr. Chairman, I am very anxious to hear why this merger gives more protection, or at the very minimum the same protection, as the New York City Housing Authority. And I thank you so much for coming to New York and holding these hearings, because for many of the tenants here, this is the only breath of support that they have had throughout the proposed merger.

Thank you so much.

Chairman FLAKE. Let me assure you that your definition of New York is a bit limited and parochial. However, I am happy to be in Manhattan, and Harlem in particular, to let you know that some parts of our districts, all of our districts certainly have a number of public housing units. I have Rockaway, where I have a large concentration. And, obviously, we are all concerned about what all of this will mean.

We are going to ask that we conduct the hearing pretty much as if we were conducting it in Washington. There we ask the persons who have come to gather information, to receive the information, to participate with a degree of silence so that we can do it in the most dignified fashion. And so we will use the same rules that we use as the rules of the House, and that is, persons who are here to hear will listen, and we will ask you to try to refrain from outbursts, if you can, and if you cannot, we will ask you to try to do so anyhow. If you cooperate, we will certainly appreciate that.

The mayor has indicated—he is testifying at the moment at the Civil Rights Commission hearings. He will be in as soon as he can. What we will do is begin the hearings with those persons who are here for the first panel.

When he comes in, we will suspend, we will allow him to have his opportunity for his testimony, and we will raise questions with him, and then we will release him to go on about his business, and we will continue with the panel at whatever point we have to suspend.

At this time we present the first panel. Those testifying this morning will include the Honorable William J. Bratton, who is commissioner for the New York City Police Department; Mr. Ruben Franco, who is chairman of the New York City Housing Authority; and Chief Joseph Leake, who is the chief of the New York City Housing Authority Police.

Because we have such a lengthy witness list, with four panels being presented for testimony today, and because it appears we will be going into session later today in Congress, I would ask that all witnesses, excluding the mayor, limit their statements to 5 minutes in summary form, in order that each subcommittee member will have ample time to raise questions.

Before we begin, we have already heard from the other members of the panel—he will be here in 1 minute? All right. We have already heard from the other members of the panel. I understand the mayor will be here in 1 minute. That means he is on the premises already? He is downstairs already.

So why don't we hold for a minute rather than having to suspend once he gets here, by unanimous consent of my colleagues.

Thank you very much.

Good morning, Mr. Mayor. We suspended for a minute when they informed us you were on the premises, so that we might have the opportunity to get the benefit of your testimony first. We have already stated that other testifiers will be limited to 5 minutes, but of course, as mayor, you will have as much time as you feel necessary to make your case.

We have already had our opening statements from Ms. Velazquez and Mr. Rangel. However, since you have appeared, we would ask that if they have any further statement that is directly for you, that they may do so at this time.

Mr. RANGEL. Mr. Mayor, thank you so much for attending this hearing.

Before you arrived, I was making it abundantly clear that the question of the expertise in providing security for the people in the city of New York, is clearly a decision that you and your police chief have to make.

The only reason that we are here is because of tens of millions of dollars that is provided by the Congress to make certain that they do get the type of security through contract, if you will, that they have had before. It has been abundantly unclear to us as to whether or not there has been any outreach to give confidence to the people that we are talking about, that they are going to receive just as well or better services than they have before.

And in view of the fact that those who lead the union, assuming that they have some knowledge as to what they can and cannot do, are opposed to this, and in view of the fact that Police Commissioner Bratton at one time had different feelings about this merger, and in view of the fact that it has been brought to my attention that with the exception of Chief Leake, who now wears the hat of the New York City Housing Authority Police, that we will not have the opportunity to listen at least professionally from those who serve and have served for many years in the New York City housing police.

While the chairman has pointed out that it will be revisited, I think it is very important that the members of the delegation now be assured that the contract is not just one that HUD says a contract is a contract, but that we all feel as citizens of New York, no matter whether in uniform or not, that the citizens are going to be better protected. And that is the only reason for the hearing.

Thank you, Mr. Chairman.

Chairman FLAKE. Thank you very much, Mr. Rangel. And, Mr. Mayor, we are happy to welcome you here this morning. We look forward to hearing your testimony. And you may proceed at this time for as much time as is necessary.

STATEMENT OF HON. RUDOLPH GIULIANI, MAYOR, THE CITY OF NEW YORK

Mr. GIULIANI. Mr. Chairman, Congresswoman Velazquez, Congressman Rangel—

Chairman FLAKE. Can we get someone to check the mikes on the table?

Mr. GIULIANI. I am sorry I was delayed. I was testifying before the U.S. Civil Rights Commission that was here in New York today

to do its assessment of New York City. So I thank you for waiting for me.

In my budget plan, which was adopted earlier this year, we outlined a two-phased merger of New York City's police department. The first phase calls for the merger of the Housing Police Department into the New York City Police Department on October 1. And the second phase calls for merging the Transit Police Department into the New York City Police Department on January 1, 1995.

For the past several months, we have been concentrating on the first phase: The merger of the housing police with the New York City Police Department. We have released a report entitled "Driving Crime, Disorder and Fear from the Public Housing of New York," which outlines many of the steps which are necessary to accomplish that merger.

I am delighted to appear at this hearing, which gives us the opportunity to hear a wide variety of views on the plan. As someone who has spent much of my professional career in law enforcement—

Chairman FLAKE. Mr. Mayor, if you will suspend a minute, let me make it very clear, my position is one of conducting a Federal hearing. This is not a protest. For those persons who have signs, I would ask please that you take them down. If you would choose to do that in the hallway or outside, you may do so. This is a Federal hearing. It is a hearing. We would ask that you give us the kind of respect that you would expect your Congress people to have. Would you please do that for us? I would be most appreciative.

You may continue now, Mr. Mayor.

Mr. GIULIANI. Thank you, Mr. Chairman.

When I was with the U.S. attorney, I worked closely with the housing authority in an effort to rid the New York housing developments of drug dealers, and initiated for the very first time the seizure of those people in housing developments that were using their premises for the dealing of drugs.

As the mayor of New York City I am gratified to have a chance to make lasting changes in our public housing development to improve safety. And I believe that by combining the 2,500-officer Housing Police Department with the 31,000-officer New York City Police Department, we are going to be able to make changes that heretofore had eluded us in having a much more effective and better situation for public safety in our housing developments.

Former mayors Edward I. Koch and David N. Dinkins and at least three of the police commissioners who served under them shared my belief and the police commissioners that merging the housing and transit police with the New York City Police Department was in the best interests of all of the people of New York City, in particular the best interests of the people who live in the housing developments of New York City.

The sad truth is that public housing residents are not getting the benefit of what the New York City Police Department is now able to offer to the rest of the citizens of New York City.

I have been to, and many of the people here, particularly over the course of the last several weeks and months, have been to the city's housing developments. And we have heard from the residents

who have complained about inadequate policing and protection from people who are drug dealers and people who are involved in gun violence. We share their frustration. Our statistics reveal that our public housing residents are not sharing in the strides we are making in reducing crime in the rest of the city of New York.

Let me just point to the most overreaching and overarching of those statistics. Felony crime is falling nearly three times faster in the city at large than it is in the housing developments. For the first 6 months of 1994, felonies were down almost 10 percent in the city at large, while they declined just 3.5 percent in the developments.

We are achieving real decreases in crime levels in many neighborhoods of the city. By making the New York City Police Department precinct commanders accountable for crime reduction and prevention, not just for arrest, by merging the Housing Police Department with the New York City Police Department, the same emphasis on accountability for crime fighting can be applied to public housing developments, and our new crime strategies can effectively be implemented in our housing developments.

We have already made a sizable increase in drug arrests. And the first time in a very, very long time—in fact, for as far back as we can go—we have experienced a double-digit decrease in both homicides and robberies over the last 6 months. That is in the city at large, not in the housing developments.

For too long the housing police have been compelled to do a great deal with very few resources. Housing police patrols now will be bolstered with added staffing from the much larger New York City Police Department.

Let me give just one example that is relevant to the area we are in right now. The housing police have 162 officers patrolling PSA 6, which encompasses Harlem and Washington Heights. In the precincts covering that same area, the New York City Police Department has 1,205 officers presently assigned. On a typical 4 p.m. to midnight tour in PSA 6, the New York housing police can assign 3 patrol cars. The New York City Police Department has 36 patrol cars available and usable to try to prevent crime and react to crime.

Some housing residents have raised concerns about the merger. I understand their concerns. They are unhappy with the condition of fighting crime now. They are even more fearful of change. That is a normal thing. That happens whenever government seeks to make change.

I believe that our plan addresses every single one of the concerns that they are raising. The first one, and maybe the most important, is that the residents of public housing don't want policing levels in housing developments to suffer. Neither do we. The purpose of the merger is to enhance enforcement in the developments, not to reduce it.

A written enforceable guarantee in the form of a memorandum of understanding between the city and the housing authority, approved by the Department of Housing and Urban Development, will ensure that public safety in the developments, the policing levels will be maintained, and as I expect, enhanced.

That is the same guarantee that presently exists, and even stronger. Many residents, dissatisfied as they are with the police protection they currently receive, fear losing their housing police force, which they praise for its sensitivity and its understanding of their needs and concerns.

We understand that. And there is a reason for that: Because of the familiarity with doing police and doing police work in the housing developments. They also feel that some of the officers in the New York City Police Department, which answers about 30 percent of the calls right now in the housing developments, appear to resent being called into public housing developments, and too often treat residents with insufficient respect and courtesy.

The fact is that the housing police force essentially will be preserved under its new designation as the Housing Bureau of the New York City Police Department. So there is not going to be a dramatic change from what is presently going on in the housing developments.

The Housing Police Department chief, Joseph Leake, will become a senior member of the department's executive staff, working closely with Police Commissioner Bratton. In addition, the traditional divisions between the housing and the police and the New York City Police Department will be eliminated.

The departments will pool their skills and resources, maximizing both. Housing police officers will work closely with New York City police officers and will teach them the special skills needed in dealing with housing developments, and will sensitize them to the concerns and interests of the people they serve.

As the mayor of the city of New York, facing serious fiscal problems, I must also emphasize the cost efficiency of merging. Right now taxpayers are paying for a whole host of redundant functions, at the New York City Police Department and at the housing police. We are paying for two public information officers. We are paying for two payroll officers. We are paying for two personnel officers. We are paying for two support services divisions. We are paying for two legal staffs. By combining the departments, officers assigned to these redundant tasks can be reassigned to enforcement positions.

New York City over the years built the finest public housing in the Nation. But I believe we are at an historic crossroads. If we don't reclaim our public housing from the drug dealers and the other criminals who prey on the vulnerable, the future survival of this valuable resource will be endangered.

The Housing Police Department at its present level and the realistic staffing it can hope to have can't possibly deal with these problems alone. Otherwise, we will have the same results that we have had, this year and last year and the year before that and the year before that, which are inadequate and unacceptable results.

We need to be able to have the housing police use the resources of the much larger New York City Police Department, which is the largest police department in the United States, and with all of its shortcomings, the most effective, in order to have those resources brought to bear on the problems of public housing.

That is not going to be easy. That can't be done magically. Right now, it is not working effectively. It is our goal to assure every sin-

gle one of the residents of public housing that the policing levels will remain the same, and that the policing levels will be increased.

We will do it with enforceable guarantees, with both the housing authority and with HUD. And if in fact residents today feel that the New York City Police Department, when it has to police in public housing, is not sensitive enough and doesn't understand their concerns well enough, then that is a problem that presently exists since 30 percent of the policing in public housing has to be done by the New York City Police Department.

Isn't it better to try to work toward a system in which the New York City police officers when they have to help and assist in dealing with the policing problems in housing developments, learn how to do it better, learn how to do it more effectively, learn how to do it in coordination and in conjunction with the Housing Bureau in the New York City Police Department?

And finally, what we can work toward is a police department in which we can integrate our functions so that it happens in a sensible way. This is not just my thinking that I am trying to impose on anyone in New York City. This happens to have been absolutely and completely the goal and the view that goes back as long ago as Mayor Koch and Police Commissioner Ward. It went through at least now three administrations: Mayor Koch, Mayor Dinkins, and now my administration.

It has been the view of the last three or four police commissioners with regard to both housing and transit. And there is a reason for that: Because we recognize that we cannot accomplish the results that people want, even though they feel comfortable with what they have. We are just repeating over and over again.

We must stop treating public housing as a thing apart from the city as a whole, and we must stop treating public housing residents as anything other than citizens of New York City, entitled to the same degree of protection, respect, and concern as their fellow citizens.

While crime remains unacceptably high in New York City, we are turning back the tide of fear and violence. Crime rates are going down, and by the end of this year they will have gone down dramatically in New York City. People don't feel that yet, but that is the result of what is happening. But the residents of our housing developments deserve to share in the same degree the safer city that we are all working so hard to achieve.

For generations, New York City's public housing was a fine place to live to raise a family and build a future. We intend to restore safety and security to these developments in the same proportion in which we are able to do it for the rest of the city.

We cannot do that by magic. We cannot do that with a very, very small police department for the housing projects and a very large police department for the rest of the city.

I have been in law enforcement long enough to know that unless you overcome some of the turf concerns and some of the artificial divisions that exist, you are not going to create these benefits. This is a tough and difficult thing to do, but it is a necessary one. And it is one that I feel confident, if you invite me back here 6 months from now and 1 year from now, and we review what is happening, that we will have been able to achieve much better results for the

people of housing developments than we have been able to achieve today.

Thank you very much for your interest and your concern.

[The prepared statement of Mr. Giuliani can be found in the appendix.]

Chairman FLAKE. Thank you very much, Mr. Mayor.

Let me begin the questioning in an area that is clearly of great concern for the members of my subcommittee, and that is that the city puts in approximately two-thirds of the amount of money necessary for the maintenance of the Housing Police Department, which is about \$115 million. HUD puts in about \$57-\$58 million, which is one-third.

The question that I have has to do with examining what happens frequently with Federal dollars when they are comingled with city dollars, as in the case, for instance, of HPD, where we have committed development block grants, and that money basically serves to bridge the gap in terms of the budget. And that was not started under your administration, it has been going on forever, and I suspect will go on ad infinitum. But for what those monies were originally intended, they are certainly not meeting that need.

One of the concerns then becomes for this subcommittee to have some understanding that the city will, if this merger takes place, continue to utilize the HUD portion of those monies exclusively to meet the needs of safety in the public housing developments so that those citizens might be assured that their monies are not just being utilized to meet budget gaps of the city, but rather will address particularly the safety concerns and hopefully expand the ability of the city to provide more, as opposed to just getting a merger, using those \$57 million, and doing either minimally what is being done or even doing less.

Can you respond for me please, sir?

Mr. GIULIANI. I certainly can, Mr. Chairman. First of all, the city has to guarantee both the housing authority and HUD that the \$58 million is being used solely and exclusively for public safety and for policing in housing.

And second, the city expects in fact to get more, because there is additional monies available for drug enforcement and drug prevention that would come to the city through housing which also has to be used solely and exclusively for the housing development.

The memorandum of understanding that the city has with the housing authority would require that. And it would be subject to audit by both the housing authority and eventually by HUD, and also certainly open to you and your committee at any time in which you wanted to conduct oversight hearings to determine whether or not the city was in fact using all of that money for the purposes that were intended.

It is our intention to do that. And beyond that—it is our intention to do that, and beyond that there are at least two or three different reviews that can make certain that we are doing that.

The other point that I would make is that historically that percentage has changed. The city used to contribute about 55 percent, and the Federal Government about 45 percent of the money that was needed for policing housing developments. The Federal con-

tribution has over the last 6 or 7 years decreased significantly, and the city contribution has increased.

So the city has shown its commitment to keeping up policing in housing developments. But the reality is that the city is now at a historical high in terms of its contribution, and the Federal Government is at a historical low. So if we are going to achieve more we have to do it through this kind of merger.

This is not an attempt to in any way use Federal dollars for another purpose. It is to see if we can get more help into the housing developments.

Chairman FLAKE. In order to take full advantage of your time, I am going to just ask the one question now. If we have time we will come back again, given how much time you may have. But I am going to ask each of them that they may pose their questions next. Thank you.

Ms. Velazquez.

Ms. VELAZQUEZ. Thank you, Mr. Chairman.

Thank you, Mr. Giuliani, for being here. Let me just say to you that the fact that I am here doesn't only respond to the fact that I am a member of the Oversight Committee, but I am here because I happen to have one of the largest concentration of public housing developments in my district.

And I have to express to you that I am frustrated, that I am angry, because you made a commitment to the New York City residents that they will have an input into this process. And the city committed itself to making public housing residents part of the process for planning the police merger. However, what I hear from residents is that the city has broken its promise.

A 200-page outline of the merger was drafted and released last Tuesday. The president of one of tenant associations in my district has told me that the residents had no input into the document. Only one meeting was held by the housing authority for public housing residents in each of the eight housing districts.

Mr. Mayor, why have the people who care most about this issue, public housing residents, been cut out of the process?

Why should residents trust that the kind of policing they have become accustomed to by housing authority cops will continue?

Mr. GIULIANI. The city hasn't broken its word to anyone. It is unfortunate that you use language like that, Ms. Velazquez.

The fact is that there were a number of meetings, I would say at least 8 or 10 different meetings, in the development of that document. The views, the input, the ideas of people who are residents of public housing were taken into consideration. And that is a proposal. That is a proposal that is put out for which the city had to put out a proposal in order to go forward with this.

So we did take into consideration the views of people in public housing. That doesn't mean that everybody agrees. But it is unfortunate that someone would say that we broke our word. No one broke any word. The fact is that we took those views into consideration.

Some residents of public housing agree. Some residents of public housing disagree. And the fact is that the biggest problem here is that there is fear of the unknown. There is fear of the next step. There is only a certain number of ways and a certain number of

words that you can use to assure people that you are going to maintain and enhance police services in public housing. There are only a certain number of formulas you can use in order to convince people of that.

The reality is that the only way in which to convince people of that is to go forward with this and show them that in fact there is going to be as much, if not more policing in public housing. That is the reality of where we are right now.

Ms. VELAZQUEZ. I have one more question, Mr. Mayor. Broken promises. That is the sentiment of the tenants in my district. Yesterday, Phil Caruso, he was interviewed on New York 1. He is the head of the NYPD's Benevolent Association. He expressed strong reluctance to take on the city police officers new duties in the housing developments.

Why shouldn't public housing residents be worried and angry that security in public housing will be sacrificed?

Mr. GIULIANI. The fact is that the New York City Police Department presently does 30 percent of the policing in the New York City housing. That is the reality of it. They are required to do it. That is their obligation to do it. And as this merger goes forward, they will be doing more of it. And that is an obligation of their job.

I didn't hear Mr. Caruso's remarks so I don't know if they are taken out of context. But Commissioner Bratton is in charge of the New York City Police Department. Chief Leake will be in charge of the housing police. They are the ones that will be giving the orders, the instructions, and the determination of who does what, not someone else. And I don't think there is any ambiguity on their part as to exactly what has to be done.

The New York City Police Department will have to work and will work in the housing developments, and they will work well and they will be trained, hopefully, they will be trained by many of the housing police officers, so that they can do their job more sensitively and they can do their job better, rather than just leaving the situation the way it is right now, because we are too afraid of some of the political heat. What we should do is take the next step forward and see if we can't improve it.

Ms. VELAZQUEZ. Thank you, Mr. Chairman.

Chairman FLAKE. Mr. Rangel.

Mr. RANGEL. Thank you, Mr. Chairman. And thank you, Mr. Mayor.

Let's deal with the question of political heat, because as I see it, the housing authority tenants, the tenants who live in public housing, are caught in a political game. And it seems as though, depending on which hat you are wearing at any given time, you can almost guess what position someone is going to have on the merger.

I would just guess that if I were a captain in the housing authority, and I am a big fish in a small pond, and you are going to merge me, that I become a small fish in this tremendous pond, I would be against the merger.

I would suspect if I was in the New York City Police Department, and—well, not heading it, but close to heading it, because after all you are appointed by the mayor, and we would hope that you would follow his direction. But if I were under you, I would

really want the merger because it would mean more people would be under me. And in the Congress, like you said, Mr. Mayor, the bigger the turf, the more power you have.

So here we have a battle between union leaders and those that have a job in order to protect the integrity of their positions.

Now comes the tenants. And I think Ms. Velazquez said it, they don't know what they are going to get except take your word for it. It is a contract that the city has with HUD. It is almost like you have got a health insurance policy and you are not that happy with it, but someone tells you that there is a better policy, and you should get it, and trust them that it will be better than the one you have. And all they are saying is, what do I have and what are you going to give me, and will you please kind of explain it to me, because all I want really is safety.

Now, let's look at this from a political point of view. You find people in a concentrated area trying to raise their families, scared to death that the drug traffickers are going to take over, police inadequately manned, fearing their very lives each and every day. They are entitled to more than say, we are going to come back in 6 months.

What I would strongly suggest is this. It takes more than dollars and uniforms to provide safety anywhere. If we can really take a hard look at the crime statistics that exist in public housing and to start moving forward now in trying to address that problem, instead of just dealing with the problems of turf, to make someone feel more secure, to me, you don't need a guarantee.

The question of how many men are going to be or women are going to be on a shift, how many shifts you have got now, and it is a question of numbers. If I was running a housing authority, I would know how many people I have got. If you tell me just for the purpose of illustrating the point, that you are going to double it, I don't give a darn where they come from. You can bring me transit cops if you are going to double it and train them and show that I am going to be better protected.

The question here is a political question. They haven't the slightest idea what you are talking about. You are right, attitudes have existed between housing authority police and New York City police. They exist because of the racial composition. They exist because of a variety of different things that will cause people, not knowing the answers, to be scared to death as to what this means to them.

Instead of just saying that we are going to do this darn thing come hell or high water and see how it works out, what you are doing is attempting to enforce a legal contract without the willing support and cooperation of those people involved who are the beneficiaries of the contract.

Why can't we—why can't Chief Leake and Commissioner Bratton get together with a plan for each and every public housing development that we have, show them what they have got. That is the way salesmen do. Show them on paper, this is what you have got in your contract, this is what the heck you have to get under the new contract, and because of the additional dollars that are coming, that are related to crime, fold in the new projected programs, so when they look at it they will tell the housing authority police, I

love you, you are going to be here, you are going to be supplemented.

And the reason is not because someone said, trust me, but because they made us a party to the contract. We are able to report whether we are getting the extra patrol, whether we are getting the extra school, whether we are getting the extra provisions for the kids to be taught order.

I will just tell you, Mr. Mayor, that if it goes politically, it can go great. I mean, all of this, who wins this damn contract, is subject to a whole lot of congressional interference and going to HUD, and a traditional fear that people have as it relates to crime.

You know it, and I know it, and every part of the city has this very same fear. My strong suggestion is, since it has not been done earlier, is that before you start talking about what is going to happen in 6 months, that you give Mr. Franco an opportunity to detail, based on what, the new resources, the new amount of monies that is going to be available, the new amount of policemen that is going to be available, everything that you feel that you are going to save, you have got to put back and try to make things easier.

Let's get a plan for every development so that every President can look and be your salesman, because I don't think this love affair between the tenants and the housing authority police is as deep as you think it is. I really think it is a marriage of convenience because they are scared to death.

But if you can outsell them with a better contract, with more benefits, that even go beyond the uniform, but goes to the things that prevent crime, then let's see whether we can do for once what everyone is afraid of, and that is to have a more effective police department.

Mr. GIULIANI. Mr. Rangel, the reality is that that is what we want to try to achieve. But to try to achieve all of that, and also at the same time protect the funding, make sure it comes to us, to make certain that we can do this in every single place, and given the way in which public opinion is manipulated by people who may lose a job or may not have the union position that they had before, that becomes very, very difficult, if not impossible to do.

There is no possible way, and I have been through this for a long time, that we are going to satisfy people in advance, that we are going to do the things we say we are going to do, until it actually happens and they see it happening.

It is just not going to happen. And given the way in which people will be manipulated for other purposes, not for the purpose of figuring out whether or not there can be better policing in housing, we would not succeed in being able to convince people in advance that we are going to do what we say we are going to do.

The fact is that all of the practical guarantees are there; that HUD, this subcommittee, can review every single thing that we are doing; that we have to live under very, very strict mandates from both Albany and from HUD about policing, both New York City Police Department and housing. And we can't move people around that way. We have to have guarantees of how the money is going to flow in order to move people also.

I live under a mandate from Albany as to the overall number of police for the three police departments, the overall number of police

for the New York City Police Department. For me to move people from one police department to another I have to know I am going to be able to protect Federal funding so it isn't as easy as it is made out to be. And what we are trying to do is something that, if in fact we reduce policing levels for housing, HUD can stop our funding in a minute. You can go to HUD and stop us. That is not our desire at all.

But to try to do this sales job in the light of the way in which there are not—some of what is happening here is not about, how can we get better policing for our housing developments. Some of it is about, can we have two unions instead of one, can we have two union presidents instead of one. That is going to be very difficult to overcome.

Mr. RANGEL. Mr. Mayor, I think you are wooing the wrong people. I am telling you, if your biggest threat is the power of the PBA housing authority union, then God has been very good to you. The threat is the tenants. I am telling you, if you woo the tenants, if you woo the tenants and have them to understand—first of all, I don't think it is complicated, and I stand corrected, to tell any president of any particular development, this is how many police you have now, and you can check that this is what you got, and at the very minimum, to give them a contract that you are not going to get less.

Mr. GIULIANI. That is precisely what we have done with HUD.

Mr. RANGEL. Don't you understand, I am going to have to handle HUD. And I am saying that I can handle HUD for the city's benefit a heck of a lot easier if you spent nearly as much time with the tenants as with the Police Benevolent Association.

Mr. GIULIANI. That is really very, very unfair. That is a very unfair comment and a very unfair way to get all the crowd to applaud. Let me finish my comment for a moment.

Mr. RANGEL. You are not helping this at all. Let me make it clear, Mr. Mayor, that the only reason I said this, let me make it clear, the only reason I said this is because the obstacles that you said you had, I don't need this crowd in order to do my job, and I don't need any points at your expense. Let me make it clear why I said it, and then I won't have anything to say.

The reason I said it is because you were saying that I did not understand the bureaucracy as related to competing unions and what they were fighting. I know that. And they are going to fight that forever and ever and ever.

What I am saying is, if the tenants had a better contract, where they would understand the benefits that you are talking about, because you will never convince the housing authority police, that you politically, not me, would have better support than you could ever expect to get from the union.

Now, I didn't mean that as a cheap shot. I meant it as good political advice.

Mr. GIULIANI. First of all, I should make it clear we have spent a lot more time in each one of the housing developments trying to explain this than we have with the PBA. We spent almost no time with the PBA, because they oppose it and want to go to court.

Number two, the fact is that I am happy to guarantee to every single housing development they will have exactly the same level

of policing, no less than they have right now, that their PSAs will be maintained, and that it is our goal and intent to increase the amount of policing for every single housing development in the city. But there will be an enforceable guarantee, and we are happy to make it with every single housing development in the city, that the level of policing will remain exactly the same. We have made that point over and over and over again.

The reason I mentioned the PBA is we have met instead with literature that frightens people, that we don't mean what we say, that we are lying to them, that we are not going to do what we say. And the only way in which I can deal with that is to say, give us a chance to do it, and give us a chance to prove that we are telling the truth. If we are not telling the truth, have us here in 6 months or in 3 months, and undo what we are doing.

But we will be going on with this course over and over and over again, because every guarantee that we enter into, someone will try to undermine and say, it is not true, they are not telling you the truth, they are misleading you, don't believe them.

We have no other purpose in doing this but to maintain and to enhance the policing in public housing. That is the purpose for this. There is no other purpose for it. We are going to preserve the exact amount of Federal funding that is going to flow to the housing developments. I wouldn't be foolish enough to make an agreement with HUD that I intended not to live up to. It would make no sense to do that.

We are going to guarantee the same level of policing. We are seeking to try to increase the amount of policing for housing. I am happy to make that point over and over again, to each housing development in the city.

Every time I make that point, or Commissioner Bratton makes that point or Chairman Franco or Chief Leake, they are going to be met with people who say, don't believe them, they are not telling the truth, they are lying to you, they are trying to mislead you.

There is only a certain amount that you can do to convince people that you are telling them the truth. Until you get to the point where you get the opportunity to do it, and then somebody can audit it to find out, were they telling the truth or weren't they telling the truth. I am happy to be audited in that way. I am happy to come back here in 3 months or in 6 months and you can look at every housing development and you can see whether or not we have kept our word. That is the best I can do.

Chairman FLAKE. I think the one thing we can agree on is, as a subcommittee, it is important for us, from the perspective of the Oversight Committee and from HUD, to have those ongoing opportunities for monitoring what is happening in this process. If the process moves forward and you have agreed already, and we have had a discussion on that, that that kind of auditing can take place, I think we will do that with perhaps having the General Accounting Office look periodically, to make sure that the results are consistent with the plan. And I think the bottom line is, for all of us sitting here, I don't think any of us have any axes to grind. I think the bottom line is we all want the same things. The question is, what is the best way to get it.

So let me thank you for coming to testify, for giving us an opportunity to get on the record the city's position as it relates to the merger. Thank you very much.

Mr. GIULIANI. I appreciate it. Thank you.

Chairman FLAKE. We would like to have your attention so that we might proceed. Let me again remind you that Mr. Rangel, Ms. Velazquez, and I will have to go to Washington this afternoon. It is imperative that we have your full cooperation in order for us to do an orderly hearing, and that we might be able to move as expeditiously as possible to a conclusion of this hearing so that we might be about the other business that is before us.

With that, I would like to introduce our second panel for the morning. Again, we are asking each panelist if you can summarize your testimony to 5 minutes. We will by unanimous consent receive your full written testimony for the record, and then we will have an opportunity for questions.

The second panel this morning consists of the Honorable William J. Bratton, who is the police commissioner of the city; Mr. Ruben Franco, chairman of the New York City Housing Authority; and Chief Joseph Leake, who is the chief of the New York City Housing Authority Police.

We are happy to welcome you all this morning. And we will start with you, Commissioner Bratton.

**STATEMENT OF HON. WILLIAM J. BRATTON, COMMISSIONER,
NEW YORK CITY POLICE DEPARTMENT**

Mr. BRATTON. Good morning. I am happy I have had the opportunity to hear your opening on comments as well as your questioning of the mayor. My 5-minute statement will address many of the issues that you recognized, and then in the subsequent questioning I can pretty much respond to any concerns that you have.

I know that many members of the subcommittee have serious concerns about merger. You have asked to know how we intend to better protect the residents of public housing without cutting police service to the rest of the city, and how we will gain the confidence of the residents of public housing when so many have expressed distrust of the NYPD.

On behalf of the mayor, I am here to address many of your concerns. I am here, I hope, to win your confidence and even your support for an action which, I am convinced, is the only way to dissolve the climate of fear that has seized many housing developments and the tension between the NYPD and many housing residents.

I hope to convince you that there is indeed a window of opportunity for the beefing up of police presence in public housing following a merger. I also hope to convince the members of the subcommittee that a merged police department will be particularly sensitive to the existing relationship between the residents of public housing and the housing police.

Today, I come before you in support of merger, because I believe that now is the time to combine all the police resources of the housing authority police department and the New York City Police Department under one command, to get involved in one set of comprehensive strategies that are designed to drive down crime, dis-

order, and fear, everywhere in the city, strategies which so far this year reduced crime in the city about 10 percent but only about 3 percent in the housing developments.

In the course of combining our police resources to carry out one set of strategies, I realize that there are significant issues. Those include administration, funding, and the support of the public, our customers, for one police agency, the housing police, and their distrust for the other, the New York City Police Department.

First, let me address the issue of administration. Right now there are three police departments in New York City with employee assistance units, legal units, internal affairs units, personnel units, research and planning units, applicant processing units, recruiting units, community relations units, training units, and so on, and on, and on, redundancy after redundancy.

In a city the size of New York, a police department, no matter how dedicated, with only 2,500 uniformed officers, simply cannot afford to operate so many support units when its mandate is to protect an estimated 1 million people living in 180,000 apartments spread over 216 square miles of this city. Trying to staff all these functions is one reason that in the last 25 years the housing police went from putting 90 percent of their officers on foot every day in the developments to putting only 12 percent out on foot each day, as is the case now.

The second issue is funding. As you know, the mayor's office has crafted a memorandum of understanding with the board of the New York City Housing Authority that reaffirms the city's intention to enhance public safety in the city's public housing developments as set forth in the merger plan. The MOU will also assure that Federal funding provided to the department from the New York City Housing Authority, as the mayor referenced, will be used exclusively for policing in public housing.

The third issue is the very different perception of housing police versus city police by the residents of public housing, which you have all alluded to. When I returned to New York City to become police commissioner this year, I was given a book by the new chief of the department, John Timoney, a book which I gave to Chief Leake upon his appointment. The name of the book is "The Ville." It was a book about the residents of public housing in New York, about the quality of their lives and their dealings with police. It painted a very negative picture of the encounters between residents and NYPD officers. John Timoney and I were very impressed and moved by that book.

More recently, when I and First Deputy Commissioner David Scott, Chief Timoney, and Chief Joe Leake met with various housing resident groups, we heard these stories first hand. We heard that some housing residents have been treated inappropriately and disrespectfully by some officers of the NYPD.

I, as someone new to the department, and they, each of whom has spent about 30 years with the department, were deeply disturbed that these things could be said of the department of which we are so proud. Maybe these officers were acting out their frustration for being in housing developments, where, due to the separation of the two departments, they felt they shouldn't have to go. Whatever the reason, this kind of behavior must end.

Based on my two decades of policing, I strongly believe that merger of the two departments is the best way to ensure that it does end.

As we indicated in our merger plan, this kind of behavior will end because NYPD officers will adopt the principles of community policing toward the residents of public housing, something we are intending to implement throughout the city. They will regard the development as part of their turf, not apart from. They will regard the residents as people they must serve and protect and their precinct commander will be accountable for reducing crime, disorder, and fear in public housing, just as they are accountable for the rest of the places in their commands.

And we will use the housing police who have earned the trust of public housing residents to train NYPD officers in the skills they will need to earn similar trust.

In providing merged police service, we will use two other principles as our unwavering guide. One, there will be markedly more police resources in developments than there are today. That is my guarantee. There will be more project community officers, PCOs, more officers on foot doing vertical patrols, and more officers on bicycles.

Two, public housing will become part of the central operating concern of the New York City Police Department, so that our crime control strategies and resources being directed at guns, youth violence, drugs, domestic violence, and quality-of-life violations will now go to work inside as well as outside public housing.

The merger will proceed in three broad phases. Phase 1 will run from October 1 to December 31 of this year. At the start of that period, Chief Leake will assume command of the newly created housing bureau. He will be a senior ranking member of the department.

During phase 1, Chief Leake will build working partnerships as he has been doing with the residents and managers of public housing; move forward the expansion of police resources in the developments, as is being planned; preserve special housing police initiatives that have proven effective and important, such as Operation Safe Home, the Antigraffiti Program, and the elevator vandalism squad. And finally, make sure that HAPD's skills start to be trained into NYPD officers.

Phase 2 will run during calendar year 1995. During that phase, Chief Leake will make certain that response times to 911 calls from housing developments are minimized; increase further police presence in the developments; systematically apply all NYPD crime-control strategies to the developments; support and help increase tenant patrols, a significant backbone of security in the developments; and achieve all final operating efficiencies through reorganization.

Phase 3 will commence in 1996. During that year, we should begin to harvest the fruits of what we have sown. We should see developments that have been threatened by growing levels of crime, disorder, and fear restored to security and safety. We should see developments that had been afflicted with high levels of crime turned around.

During 1994, crime in the city at large has been going down nearly three times faster, as the mayor referenced. Gun runs, which include police responses to calls about shots being fired or about someone seen carrying a gun, are down about 8.8 percent in the city at large, while they are up half a percent for public housing. The problem of guns is much more acute in housing developments than in the city as a whole.

Although several police service areas of the HAPD have been exceeding the city's rate of decline in reported crime, public housing residents throughout the city must get more from the full force of all their police officers. No longer should they expect an average of 41 patrol cars being put out by the housing police throughout the city of New York to compete with the NYPD's 370 patrol cars.

It is time, as the mayor has said, to make sure that not one citizen of this city is forced to live on an island separated from the full police protection this city has to offer.

Thank you.

[The prepared statement of Mr. Bratton can be found in the appendix.]

Chairman FLAKE. Thank you very much.

In order that we might have continuity, Mr. Franco, let me go to Chief Leake so we can get both of the police sides, and then come back to the authority itself.

STATEMENT OF CHIEF JOSEPH LEAKE, NEW YORK CITY HOUSING AUTHORITY POLICE

Mr. LEAKE. Thank you. Good morning.

Mr. Chairman, Representatives Rangel and Velazquez, I would like to thank you for inviting me to appear before you this morning, and our concerned residents. I would like to especially thank Chairman Flake for the opportunity and the other members of the panel for the opportunity to address a topic of great concern and some misunderstanding, the pending merger of the New York City's Housing Authority Police Department with the New York City Police force.

I was recently honored by being named as the chief of the New York City Housing Police. While I am new to the housing police, I am no stranger to public housing. As a teenager I lived in the Brownsville houses, and throughout my career I have had numerous occasions to work with members of the housing police. I have always found them to be first-rate professionals in every sense of the word. Yet, as chief of the Housing Police Department, I am a firm believer in the merger.

I believe that combining the departments will make us more effective in our crime fighting abilities, as well as making us fiscally and administratively more efficient, all of which will definitely lead to an improved quality of life in the city in general, and in public housing in particular.

We are not here only to speak about what we believe will work to achieve better security within public housing, but also to explain how it will benefit public housing residents in concrete ways.

Before I address these benefits, let me take a moment to acknowledge that there is skepticism in the public housing commu-

nity that the merger will somehow cheat public housing residents out of police service. This simply is false.

Public housing residents are already being shortchanged in the area of police services, and the merger is designed to correct that situation. Some people have said that as a result of merger, police services will be siphoned out of public housing and used in other areas of the city. As the chief of the housing police, and after the merger, as chief of the Housing Bureau, it is my job to see that does not happen. But don't just take my word for it. Let's examine the facts.

Is it the intention that the merger will make public housing safer? The answer is an unequivocal yes.

Through economies of scale and administrative streamlining, the first and most obvious benefit from a merger is that we will be able to put more police officers into public housing developments almost immediately.

We know that some 150 officers can be added to our patrol strength simply by freeing personnel from redundant, administrative functions that currently exist in the two separate departments.

Further, at the present time, when one or more departments become involved in a crime related to public housing, there is a wasteful duplication of effort. Several times each day, two police forces often respond with uniformed personnel to the same incident in public housing. This is unnecessary.

Following such incidents, supervisory personnel of the separate departments begin overlapping in their administrative functions. This wasteful practice keeps these vitally needed officers off the streets.

This is not an efficient, cost-effective method of providing police services. Through a police merger, we can eliminate these inefficient, wasteful situations.

The savings and efficiencies derived from the merger will not end there. Eliminating other duplicated services, as Police Commissioner Bratton indicated, such as internal affairs and other back-office personnel functions, will also free up uniformed personnel for increased patrol strength.

What will be the impact of the merger on the residents of public housing? The simplest way to say that is that residents will be much, much better off following the merger.

Having one police force will give Commissioner Bratton—as the commander of the combined force—a chance to streamline police ranks and demand greater accountability from local commanders.

Currently, many precinct officers have drawn a sort of invisible border around our housing developments—a border which they do not cross during ordinary patrol duty.

Under the present system, the attitude that it is a housing police problem, let them handle it, is a pervasive one, and too often an excuse offered for not giving public housing greater service. Merger would toss that attitude on the administrative scrap heap.

Merger would also give public housing residents much greater clout in neighborhood precinct councils, where they will be able to meet with and influence local police commanders, without being told to tell it to the housing police.

The mayor and Commissioner Bratton recently announced a series of innovative NYPD strategies to attack specific crime and quality-of-life problems. These strategies are intended to focus on getting guns off the streets, curbing juvenile crime, to harass and drive out drug dealers and to break the cycle of domestic violence.

Under the present system, despite pervasiveness of these problems in public housing, the housing police do not get the same resources available to the rest of the city.

Chairman FLAKE. I am going to ask that you suspend for a moment and ask that you might try to summarize some of the highlights. We are going to have to be out of here by 2 o'clock so that we can go to Washington. So we are trying to get the most cogent points of your testimony. We certainly want and we will receive the full testimony for the record, which the subcommittee staff will put into the *Congressional Record*.

But if you could summarize, I would be most appreciative.

Mr. LEAKE. Indeed I will, sir.

I would just like to end by saying, under the merger, we will not only have better tools, but more people to employ those tools. Our housing police officers and civilian employees will have greater personal opportunities in a combined force. They will be able to compete for proposals and assignments to specialized units that the housing police as a separate entity has not been able to offer them.

My experience as a law enforcement professional and a longtime New Yorker tells me that this merger is a major and important step in achieving more effective policing.

Thank you very much, and I will certainly be glad to answer your questions.

[The prepared statement of Mr. Leake can be found in the appendix.]

Chairman FLAKE. Thank you very much.

Mr. Franco, chairman of the New York City Housing Authority, you may begin now.

STATEMENT OF RUBEN FRANCO, CHAIRMAN, NEW YORK CITY HOUSING AUTHORITY

Mr. FRANCO. Chairman Flake, Congresswoman Velazquez, Congressman Rangel, and everyone concerned with the safety, viability, and the future of New York City's public housing and its residents, good morning. On behalf of the Authority and our residents, I want to thank you for the opportunity to discuss with you the proposed merger of the New York City Housing Authority Police Department and the New York City Police Department.

I grew up in public housing. Perhaps some of you, like me, have loved ones who live there. In my case, my mother lives happily in one of our developments. I mentioned this because the fear obviously exists that in supporting the police merger, the authority will somehow mortgage the future security of our public housing residents. Not so.

You are all aware of the vastness and the complexity of public housing in this city. We have 330 developments spread across 216 miles. We have 2,700 residential buildings that contain 180,000 apartments that house over 600,000 residents. Those numbers give

us a population that is bigger than many major cities in this country.

So we are not just a housing authority. We are a big city within a huge city, where more than 40 percent of our residents are under the age of 21, and many of them are economically disadvantaged.

It is no secret that those statistics, combined with the availability of narcotics and guns, provide all the needed ingredients for urban crime. While these conditions are obvious, so is the reality that this city within a city has been systematically and dramatically shortchanged in the allocation of police services for six decades.

That has been happening despite a cooperation agreement between the city and the Federal authorities that is decades old. The cooperation agreement requires that any city with Federal public housing provide their residents with equivalent municipal services, including police, that are provided to other city residents.

By proposing this merger, the mayor is simply making it clear that our city's public housing has been getting shortchanged, and that it will henceforth get its fair share of police services.

The last three Chairs of the New York City Housing Authority have all asked their mayors, Governors, and city councils for police increases, but to no avail. The answer has been that no money for additional police has been available.

Indeed, the condition of our city and State-funded public housing developments, where modernization and maintenance fall far short of that in federally aided developments, is proof that the money is simply not there to increase the public housing police force to the level that we need to effectively fight crime in our developments.

We, of course, are trying, through Congress, to get additional funds to add 400 police officers to our force, and we appreciate the efforts of the members of this subcommittee in that regard. That bill, however, continues to languish in the Senate.

Those political realities leave the New York City Housing Authority with a 2,500-member police force thinly spread across the vastness of our public housing developments. For example, on any given 4-to-midnight shift, only 41 police cars are available to respond to all of the calls and emergencies of this city within a city.

And on the ground, our project community officers—those are beat cops who patrol our elevators, roofs, stairwells, recreational facilities, and grounds—number only 288 officers for the entire city within a city. In contrast, the 56 precincts that contain public housing, the NYPD has available over 370 cars and approximately 13,000 uniformed police officers.

These are the facts with which I and the members of the New York City Housing Authority board were confronted with when the police merger was proposed as a solution by our mayor. And in an era of shrinking budgets, police merger is the most pragmatic and comprehensive solution to our policing shortfall.

Finally, it was clear to us that the city has a legal and moral obligation to provide appropriate levels of police service to our residents. As a board, we agreed unanimously to support this plan. The proposal, however, has been met with skepticism and indeed opposition in some quarters.

Some of the concerns have been very legitimate. Residents have felt ignored in the past or have been disappointed by the governmental process. No matter what the source or the motivation of these concerns is, as Chair I must say that emphatically I will not personally be a party to anything that will reduce the level of safety in public housing in this city. The safety of my mother depends upon it.

I must repeat the promise that Mayor Giuliani has made over and over, that police services in public housing can only increase, never decrease, following merger.

In discussions with Police Commissioner Bratton and in reviewing his planned postmerger for deployment of police officers, I have been convinced that merger will make the lives of the residents of public housing more livable, and that they will be safer than they are today.

Merger leaves intact the officers and the police service areas presently charged with protecting public housing developments and residents. The same PCOs will continue to patrol the same developments and they will work out of the same PSAs, and they will have help.

After merger, the number of PCOs will be increased almost immediately by 50 percent. The strengthened Housing Bureau will increase vertical patrolling. And our antinarcotics, vandalism, and antigraffiti squads will be similarly expanded. Our popular and effective bicycle patrols as well as scooter patrols will also be increased.

Under the current three-police force system, local precincts, areas of patrol facility and at the borders of our development, all too often this has made our housing developments forgotten items to the 31,000 members of the NYPD. After merger, that legacy of isolation will be history.

Instead, the local precinct commander will also be responsible and held accountable for helping to maintain safety in our public housing developments. Some of those precincts in fact will be commanded by former housing police officers under Commissioner Bratton's plan.

Such moves are proof of the mayor's belief that our developments are very much a part of this city and deserve to be policed as such.

As the mayor indicated, and the police commissioner, crime felonies have gone down in the city. Less so in public housing. And the major reason that the decrease has not been so much or as fast has been because our police officers simply have not had the human or financial resources available to the other, larger police force.

In addition to the greater resources described, I think there will be a much-needed, subtler benefit to residents coming out of this merger. New York City Housing Authority residents have repeatedly complained about NYPD's response and attitude toward them in the past. Too often, they claim—and, I may add here, in many cases rightfully so—that NYPD officers have been abrupt and sometimes plain rude and hostile when they have responded to situations in our developments.

I believe that the reason for this is that these communities have often been neighborhoods that are not well known to the police

force patrolling around them. The merger will make our developments familiar territory to all NYPD police officers.

The increased presence of NYPD officers of public housing following a merger can only help to end the sense of isolation and alienation that sometimes exists between the NYPD and public housing residents. Therefore, sensitivity as well as protection will increase after the merger, and police and residents will get the chance to get to know each other and respect each other better.

My written comments are more extensive. In order to give the subcommittee an opportunity to ask questions, I will stop here.

But let me just make one more point, and that is that there is a concern about the loss of \$58 million that comes to us from HUD. I am confident, based on conversations that I have had with Secretary Cisneros and recent correspondence, a recent letter I received from HUD Assistant Secretary Joseph Shuldiner, that HUD will agree to allow the funding to continue as long as it is used to provide services—as long as those funds, that is, are used to provide services for public housing residents such as the vertical patrolling that is not currently performed citywide by the NYPD. We will meet those conditions.

Let me finally restate my conviction that I firmly believe that merger is in the best interests of the entire public housing community. Merger can and will work.

Thank you, Mr. Chairman, for your time.

[The prepared statement of Mr. Franco can be found in the appendix.]

Chairman FLAKE. Thank you.

Let me begin by just raising a point to the whole panel and asking you to respond in your own way. A part of all of the testimonies clearly talk about questions of feelings and fears and sensitivity of New York City Police Department versus whatever perceptual view there is of the housing police as being a more sensitive body of persons. And in almost every instance, as you make your presentations, there is a kind of downplaying of these kind of sensitivities and what it means to those persons who are public housing residents.

I think the question I have has to do with what will be done to train not only NYPD but even housing police as well to be even more sensitive.

Let me give you an example of what I think is causing much of the response, the revulsion on the part of the those persons who are public housing tenants.

Many decisions in this city made not only by the police but by too many agencies have to do mostly with class and race. We don't want to accept that. That is a reality. And I know it is a reality because I live not in public housing, but in a private house, 4,400-square foot Colonial home, and in the middle of the night called the police. The police officer showed up, asked me what I did for a living. At that point I was not in Congress. I indicated I was a clergyperson. He said, well, where do you pastor? I told him. He said, Oh, that is that big church. He said, they must take pretty good care of you. Then he began to delve into my personal business.

I called the police because I heard noises on the outside. I made a decision consciously that unless I really felt that my life was in danger, I would never call the police in the middle of the night to my home again.

With that understanding and with that feeling among persons like myself who clearly has to be considered middle class, one could understand the fears of persons who have been viewed as being less than human in some instances, and clearly a fear on their part of how the NYPD will be responding to them.

I don't know whether you have read any of the books that have been produced in terms of the inner fears of middle class folk who will not drive through their communities late at night, afraid of what might happen with the police, and understanding that, I think if you put that in perspective, you will understand some of the fears of persons who live in the public developments.

What can you say to us to assure us that there will be training mechanisms that will bring the police to a level of understanding that every citizen of this city is a citizen with the rights, the privileges, of any other citizen, and as in my case, when you come to my house, you don't make a decision based on my race or whether I should be able to afford the house I live in, and to go to the public housing and to make a decision that these people are a bane on society, and therefore my response to them must be less than it would be if I am dealing in another community to another class or race of people?

I think the key to this becomes an educational process, and that educational process, in my opinion, and I am not here to argue now for residency, but I honestly believe if we had requirements for some of that sensitivity, some problems would be solved, but not all of them, because we know from DC and Chicago and some other places, the issue is not just a racial one.

What can you give us today to assure us that we can begin to deal with some of the attitudes of what Mr. Franco just called rudeness of some police response to certain situations, with certain classes or races of people?

Mr. BRATTON. Of paramount concern to me as police commissioner for the city of New York is this issue. We have not sought to downplay it at all. In fact, we are exposing it to the light of day. A primary reason for merger is the issue of race and class and the concerns that it generates.

I, as police commissioner, the new police commissioner, one of my reasons for this is to turn around those perceptions. I don't like to hear, neither does Dave Scott, after 35 years of putting his life on the line in the city as a black man, like to hear that one out of eight people in this city in housing developments fear, loathe, do not trust the NYPD, because they feel they are treated badly by that department. I, as the new commander, Dave Scott as a lifelong career professional in this department and resident of the city, don't.

So a significant goal here is to address this issue. We are laying it on the line. It is an issue. We are not hiding it. We are not putting it off in the corner.

It is of paramount concern to me. We will be doing a lot in this area, because it is not just housing residents. It is not just a matter

of class. I hear from as many millionaires as I do from people who make \$5,000, \$10,000 a year, of the way they are treated.

I had breakfast last week with a gentleman who is quite well off. He starts the breakfast, and the reason I was approaching him was the police foundation is attempting to raise some funds to support this effort to deal with the issue of lack of trust in NYPD. He starts off with a story of an encounter he had the day before relative to rudeness toward him. This was a gentleman driving around in a very expensive car, dressed expensively, who happens to be white.

There an issue that crosses class lines and racial lines. One of the reasons I am going into this is, I can't think of a better way to address it than to talk about it openly, to plan for it in training, and so forth, but also to utilize the skills of the housing police to work on changing some of the attitudes of too many of my members, because I am telling you, if we keep it the way it has been for the last 40 years, it is not going to get better.

America has been wrestling with this problem for 300 years. It is not a New York problem. Race and class is the American problem of this century and of this decade. What we are doing is saying, we need to face up to it, expose it to the light of day. I, as commissioner, believe that merger is one of those ways, to reintroduce that whatever it is housing cops do into the larger organization.

But as long as you have a separate subway and a separate housing development concentration in this city, human nature being what it is, city cops are going to perceive that as not their responsibility. So my goal is to try to correct the issue you all raised, that we in each of our statements have raised, to try and improve the relationship between NYPD and the people who live in these developments.

Chairman FLAKE. Will NYPD on the whole be open to the kind of sensitivity that is perceived to be representative within the housing police currently? Will they accept whatever methodologies and training they are currently using as a means of trying to educate the larger police force to the reality that, as persons here have shown their support to the housing police, that ultimately that kind of support might well be given to other police departments if that sensitivity is in place?

Mr. BRATTON. Congressman Rangel in his comments expressed some surprise at the new love affair between housing residents and the housing police department. He has heard many negatives directed toward that department prior to the recent merger initiative. Housing police are not immune to the problems that NYPD and transit police and police around this country have.

Chief Leake can speak to the significant increase in complaints against housing officers since policing was begun to be put into place. We, the NYPD they, the housing, are all trying to find ways to work more closely in partnership, on problem solving, all the elements of community policing. My commitment is to increase the training, increase the exposure.

At the same time, let's be quite upfront. Housing has many good systems. Housing has many good cops. I have got many good systems, I have got many good cops. For every one of these residents that tells you a good story about a housing cop, I will line up 10

city residents that tell a good story about a beat cop. We are trying to take the best of both worlds and improve on it.

I am admitting as police commissioner we know there is a problem and we can work together to solve the problem.

Chairman FLAKE. I recognize Ms. Velazquez.

Ms. VELAZQUEZ. Thank you, Mr. Chairman.

Mr. Commissioner, aren't cost savings one of the main reasons for the city's decision to merge the police departments?

Mr. BRATTON. Actual dollar savings is not the primary reason.

Ms. VELAZQUEZ. But it is one of the reasons?

Mr. BRATTON. It is an element in terms of cost savings, potential. The principal reason for the merger, and let's speak to it, is crime. Crime is not going down as fast in housing developments. Shooting incidents, possession of drugs, guns, may be worse in the housing than in the rest of the city. One out of eight citizens indicates there is problem there. Two thousand five hundred housing cops cannot handle it, particularly with so much of the city behind us in doing paperwork that I can assume over in my shop.

Second is the issue of too few cops; they just don't have enough. With this plan, almost immediately we get 140 more existing police, not strangers, not outsiders—existing housing cops. The cops that the residents are telling us that they want this. There are 140 more of them like that.

Second or third, the fear of the residents, we are attempting to address that. And then the idea of the lack of confidence in the NYPD, that we need to improve that confidence, because we are here to stay.

NYPD is not going away. The city of New York isn't going away. Crime isn't going away unless we get our act together.

Last is the idea of the better use of the existing forces; 2,500, we can get a lot more from the existing group that is there, supplemented by additional New York City resources.

Ms. VELAZQUEZ. Mr. Commissioner, cost is a concern for me. Isn't it true that Mindy Tarlowe, the former deputy director of the city's Office of Management and Budget, concluded last September that the merger will cost millions of dollars over the first 7 fiscal years? How will the city pay for the increased cost?

Mr. BRATTON. Let me speak to the cost. We have been looking to this, and again, I can't speak to her memo back in September. I arrived in January.

The costs we project, about \$8.7 million. The bulk of that \$8 occurs next fiscal year, not this fiscal year. A lot of the assumptions that went into those earlier calculations, some professor from John Jay had an article yesterday, I have got to question that gentleman's credentials, talked about a \$76 million.

Chairman FLAKE. He is behind you.

Mr. BRATTON. I have never seen such an outrageous piece of junk, to be quite frank with you; \$76 million, I don't know where he is getting that from.

We are calculating, based on current circumstances, on the way we intend to do it, about \$8 million to deal with the pension differences, and about \$700,000 to deal with some of the various differences between Workmen's Comp and the way the city backs up their officers on lawsuits.

Now, let's try to work toward that. And that is what I was trying to tell the mayor.

Mr. BRATTON. Let me speak to that, if I may. What we know at this juncture, there are safeguards built in to the existing housing police. Safe streets requires that we have so many police officers. We have terms and conditions which were negotiated with the city council for this year's budget that guarantee certain levels of staffing. That is the given. We know we have 2,500.

We have definite knowledge, we are saying quite unequivocally, we can almost immediately, by assuming the NYPD through merger the administrative responsibilities of housing, to give to the citizens of this community about 140 to 150 officers fairly quickly, already trained, already here, already experienced in housing-specific policing.

The unknown, although it has become clearer, of the benefits of the Crime bill, the Crime bill we know, because of the work that was done to tailor it to New York's needs, that we will get a significant amount of money for this city, for all the residents of this city.

As you know, the bill is about yea high in terms of its detail. We are currently exploring it intimately. We will be obtaining the services of grant writers to ensure if there is a dime there to to apply for, we will apply for it. The guidelines have not been established as to how do we compete for that money.

We will be the most aggressive city in this country competing for that money for all the citizens of this city. And the point you raised, because of the influence of the members of this subcommittee, the mayor's support for this bill, we anticipate that Washington will look quite kindly on grant applications coming from New York City.

While that is an uncertainty, if I were a betting man I would bet on New York doing quite well. So we have the certainty of more cops right now. We have the certainty of a commitment of myself as police commissioner and the mayor, these other gentlemen, to do more, recognizing that more needs to be done, and we intend to literally work our butts off to get as much as we can out of that Crime bill.

So that is the situation that we are faced with right now. Good news right now and more to come farther down the line.

Mr. RANGEL. All I have got to say is that I really would encourage a meeting of the presidents of public housing with the program people that you are talking about to really try to state their priorities with this and have more input. Different developments have different type of problems, and to see whether or not you can include them in on what you are looking forward to, and you would be helping yourself, because the people that they elect who will be working for them to make certain that the grants come back and we all can be on the same team.

Mr. FRANCO. Let me just add, Mr. Congressman, as you know, COMPACT is pending in Congress. We have an application for \$38 million under COMPACT. It has passed the House, with the help, as I indicated, of members of this subcommittee. But it is still languishing in the Senate.

Let me also add, as it has been mentioned a number of times about the perceived lack of resident participation. We probably

could have done a whole lot better. There have been, over the last 1½ months, about eight meetings around the city with resident organizations, where we have taken this plan to them, have sought their input at the same time that the merger plan was being developed. The final plan that we came up with did have incorporated in it some of the concerns of the residents.

Now, we have approximately 253 resident organizations around this city. It is most difficult to get around to all of them. I have made an attempt to get around to some of them.

But I must tell you, we do have one citywide resident group. And back in April, I went before that group. Now, that is the group that represents all resident organizations around the city. Back in April, I discussed this issue with them. And they responded with a letter signed by all of them indicating their opposition.

So I just want to say, it is not accurate—and I say this most respectfully to you, Congresswoman Velazquez, always most respectfully—that we have not consulted with the residents.

Again, there is always room for improvement. We could have done better. But we have gone to the resident leaders as far back as April.

Ms. VELAZQUEZ. Let me respond to that. It seems like NYCHA doesn't get it. The issue here is not how many meetings have taken place, but when those meetings were conducted—after the plan was drafted. That is the discussion here, and that is the criticism here—the tenants didn't have any input prior to this plan being drafted.

Mr. FRANCO. I am telling you, Congresswoman, I am telling you that that is not correct.

Ms. VELAZQUEZ. I have two questions, or maybe three or four, for Chief Leake.

The NYPD has a different benefit package for its police officers than the HAPD has for theirs, doesn't it?

Mr. LEAKE. There are some differences in benefits. There are some benefits that NYPD has over housing and some benefits that housing police officers have over NYPD.

Ms. VELAZQUEZ. How will the city handle merging the housing police into the NYPD when the officers have different benefits? What will the fiscal impact be?

Mr. LEAKE. I am not privy to all of the details of the impact. However, I do know that there is a committee, a task force working on that issue.

Ms. VELAZQUEZ. Let me ask you, how will you keep the housing police from being drawn away to the city police if NYPD officers get better benefits? Current law permits them to transfer, doesn't it?

Mr. LEAKE. Yes, and I think many do. I think the lateral window of opportunity, there are about 500 housing police officers that opted to transfer into the New York City Police Department.

But in terms of how will I prevent it, if we become—when we become one department, there will be the same benefits. I cannot see different benefits for a different bureau within the department.

Could I just say one other thing? Congressman Flake indicated sensitivity in training was a concern of yours. Certainly, it is a concern of mine also. Prior to this assignment I was the commanding



ment, and so they could not be here. But I do want to convey to this panel that they too are against this merger.

I would like to take this opportunity to thank Representative Flake in particular for convening this fact finding hearing. As the Chair of the assembly Subcommittee on Public Housing I have been concerned about this most serious issue of the merger of the police forces in New York City, and recently convened a similar public hearing on this topic. Indeed, I would not miss this opportunity to present the thoughts and concerns of many of my constituents who reside in public housing, and other citizens of this State who will be most affected by this planned merger.

At the outset, let me state the core arguments why so many of us are opposed to Mayor Giuliani's proposed merger, and why I believe it is totally ill-advised and simply a poor plan for New Yorkers.

First, the reality is that the plan will result in an increase of the budget and there will not be savings that has been so proselytized.

Second, the NYPD has historically been ineffective in meeting the public safety needs of the residents of public housing.

Third, the unique role and effectiveness of the housing police will be totally lost.

Last, and perhaps the most important consideration, the residents of public housing rightfully oppose the hostile takeover of the housing police force by the NYPD. For years, the NYPD has shown insensitivity and resentment toward the urban poor and the people of our community in particular.

Only 1 year ago, the city's own Office of Management and Budget conducted an in-depth analysis of the cost and potential savings associated with a merger of the three police forces. The study unequivocally concluded that a merger would cost approximately \$20 million annually.

Only 6 days ago, the mayor and the police commissioner released a voluminous book outlining the merger of these three police forces. Interestingly, there was no mention in the book of the actual dollar value of the cost savings and fiscal reductions that will result as have been touted as the primary basis for and benefit of the merger.

Let me just say, we must not be fooled. This merger will not be a financial windfall for the city of New York. We also must be aware and alert to the fact that dedicated Federal funds may be lost with the merger, and it is clear from the public appearances made by top city and NYPD officials, that they don't even know exactly how much is at stake.

Why are we even here today? The answer is simple. We have three distinct police forces with distinct functions, and now the mayor wants to change all of that. At one time there was only the NYPD, but it was unable or unwilling to protect the residents of public housing. And so the housing police was created.

For over 40 years, the housing police have been effective in doing the job the legislature intended when it authorized the housing authority to create its own independent police force. One only need to take a look at the state of the NYPD. The reports of corruption and scandal are all too well known and well documented.

When was the last time there had been a commission to examine corruption or police brutality in the housing police?

My plea is for there to be no change or merger because there is no need for change. There has been no good reason presented to show that the housing police should be disbanded, subsumed, or taken over by a historically insensitive New York City Police Department.

The Department of Housing and Urban Development recently described the New York Housing Authority Police Department as the best of its kind in the country. The residents of public housing have known this for a very long time. The housing police perform vertical patrols by actually walking up and down the stairs of various developments to which they are assigned. They know the residents because they have spent years interacting with them in a nonadversarial manner. They are not afraid of the children who reside in public housing and will involve the parents when the children need some special attention, and go beyond the job description and will counsel and will become involved with the youth.

I mentioned earlier the public hearing that I convened on the issue of this proposed merger. At that public hearing, the residents of public housing, whom we must not forget will be most affected by this merger, attended in some very, very large numbers. Some of the tenant leaders presented testimony, and there was unanimous agreement that they did not want the security of their homes, family, and neighbors to be taken over by the NYPD. The residents of public housing deserve responsible and sensitive men and women who genuinely care about their safety and well-being, and who have no preconceived prejudicial notions about them, to continue to protect them.

Let me make it crystal clear. I am opposed to Mayor Giuliani's proposed merger of the housing and transit police with NYPD. As the Chair of the assembly Subcommittee on Public Housing, I must protect the rights and advocate for residents of public housing.

This plan is not a merger but a takeover of two independent and, more important, effective police forces by the NYPD under the pretext of cost savings. The true fact is that the plan is simply not in the best interests of New York City residents of public housing.

The housing police provide a unique and invaluable service to residents of public housing. The housing police are known, trusted, and respected by the people they swear to protect. The housing police force has been effective and it would be a total disservice to the residents of public housing to be turned over to the NYPD.

Let me say just a couple of more things in concluding. Section 402 of the public housing law mandates that the housing authority shall maintain a police force. It says absolutely nothing about dissolving a police force. So in reality, this proposed merger may be against State law.

There is no need—there is a need, there is a specific need for specially trained police officers. As I said earlier, housing police, they indulge in vertical patrols and community policing techniques.

Let me just say there was no better indication of specially trained police officers than with the incident that happened to the transit police officer who was shot four times in the back in the

be against this plan. And there is no reason at this particular time to be for it.

Thank you very much.

Chairman FLAKE. Thank you.

Let me assure you that the members of the group sitting here are in unanimous agreement that if anything does happen, it ought to be something that moves toward an increase as opposed to just maintaining minimum standards. We have had that discussion.

Mr. MICHELS. Thank you. Knowing all of you well I take that assurance and I know I can bank it.

Chairman FLAKE. Thank you.

Ms. Gover, representing Ms. Ruth Messinger.

STATEMENT OF DIANE GOVER, MANHATTAN BOROUGH PRESIDENT'S OFFICE

Ms. GOVER. Thank you, Congresspeople. The borough president, Ruth Messinger, had hoped to be here for this hearing, but obviously in her schedule wasn't able to get here in time, so I am going to offer her testimony.

The borough president wanted to take this opportunity to put on the record some of her concerns that have been growing steadily since the mayor announced the plan to merge the police departments. Our specific concerns are the assimilation of the housing police revolve around the following issues: Retaining specialized housing police service, maintaining recruitment and training designed to make housing police representative of and sensitive to public housing residents; preserving housing police effectiveness; potential merger costs; and inadequate information and communication processes concerning the proposed merger.

Let me speak to the last issue first. Every since the mayor first proposed the merger, public officials and residents of New York City Housing Authority have, very reasonably, been asking to see the details of his plan. However, a little over a week ago the mayor signed an executive order to implement the first part of the merger, the housing police into the NYPD, on October 1, less than 2 weeks from today, without providing any of those details.

At a city council hearing only last Wednesday, we learned that a 100-page document, Councilman Michels held it up, had just been released, called an outline for the merger of the New York City Police Department and the Housing Authority Police Department, this document, which cannot easily be digested and contains no fiscal details related to merger, was not even initially shared with NYCHA tenant leaders.

This almost total lack of communication and of timely, detailed information has been extremely disconcerting to everyone, to elected officials concerned with issues of fiscal responsibility and public safety, and especially to public housing residents.

Early this year, my office surveyed NYCHA tenant leaders throughout Manhattan, and more than 70 percent listed crime and police as priority issues. Since then, we have sponsored several local meetings with tenant leaders and housing police, for the purpose of sharing information between housing developments around working together to develop a public safety agenda.

Our staff increasingly has been hearing tenant leaders vociferously expressing their concerns about what the merger will mean to their police services. Unfortunately, many NYCHA residents simply do not trust the NYPD and do not believe they will work to protect them as well as they do the housing police. They have received very little specific information about how the merger will be effected, and, most importantly, how it will impact on them. Having their fears ignored has only exacerbated them.

I believe these tenant concerns are legitimate and deserve to be addressed, well before the merger takes place.

Housing police have instituted successful antigraffiti and antivandalism efforts. They do vertical patrols of residential buildings, they assist residents to establish tenant patrols, and their bike patrol unit is both effective and popular with residents. NYCHA residents must be assured these specialized police services will be continued after the merger.

Recruitment and training: The Housing Authority Police Department now seeks to recruit directly from within NYCHA developments, which ensures HAPD officers understand and personally relate to the problems faced by NYCHA residents. It is not surprising, then, that housing police statistics reflect a much higher rate of minority employment than do the NYPD numbers.

Housing police also receive specialized training in addition to the regular police academy training. We must feel confident specialized recruitment and training efforts will continue after the merger.

Mere assurances by the mayor, the police commissioner, and the housing authority chairman that the New York City police officers will now become sensitive to public housing residents and their needs similarly are not adequate.

Police effectiveness: Figures the borough president recently saw indicated that in 1991, 1992, and in 1993, the felony clearance rate for housing police was over 44 percent, compared to the overall citywide clearance rate, which fell from 18.8 percent to 17.8 percent during the same period. What specific measures will be employed to ensure HAPD's high felony clearance rate will be maintained after the merger?

Costs: Finally, we are concerned that merger of the housing police with the NYPD will actually end up costing the city money, in two ways.

First, considerable costs are associated with equalizing benefits and pensions between the police departments. Just a little while ago Commissioner Bratton talked about it possibly costing \$8.7 million each year beginning next year. Last week, at the city council hearings, Commissioner Bratton testified that the city's actuary was still reviewing the accuracy of that projected \$8.7 million cost, and he did not completely rule out the possibility that the figure will rise to \$15 million. These are hardly inconsiderable sums for a city experiencing cataclysmic fiscal problems.

Second, as we all know, HUD provides approximately \$60 million toward the cost of dedicated housing police services. Our understanding is that HUD will not pay for basic municipal services such as police services provided by the city's police department, and the only way for the city to retain Federal dollars if HAPD is merged into NYPD would be to demonstrate that housing authority resi-

ing that your committee may have had a copy. But it was very interesting, that as you look down the list of lieutenants, captains, at that particular time there was not one black captain in the New York City Police Department. Since that time, Joyce Stevens has been raised to the level of a captain.

On the other hand, if you look at the number of people of color—and by people of color, I mean not just blacks but Latinos—in the Housing Police Department, it is far greater. Since the talk of merger, we have lost three chiefs of color. We have lost numerous inspectors, and numerous captains, have put in their retirement paper, because they realize that being a part of NYPD is not the same in terms of advancement of their career as being a part of the much smaller Housing Police Department.

The mayor's folks spoke about vertical patrols in the housing projects. It is very clear, Phillip Caruso—while somebody said that William Bratton is police commissioner, none of us who live in this city have any illusions about where a great deal of the power in the police department comes—namely, Phil Caruso of the NYPD, has shown time after time that his regard for people of color in this city is of a very low ebb.

He made very clear in regard to the merger of the transit, he will not allow his men “to go down into the hole.” Just recently, I think yesterday or the day before, he made very clear his opposition to, quote, “his men going up into the housing projects.” If the powers that be have not even cleared this with the unions with whom they must negotiate, then how can they come here and tell us that we have an assurance that there is going to be increased police protection?

Point number five: Right now, there are too many—that was aptly brought out by Councilman Stanley Michels—too many uncertainties and unanswered questions, in the issue of merger.

Point six: There are very little specifics and absolutely no guarantee of anything in this present useless document, which I received only last Friday. If you were to look at this document, what you have is absolutely no legal or binding force. Don't talk about morality or moral obligations with this present administration. There is absolutely no legal guarantee of anything. All there is is “we promise, we believe, we intend.” A dictator orders and beats opposition into submission.

The manner and speed to which this absorption is attempted to be rammed down the people's throat presents a real question of the distinction between dictatorship versus leadership. To a dictator, he is always more important than the victim. A leader must sit down, explain, convince, and receive the approval of those who are allegedly to be helped.

You have heard time after time the vast majority of people in public housing, the vast majority of the community did not hear—nobody spoke to them at all prior to this, and having produced this document, an insult to the intelligence of people, the dictator then comes in, gives a spiel. After that, because the opinion and the views of the people are so unimportant, the dictator and his troops get up and walk out. We were almost certain that the cameras would follow him because that is the way the media operates in this city where poor people are concerned.

It is, again, extremely important that a dictator can speak and tell the victims what is good for them, and if they have any opposition, why. I thought it was rather ludicrous that the mayor sat here and told us why people—why we are opposed to his merger. And he will answer for us because he didn't have any interest in finding out why we are opposed to this merger.

The dictator has received the yeoman amount of time so far. I think that is also indicative, and it is not to criticize the panel, but it seems to me that if we are here in a hearing in which all sides—those who came with Mayor Rudolph Giuliani ought to have been made to remain to hear what we have to say. But for a dictator, he doesn't have to hear what we have to say. The dictator commands and says, you will take it or we will beat you to the ground in submission; you take it period; we don't have to say it, hear you; we will get up and walk out.

In short, Mr. Chairman, it is very late for any real digestion. Relatively, few people have seen this document full of promises, hopes, and alleged intention, in which a mayor and a police commissioner totally mistrusted in communities of color and poor communities, totally insensitive to their feelings as demonstrated even most recently with the immediate response of Mayor Giuliani and Police Commissioner Bratton to the tragic, illegal, immoral shooting of police officer Desmond Robinson in the back four times by a New York City police officer. And within 5 minutes they were able to jump out and say, he didn't do anything wrong, it was friendly fire, so friendly, I guess, that Robinson jumped up off the ground laughing about how friendly it was. Unconcerned about overviews, the mayor and his em saying to this community on the basis of this useless document, "Trust us."

Who in their right mind in our communities feel that they are going to give any trust to Rudolph Giuliani or William Bratton and the other stooges he brings together? In fact, if "Safe Streets" were an example of how seriously we could take MOUs and the words of this present administration, then we are, indeed, in dire straits.

For that reason, I oppose with the community the absorption of the housing police into the New York City Police Department.

[The prepared statement of Father Lucas can be found in the appendix.]

Chairman FLAKE. Thank you very much.

Father LUCAS. May I respectfully request, in the absence of Professor Vona—

Chairman FLAKE. I think the professor is here.

Father LUCAS. Since his people got far more than 5 minutes, could we hear 2 minutes from Rev. Timothy Mitchell.

Chairman FLAKE. No, I will not do that.

Mr. MITCHELL. That is discriminatory, Reverend. I want you to know it.

Chairman FLAKE. Thank you very much.

Is Mr. Vona here?

Mr. Nickels.

STATEMENT OF TIMOTHY L. NICKELS, PRESIDENT, HOUSING AUTHORITY POLICE BENEVOLENT ASSOCIATION

Mr. NICKELS. First of all, good afternoon.

about all of the good that is going to come out of it, your sense, from those persons who are part of this force, what do they see in it for them in terms of what has been marketed as career opportunities, opportunities for advancement, while on the other hand, you hear from residents that one of the great problems for them is the community policing, which they feel is a very good benefit, has done extremely well in terms of serving them.

Just give me your reactions on those two issues, where the police are and your feeling about what happens to the community policing in a merger.

Mr. NICKELS. Yes, sir. One of the things that I had stated earlier was, our membership decided to be here. We wanted to be the Housing Police Department. We wanted to stay. We had the opportunity to leave and we chose to stay. We chose to stay because over the course of the last 5 or 6 years, and most importantly the last 3 years, we had a chief, Chief Taylor. He brought morale up, encouraged and demanded a relationship. That demand was not part of my request or his request, because he knew what I was all about.

I think that what our membership is looking at is that they honestly believe that for 40 years, since we have been a police department, we have been trying to shed the stepchild image.

One of the things that we now have accomplished, and it is through clearance rates, how to handle domestic violence, that we are an accredited police department, we have now far excelled, faster and quicker, than any police department in the United States.

Our membership believes in the following. We have achieved almost where we should be. We have got a long way to go, though, as it relates to trust and working with the residents. But we honestly believe that since we have become an accredited department, since our morale was so high, since we were able to obtain contractual benefits equal to that of our counterparts at NYPD, they now see that we have been invited to the table, to sit down and enjoy this Thanksgiving dinner, only to find out when we go to sit down that we are accepted as a police department, as one of the best police departments in the State, and when we go to sit down, they take the plate from us.

What they are saying is this. We recognize you, we think you are excelling too fast, it is time to go back to the days of old. We don't want you to outshine us. That is what my membership believes.

It is not about this union. It is not about who is protecting whose job. Those are spin doctors. I have stated in a public forum to Mayor Koch, there should be one union if there is going to be a police department.

This thing isn't about Tim Nickels. I have already sacrificed enough of my life, me not becoming a president, becoming a president, I still have a job as a police officer. I get paid very well. This job mandates that I put in 20 to 21 hours a day. It would be a welcome rest, and anybody that tells you that it is not a demanding job really, they should go back to their spin doctors and say, try a different approach.

Chairman FLAKE. All right. Just one reaction to my community policing question, please.

Mr. NICKELS. I think what happens is that if you read yesterday's *New York City Newsday*, Bob Levitt, a reporter from *New York Newsday*, stated there are implications from backing off from the concept of community policing and it is a matter of concern for people who have paid a quarter of a billion dollars in taxes on promises that precinct strengths would be beefed up.

Do I think they would keep to the commitment? No, I don't. Is that what you are asking?

Chairman FLAKE. Yes.

Mr. NICKELS. They say, trust us. In the last election, on May 24 or May 25, we held a rally for more housing police. We have been asking to change the hiring ratio. We asked David Dinkins. The support that this mayor received from this union was brought about for one reason and one reason only. Not because Tim Nickels, not because Phil Caruso. The mayor promised me 750 to 1,000 officers for the residents. Not for Tim Nickels. For the residents. Where is that promise?

Chairman FLAKE. Thank you very much.

Ms. Velazquez.

Ms. VELAZQUEZ. Thank you, Mr. Chairman.

My first question is to Assemblyman Wright. You spoke before about State laws or regulations that are implicated in this merger. What do you intend to do to guarantee that New York State laws are upheld?

Mr. WRIGHT. Certainly, we will be examining as part of the Subcommittee on Public Housing, examining which legislation pertains to this issue.

Currently, I do know that the housing police union is in court with the city of New York at this very moment concerning this issue. The mayor and the police commissioner might have you believe that this question is not being adjudicated, or it has been adjudicated already in their favor. That is simply not true.

But, certainly, on the State level of government, along with my colleagues, Assemblyman Farrell, who is the chairman of the Ways and Means Committee, the Speaker, Sheldon Silver, and I, we will all be examining the exact legislation which pertains to this issue.

As I said before, I do believe that the city of New York might be in violation already because section 402 of the public housing law currently states that the housing authority shall maintain, shall maintain a police force.

It says nothing, absolutely nothing about dissolving a police force.

Ms. VELAZQUEZ. Mr. Nickels, the Housing Authority Police Benevolent Association has pointed to Starret City and Co-op City as examples of the NYPD's inability to provide adequate policing in large housing developments. Why did Starret City and Co-op City have to hire private security?

Mr. NICKELS. There is a different approach to policing, when you are talking about high concentration or highrise buildings. That is why we were created in 1952; the State legislation and the housing authority said that we needed a housing police. That was predicated on the fact of the city's inability to provide public safety, to make arrests, and to adequately serve the residents of public housing and to protect Federal properties and dollars.

Mr. MICHELS. I will give you a copy of it.

Chairman FLAKE. It was our concern on the part of the residents of this city and what this merger would do for them. We have no mandate from any of them to do the hearing. Our mandate is that the Federal Government, HUD, which I have oversight of, has \$58 million involved in this project.

My responsibility is to make sure that is protected and it goes for what it was intended, and that is to make sure that the safety and soundness of the citizens who are part of public housing are protected. That is why we are here.

Mr. RANGEL. And to make it a broader record, it was the subcommittee chairman, Keith Wright, who was having a hearing and called me in Washington, because he could not get the response from the New York City Housing Authority, and I share that with Chairman Flake, and so the record should be made abundantly clear that it was a failure to respond to the State assembly, as to why we are here.

Mr. MICHELS. I just wanted to clarify it. What it does is acknowledge the fact that a hearing was going to be held and it does speak—you have a copy of the letter.

Chairman FLAKE. Which means he knew my hearing was going to be held when he wrote it. Just so the record is clear. All right. Thank you very much. We are thankful to all of you for the testimony.

We would like now to call the tenants so that we might hear from those persons who are most directly impacted.

Ms. Sandy Campbell, president of the Edgemere Tenants Association. Ms. Connie Taylor, I know you are here, chairperson of the Queens District Tenant Association. Ms. Leticia Ramirez, president of the Rutgers Houses Tenants Association. Ms. Nicoletta Azure, president of the Smith Houses Tenants Association. And Mrs. Barbara Barber, who I know is here, who is chairperson of the Interior Council of Presidents.

We are ready to go. Let me thank you for your patience and for having had the opportunity to hear all sides of this question. It is an imperative that we hear from your side.

May I ask the representative of Ms. Azure, for the record, to please give your full name and title so that the stenographer may place it in the record.

Ms. LAMB. My name is Gerri Lamb. I am chairperson of Bronx North Interim Council of Presidents, citywide.

Chairman FLAKE. Thank you very much, Ms. Lamb. Since you have the mike, you may begin the testimony.

STATEMENT OF GERRI LAMB, BRONX NORTH DISTRICT TENANTS ASSOCIATION

Ms. LAMB. Well, first of all, I thank you for the opportunity to come before this esteemed body in representation of the residents of Bronx North.

Last Thursday we had occasion to entertain the New York City Police Department, Chief Leake, of the housing department, and the mayor's folk, at a hearing that was called in a rushed fashion by NYCHA, for the presidents of Bronx North.

Nineteen of us came together with our executive boards to hear what they had to say. And I am here to report to this congressional panel that the overwhelming response of the residents in Bronx North, even after there was an attempt to explain to them why this merger would be best for us. They really did not come to hear us. They came, as I heard from another panel, to tell us that this is a done deal, you need to accept it, believe it, and we will get back to you at another time with a plan.

We have a really intelligent, resourceful group of residents living in public housing. We are no more or less than any other taxpaying resident of this city. And we will no longer accept the position that the fathers of the city put us in, as being subservient, as being extremely poor and unable to understand. In other words, they don't want to deal with us because we are too dumb to understand what they are doing.

We are not standing for that anymore. We are speaking out because we are no longer going to be told we have to accept something. That is our position. We heard all of the arguments on several occasions.

The chief got his foot stuck in his mouth because I instructed our presidents in a meeting prior, please listen, because very often when you listen to what people give you, you can give it right back to them in the fashion that you want to give it to them. And that is to get your point across.

And they listened. They had no constructive plan. They had no real information to give us that we didn't have already. You know, we can talk about merger, we can talk about not merging, we know what we already have. And we are not opposed to making that better. We are looking at increasing.

The numbers have been thrown around in this hearing, as they are in all hearings; 31,000 officers citywide versus 2,000 officers citywide for public housing residents.

Number one, when you number the residents—now, we have legal residents, those are the ones on leases. But we have tripled and doubled up families, that has been allowed by the housing authority. So we are not talking about 700,000 residents. We could be talking close to 1 million residents. And they are being discounted. And the mayor of the city and the New York City Housing Authority is about telling us, Oh, this is good for you, we are your landlord.

They are looking for landlords only. They want to do away with social services. They feel that we can fend for ourselves, that we don't have to ask and we don't have to do all of this preventive stuff. You want police? We are going to give you police. And you know what police end up in? More jails. They want to build more jails, baby jails, old folk jails, because they want to put more black and Hispanic young males in jail.

I had an occasion last Thursday, that was supposedly a sniper shooting in Castle Hill. You may have seen it on TV. I saw then some units I never knew existed. I saw men coming out in black helmets and black uniforms with shields like it was in King Arthur's days.

I was leaving my apartment with my granddaughter, getting ready to go to work being and got caught in the middle of this. The

Ms. Taylor is the same way when I go to Rockaway for a meeting. She is very consistent.

Ms. Barber.

STATEMENT OF BARBARA G. BARBER, CHAIRPERSON, ICOP

Ms. BARBER. First, I am going to ask all those who choose to talk now to cease, because we are on a very important mission today. And first of all, I want to give honor to God, who is the light of my life, and the reason why I am saying that is because no matter how much gold or silver, cannot fill this pocket here.

I am the longest district chairman of the New York City Housing Authority resident leaders for the last 12 years. And I have had my ups and I have had my downs, because I have always been accused, and Congressman Rangel knows this, and every member in this building, because I have a big mouth. If you gave me anything that was not right or was right, every resident in Manhattan North knew about it, and others. And you have my speech for—first it was September 7, then it was September 8.

But I always ask God to teach and lead me. And I have to do my little say a little bit different because it is not about Barbara G. Barber. It is about the largest amount of units that Congressman Rangel represents in the country outside of Chicago.

And if you got this big testimony, what was so amazing, Reverend Flake—and I have to honor people for how they are—is that your press release came out on the 12th. And this big book came out on the 13th. And I received it when they were all shocked to know I was going to testify at the city council.

And as I got this book, Chief Leake and everybody kept saying, we didn't know you were here but we are going to give you this book. And I said, well, what is this? And this big black and white, whatever book you want to call it, I want to draw your attention to page 20.

And it says, you made recommendations to Ruben Franco and the public, you know, it talked about the force. But what about the residents? When you make any mention of things in here, where was our input? Nowhere.

And then I want to share with you also, to look and see if you can understand, and maybe you, Congressman Rangel, can get your staff to call me in so that I can explain it to my resident leaders and other people about page 24. And then we go on to page 25. And then we go on to page 26. And I want to ask you, Congressman Rangel, and all the other Congress people up there is, will we be able to let horses do vertical patrol in our housing developments?

And then last but not least, I was only able to get to page 68, where it says, getting guns off the streets of New York. Since when did we become responsible for guns on the streets of New York?

And I bring your attention back on this issue, when we had the Honorable Laura Blackburn, a woman of class and dignity, but you see her class was in the wrong place because she was representing tenants at that particular point.

And I just want to deviate from there. You might say, we thought we were going to have millions of people here. But you see, I have always been able to motivate the good as well as the bad.

As Chief Leake said out in Queens, Barbara, do you know you are inciting a riot? I know how to incite one and I know how to calm one down, because I don't have to worry about anybody telling me I am corrupt, and they owe me. I owe no man but my Savior, Jesus Christ.

When Laura Blackburn said, we have to bring about some class, because you all know, if you don't look too good in these days and times, nobody is going to give you money. So what they did when Laura was the only one who began to get the unknown guns out of our developments, they said, we have to go after her. So they let her ride with that.

Then when she give up her own life and Laura Blackburn said, I will tell you what I am going to do, Reverend Flake, you know this, she said, I am going to build the strongest voting population in the country, and she began to merger us, she came and she talked to us, she didn't say, merger, she said merger your vote. And when she got ready to come out and get us to understand what the power in voting was, they picked on her \$3,000 pink couch.

I want you to be well aware that many of the residents' apartments are over \$10,000 and \$15,000 because we live in dignity and class. We might be low, as they say, in economics, but we are high in spirit and we are high in strength, with self-esteem and dignity, and we will not let anyone take that from us.

And then, Congressman Flake and Congresswoman Velazquez, and especially you, Congressman Rangel, because I will tell you one thing, praise be to God, you last another 20 years if you keep on going the way you are going. And the Metro 2nd section of the *New York Times*, February, August 12, said, aides to Mr. Bratton said they are especially concerned about the increasing aggressive oppositions of leading democratic politicians like Representative Charles B. Rangel of Harlem, and Jose Serrano of the Bronx, and talking about our \$57 million, I thank you.

And then they went on to say, police officials say that the Congressmen's views reflect the opinions of project residents that the city police force is plagued with more corruption and brutality than the housing police. I say to you, look at the 30th precinct.

Now, Congressman Rangel, this is going to make you feel very good. On September 14, when the housing authority tried to badger me and tell me, you have got to move up your meeting, I said, like hell I will. Until I had to tell them, and they don't want to see any parts of our Assemblyman Keith Wright that we all will be downtown.

So they didn't force me to change my regular district meeting. And Commissioner Bratton, he had to get out his coat because we were making it nice but hot and heavy. And quite naturally the resident leaders and their executive board members kept saying—we had almost 200 residents there—and they kept saying, Commissioner Bratton, why all of a sudden you are for merger? His statement was, I am commissioner now, and these are my people, and I will tell them what to do because I own them.

I said, excuse me. You don't own the residents. Why October 1? I haven't gotten that answer yet. How can you bring about change without a change? Money. For what I have read, nothing new, nothing new is going on.

but she knows she is going to get two squares? No. Where does it say that residents will have the privilege and be a part of watching the dogs that are scrambling for our money?

And what I would like for you to know, and they said that previously, other mayors asked for this merger, but I am going to be very honest with you. I can tell you, with a person like Mr. Jack Kemp, they never would be disrespected residents, talking about this merger.

If they want to merger something, take their NYPD officers and merge them with us so that we can train them on sensitivity, policing, and character. They all might have come from the same academy, but I will tell you one thing. Their mission is different. And how could you tell me you can change a cake into a pie if you use cake dough?

You ask the Secretary of HUD to take care of his personal business and get about the residents' business. You ask Mr. Joseph Shuldiner, is it a personal thing or does he remember New York City housing residents, and does he remember L.A. Geneva Towers?

And last, because you are our Congressmen, I put you on this, Congressman Rangel, this is the new *Federal Register*, Wednesday, August 24, 1994, and it talks about subpart B, tenant participation; 964.100, role of resident council. We are still the eight duly elected of residents of the New York City Housing Authority. Total role of a resident council is to improve the quality of life and resident satisfaction and participation in self-help initiatives to enable residents to create a positive living environment for families living in public housing.

Resident councils may actively participate through a working partnership with the housing authority to advise and assist in all aspects of public housing operations.

If they cannot fix a locked door that has been broken for 6 months, a sink that has been falling from the wall, a mailbox where most of our residents have to use the post office, if they can't do something about quality screening, if they cannot do something about what they say we are doing all we can, but who are you doing it for? Were you not doing it for the residents?

And what you need to think about also is putting into law that residents in communities and you yourselves will have more input with the selection of a chairman or commissioner of public housing, and that a resident be put on that board.

I thank you.

[The prepared statement of Ms. Barber can be found in the appendix.]

Chairman FLAKE. Thank you very much.

I want to thank all of you. Thank you for your patience today and for your testimony.

Let me assure you, and the three of us have been talking, we will be making some recommendations to HUD. It is our responsibility primarily to make sure, again, that the monies that HUD is spending for public safety, for safety in the public housing development, goes for that purpose and for that purpose only.

We are committed to it to such a degree that, as you know, Congressman Rangel's sponsoring of legislation in Ways and Means

stopped the money from coming. They could not do anything until we held this hearing.

I am certain that the three of us now from this subcommittee and from Ways and Means working together, we will do all in our power to make sure that the Secretary of HUD is aware of your feelings as it relates to this proposed merger.

We cannot stop the merger. What we did is continually use parliamentary processes to make sure they deal with all the issues related to it. That is what this particular piece of legislation that Congressman Rangel did.

We will continue to do that until we have complete satisfaction that we have complete responsibility for the oversight, the monitoring, and the caretaking of those funds to make sure that they meet the responsibilities of the tenants who are living there. And you have that commitment from all of us.

Do you have any questions?

Ms. VELAZQUEZ. No.

Mr. RANGEL. Let me say this. I have never in my life heard people trying to help people so much and never went to the people that were supposed to be helped, and are surprised they don't appreciate what they are doing for them. It is unbelievable.

It would seem to me, however, the sense the tenants have really found themselves solid on this issue, that we might as well get the whole agenda out there. Living in public housing just isn't about security. It is all the problems that cause insecurity. And it would seem to me that with the strong leadership that you have now, if you can direct the presidents of the different developments just to evaluate what their situation is and what they would want it to be, I think that would help us a great deal in dealing with Secretary Cisneros, in making it clear that he has to go beyond one contract to fulfill his obligation to citizens.

And so sometimes it is out of crisis that you get your best leadership and your best support. I think we have reached this point now that you are being ignored by the city, ignored by the Federal Government, and everyone is telling you that this is for your benefit.

So why don't we counteract and tell them that you know it is for your benefit, and these are the list of things that we are talking about, so that maybe next time they get this great idea as to what you need, they will be forced to come to you and share with you what can be done and cannot be done.

So I think that this is a great opportunity for us to get our list together with Secretary Cisneros, and when they start talking about all of the applications, I think we can make some law adjusted that if they really are committed, maybe we can target some of the money that they are talking about to public housing.

So I want to thank you again for your patience. I think we have stimulated interest in the city council. And I think if we all do what we have been doing, we can broaden our political support to take care of these kind of problems.

Thank you. And let me really thank Floyd Flake and Nydia Velazquez, because I can really try to say that it took a hard time for me to persuade them how badly we needed this, but when I first went to him he said, what time would be convenient. I think it is with this type of working together that we can accomplish

Testimony on Police Merger
By Mayor Rudolph W. Giuliani
September 19, 1994

Merging New York City's three police departments into a single, unified command is the best way to put more officers into enforcement; reduce administrative costs; establish a clear chain of accountability for our law enforcement activities; and make New York a safer city for all its residents.

Former Mayors Edward I. Koch and David N. Dinkins – and at least three police commissioners who served under them – shared my belief that merging the housing and transit police into the New York City Police Department (NYPD) is in the best interest of all New Yorkers.

The sad truth is that for too long public housing residents have been short-changed.

Residents complain about inadequate policing, and developments ruled by drug dealers and plagued by gun violence.

Our statistics reveal that public housing residents are not sharing in the strides we are making in reducing crime in New York. Felony crime is falling nearly three times faster in the city at large than in the housing developments. For the first six months of 1994, felonies were down 9.9 percent in the city at large, while they declined just 3.6 percent in the developments.

Some public housing residents have raised concerns about the merger. Our plan answers these concerns clearly and unequivocally.

Residents do not want policing levels in the housing developments to suffer. Neither do we – the purpose of merger is to enhance enforcement in the developments, not reduce it.

A written, enforceable guarantee, in the form of a Memorandum of Understanding (MOU) between the City and the Housing Authority, approved by Department of Housing and Urban Development (HUD), will ensure that enforcement strength in the developments will be maintained.

Many residents – dissatisfied as they are with the police protection they currently receive – fear losing their Housing Police force, which they praise for its racial and ethnic diversity. They also charge that some officers of the NYPD – which answers about 30 percent of the calls for help in the developments – appear to resent being called into public housing developments, and too often treat residents with insufficient respect and courtesy.

As the Mayor of a city facing serious fiscal constraints I must also emphasize the cost efficiency of merger. Right now taxpayers are paying for a whole host of redundant functions at the NYPD and the Housing Police. We are paying for two public information departments; two payroll offices; two personnel offices; two detective divisions; two support services bureaus; and two legal staffs. By combining the departments, officers assigned to these redundant tasks will be reassigned to enforcement positions.

New York City built the finest public housing in the nation. But we have now reached a historic crossroads. If we do not reclaim our public housing from the drug dealers and other criminals who prey on the vulnerable, the future survival of this valuable resource will be endangered.

We must stop treating public housing as a thing apart from the city as a whole. And we must stop treating public housing residents as anything other than citizens of New York City – entitled to the same degree of protection, respect and concern as their fellow citizens living outside the developments.

Those issues include: administration; funding; and the support of the public—our customers—for one police agency (the Housing police) and their distrust for the other (the NYPD).

First, let me address the issue of administration.

Right now, there are three police departments in New York City with employee assistance units, legal units, internal affairs units, personnel units, research and planning units, applicant processing units, recruiting units, community relations units, training units, and so on.

In a city the size of New York, a police department with only 2,500 uniformed members simply cannot afford to operate so many support units when its mandate is to protect an estimated 600,000 people living in 180,000 apartments spread over 216 square miles of the city. Trying to staff all these functions is one reason that in the last 25 years the Housing police went from putting 90% of their officers on foot every day in the developments to putting only 12% out on foot each day now.

The second issue is funding. As you know, the Mayor's Office has crafted a Memorandum of Understanding with the Board of the New York City Housing Authority that reaffirms the City's intention to enhance public safety in the City's public housing developments as set forth in the merger plan. The MOU will also assure that federal funding provided to the Department from the New York City Housing Authority will be used for policing in public housing. The U.S. Department of Housing and Urban Development is reviewing the MOU to make certain that all legal requirements are being met.

The third issue is the very different perception of Housing police versus city police by the residents of public housing.

When I returned to New York to become Police Commissioner, I was given a book by my new Chief of Department, John Timoney, called *The Ville*. It was a book about the residents of public housing in New York, about the quality of their lives and their dealings

with police. It painted a very negative picture of the encounters between residents and NYPD cops. John Timoney and I were very impressed and moved by that book.

More recently, when I and First Deputy Commissioner David Scott, Chief Timoney, and Chief Joe Leake met with various Housing resident groups, we heard these stories first hand. We heard that some Housing residents have been treated inappropriately and disrespectfully by some officers of the NYPD. I—as someone new to the Department—and they—each of whom has spent about 30 years with the Department—were deeply disturbed that these things could be said of the Department of which we are so proud.

Maybe these officers were acting out their frustration for being in Housing developments, where—due to the separation of the two departments—they felt they shouldn't have to go

Whatever the reason, this kind of behavior must end. And, based on my two decades in policing, I strongly believe that merger of the two departments is the best and only way to make sure that it does end

As we indicated in our merger plan, this kind of behavior will end because NYPD officers will adopt the principles of community policing toward the residents of public housing. They will regard the developments as part of their turf, they will regard the residents as people they must serve and protect, and their precinct commanders will be accountable for reducing crime, disorder, and fear in public housing, just as they are accountable for the rest of the places in their commands.

And we will use the Housing police who have earned the trust of public-housing residents to train NYPD officers in the skills they will need to earn similar trust.

In providing merged police services, we will use two other principles as our unwavering guide:

1. There will be markedly more police resources IN developments than there are today. There will be more Project Community Officers (PCOs), more officers on foot doing vertical patrols, more officers on bicycles.



Drop In Felonies

First Six Months of 1994

Citywide  9.9 %

In Housing
Developments  3.6 %



Comparison of Selected Indicators

	NYPD	HAPD	CITYWIDE
Population Served	7,322,564	450,687	7,322,564
Square Miles	319	216	319
Calls For Service	9,080,121	634,372	9,714,493
Radio Runs	3,696,329	251,951	3,948,280
(at Housing locations)	102,936	232,930	335,866
Reported Crimes			
Felonies	461,144 *	14,904	476,048
Misdemeanors	363,848	16,367	421,116
Arrest Data			
Felonies	108,840 **	8,268	127,883
Misdemeanors	76,114	11,124	133,446
Uniformed Personnel (as of 8/2/94)	30,634	2,499	37,671

Citywide crime data includes other agencies (TAPD, Port Authority, etc.)

HAPD population served is subset of NYPD population served.

Citywide uniformed headcount includes 4,538 TAPD.

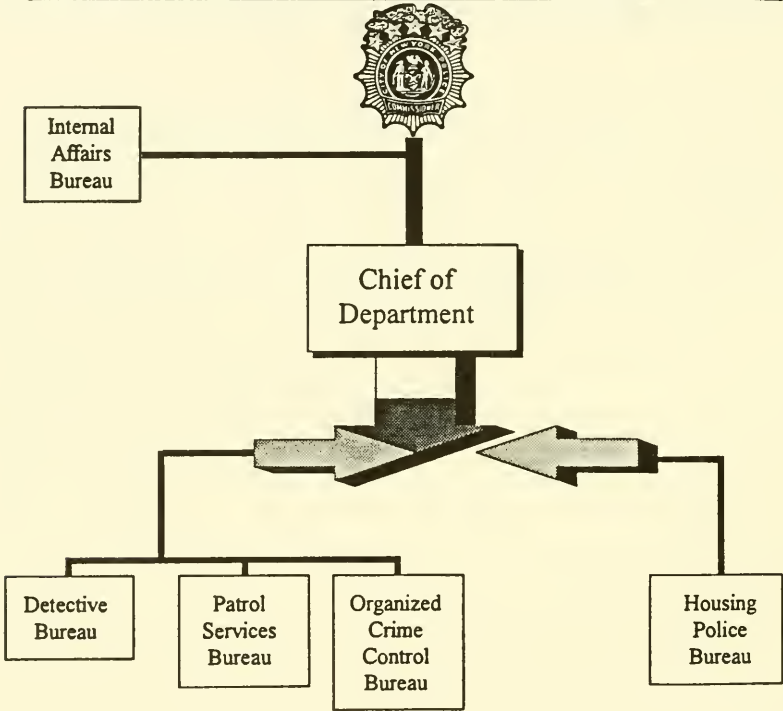
* NYPD complaint data excludes HAPD but includes other police agencies.

** NYPD arrest data excludes all other police agencies.

Appendix B



Organizational Merger



Appendix E

September 16, 1994 6:23pm

REMARKS FOR CHIEF JOSEPH LEAKE AT CONGRESSIONAL
HEARINGS BY THE SUB COMMITTEE ON OVERSIGHT ON SEPT
1994

LADIES AND GENTLEMEN OF THE SUB-COMMITTEE, THANK
YOU FOR INVITING ME TO APPEAR BEFORE YOU, AND OUR
CONCERNED RESIDENTS, THIS MORNING.

I'D LIKE TO ESPECIALLY THANK CHAIRMAN FLAKE AND
REPRESENTATIVES RANGEL AND VELAZQUEZ FOR THE
OPPORTUNITY TO ADDRESS A TOPIC OF GREAT CONCERN, AND
SOME MISUNDERSTANDING -- THE PENDING MERGER OF NEW
YORK CITY'S HOUSING AUTHORITY 'S POLICE DEPARTMENT
WITH THE NEW YORK CITY POLICE FORCE.

BEFORE I ADDRESS THOSE BENEFITS LET ME TAKE A MOMENT TO ACKNOWLEDGE THAT THERE IS SKEPTICISM IN THE PUBLIC HOUSING COMMUNITY THAT THE MERGER WILL SOMEHOW CHEAT PUBLIC HOUSING RESIDENTS OUT OF POLICE SERVICE. THAT, SIMPLY IS FALSE.

PUBLIC HOUSING RESIDENTS ARE ALREADY BEING SHORT CHANGED IN THE AREA OF POLICE SERVICES, AND THE MERGER IS DESIGNED TO CORRECT THAT SITUATION.

SOME PEOPLE HAVE SAID THAT AS A RESULT OF MERGER POLICE SERVICES WILL BE SIPHONED OUT OF PUBLIC HOUSING AND USED IN OTHER AREAS OF THE CITY.

AS THE CHIEF OF THE HOUSING POLICE, AND, AFTER THE MERGER, AS THE CHIEF OF THE HOUSING BUREAU IT IS MY JOB TO SEE THAT DOES NOT HAPPEN.

BUT DON'T JUST TAKE MY WORD FOR IT. LET'S EXAMINE THE FACTS.

IS IT THE INTENTION THAT THE MERGER WILL MAKE PUBLIC HOUSING SAFER? THE ANSWER IS AN UNEQUIVOCAL YES.

THROUGH ECONOMIES OF SCALE AND ADMINISTRATIVE STREAMLINING, THE FIRST AND MOST OBVIOUS BENEFIT FROM A MERGER IS THAT WE WILL BE ABLE TO PUT MORE POLICE OFFICERS INTO PUBLIC HOUSING DEVELOPMENTS ALMOST IMMEDIATELY.

WE KNOW THAT SOME 150 OFFICERS CAN BE ADDED TO OUR PATROL STRENGTH SIMPLY BY FREEING PERSONNEL FROM REDUNDANT, ADMINISTRATIVE FUNCTIONS THAT CURRENTLY EXIST IN THE SEPARATE DEPARTMENTS.

RANKS, AND DEMAND GREATER ACCOUNTABILITY FROM HIS LOCAL COMMANDERS.

PRESENTLY, MANY PRECINCT OFFICERS HAVE DRAWN A SORT OF INVISIBLE BORDER AROUND OUR HOUSING DEVELOPMENTS - - A BORDER WHICH THEY DO NOT PASS THROUGH DURING ORDINARY PATROL DUTY.

UNDER THE PRESENT SYSTEM, THE ATTITUDE THAT "IT'S A HOUSING POLICE PROBLEM, LET THEM HANDLE IT" IS A PERVASIVE ONE AND TOO OFTEN AN EXCUSE OFFERED FOR NOT GIVING PUBLIC HOUSING GREATER SERVICE.

MERGER WOULD TOSS THAT ATTITUDE ON THE ADMINISTRATIVE SCRAP HEAP.

MERGER WOULD ALSO GIVE PUBLIC HOUSING RESIDENTS MUCH GRATER CLOUT IN NEIGHBORHOOD PRECINCT COUNCILS, WHERE THEY CAN MEET WITH AND INFLUENCE LOCAL POLICE COMMANDERS WITHOUT BEING TOLD TO "TELL IT TO THE HOUSING POLICE."

THE MAYOR AND COMMISSIONER BRATTON RECENTLY ANNOUNCED A SERIES OF INNOVATIVE NYPD STRATEGIES TO ATTACK SPECIFIC CRIME AND QUALITY OF LIFE PROBLEMS.

THESE STRATEGIES ARE INTENDED TO FOCUS ON GETTING GUNS OFF OUR STREETS, CURB JUVENILE CRIME, TO HARASS AND DRIVE OUT DRUG DEALERS AND TO BREAK THE CYCLE OF DOMESTIC VIOLENCE.

UNDER THE PRESENT SYSTEM, DESPITE THE PERVASIVENESS OF THESE PROBLEMS IN PUBLIC HOUSING, THE HOUSING POLICE DO NOT GET THE SAME RESOURCES AVAILABLE TO THE REST OF THE CITY.

Following merger, however, public housing will finally get the police resources aimed at these crimes.

As home to one in every twelve New Yorkers, it is about time that public housing received its fair share of police services.

I am sure that you also want to know about the impact of the merger on the employees of the New York City Housing Authority Police Department.

While all of the reassignments have not yet been made, we are confident that the overall effect of this merger will be to open up new career path options for officers - and civilians - who previously had only a limited set of possibilities open to them in the Housing Police.

Likewise the impact of the merger on the NYPD is , again, Good News.

As a 33 year veteran of that Department, I can tell you there are things that the NYPD can learn from the members of the Housing Authority Police.

While the NYPD is one of the greatest law enforcement agencies in the world, the Housing Police have their own areas of expertise.

As part of the merger, we will seek to train NYPD officers not only in the special skills of the Housing Police - such as vertical patrol - but also in the sensitivities developed by their colleagues in Housing.

Presently, Housing Police have a Domestic Violence Program that is second to none, an anti-graffiti team that is serving as a model, and 2,500 vertical patrol specialists. The merged force can learn much from us in that area.

I would like to say, however, that I believe very

strongly that this merger will be a very, very positive thing for public housing.

In our developments forty per cent of our residents are under the age of twenty-one, and more than 80% are members of minority groups.

A recent study shows that one in 25 young black males in kindergarten -- our kids, ladies and gentlemen -- can expect to be murdered by a handgun before they reach the age of eighteen.

That is what all our strategies, plans and increased numbers are aimed at -- fewer dead children, fewer crimes, and fewer children and adults committing criminal offenses.

My experience tell me that merger will bring us closer to that goal.

In short, the Housing police have always had the expertise and the attitude to fight crime effectively. We simply have not had the numbers

we have historically needed.

Under the merger, we will not only have better tools, but more people to employ them.

Our housing police officers, and civilian employees, will also have greater personal opportunities in a combined force.

They will be able to compete for promotions and assignment to specialized units that the Housing Police as a separate entity, has not been able to offer them.

In short,. I see the merger as a win-win situation for the residents of public housing, and for those of us charged with protecting and administering it.

Greater police accountability and better response to the needs of our citizens is what the Mayor, Commissioner Bratton and I believe all of us here want.

My experience as a law enforcement professional, and a long-time New Yorker , tell me this merger is a major, important step in achieving more effective policing.

I thank you for the opportunity to share these views with you.

I will now be glad to answer any question you may have.

**Testimony
of
Ruben Franco
Chair
New York City Housing Authority
before the
House Sub-Committee on
General Oversight**

September 19, 1994

Adam Clayton Powell State Office Building

GOOD MORNING CHAIRMAN FLAKE, REPRESENTATIVES RANGEL AND VELAZQUEZ, MEMBERS OF THE SUB-COMMITTEE AND EVERYONE CONCERNED WITH THE SAFETY, VIABILITY, AND THE FUTURE OF NEW YORK'S PUBLIC HOUSING AND ITS RESIDENTS.

MY NAME IS RUBEN FRANCO, AND I AM THE CHAIR OF THE NEW YORK CITY HOUSING AUTHORITY.

ON BEHALF OF THE AUTHORITY AND OUR RESIDENTS, I WANT TO THANK YOU FOR THIS OPPORTUNITY TO DISCUSS THE PROPOSED MERGER OF THE HOUSING AUTHORITY POLICE DEPARTMENT WITH THE NEW YORK CITY POLICE DEPARTMENT.

OBVIOUSLY, IT IS AN ISSUE OF GREAT CONCERN TO THE SUB-COMMITTEE, THE AUTHORITY, AND OUR RESIDENTS, MANY OF WHOM ARE YOUR CONSTITUENTS.

IT IS WELL KNOWN THAT THE REPRESENTATIVES HERE ARE AMONG THE MOST CONCERNED, AND ARTICULATE SUPPORTERS OF THE RESIDENTS OF PUBLIC HOUSING.

I GREW UP IN PUBLIC HOUSING. PERHAPS SOME OF YOU, LIKE ME, HAVE LOVED ONES WHO LIVE THERE. IN MY CASE, MY MOTHER LIVES HAPPILY IN ONE OF OUR DEVELOPMENTS.

I MENTION THIS, BECAUSE A FEAR OBVIOUSLY EXISTS THAT IN SUPPORTING THE POLICE MERGER THE AUTHORITY WILL SOMEHOW MORTGAGE THE FUTURE SECURITY OF OUR PUBLIC HOUSING RESIDENTS.

BEFORE DISCUSSING THAT DIRECTLY, I THINK IT APPROPRIATE THAT I BRIEFLY DESCRIBE THE REALITY OF PUBLIC HOUSING IN NEW YORK.

THE NEW YORK CITY HOUSING AUTHORITY IS, IN A WORD, VAST.

OUR 330 DEVELOPMENTS ARE SPREAD ACROSS 216 SQUARE MILES. OUR 2,700 RESIDENTIAL BUILDINGS CONTAIN 180,000 APARTMENTS WHICH ARE HOME TO AN ESTIMATED 600,000 RESIDENTS -- MANY OF WHOM ARE DOUBLED UP FAMILIES.

THAT NUMBER IS THE EQUIVALENT OF THE COMBINED POPULATION OF KANSAS CITY, KANSAS, AND KANSAS CITY, MISSOURI. IT IS ALSO LARGER THAN THE POPULATIONS OF SEATTLE, NEW ORLEANS AND THE COMBINED POPULATIONS OF TWO OF NEW YORK'S LARGEST CITIES -- SYRACUSE AND ROCHESTER.

NYCHA, THEREFORE, CANNOT SIMPLY BE SEEN AS A HOUSING AUTHORITY.

IT IS A BIG CITY WITHIN A HUGE CITY, WHERE MORE THAN 40% OF OUR RESIDENTS ARE UNDER THE AGE OF 21, AND MANY OF THEM ARE POOR. IT IS NO SECRET THAT THOSE STATISTICS, COMBINED WITH THE AVAILABILITY OF NARCOTICS AND GUNS, PROVIDE ALL THE NEEDED INGREDIENTS FOR URBAN CRIME.

WHILE THESE CONDITIONS ARE OBVIOUS, SO IS THE REALITY THAT NYCHA'S CITY-WITHIN-A-CITY HAS BEEN SYSTEMATICALLY AND DRAMATICALLY SHORT CHANGED IN THE ALLOCATION OF POLICE SERVICES FOR SIX DECADES.

THIS HAS BEEN HAPPENING IN NEW YORK DESPITE A COOPERATION AGREEMENT BETWEEN THE CITY AND FEDERAL AUTHORITIES THAT IS DECADES OLD. THE COOPERATION AGREEMENT REQUIRES ANY CITY WITH FEDERAL PUBLIC HOUSING TO PROVIDE ITS RESIDENTS WITH EQUIVALENT MUNICIPAL SERVICES -- INCLUDING POLICE -- THAT ARE PROVIDED TO THAT CITY'S OTHER RESIDENTS.

BY PROPOSING THIS POLICE MERGER, MAYOR GIULIANI IS SIMPLY MAKING IT CLEAR THAT OUR CITY'S PUBLIC HOUSING HAS NOT BEEN GETTING ITS FAIR SHARE OF POLICE SERVICES. IN THIS REGARD, THE MAYOR IS SHARING THE SENTIMENT OF OUR LAST TWO MAYORS, WHO WERE ALSO STAUNCH SUPPORTERS OF THE POLICE MERGER.

THE LAST THREE CHAIRS OF NYCHA HAVE ALL ASKED THEIR MAYORS, GOVERNORS AND CITY COUNCILS, FOR A POLICE INCREASE -- BUT TO NO AVAIL. THE ANSWER WAS THAT NO MONEY WAS AVAILABLE.

INDEED, THE CONDITION OF OUR CITY AND STATE FUNDED PUBLIC HOUSING DEVELOPMENTS, WHERE MODERNIZATION AND MAINTENANCE FALL FAR SHORT OF THAT IN FEDERALLY AIDED DEVELOPMENTS, IS PROOF THAT THE MONEY IS SIMPLY NOT THERE FOR AN INCREASE IN THE PUBLIC HOUSING POLICE FORCE.

IN CONGRESS, THE HOUSE HAS PASSED THE HOUSING BILL, WHICH THROUGH THE COMPAC PROGRAM (COMMUNITY PARTNERSHIP AGAINST CRIME) WOULD BRING NYCHA ENOUGH LONG-TERM FUNDING TO HIRE AN ADDITIONAL 400 POLICE OFFICERS.

WE APPRECIATE THE EFFORTS OF THE MEMBERS OF THIS COMMITTEE IN THAT REGARD.

THAT BILL, HOWEVER, CONTINUES TO LANGUISH IN THE SENATE.

THOSE POLITICAL REALITIES LEAVE NYCHA WITH A 2,500-MEMBER POLICE FORCE, THINLY SPREAD ACROSS THE VASTNESS OF OUR PUBLIC HOUSING DEVELOPMENTS. FOR EXAMPLE, ON ANY GIVEN 4 P.M. TO MIDNIGHT SHIFT, ONLY 41 POLICE CARS ARE AVAILABLE TO RESPOND TO ALL THE CALLS AND EMERGENCIES IN THIS CITY-WITHIN-A-CITY.

ON THE GROUND, OUR PCO'S (PROJECT COMMUNITY OFFICERS), THE "BEAT COPS" WHO PATROL OUR ELEVATORS, ROOFS, STAIRWELLS, RECREATION FACILITIES AND GROUNDS, NUMBER ONLY 288 FOR THE ENTIRE CITY-WITHIN-A-CITY.

IN CONTRAST, IN THE 56 PRECINCTS THAT CONTAIN PUBLIC HOUSING, THE NYPD HAS AVAILABLE 370 CARS AND APPROXIMATELY 13,000 UNIFORMED OFFICERS.

THESE WERE THE KIND OF FACTS WITH WHICH I, AND THE OTHER MEMBERS OF NYCHA'S BOARD, WERE CONFRONTED WHEN POLICE MERGER WAS PROPOSED AS A SOLUTION BY THE MAYOR.

IN AN ERA OF SHRINKING BUDGETS, POLICE MERGER IS THE MOST PRAGMATIC AND COMPREHENSIVE SOLUTION TO OUR POLICING SHORTFALL.

FINALLY, IT WAS CLEAR TO US, THAT THE CITY HAD A LEGAL AND MORAL OBLIGATION TO PROVIDE APPROPRIATE LEVELS OF POLICE SERVICE TO OUR RESIDENTS. AS A BOARD, WE AGREED UNANIMOUSLY TO SUPPORT THE PLAN.

THIS PROPOSAL, HOWEVER, HAS BEEN MET WITH SKEPTICISM AND OPPOSITION IN SOME QUARTERS.

SOME OF THIS CONCERN REPRESENTS A LEGITIMATE CASE OF RESIDENTS HAVING BEEN IGNORED IN THE PAST, OR HAVING BEEN DISAPPOINTED BY THE GOVERNMENTAL PROCESS.

NO MATTER WHAT THE SOURCE OR THE MOTIVATION OF THESE CONCERNS ARE, AS CHAIR, I MUST SAY EMPHATICALLY, THAT I WILL NOT PERSONALLY BE A PARTY TO ANYTHING THAT WOULD REDUCE THE LEVEL OF SAFETY IN PUBLIC HOUSING.

I MUST REPEAT THE PROMISE MAYOR GIULIANI HAS BEEN MAKING ON POLICE MERGER SINCE HIS SUCCESSFUL CAMPAIGN FOR MAYOR --THAT POLICE SERVICES IN PUBLIC HOUSING CAN ONLY INCREASE, NEVER DECREASE FOLLOWING MERGER.

IN MEETINGS WITH HOUSING AUTHORITY POLICE CHIEF JOSEPH M. LEAKE, THE NYCHA BOARD AND RESIDENT LEADERS, POLICE COMMISSIONER BRATTON AND HIS STAFF HAVE ALL REITERATED THAT PROMISE.

THEY HAVE ALSO ADDRESSED, IN WHAT I FEEL IS A LOGICAL, NO-NONSENSE WAY, ONE OF THE KEY QUESTIONS SURROUNDING THIS ISSUE:

WILL THIS MERGER MAKE PUBLIC HOUSING SAFER?

THEIR ANSWER IS YES, AND AFTER HEARING AND STUDYING THEIR DEPLOYMENT PROPOSALS, I AM CONVINCED THAT OUR RESIDENTS, WILL BE MUCH BETTER PROTECTED AFTER THE MERGER.

IN ESSENCE, THE MERGER LEAVES INTACT THE OFFICERS AND POLICE SERVICE AREAS PRESENTLY CHARGED WITH PROTECTING PUBLIC HOUSING DEVELOPMENTS AND RESIDENTS.

THE SAME PROJECT COMMUNITY OFFICERS (PCO'S) WILL CONTINUE TO PATROL THE SAME DEVELOPMENTS, AND THEY WILL WORK OUT OF THE SAME PSA'S (POLICE SERVICE AREAS).

AND THEY WILL HAVE HELP.

AFTER MERGER, THE NUMBER OF PCO'S WILL BE INCREASED ALMOST IMMEDIATELY BY FIFTY PERCENT. THE STRENGTHENED HOUSING BUREAU WILL INCREASE VERTICAL PATROLLING -- BY WALKING THE STAIRS AND ROOFS AND RIDING THE ELEVATORS OF OUR DEVELOPMENTS -- WHILE EXPANDING OUR ANTI-NARCOTICS, VANDALISM AND ANTI GRAFFITI SQUADS.

OUR POPULAR AND EFFECTIVE BICYCLE PATROLS, AS WELL AS SCOOTER PATROLS, WILL ALSO BE INCREASED.

UNDER THE CURRENT THREE-POLICE-FORCE SYSTEM, LOCAL PRECINCT AREAS OF PATROL RESPONSIBILITY END AT THE BORDERS OF OUR DEVELOPMENTS.

ALL TOO OFTEN THIS HAS MADE OUR PUBLIC HOUSING DEVELOPMENTS FORGOTTEN ISLANDS TO THE 31,000 MEMBERS OF THE NYPD.

AFTER MERGER, THAT LEGACY OF ISOLATION WILL BE HISTORY.

INSTEAD, THE LOCAL PRECINCT COMMANDER WILL ALSO BE RESPONSIBLE, AND HELD ACCOUNTABLE, FOR HELPING TO MAINTAIN SAFETY IN OUR PUBLIC HOUSING DEVELOPMENTS.

SOME OF THOSE PRECINCTS, IN FACT, WILL BE COMMANDED BY FORMER HOUSING POLICE OFFICERS UNDER COMMISSIONER BRATTON'S PLAN.

SUCH MOVES ARE PROOF OF THE MAYOR'S BELIEF THAT OUR DEVELOPMENTS ARE VERY MUCH A PART OF THIS CITY, AND DESERVE TO BE POLICED AS SUCH.

CRIME IN THE CITY IS DOWN ALMOST 10% CITYWIDE SINCE THE NEW COMMISSIONER HAS BEEN IN COMMAND.

CRIME IN PUBLIC HOUSING HAS ALSO DECLINED, BUT ONLY 3.6 PER CENT.

THE MAJOR REASON IT HAS NOT FALLEN AS MUCH, OR AS FAST, IS UNDERSTANDABLE.

THE HOUSING POLICE SIMPLY HAVE NOT HAD THE HUMAN OR FINANCIAL RESOURCES AVAILABLE TO THE OTHER, LARGER, CITY POLICE FORCE.

IN ADDITION TO THE GREATER RESOURCES I HAVE ALREADY DESCRIBED, I THINK THERE WILL BE A MUCH NEEDED, IF SUBTLER, BENEFIT TO OUR RESIDENTS STEMMING FROM POLICE MERGER.

NYCHA RESIDENTS HAVE REPEATEDLY COMPLAINED ABOUT THE NYPD'S RESPONSE AND ATTITUDE TOWARD THEM IN THE PAST.

TOO OFTEN, THEY CLAIM, NYPD OFFICERS HAVE BEEN ABRUPT, AND SOMETIMES PLAIN RUDE AND HOSTILE, WHEN THEY HAVE RESPONDED TO SITUATIONS IN OUR

DEVELOPMENTS.

I BELIEVE THE REASON FOR THIS IS THAT THESE COMMUNITIES HAVE OFTEN BEEN NEIGHBORHOODS THAT ARE NOT WELL KNOWN TO THE POLICE FORCE PATROLLING AROUND THEM. THE MERGER WILL MAKE OUR DEVELOPMENTS FAMILIAR TERRITORY TO THE NYPD.

THE INCREASED PRESENCE OF NYPD OFFICERS IN PUBLIC HOUSING FOLLOWING A MERGER CAN ONLY HELP TO END THE SENSE OF ISOLATION, AND ALIENATION, THAT SOMETIMES EXISTS BETWEEN THE NYPD AND PUBLIC HOUSING RESIDENTS.

THEREFORE, SENSITIVITY AS WELL AS PROTECTION WILL INCREASE UNDER MERGER, AS POLICE AND RESIDENTS GET THE CHANCE TO BETTER KNOW AND RESPECT EACH OTHER.

TO INSURE THE EXISTENCE OF MUTUAL RESPECT BETWEEN POLICE AND RESIDENTS, HOUSING POLICE WILL ASSIST IN THE TRAINING OF ALL OFFICERS IN THE SKILLS, POLICE CULTURE, AND ATTITUDES THAT HAVE HELPED MAKE THE HAPD TRUSTED AND EFFECTIVE.

THE ALREADY CLOSE RELATIONSHIP BETWEEN HOUSING

POLICE AND RESIDENTS, HOWEVER, HAS RAISED ANOTHER AREA OF CONCERN, NAMELY: WHAT WILL BE THE IMPACT OF MERGER ON HAPD EMPLOYEES?

THE ANSWER IS THAT MERGER WILL BENEFIT HAPD EMPLOYEES IN A NUMBER OF WAYS.

FIRST, ALL HOUSING POLICE COMMUNITY OFFICERS WHO WANT TO, WILL REMAIN IN-PLACE.

LIKEWISE, CAREER AND PROMOTION PATHS IN THE COMBINED DEPARTMENT WILL BE GREATER FOR ALL OFFICERS. NO POLICE OFFICER WILL BE PENALIZED, OR CONSIDERED A SECOND CLASS CITIZEN, FOR REMAINING IN, OR REQUESTING ASSIGNMENT TO, THE HOUSING BUREAU.

TO PROVE HIS COMMITMENT TO THIS PRINCIPLE, COMMISSIONER BRATTON PUBLICLY STATED THAT HE WILL APPOINT CERTAIN SENIOR HOUSING POLICE OFFICERS TO BE PRECINCT COMMANDERS IN THE COMBINED DEPARTMENT, PARTICULARLY IN THOSE PRECINCTS THAT HAVE A SIGNIFICANT NUMBER OF PUBLIC HOUSING DEVELOPMENTS.

SIMILARLY, THE NYPD WILL BENEFIT FROM AN INFUSION OF NEW BLOOD FROM THE HAPD, AND FROM THE EXPERTISE THEY BRING IN AREAS SUCH AS VERTICAL AND BICYCLE PATROLS AND OUR FIRST-RATE DOMESTIC VIOLENCE AND ANTI-GRAFFITI PROGRAMS.

BOTH CHIEF LEAKE AND COMMISSIONER BRATTON AGREE THAT THE COMBINED DEPARTMENT WILL BE ABLE TO FIELD MORE PATROL PERSONNEL THROUGH "ECONOMY OF SCALE" SAVINGS.

AS WE TRY TO INCREASE OUR POLICE PROTECTION, THE IDEA OF HAVING WELL PAID, ARMED POLICE OFFICERS SITTING BEHIND DESKS PERFORMING IDENTICAL ADMINISTRATIVE FUNCTIONS IN THREE SEPARATE DEPARTMENTS, IS SIMPLY AN INSUPPORTABLE AND WASTEFUL ANACHRONISM THAT OUR RESIDENTS SHOULD NOT BE FORCED TO ENDURE.

THESE SAVINGS, REALIZED THROUGH A REDUCTION IN DUPLICATION OF ADMINISTRATIVE WORK, ARE EXPECTED TO ADD APPROXIMATELY 144 OFFICERS TO PUBLIC HOUSING'S PATROL STRENGTH ALMOST IMMEDIATELY.

THERE IS ALSO UNDERSTANDABLE CONCERN OVER THE POST-MERGER FATE OF THE NEARLY \$60 MILLION IN DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FUNDING THAT THE AUTHORITY CURRENTLY RECEIVES FOR POLICE SERVICES.

I AM CONFIDENT, BASED ON CONVERSATIONS THAT WE HAVE HAD WITH HUD SECRETARY CISNEROS, AND RECENT CORRESPONDENCE FROM HUD ASSISTANT SECRETARY JOSEPH SHULDINER, THAT HUD WILL AGREE TO ALLOW THE FUNDING TO CONTINUE, AS LONG AS IT IS USED TO PROVIDE SERVICES FOR PUBLIC HOUSING RESIDENTS -- SUCH AS VERTICAL PATROLLING - - NOT CURRENTLY PERFORMED CITY-WIDE BY THE NYPD.

WE WILL MEET THOSE CONDITIONS.

IN CONCLUSION, LET ME SIMPLY RE-STATE MY CONVICTION THAT I FIRMLY BELIEVE THAT MERGER IS IN THE BEST INTERESTS OF THE ENTIRE PUBLIC HOUSING COMMUNITY.

THE MERGER CAN, AND WILL, WORK.

THANK YOU FOR YOUR TIME, AND I WOULD NOW BE GLAD TO ANSWER ANY QUESTIONS YOU MAY HAVE.

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REMARKS FOR ASSEMBLYMAN

KEITH L.T. WRIGHT

for

THE HOUSE BANKING, FINANCE AND URBAN AFFAIRS Subcommittee
on
GENERAL OVERSIGHT, INVESTIGATIONS AND RESOLUTION OF FAILED
FINANCIAL INSTITUTIONS

FACT FINDING HEARING

ON THE MERGER OF THE NEW YORK
CITY POLICE DEPARTMENT

and the

NEW YORK CITY HOUSING AUTHORITY
POLICE DEPARTMENT

MONDAY, SEPTEMBER 19, 1994 at 10:00 AM

in the

ADAM CLAYTON POWELL, Jr. STATE OFFICE BUILDING

GOOD MORNING LADIES AND GENTLEMEN AND DISTINGUISHED MEMBERS OF THE SUBCOMMITTEE. I AM KEITH WRIGHT, ASSEMBLYMAN FOR THE 70TH ASSEMBLY DISTRICT, REPRESENTING HARLEM. I WOULD LIKE TO TAKE THIS OPPORTUNITY TO THANK REPRESENTATIVE FLAKE IN PARTICULAR FOR CONVENING THIS FACT FINDING HEARING. AS THE CHAIR OF THE ASSEMBLY SUBCOMMITTEE ON PUBLIC HOUSING, I HAVE BEEN CONCERNED ABOUT THIS MOST SERIOUS ISSUE OF THE MERGER OF THE POLICE FORCES IN NEW YORK CITY, AND RECENTLY CONVENED A SIMILAR PUBLIC HEARING ON THIS TOPIC. INDEED, I WOULD NOT MISS THIS OPPORTUNITY TO PRESENT THE THOUGHTS AND CONCERNS OF MANY OF MY CONSTITUENTS WHO RESIDE IN PUBLIC HOUSING, AND OTHER CITIZENS OF THIS STATE WHO WILL BE MOST AFFECTED BY THIS PLANNED MERGER.

AT THE OUTSET, LET ME STATE THE CORE ARGUMENTS WHY SO MANY OF US ARE OPPOSED TO MAYOR GIULIANI'S PROPOSED MERGER, AND WHY, I BELIEVE, IT IS ILL-ADVISED AND SIMPLY A POOR PLAN FOR NEW YORKERS. FIRST, THE REALITY IS THAT THE PLAN WILL RESULT IN AN INCREASE IN THE BUDGET, AND THERE WILL NOT BE THE SAVINGS THAT ^{WCS} HAVE BEEN PROSELYTIZED. SECONDLY, THE NYPD HAS HISTORICALLY BEEN INEFFECTIVE IN MEETING THE PUBLIC SAFETY NEEDS OF THE RESIDENTS OF PUBLIC HOUSING. THIRD, THE UNIQUE ROLE AND EFFECTIVENESS OF THE HOUSING POLICE WILL BE LOST. LASTLY, AND PERHAPS THE MOST IMPORTANT CONSIDERATION, THE RESIDENTS OF PUBLIC HOUSING RIGHTFULLY OPPOSE THE HOSTILE TAKEOVER OF THE HOUSING POLICE FORCE BY THE NYPD. FOR YEARS, THE NYPD HAS SHOWN INSENSITIVITY AND RESENTMENT TOWARDS THE URBAN POOR AND OUR PEOPLE IN PARTICULAR.

NOT COST EFFECTIVE

ONLY ONE YEAR AGO, THE CITY'S OWN OFFICE OF MANAGEMENT AND BUDGET CONDUCTED AN IN-DEPTH ANALYSIS OF THE COSTS AND POTENTIAL SAVINGS ASSOCIATED WITH A MERGER OF THE THREE POLICE FORCES. THE STUDY UNEQUIVOCALLY CONCLUDED THAT A MERGER WOULD COST ABOUT \$20 MILLION ANNUALLY. ONLY SIX DAYS AGO, THE MAYOR AND THE POLICE COMMISSIONER RELEASED A VOLUMINOUS BOOK (202 PAGES) OUTLINING THE MERGER OF THE FORCES. INTERESTINGLY, THERE WAS NO MENTION IN THE BOOK OF THE ACTUAL DOLLAR VALUE OF THE COST SAVINGS AND FISCAL REDUCTIONS THAT WILL RESULT AS HAVE BEEN TOUTED AS THE PRIMARY BASIS FOR AND BENEFIT OF THE MERGER. WE MUST NOT BE FOOLED, THIS MERGER WILL NOT BE A FINANCIAL WINDFALL FOR THE CITY. WE ALSO MUST BE AWARE AND ALERT TO THE FACT THAT DEDICATED FEDERAL FUNDS MAY BE LOST WITH THE MERGER, AND IT IS CLEAR FROM THE PUBLIC APPEARANCES MADE BY TOP CITY AND NYPD OFFICIALS, THAT THEY DON'T EVEN KNOW EXACTLY HOW MUCH IS AT STAKE.

THE NYPD HAS FAILED IN PUBLIC HOUSING

WHY ARE WE EVEN HERE TODAY? THE ANSWER AGAIN IS SIMPLE, WE HAVE THREE DISTINCT POLICE FORCES WITH DISTINCT FUNCTIONS, AND NOW THE MAYOR WANTS TO CHANGE THAT. AT ONE TIME THERE WAS ONLY THE NYPD, BUT IT WAS UNABLE OR UNWILLING TO PROTECT THE RESIDENTS OF PUBLIC HOUSING AND SO THE HOUSING POLICE WAS CREATED. FOR OVER 40 YEARS, THE HOUSING POLICE HAVE BEEN EFFECTIVE IN DOING THE JOB THE LEGISLATURE INTENDED WHEN IT AUTHORIZED THE HOUSING AUTHORITY TO CREATE ITS OWN INDEPENDENT POLICE FORCE. ONE ONLY NEED TO TAKE A LOOK AT THE STATE OF THE

NYPD. THE REPORTS OF CORRUPTION AND SCANDAL ARE ALL TOO WELL KNOWN AND WELL DOCUMENTED. WHEN WAS THE LAST TIME THERE HAD TO BE A COMMISSION TO EXAMINE CORRUPTION OR POLICE BRUTALITY IN THE HOUSING POLICE? MY PLEA IS FOR THERE TO BE NO CHANGE OR MERGER BECAUSE THERE IS NO NEED FOR CHANGE. THERE HAS BEEN NO GOOD REASON PRESENTED TO SHOW THAT THE HOUSING POLICE SHOULD BE DISBANDED, SUBSUMED OR TAKEN OVER BY A HISTORICALLY INSENSITIVE NYPD.

THE HOUSING POLICE IS THE BEST

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT RECENTLY DESCRIBED THE NY HOUSING AUTHORITY POLICE DEPARTMENT AS THE BEST OF ITS KIND IN THE COUNTRY. THE RESIDENTS OF PUBLIC HOUSING HAVE KNOWN THIS FOR A LONG TIME. THE HOUSING POLICE (1)PERFORM VERTICAL PATROLS, BY ACTUALLY WALKING UP AND DOWN THE STAIRS OF THE VARIOUS DEVELOPMENTS TO WHICH THEY ARE ASSIGNED; (2) KNOW THE RESIDENTS BECAUSE THEY HAVE SPENT YEARS INTERACTING WITH THEM IN A NON-ADVERSARIAL MANNER; (3) ARE NOT AFRAID OF THE CHILDREN WHO RESIDE IN PUBLIC HOUSING AND WILL INVOLVE THE PARENTS WHEN THE CHILDREN NEED SOME SPECIAL ATTENTION; AND (4) GO BEYOND THE JOB DESCRIPTION AND WILL COUNSEL AND BECOME INVOLVED WITH THE YOUTH.

THE RESIDENTS OF PUBLIC HOUSING DON'T WANT THE MERGER

I MENTIONED EARLIER, THE PUBLIC HEARING THAT I CONVENED ON THE ISSUE OF THE PROPOSED MERGER. AT THAT PUBLIC HEARING, THE RESIDENTS OF PUBLIC HOUSING, WHOM WE MUST NOT FORGET WILL BE MOST AFFECTED BY THE MERGER, ATTENDED IN LARGE NUMBERS. SOME

OF THE TENANT LEADERS PRESENTED TESTIMONY, AND THERE WAS UNANIMOUS AGREEMENT THAT THEY DID NOT WANT THE SECURITY OF THEIR HOMES, FAMILY AND NEIGHBORS TO BE TAKEN OVER BY THE NYPD. THE RESIDENTS OF PUBLIC HOUSING DESERVE RESPONSIBLE AND SENSITIVE MEN AND WOMEN WHO GENUINELY CARE ABOUT THEIR SAFETY AND WELL-BEING, AND WHO HAVE NO PRECONCEIVED PREJUDICIAL NOTIONS ABOUT THEM, TO CONTINUE TO PROTECT THEM.

CONCLUSION

LET ME MAKE IT CRYSTAL CLEAR, I AM OPPOSED TO MAYOR GIULIANI'S PROPOSED MERGER OF THE HOUSING AND TRANSIT POLICE WITH NYPD. AS THE CHAIR OF THE ASSEMBLY SUBCOMMITTEE ON PUBLIC HOUSING, I MUST PROTECT THE RIGHTS AND ADVOCATE FOR RESIDENTS OF PUBLIC HOUSING. THE PLAN IS NOT A MERGER BUT A TAKEOVER OF TWO INDEPENDENT AND MORE IMPORTANT, EFFECTIVE POLICE FORCES BY NYPD UNDER THE PRETEXT OF COST SAVINGS. THE TRUE FACT IS THAT THE PLAN IS SIMPLY NOT IN THE BEST INTEREST OF NEW YORK CITY RESIDENTS OF PUBLIC HOUSING. THE HOUSING POLICE PROVIDE A UNIQUE AND INVALUABLE SERVICE TO RESIDENTS OF PUBLIC HOUSING. THE HOUSING POLICE ARE KNOWN, TRUSTED AND RESPECTED BY THE PEOPLE THEY SWEAR TO PROTECT. THE HOUSING POLICE FORCE HAS BEEN EFFECTIVE AND IT WOULD BE A DISSERVICE TO THE RESIDENTS OF PUBLIC HOUSING TO BE TURNED OVER TO THE NYPD.

THANK YOU ALL FOR YOUR ATTENTION.

PUBLIC HEARING
NEW YORK STATE ASSEMBLY SUBCOMMITTEE
ON PUBLIC HOUSING
ON THE PROPOSED MERGER OF THE NEW YORK
CITY POLICE WITH THE NEW YORK CITY HOUSING
POLICE AND TRANSIT POLICE DEPARTMENTS

Thursday
July 28, 1994
6:30 P.M.

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A P P E A R A N C E S :

KEITH L. T. WRIGHT - CHAIRMAN
New York State Assembly

CATHERINE T. NOLAN
New York State Assembly

JEFFREY L. AUBRY
New York State Assembly

GARY PRETLOW
New York State Assembly

DAVID PATTERSON
Senator, New York State Senate

SCOTT STRINGER
New York State Assembly

STANLEY MICHAELS
Councilman

DION LENORIS
New York State Assembly

HERMAN D. FARRELL
New York State Assembly

-oOo-

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PROPOSED MERGER OF THE NYC POLICE

5

1
2 ASSEMBLYMAN WRIGHT: Good
3 evening, everyone. My name is Keith
4 Wright and I am the Chair of the Assembly
5 Subcommittee on Public Housing.

6 First and foremost, I want to
7 welcome all of you here to discuss this
8 most important issue, that being the
9 proposed merger of the Police Department,
10 the police departments of NYPD, the
11 Housing Authority Police and the Transit
12 Police. It's certainly, as the
13 Subcommittee Chair, my responsibility to
14 bring this issue forward.

15 The New York State
16 Legislature for the first time in over a
17 decade was able to increase by fifty
18 percent the State allotment to public
19 housing in New York City, and for that,
20 certainly some of our legislators here who
21 are convening this meeting with me need to
22 take some credit.

23 Section 402 of the Public
24 Housing Law states that: The New York
25 City Housing Authority shall maintain --

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PROPOSED MERGER OF THE NYC POLICE

6

1
2 maintain -- and provide a police force for
3 public housing. It says nothing about
4 dissolving it.

5 That's in the Public Housing
6 Law.

7 In 1952 the Housing Police
8 Department was born, was initiated,
9 because of the special needs of public
10 housing, that their needed to be a
11 dedicated police force in public housing,
12 and simply due to the fact that the New
13 York Police Department had basically
14 failed in its needs in providing security
15 to public housing. So that was in 1952,
16 some 44 years ago.

17 This year, our new mayor
18 because of his 2.3 billion dollar
19 shortfall in his budget is trying to find
20 new ways and creative ways in order to
21 balance the City budget.

22 I just want to make sure and
23 colleagues of mine and all of you I'm sure
24 from the different public housing
25 complexes around the City just want to

PROPOSED MERGER OF THE NYC POLICE

7

1
2 make sure that our mayor does not balance
3 the budget on the people of public
4 housing.

5 In addition, I asked the
6 Mayor in his office for details concerning
7 his plan, this proposed merger. I have
8 yet to receive an answer, and many people
9 have yet to receive an answer.

10 Jose Citron, the Regional
11 Administrator for Housing Urban
12 Development from which most of our funds
13 come, has stated to me that there has been
14 very little conversation -- very little
15 conversation -- with the City of New York.

16 He also maintains to me, and
17 I'm paraphrasing, that HUD, Housing Urban
18 Development, has to be assured that in
19 order for any type of merger to go through
20 that the same level of service has to be
21 provided to the public housing projects in
22 New York City if they want to receive the
23 same money, the same money being some 60
24 million dollars a year that the Feds
25 provide for a dedicated Housing Police

PROPOSED MERGER OF THE NYC POLICE

8

1
2 force.

3 Now, if I'm not mistaken this
4 plan cannot be effectuated without a
5 homeroom message from the City Council
6 which it thereupon comes up to the New
7 York State Legislature. So I would think
8 that the Mayor might want to convey some
9 conversations about his plan to us, the
10 New York State Assembly.

11 Let me just say this. There
12 are two pieces of paper outside, one of
13 which is a press release from City Council
14 person Walter McCaffrey from out there in
15 Queens, in your district, and he has just
16 proposed a law today, just today. This
17 shows what a hot issue this issue is, and
18 the law states that in order for this plan
19 to go through the City Council of New York
20 must approve such a plan. So we as
21 legislators throughout the City of New
22 York are trying to be effective and to
23 make the mayor responsible.

24 So what I would like to do
25 right now before we open the hearing, we

PROPOSED MERGER OF THE NYC POLICE

9

1
2 have members of the Subcommittee on Public
3 Housing and they will issue a brief
4 opening statement and then we will go to
5 our testifyors. And let me just say this,
6 our testifyors, if you could limit your
7 testifying -- we're not in church today --
8 but if you could limit your testifying to
9 approximately five minutes, and then we
10 will have questions from our panel.

11 Joining us here today is the
12 Chair of the Labor Committee in the New
13 York State Assembly, Ms. Cathy Nolan.

14 ASSEMBLYWOMAN NOLAN: I will
15 be very brief because we want to hear the
16 witnesses. I am very happy as the Chair
17 of the Assembly Labor Committee to take a
18 sign of leadership from Assemblyman Keith
19 Wright in one of his -- it's not his
20 debut, but those of in the Assembly who
21 chair committees have been watching the
22 exciting and good work that he's doing
23 with this Subcommittee, and so I'm very
24 pleased to be here today for two reasons,
25 one because I wish him well in these

PROPOSED MERGER OF THE NYC POLICE

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1
2 important issues, but two, as the Chair of
3 the Labor Committee, this issue of merger
4 is critical to working people all over the
5 City and there are many many many
6 questions about the rights and protections
7 that the men and women of these police
8 forces have as to how it would be worked
9 out if there was mergers. So there are
10 many union issues that the Labor Committee
11 cares about, and clearly that's one reason
12 why I'm here and anxious to hear. I see
13 Chief O'Connor and Chief Leake, and I'm
14 very pleased that they are participating
15 today.

16 I'm also here because I do
17 represent Long Island City and there are
18 many many people in the audience from
19 Ravenswood and Queensbridge and Astoria
20 Houses. So together with my colleagues
21 and Assemblyman Aubry from Queens and
22 Councilman McCaffrey we are very very
23 concerned about this issue, and we will
24 not, in the Assembly I believe especially
25 under Assemblyman Wright's leadership

PROPOSED MERGER OF THE NYC POLICE

11

1 permit this to go forward without proper
2 consultation with the legislature, and if
3 we don't think it's a good idea, under
4 Assemblyman Wright's leadership, we will
5 try everything we can to make sure it does
6 not happen.
7

8 ASSEMBLYMAN WRIGHT: Our next
9 speaker, he's traveled all the way from
10 Mount Vernon, and he's a very key member
11 of our Subcommittee, and that's James Gary
12 Pretlow representing Mount Vernon and
13 Yonkers.

14 ASSEMBLYMAN PRETLOW: Good
15 evening everyone.

16 The importance of this issue
17 is made evident by the size of crowd we
18 have here today. I know that many of you
19 are eager to testify right now, and this
20 is a hearing, so I'm here to listen to you
21 and not to speak.

22 But I do want to ensure you
23 that we will listen to all of your
24 comments, under the leadership of Keith
25 Wright, this subcommittee will deliberate

PROPOSED MERGER OF THE NYC POLICE

12

1 and make some very tough decisions and I
2 think what we'll do will be the right
3 thing for everyone.
4

5 Thank you.

6 ASSEMBLYMAN WRIGHT: And
7 representing East Elmhurst Queens,
8 Jeffrion Aubry.

9 ASSEMBLYMAN AUBRY: Good
10 evening.

11 I have a particular interest
12 as a member of the Government Employees
13 Committee of the State Legislature and the
14 Assembly of the effects that this proposed
15 merger has on pension systems. There is
16 some allegation that merger might cost us
17 more money than it would save us.

18 So beyond the issue of public
19 safety which paramount both in the Transit
20 and in the Housing, I'm also interested to
21 see if there are answers as related to the
22 financial basis of this whole discussion.
23 Too often we hear plans to save money that
24 in the long run cost us money and services
25 and clearly I think that is something we

PROPOSED MERGER OF THE NYC POLICE

13

1
2 need to look at very hard.

3 I want to thank Assemblyman
4 Wright for putting this meeting together
5 and having this hearing. I think it is
6 both timely and necessary for us as
7 residents of the State and the City to
8 ensure that we are protected in the way
9 that we need to be, both in physical ways
10 and financial ways.

11 Thank you.

12 ASSEMBLYMAN WRIGHT: Our next
13 panelist is our State Senator from Harlem,
14 State Senator David Patterson.

15 SENATOR PATTERSON: I notice
16 that the Assemblyman did not thank me for
17 the distance that I traveled since I
18 traveled here from the ninth floor, but
19 what I really want to do when this hearing
20 is over is to nominate the Assemblyman to
21 become the Chair of the Subcommittee on
22 Transportation because I was reading just
23 the other day of the new attempt by the
24 Transit Authority to have one person
25 operated trains when there have been 85

PROPOSED MERGER OF THE NYC POLICE

14

1
2 draggings so far in 1993, and 47 so this
3 far this year. The reason I mention that
4 is because it is clear that in many
5 mechanisms of government now, cost is
6 first, human life is somewhere, maybe not
7 even on the list, but it's certainly not a
8 priority.

9 What this hearing is designed
10 to elicit is whether or not the merger of
11 the police forces is going to impact upon
12 the quality of safety in public housing.

13 Now, I would tend to think as
14 demonstrated by your presence here this
15 evening, that many of you believe, as I
16 believe, that the quality of public safety
17 and public housing isn't very good right
18 now.

19 So if there were going to be
20 some changes made, what about the numbers
21 of changes that we have requested and have
22 advocated for for years that have remained
23 unresolved and unaddressed, when suddenly
24 merging the police department has some,
25 for some reason, desired goal.

PROPOSED MERGER OF THE NYC POLICE

15

1
2 I suggest that this is not
3 going to be of benefit to citizens who
4 live in neighborhoods such as ours. I
5 certainly respect the integrity of the
6 Commissioner who of course with the
7 Borough Commander here, and has attended
8 our community meetings previously about
9 the police department and its interaction,
10 but I really must admit that I am not
11 coming here as one who is an arbitrator, I
12 come here with a predisposed point of view
13 that this merger will not act to the
14 improvement of any quality of life for
15 people who live in public housing. And I
16 certainly am willing to have my mind
17 changed, but it was a long experience with
18 government agencies that are thinking more
19 in terms of meeting budgets than dealing
20 with the lives of the people's whose tax
21 dollars provide the broad revenue base
22 that allows the government to exist, and I
23 really would have to open by saying that I
24 am opposed to any merger.

25 ASSEMBLYMAN WRIGHT: Well,

PROPOSED MERGER OF THE NYC POLICE

16

1
2 now that we have him here sitting at the
3 desk, we have two gentlemen sitting here
4 at the desk, and if I can start out
5 with -- and I see Assemblyman Scott
6 Stringer entering, please come forward,
7 sir, from the Upper West Side, the
8 Assemblyman from the Upper West Side.

9 I see Chief Michael O'Connor
10 from the Transit Police.

11 Chief, if you could offer
12 your testimony right now.

13 CHIEF O'CONNOR: Good
14 evening. My name is Michael O'Connor and
15 I proudly serve as Chief of the New York
16 City Transit Police Department.

17 On behalf of the Transit
18 Police Department I would like to thank
19 you --

20 ASSEMBLYMAN WRIGHT: All
21 right.

22 CHIEF O'CONNOR: I'm going to
23 start again. I introduced myself and I
24 think you all ought to know who I am.

25 My name is Michael O'Connor

PROPOSED MERGER OF THE NYC POLICE

17

1
2 and I'm Chief of the New York City Transit
3 Police Department.

4 On behalf of the transit
5 police I would like to thank the honorable
6 members of the Assembly Subcommittee on
7 Public Housing, and in particular your
8 Chairman Keith L.T. Wright for the
9 opportunity to address you on the impact
10 of the proposal to merge the Transit
11 Police Department with the New York City
12 Police Department.

13 The proposed consolidation
14 represents the largest police merger ever
15 undertaken in this country. As such it
16 should not be pursued in a fashion -- try
17 it, it might work, and that's currently
18 what's being employed by the
19 administration.

20 The citizens of New York,
21 your constituents, many of whom live in
22 public housing, will be most profoundly
23 impacted by the elimination of the Transit
24 Police Department.

25 We say elimination instead of

PROPOSED MERGER OF THE NYC POLICE

18

1
2 consolidation or merger because what will
3 be eliminated under the proposal is the
4 expertise required to effectively protect
5 the riders of our subway system.

6 The Administration speaks of
7 economy and efficiency that they suggest
8 will result from the merger, and yet they
9 have not been able to demonstrate how they
10 will off the 30 to 50 million dollar cost
11 they will incur just to equalize the
12 different pension systems to which the
13 Transit and City police belong, and for
14 the expenditure of that money there will
15 not be a single additional cop on patrol
16 anywhere in New York City, nor are they
17 prepared to demonstrate how they will
18 continue to fund hundreds of millions of
19 dollars worth of essential transit police
20 radio and facility improvements currently
21 funded by the MTA Capital Improvement
22 Program.

23 But even if the financial
24 problems can be ironed out, it is our firm
25 belief that the issue of consolidation

PROPOSED MERGER OF THE NYC POLICE

19

1 should not be decided by the accountants
2 or bean counters alone.
3

4 The debate should focus on a
5 single issue, what best protects the
6 riders of New York City massive and
7 complex subway system, what best protects
8 the people who reside in our housing
9 complexes.

10 Unless it can be conclusively
11 proven that a merged police department
12 would not better protect subway riders,
13 the merger cannot in good conscience be
14 permitted.

15 At the Transit Police
16 Department we understand that those
17 tactics and strategies grow from an expert
18 understanding of the dynamics of the
19 nation's largest mass transit system,
20 expertise that was acquired over entire
21 careers of professional transit police
22 management. And we know that policing the
23 subways, the most difficult and
24 undesirable patrol environment in the
25 United States requires dedication,

PROPOSED MERGER OF THE NYC POLICE

20

1 motivation and support that would be lost
2 under a merged department.
3

4 Additionally we know that we
5 have an effective and successful crim
6 fighting program in place that is making
7 the subway safer than its been in nearly a
8 decade and and a half.

9 You may have seen reports in
10 the news indicating that subway crime
11 during the first quarter of 1994 has
12 dropped by 46 percent when compared to
13 that same period in 1990, and you have
14 heard that subway crime is at lowest
15 levels since 1979.

16 That is an accomplishment of
17 which we, the Transit Police are very
18 proud, and when we look at the catagory of
19 robbery which is both the most frequently
20 reported and most feared crime on our
21 subway system, it has been cut by 53.5
22 percent, more than cut in half, since the
23 first half of 1990.

24 Today I'm pleased to report
25 to you that we are well on the way to

PROPOSED MERGER OF THE NYC POLICE

21

1 making 1994 the fourth consecutive year of
2 decreasing subway crime. The preliminary
3 crime statistics for the first six months
4 of this year show an 18 percent decrease
5 in subway crime compared to the first six
6 months of 1993, and this dramatic
7 reduction has occurred while subway
8 ridership has steadily grown. We have
9 many more riders and much less crime.
10

11 This is an accomplishment
12 that grew from transit specific patrol
13 strategies by paying scrupulous attention
14 to the details of controlling the subway's
15 environment and enforcing the rules of
16 civility in the subway system the Transit
17 Police Department has created an
18 environment where more serious crime does
19 not flourish.

20 For example, by focusing on
21 fair evasion which is a misdemeanor crime,
22 the Transit Police Department has
23 successfully filtered out thousands of
24 weapons from the subway system before they
25 could be used to commit a robbery. We

PROPOSED MERGER OF THE NYC POLICE

22

1 catch robbers with weapons before they get
2 a chance to commit crimes.

3
4 Philosophically, I support
5 Mayor Rudolph Guiliani's goals of
6 improving efficiency and reducing costs
7 where possible. As professional municipal
8 managers we have a moral obligation to use
9 public tax dollars judiciously and
10 effectively.

11 To that end, we have prepared
12 a proposal under a recommendation of the
13 Federal Transportation Administration that
14 when approved will relieve the NYPD of the
15 burden and responsibility of policing the
16 City's 3,600 buses. Our proposal uses
17 currently budgeted transit police officers
18 for bus patrol so that we, in effect, will
19 be doing more with the same resources.

20 Merger, however, of the Transit
21 Police Department with the NYPD should be
22 decided on a single issue, what best
23 protects the people of our City who use
24 mass transit.

25 The great City of New York

PROPOSED MERGER OF THE NYC POLICE

23

1 does not work without effect fast transit.
2 New York City needs our subways and buses
3 to be economically and ecologically
4 viable.
5

6 It is my deepest concern that
7 over a period of time after merger, the
8 expertise to police the unique environment
9 of the subways will be lost forever and
10 the occasion of crime on the subways will
11 grow dramatically.

12 New York City needs the
13 subway and the subway needs today's
14 Transit Police Department. We are the
15 experts on fighting crime on mass transit,
16 and we still have work to be done.

17 I have provided a document
18 entitled: The Case Against The Merger
19 1994 which examines the issues in greater
20 depth. I ask that it be included as part
21 of my testimony before you on behalf of
22 all of the members of the Transit Police
23 Department.

24 I thank you for allowing us
25 to be heard on this important issue of

PROPOSED MERGER OF THE NYC POLICE

24

1 concern to all of the public.

2 Thank you, ladies and
3 gentlemen.

4 ASSEMBLYMAN WRIGHT: Thank
5 you, Chief.

6 Any questions from our
7 subcommittee members?

8 ASSEMBLYMAN AUBRY: Chief,
9 could you talk about the specific training
10 that the Transit Police undergo that is
11 specifically different from NYPD, both in
12 terms of initial training and ongoing
13 training that might be delivered to
14 officers?

15 CHIEF O'CONNOR: For those of
16 you who don't know, we do have our own
17 training academy. We train New York City
18 Transit Police, we train Metro North
19 Police, we train Long Island Railroad
20 Police.

21 The reason that we do this
22 training is that the environment that my
23 police officers operate in is a moving
24 environment, 600 volts, people passing
25

PROPOSED MERGER OF THE NYC POLICE

25

1 through going to and from work. It has
2 very special police requirements, and the
3 training we give people, and for transit
4 police to be honest with you, they tend to
5 have one-on-one contact without the
6 insulation of a radio car door on a
7 day-to-day basis more frequently probably
8 than any other police department in
9 America. It's one-on-one, and we've got
10 to train our people to understand the
11 diversity of our city, to understand that
12 they're there to help, not to harm, and we
13 think we do a good job.
14

15 ASSEMBLYMAN WRIGHT: I have a
16 question, Chief. As part of the
17 literature that was outside on the table,
18 I have a letter here before me written
19 January 31, 1992, just about two years
20 ago. This letter was from the then Chief
21 of Police for the Transit Authority who
22 stated, and I quote: "Rather than
23 improving police moral and subway
24 security, merger would have the opposite
25 affect. The issues of police moral and

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26

1 effectiveness can better be addressed in a
2 separate police force."

3 Now that letter was signed by
4 the then chief of the Transit Police who
5 is now the Chief of Police of NYPD, a guy
6 by the name of the William Bratton.
7

8 Chief, I'm just glad that you
9 are carrying on the tradition of the
10 transit police chiefs, and I was just
11 wondering do you have any idea what would
12 make Chief Bratton change his mind?

13 I'm just asking, you may not
14 have the answer.

15 CHIEF O'CONNOR: I do have an
16 answer. I think it's obvious that Bill
17 works for a different boss and that
18 probably influences his comments on the
19 merger right now.

20 I've been a transit police
21 officer for 28 years. I've lived in the
22 City for 28 or longer actually, but I
23 would have to tell you my age to tell you
24 how long, and I've never changed my
25 opinion on this issue. I believe that a

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27

1 merger is bad now, and it was bad business
2 in the past, and in the future it won't
3 get any better. So I've had no epiphany
4 on the issue of merger. I have always
5 believed it's not a good idea and it's not
6 a good idea for the citizens of New York
7 City.
8

9 ASSEMBLYMAN WRIGHT: Thank
10 you very much, Chief O'Connor.

11 Our next testifyor is I guess
12 the man we've all been waiting for.

13 We have with us a friend and
14 a neighbor and this community is very
15 proud of him that he's risen to the rank
16 of Chief of Police for the Housing Police,
17 and I present to you Chief Joseph Leake.

18 CHIEFE LEAKE: Thank you.
19 Good evening, Assemblyman Wright and to
20 the other distinguished members. Thank
21 you for inviting me here to share with you
22 my ideas about merger.

23 I've heard many comments
24 about preconceived ideas, and I too have a
25 preconceived idea.

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28

1
2 My name is Joseph Leake. As
3 indicated, I'm newly assigned as Chief of
4 the Housing Police Department, and I am
5 certainly glad to be here. I'm going to
6 try the best I can to answer questions
7 that you might have.

8 While I'm new to this
9 department, Housing Police Department, I'm
10 not new to Public Housing. I lived for a
11 short time in the Brownsville Houses in
12 Brooklyn, and throughout my career, as
13 indicated before, I was a commanding
14 officer of Manhattan North. I've
15 interacted with members of the Housing
16 Police Department, and I do have to say to
17 you that at all times I found them to be
18 first rate professionals, absolutely tops
19 in their profession in every way.

20 I'm trying to cut through
21 some of this because I know you don't want
22 to hear --

23 ASSEMBLYMAN WRIGHT: The
24 people want to hear everything you have to
25 say, Joe.

PROPOSED MERGER OF THE NYC POLICE

29

1
2 CHIEF LEAKE: Well, if I say
3 I want to thank you for providing me with
4 a forum, I've already said that, so I'm
5 going to pass that.

6 I want to tell you that I
7 believe the merger will be accomplished
8 and I think --

9 You can't hear me?

10 ASSEMBLYMAN WRIGHT: Let's
11 have some order, please.

12 CHIEF LEAKE: I certainly
13 would ask that you please give me an
14 opportunity.

15 I understand that most of you
16 are against merger, I've heard it, doesn't
17 take me a long time to figure out what's
18 happening in a room. I used to be a
19 detective, and I would say I've detected
20 an anti-merger feeling here. But I think
21 we should all --

22 I really would appreciate
23 it -- I certainly will be as brief as
24 possible, but there are a lot of things I
25 would like to say, but please, please open

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30

1
2 up.

3 I believe that the merger,
4 the most direct way that this will be
5 accomplished is quite simple and yet very
6 powerful. The merger of the three police
7 departments will increase the number of
8 police officers that we are able to put on
9 patrol.

10 This will be accomplished I
11 believe through the elimination of many
12 many duplicative efforts. There are many
13 things that we do in the Police
14 Department, in the Transit Police
15 Department in the Housing Police
16 Department that can be done more
17 efficiently by being done by a single
18 unit.

19 Now you think --

20 Hear me out, please hear me
21 out.

22 Currently we have three
23 police departments. We have three police
24 departments. We have three chiefs of
25 those police departments. I'm one of the

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1 chiefs and I'm working myself out of a
2 job, but I believe that what's best for
3 the people of the City is what I would
4 like to do.

5
6 I'm not going to stand here
7 and say to you that I oppose merger
8 because I support merger, and I will be --

9 ASSEMBLYMAN WRIGHT: Let him
10 finish please.

11 CHIEF LEAKE: Each of these
12 three departments have units that do the
13 same job, and I believe that if we merge
14 we will be able to eliminate that
15 duplication.

16 Once all of the three
17 departments are under one umbrella or one
18 unified command we will be able to
19 streamline many of our administrative
20 functions thereby freeing up a lot of
21 those persons that are bound to stay at
22 the desk and do the administrative support
23 functions. Put them out where they can
24 provide the police service that you pay
25 for.

PROPOSED MERGER OF THE NYC POLICE

32

1
2 For residents in public
3 housing that will mean an immediate police
4 presence, an increase in police presence
5 in the development.

6 There will be other benefits
7 less immediate visible. For one, having
8 one supervisory structure -- one
9 supervisory structure -- will enable us to
10 provide better and more efficient police
11 service delivery.

12 Currently, we will have an
13 incident that may happen on 125th Street
14 and Adam Clayton Powell Boulevard. The
15 Housing Police Department is on the same
16 frequency as the New York City Police
17 Department. We will all respond there.
18 There may be two sergeants responding.
19 You don't think so, but I've been there
20 and I've seen it happen.

21 What the merger will do --
22 what the merger will do -- we will not be
23 assigning different supervisors in the
24 same area from different departments.
25 There will be one supervisory command, one

PROPOSED MERGER OF THE NYC POLICE

33

1
2 supervisor chain that will be responsible
3 for the delivery of police service in that
4 particular area.

5 How many of you have walked
6 up to a police officer and wanted to
7 report something and that police officer
8 may have told you that you have to go to
9 another jurisdiction, we don't cover that.
10 Please. You think it doesn't happen, I've
11 seen it happen.

12 ASSEMBLYMAN WRIGHT: Quiet
13 please, let him finish.

14 CHIEF LEAKE: It's going a
15 little longer because I'm getting some
16 interruptions.

17 No longer will officers from
18 different departments have to fill out two
19 and three different sets of forms. The
20 housing police officer will fill out a
21 form for what they responded to. Any
22 other unit that responded from another
23 jurisdiction will have to fill out forms
24 also. We will eliminate that, and I know
25 you think it's a simple matter, but I can

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34

1 show you reams and reams and reams of
2 paper with millions and millions and
3 millions of words that officers had to sit
4 down and fill out that form.

5
6 Now while they're sitting
7 down filling out that form they are not
8 out there patrolling your streets to make
9 your life safe and to create a presence
10 for you. Now if you think it doesn't mean
11 anything, I think that you might need to
12 take another look.

13 Similarly we are able to
14 eliminate redundant responses by officers
15 to other emergency runs. These economies
16 will be reproduced over and over
17 throughout the new consolidated police
18 department. When we merge, that will be
19 the benefit, and office after office,
20 precinct after precinct, one set of
21 paperwork, one set of administrative
22 officers, one set of supervisors and
23 detectives will suffice where previously
24 we had to provide three sets.

25 A merger will also deliver

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35

1
2 more diverse police resources to residents
3 of public housing, most of all public
4 housing.

5 I am a member of the New York
6 City Housing Police Department, and my
7 job -- my job is to make sure -- please --
8 my job is to make sure --

9 Please, please, let me just
10 say this. I would really appreciate it, I
11 would really appreciate it, please resist
12 the urge to disagree. I sat quietly and
13 heard many comments I did not respond to.
14 We have to make sure we try to discipline
15 ourselves not to respond when something
16 does not go the way we would like it to
17 go. We need to look at this in the most
18 objective way and not come in here with
19 preconceived ideas.

20 I thought that I was invited
21 here to give information so that you could
22 take it away and weigh that, and you could
23 call me tomorrow, write to me tomorrow and
24 say what you said didn't amount to a hill
25 of beans.

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36

1
2 I would really appreciate a
3 chance to be able to say it, so please
4 allow me to continue.

5 When we are all part of
6 unified police department, I, as the chief
7 of the housing bureau, and the housing
8 bureau when we merge, the Housing Police
9 Department will be become a bureau within
10 the New York City Police Department. I
11 will be chief of that housing bureau, and
12 I will be able to call upon the various
13 units that currently are not accessible to
14 the Housing Police Department, units such
15 as the aviation unit, some of the very
16 very sophisticated narcotic units, the
17 investigative task forces, and other New
18 York City Police Department specialized
19 units.

20 Other City dwellers will
21 benefit from enhanced patrol strategies
22 that will be made possible through the
23 merger.

24 Police Commissioner Bratton
25 has developed several strategies.

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1
2 Strategies to eliminate guns, strategies
3 to eliminate narcotics, strategies to
4 respond to domestic violence, strategies
5 to respond to the youth violence that
6 violence perpetrated youth to youth and by
7 the youth.

8 We have strategies that are
9 in place and we will be able to coordinate
10 the application of those strategies
11 throughout all of the police department.

12 Currently strategies will be
13 developed in the individual police
14 departments. There are some times that
15 strategies don't work hand in hand
16 congruent with each other. If you have a
17 unified command it means that strategies
18 can developed where you will get the most
19 out of your buck, the bank for your buck,
20 and if anybody here does not want to get
21 the dollar of police service for the
22 dollar that they put into the tax coffer,
23 please see me after the show.

24 But please, we got to make
25 sure -- please, please.

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1
2 When all police departments
3 are working together as one, patrol
4 strategies will immediately become more
5 effective because of increased
6 coordination, sharing of computer data
7 bases and compliance with a centralized
8 command, all of which will allow us to
9 provide a more cohesive deployment of our
10 resources. And that is the bottom line
11 with this merger strategy, a cohesive
12 deployment of our resources.

13 Our response to community
14 needs will also be enhanced by the merger.
15 Because we are all part of one police
16 department, residents can attend precinct
17 council meetings or other meetings to
18 voice their concerns and know that they
19 will be heard by one commander.

20 No longer will there be an
21 artificial distinction between the three
22 departments, a distinction that oft times,
23 too often, sends people from one meeting
24 to another meeting trying to finally get
25 in touch with the authority that had the

PROPOSED MERGER OF THE NYC POLICE

39

1
2 proper jurisdiction over their problem.

3 Similarly, our officers will
4 benefit from the merger. Currently,
5 members of the Housing Police Department
6 have fewer career path option. Once they
7 are merged with the New York City Police
8 Department they will be able to apply for
9 a wider array of specialized units that
10 smaller police departments simply cannot
11 offer them. And let me make clear to you
12 that which I have made clear to my
13 officers. This merger will be implemented
14 in a fair and equitable manner for all
15 concerned. Mayor Rudolph Guiliani,
16 Commissioner Bratton, Chairman Franco, the
17 Chairman of the Housing Authority, and I
18 will not stand for any disparate treatment
19 against officers from other departments.
20 There is a concern about that.

21 And speaking of the Police
22 Commissioner, I want to point out another
23 benefit I think will have significant
24 impact on our ability to deliver services,
25 and that will be the accountability to one

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40

1 police administrator, one police
2 administrator. Commissioner Bratton
3 reports directly to the Mayor.
4

5 This more clear line of
6 communication and accountability will be
7 felt, really felt, throughout the new
8 uniform force, in particular giving a
9 swifter response to city wide concerns.

10 Let me close with another
11 thought --

12 ASSEMBLYMAN WRIGHT: Please.

13 CHIEF LEAKE: The merger of
14 the three police departments does not --
15 does not mean that the job of policing
16 public housing will end. It will mean
17 that there will be more resources
18 available to tackle the massive task, or
19 as I have been explaining to my officers,
20 housing developments will have an
21 additional 31,000 colleagues to help us
22 get the job done. Changing the patches on
23 a uniform --

24 Please.

25 Changing the patches on a

PROPOSED MERGER OF THE NYC POLICE

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1 uniform does not change the fact that we
2 are still professional police officers
3 dedicated to making New York City and all
4 its public housing developments safer
5 places to live.
6

7 As I indicated before, as
8 Chief of Housing Police Department I am
9 committed to making sure that that high
10 level of service continues and I will do
11 everything possible to ensure that that
12 level of service is enhanced, increased.

13 Thank you very much for your
14 patience.

15 ASSEMBLYMAN WRIGHT: Please,
16 if we can maintain some order please.

17 Chief, I believe the
18 subcommittee -- we do have a few questions
19 for you.

20 Thank you for your report.

21 I certainly have a couple of
22 questions. One question, Chief, is that
23 in 1952, and I said it in my opening
24 remarks and I will say it again, is that
25 the housing police force was established

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1 in 1952. Now, I think I probably come by
2 it naturally, but I have a certain
3 distrust of the NYPD, and the reason --
4 the reason why this housing police force
5 was established was because the New York
6 City Police Department was not able to do
7 its job in maintaining security.
8

9 So now the Housing Police
10 Department has a certain way that it
11 patrols, if I'm not mistaken, and that
12 patrol basically is a community policing
13 concept and a vertical patrol. Vertical
14 patrol meaning that they have to climb
15 these stairs, and a lot of time these
16 stairs are not the most pleasant places in
17 the world. They have been committed to
18 this and I do think they have been doing a
19 good job.

20 Now, in your comments I did
21 not hear anything about maintaining that
22 type of patrol.

23 Do you have any ideas in
24 terms of the community policing in the
25 housing developments or the vertical

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1 patrol, because I know the NYPD usually
2 does a radio car type of patrol for the
3 most part.
4

5 Do you have any comments as
6 far as that's concerned?

7 CHIEF LEAKE: Yes, I do.

8 We fully intend to maximize,
9 we fully intend to increase the number of
10 officers assigned on foot into housing
11 developments.

12 Currently, most of the jobs
13 are handled in housing police departments
14 by persons assigned to radio motor patrol
15 cars, police cars, that respond to one
16 development and maybe ten blocks to
17 another development, there is a car
18 assigned.

19 Usually the police precinct
20 has a car assigned in the area. The
21 housing police have a car assigned in the
22 area. We are on the same frequency, we
23 are on the same radio frequency.

24 Whenever the job is given in
25 a housing development, the job comes from

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1 or is directed to a housing development,
2 the dispatcher will look to get a housing
3 car.
4

5 Now, that housing car could
6 be up at 155th Street and 8th Avenue and
7 could be dispatched to 127th Street and
8 8th Avenue. Currently that car will have
9 to travel from 155th Street to 127th
10 Street in order to provide that service if
11 that car is available.

12 We fully intend at merger
13 time, when we merge, to make sure that the
14 police cars in the area will respond to
15 the nearest location regardless of whether
16 the patch, the problem patch was housing
17 or not. We look to make sure that we
18 minimize the number of radio cars that
19 will be required in the housing police
20 department and put those officers on foot
21 to be able to be there to interact and to
22 respond vertically to those housing
23 developments.

24 So we fully intend that there
25 will be a housing bureau. Now, I

1 indicated the housing bureau. We will
2 still have those dedicated officers, those
3 PCO officers and those officers that are
4 currently assigned to a housing
5 development will still be assigned to a
6 housing development.

7
8 We are going to merge so we
9 can coordinate the responses, coordinate
10 the programs.

11 Currently -- currently --

12 ASSEMBLYMAN WRIGHT: Please.

13 CHIEF LEAKE: And I have
14 experienced this, in order for a commander
15 of Manhattan North to generate, to get
16 something done, to get approval to get
17 something done with housing personnel,
18 that commander will have to go to central
19 headquarters and get permission to get it
20 done. It may be a day, it may be two days
21 or we might have to have meetings to
22 discuss it and it might take longer.
23 Under one unified command that can be done
24 instantaneously because that person in the
25 area will have jurisdiction over

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1 all police persons in that area.

2
3 ASSEMBLYMAN WRIGHT: I have
4 another question.

5 Please, please. This is a
6 legislative hearing -- this is a
7 legislative hearing and no matter how hard
8 it is you have to trust us legislators for
9 the most part to ask questions. Also
10 there are a list of testifyors and the
11 more disruptions we have, the less time we
12 will have to get to the people testifying.
13 So if I can ask for a little order I would
14 be most most most appreciative.

15 My second question, Joe,
16 maybe the Mayor or this administration may
17 know a little bit more than I do, but I do
18 know that the Mayor plans to push this
19 merger forward by October 1, 1994.

20 Now, I know that government
21 doesn't work that fast.

22 I was just wondering if you
23 could shed some light on how he plans to
24 push it forward and if -- and if --
25 because for the most part this has been a

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1 rather clandestine sort of plan, I was
2 wondering if you could shed some light on
3 how he will push this merger forward by
4 October 1 which is less than two months
5 away?
6

7 CHIEF LEAKE: We are
8 currently involved in several task forces
9 developing plans. There are certain
10 issues that have been addressed, pension
11 issues, as the representative indicated he
12 was concerned about the pension issues.
13 There are teams, various groups and
14 committees working on the various issues,
15 promotion, how are we going to hire.
16 Those issues are currently being
17 addressed.

18 They have not been fully
19 developed yet, but we certainly hope and
20 we are certainly optimistic that they will
21 be resolved by October 1. October 1 is
22 the date we are looking at. That is our
23 goal.

24 Our objective is to have all
25 the issues addressed to the City Council,

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1 and also part of that understanding was
2 that the report would be made back to the
3 City Council prior to that time. So a
4 full report on how this will be done will
5 be brought back to the City Council.
6

7 ASSEMBLYMAN WRIGHT: I do
8 thank you, Chief. I believe some of the
9 other members have questions. Scott
10 Stringer from the Upper West Side.

11 ASSEMBLYMAN STRINGER: Thank
12 you. Chief, I have just a couple of quick
13 questions.

14 Before I begin I want to
15 publicly acknowledge and thank you,
16 Assemblyman Keith Wright, for holding this
17 important hearing tonight.

18 Chief, this merger or
19 consolidation or whatever we call it
20 sounds like Bloomingdales and and Macy's,
21 and everything I know about big business
22 tells me the thing seems to be scaled
23 down.

24 We in many communities like
25 triplicate paperwork because that keeps

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1
2 people accountable and I'm not sure we
3 want to lose that so fast.

4 Sometimes in the name of a
5 bureaucracy and by the name of
6 consolidation what my community on the
7 West Side and the people in Harlem and
8 other places throughout the City are
9 concerned about is this big corporate
10 merger that is only going to result in
11 less police protection, less vertical
12 patrol, and as Assemblyman Wright
13 mentioned, the fascinating part about the
14 housing police, I know in my community,
15 there is a relationship, there is a sense
16 of community and we are concerned about
17 that, and I would like you to discuss
18 that.

19 CHIEF LEAKE: As I indicated
20 before, the officers currently assigned to
21 the Housing Police Department will
22 continue to work at and in those
23 developments.

24 You indicated, Assemblyman
25 Stringer, the fact that jobs will be lost

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1
2 in the merger. Jobs will not be lost.

3 The need to have persons
4 doing particular jobs will be eliminated,
5 will be eliminated thereby freeing up
6 officers to go out and do patrol. There
7 is a lot of administrative energy that is
8 lost having to maintain three different
9 administrative hierarchy, and that will
10 hopefully, and I have every confidence
11 that it will, enure to the benefit of the
12 citizens by freeing up officers, freeing
13 up civilians if you don't have an officer,
14 freeing up an unsworn police person, those
15 civilian members that are doing
16 administrative jobs, to free them up to go
17 and do other jobs and freeing up officers
18 to go out on the street. We have a lot of
19 officers, too many officers, that are
20 assigned to administrative functions, and
21 I believe that you, the people of the City
22 of New York, deserve to have those
23 officers performing the jobs for which
24 they were hired. They were not hired to
25 do administrative tasks.

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1
2 ASSEMBLYMAN STRINGER: Chief,
3 just two more quick questions.

4 It seems to me that a lot of
5 people recognize that when you talk about
6 paperwork and stuff that can be
7 accomplished by civilians, why don't we
8 hire civilians to do these jobs, create
9 more jobs, and get the cops on the beat.
10 I would like you to address that issue.

11 The other question which we
12 think is important going back to the
13 corporate merger, focus for a second. We
14 have seen, and you read about it in the
15 business pages all the time, again, when
16 you start talking about merger, these
17 things are done in secret on the 40th
18 floor of some office buildings.

19 The fact that we are having a
20 hearing among people tonight, you should
21 recognize that before you go through some
22 deadline that there's a whole lot of folks
23 that have to be talked to in the City and
24 there are people who have to tell you some
25 stories about the difference between the

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1
2 NYPD and the housing police which I'm not
3 sure this Mayor recognizes.

4 The second thing is, I'm
5 worried when I see the front page of the
6 New York Times, the Mayor is now saying we
7 have a 600 million dollar deficit that we
8 have to deal with. It seems very
9 convenient that we are talking about
10 merger. Who is going to make up this
11 deficit? We've already cut the budget on
12 children, now are we going up to the
13 housing police and the public housing
14 projects and I just want you to respond to
15 some of that and then I'll stop.

16 CHIEF LEAKE: You asked why
17 we don't hire more civilians. I don't
18 have control over hiring civilians. I
19 don't have control over hiring civilians.

20 ASSEMBLYMAN STRINGER: Who
21 does, so we know?

22 Who can we talk to get some
23 civilians in to do the paperwork?

24 Is it the mayor?

25 CHIEF LEAKE: Office of

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1 Management and Budget sets allotments.
2 That would be in their purview I would
3 imagine.
4

5 We have certainly advocated
6 hiring civilians to do those
7 administrative jobs, but when you have
8 hiring freezes and you have cut backs, we
9 don't have those persons available.

10 It means that we will have to
11 get the job done and you get it done the
12 best way that we know how to do and that's
13 to utilize those personnel that are
14 available, and most of the time those are
15 police officers.

16 So I cannot answer that. I
17 have no control over that.

18 ASSEMBLYWOMAN NOLAN: Chief,
19 I have not supported merger of the Transit
20 Police or the Housing Police but I did
21 want to come today to try to have an open
22 mind because I'm not an expert in the same
23 sense that I'm sure you are, I have not
24 worked in the police field, but my gut
25 tells me that this isn't going to work,

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1 and I think -- I have a lot of respect
2 although I never had the privilege of
3 working with you as Assemblyman Wright
4 did, I didn't hear anything today that
5 told me that this is going to work. And I
6 think one of the things I'm a little
7 confused about is, I haven't seen any
8 paper, but the Transit Police clearly have
9 articulated a statement here that a lot of
10 their work is not radio runs, for example,
11 only 15 percent, and you did spend your
12 career in NYPD not with Housing.
13

14 So I'm not trying to take a
15 shot at the Chief, and it's clearly -- I
16 mean it's nice of you to clap, but
17 clearly, you know, the Chief is a
18 professional and obviously everybody is
19 entitled to an opinion on this, but I
20 haven't heard from you how you feel this
21 is going to work, and I haven't heard from
22 you, for example, what the percent is of
23 radio calls, because my perception as
24 someone who represents both public housing
25 and some other communities in Queens, is

1
2 that the Housing Police are less radio car
3 oriented, just like the Transit Police are
4 less radio car oriented than NYPD, and
5 there is a lot more effort on the part of
6 the Housing Police to walk the buildings,
7 do the bike patrol, be at the events with
8 children, and be leaders in the community,
9 and I think a lot of us are very afraid
10 that that's going to be lost.

11 I haven't heard from you
12 today any kind of study that says
13 otherwise, and maybe perhaps you could
14 just respond to that radio call issue and
15 your own -- and why aren't we opposing
16 this if the Housing Police, if the Transit
17 Police are opposing it too?

18 CHIEF LEAKE: Well, I think
19 the Housing Police Department, you
20 indicated the bicycle patrol, I think that
21 they have absolutely the best bicycle
22 patrol around. The New York City Police
23 Department has a bicycle patrol. And I
24 have been able to see both of those patrol
25 units in operation, and I know I'm going

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1
2 to get in trouble with persons in the
3 police department, but I can say without a
4 doubt that that is a premiere unit.

5 In terms of the percentage of
6 radio runs, the percentage of radio runs
7 that the NYPD handles of housing jobs is
8 about 30 percent at this time, 30 percent,
9 and months of those jobs are handled by
10 the armhees (Ph. Spg.) that are dispatched
11 to the jobs.

12 ASSEMBLYMAN WRIGHT: Would
13 you interpret?

14 CHIEF LEAKE: Yes, I'm sorry,
15 by the Police Department.

16 ASSEMBLYWOMAN NOLAN: Chief,
17 what I'm concerned about, Chief, and
18 again, you're in a tough spot and we are
19 all sympathizing, all of us I'm sure have
20 had that in job settings and we have to,
21 you know, do as we think is best, but even
22 what you just said in answering a question
23 when you said the bike patrol in Housing
24 is perhaps even superior, but there might
25 be some people at NYPD who won't like that

PROPOSED MERGER OF THE NYC POLICE

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1 that from you since you're the guy on the
2 hot seat today, and I'm sorry that Chief
3 Brattón couldn't come, and I'm sorry that
4 the Mayor didn't, but they didn't, and
5 you're sort of the guy on the spot.
6

7 CHIEF LEAKE: Let me attempt
8 to answer that.

9 I said that in terms of --
10 because I was in charge of a bike patrol
11 when I was in Manhattan North. I was in
12 charge of a bike patrol. We had bike
13 patrols in Manhattan North in the NYPD,
14 And I did not understand the difference in
15 the stratagies employed.

16 We are planning -- I have
17 advocated and it's been accepted that we
18 will maintain and even build on the
19 Housing Police Department's bike patrol.
20 There will be no elimination of that bike
21 patrol.

22 We are not going to change --
23 we are not going to change. Everybody is
24 of the opinion that if we merge it means
25 that Housing Police will be eliminated.

PROPOSED MERGER OF THE NYC POLICE

59

1 I'm here to tell you -- I'm here to tell
2 you that -- I'm here to tell you that that
3 is not the truth.
4

5 The plans are to maintain a
6 housing bureau. The plans are to maintain
7 a focus in the housing developments.
8 Those officers that are currently assigned
9 to housing properties, housing
10 developments will still be assigned there.
11 They will still be assigned.

12 I told you about the
13 duplication of efforts, about the lack of
14 unified command. It means a lot.

15 If you get into it, and I
16 invite anybody to come and ride around and
17 see it -- but if you know the department
18 you can understand that you do not want to
19 hear anything about that is not my job,
20 that is another person's job. There are
21 jurisdictional -- there are lines, there
22 are jurisdictional lines, there are
23 jurisdictional lines.

24 I really do believe that
25 initially there will be some problems, but

PROPOSED MERGER OF THE NYC POLICE

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1 in the long term you will eliminate all of
2 the artificial barriers that are up
3 around housing developments. Now you said
4 that the police department does not
5 respond to housing problems. I have been
6 there and I can tell you. The feeling is
7 why don't they handle the jobs in the
8 housing developments, why do we have to go
9 there. And when you have that attitude,
10 when those officers come in they're going
11 to have the feeling of where are those
12 housing officers. It even happens in
13 sectors in the police department. When
14 you have a person assigned to a sector and
15 you have another sector having to go into
16 that area to answer jobs, there is a
17 feeling like, hey, I take care of my job,
18 why don't they take care of their job.
19 Artificial barriers -- artificial
20 barriers --
21

22 ASSEMBLYMAN WRIGHT: Please,
23 can we have some order please. Can we
24 have some order please. Please, please.

25 Chief, continue.

PROPOSED MERGER OF THE NYC POLICE

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1
2 CHIEF LEAKE: There was a
3 question before to Chief O'Connor about
4 the training that Transit officers get.
5 Housing officers get additional training
6 too and because of that additional
7 training we are not going to look to lose
8 that expertise.

9 The Housing officers, those
10 persons that will be assigned to
11 developments will be trained to do
12 vertical patrol. There is a procedure to
13 do vertical patrol. To tell you the truth
14 before I came into the Housing Police
15 Department I didn't realize that. But,
16 listen, how many other high rise buildings
17 around the City, housing developments,
18 that we need to get everybody, every
19 police officer that responds, every police
20 officer that has that responsibility will
21 be given this additional training. So we
22 are not just going to specialize in
23 persons that are assigned to Housing,
24 every officer in the New York City Police
25 Department will be sensitized to the needs

PROPOSED MERGER OF THE NYC POLICE

62

1 of an officer that has to go into housing,
2 do patrol or make an investigation.

3
4 So I do believe from the
5 bottom of my heart that this merger will
6 benefit the people in the City.

7 ASSEMBLYMAN WRIGHT: I
8 believe, Chief, you have a couple more
9 legislators who do have a question.
10 Assemblyman Pretlow I believe has a
11 question.

12 ASSEMBLYMAN PRETLOW: The
13 Housing Police, Chief, are they specially
14 trained?

15 CHIEF LEAKE: They get about
16 two weeks of additional training after the
17 basic training in the police academy.

18 But I think the best part of
19 their training is going out and
20 interacting with the persons in the
21 housing. That two weeks of training gives
22 them the basic rudimentary -- the
23 rudiments of how to go up and how to do
24 the vertical patrol, some information on
25 public housing law.

PROPOSED MERGER OF THE NYC POLICE

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1
2 ASSEMBLYMAN PRETLOW: I think
3 that that's why they're housing persons,
4 that's why the residents of our public
5 housing facilities don't want to lose
6 that.

7 New York City Police, to the
8 best of my knowledge, generally do patrol
9 car patrols. And if they get a call
10 they'll shine a light in a window. But
11 you can't shine a light on a fifteenth
12 floor window. They have to get out of the
13 car and climb those stairs.

14 I don't think that a regular
15 NYPD officer is going to that, I really
16 don't.

17 Now, you say they're going to
18 be retrained. I seriously seriously
19 seriously doubt that with the budget
20 condition right now that New York City is
21 going to retrain 30,000 police officers to
22 work in Housing, and if this goes through,
23 30,000 to work in subway cars. It just
24 can't happen. I can't understand how the
25 Transit police are so close to this and

PROPOSED MERGER OF THE NYC POLICE

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1 to lose 60 million dollars.

2 Do you have a document that
3 says that?
4

5 ASSEMBLYMAN PRETLOW: New
6 York City Police Department is not
7 eligible to receive this money. The New
8 York City Housing Police are eligible to
9 receive it.

10 If the Housing Police go
11 away, the New York City Police Department
12 doesn't qualify, it doesn't come in.

13 CHIEF LEAKE: I think you've
14 stated something as a fact that's not
15 absolutely a fact, sir. That is not my
16 information.

17 If you have additional
18 information -- I'm here to get
19 information. If you can provide me with a
20 document that says that --

21 ASSEMBLYMAN PRETLOW: My
22 information is that New York City PD, NYPD
23 does not qualify for this money for
24 housing. And the Housing Police, if we
25 don't have a housing police department we

PROPOSED MERGER OF THE NYC POLICE

66

1 will not get the 60 million dollars.

2
3 CHIEF LEAKE: I do know that
4 today the Mayor and the Police
5 Commissioner went to Washington to discuss
6 that very issue, and if you got
7 information hot off the press, results of
8 that discussion today, then I'm at a
9 disadvantage, you may know more than I.
10 But my information coming here tonight was
11 that that issue was still being discussed.
12 I can certainly say to you --

13 ASSEMBLYMAN WRIGHT: Please,
14 please.

15 CHIEF LEAKE: I can certainly
16 say to you that that is one of the issues
17 that have to be addressed. If that issue
18 is not satisfactorily resolved I'm sure
19 that there will be a new look at this
20 plan.

21 ASSEMBLYMAN PRETLOW: Can a
22 transit police officer patrol a housing
23 facility, adequately patrol a housing
24 facility?

25 CHIEF LEAKE: You're asking

PROPOSED MERGER OF THE NYC POLICE

67

1 me to make a judgment on adequately
2 patrol. I can say that there are some
3 transit officers that can do a very very
4 credible job of patrolling any place.
5

6 ASSEMBLYMAN PRETLOW: You
7 didn't answer my question though.

8 Can we take a police officer
9 off the E train and say go to this housing
10 project and patrol it? I beg to say no.

11 CHIEF LEAKE: Can we do that?
12 I think if we had no police officers in
13 the Housing Police Department and we were
14 to get Chief O'Connor's force to work
15 overtime, I think the people in the
16 Housing Authority would love to see those
17 officers come in.

18 How am I going to answer that
19 question without orientation, without some
20 kind of information? I don't think --

21 ASSEMBLYMAN PRETLOW: My
22 point is, Chief, if this merger goes
23 through we have to retrain the entire
24 police department, all three police
25 departments in the City of New York and

PROPOSED MERGER OF THE NYC POLICE

68

1
2 it's not going to happen because there is
3 no money to do a retraining. We have
4 33,000 NYPD officers, I don't know how
5 many Housing police, I don't know how many
6 Transit police, but to train all the
7 Transit Police to be Housing police and
8 street police, all the street police to be
9 Housing and Transit and all the Housing to
10 be Transit and street, is not going to
11 work.

12 CHIEF LEAKE: You're
13 confusing the issue, sir.

14 I indicated to you that those
15 officers that are currently assigned to
16 housing developments will be retained in
17 housing developments. We will -- we
18 will --

19 Let me just say this. I
20 worked overtime on the Transit -- in the
21 Transit Authority when I was police
22 officer. I was detailed from the New York
23 City Police Department to go into the
24 Transit Police Department to work overtime
25 because there was some concerns about

PROPOSED MERGER OF THE NYC POLICE

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1 conditions there.

2
3 So you ask me if Transit
4 officers can come from the transit
5 facilities to work into other areas, I
6 think they can because I went from the New
7 York City Police Department to work on
8 transit facilities. So it can be done.

9 ASSEMBLYMAN WRIGHT: All
10 right. Assemblyman Aubry.

11 ASSEMBLYMAN AUBRY: Chief,
12 one of the things that you said as a
13 positive here was that --

14 ASSEMBLYMAN WRIGHT: Quiet,
15 please.

16 ASSEMBLYMAN AUBRY: -- seems
17 somewhat in contradiction to your
18 statement that everybody who is now in
19 NYPD will stay in NYPD, everybody that's
20 in Housing will stay in Housing and
21 everybody that's in Transit will stay in
22 Transit yet one of the things that you
23 quoted as a positive is that it would give
24 officers better career ladders which
25 obviously means to me that Housing might

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PROPOSED MERGER OF THE NYC POLICE

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1
2 be able to going to NYPD or might be able
3 to move laterally and away from their
4 assignments that they now have.

5 So how do we at one point say
6 that everybody who is there now is going
7 to be there and then on the other hand say
8 that one of the benefits is that everybody
9 can go where they want to go?

10 How do you resolve that?

11 CHIEF LEAKE: Well, very
12 simply put, very simply put, there is a
13 request to identify officers in Housing
14 that would like to avail themselves of an
15 opportunity to laterally transfer into the
16 New York City Police Department. There
17 were substantial numbers of people who
18 came over. We found out that they were
19 interested in developing their career
20 opportunities.

21 If they, the members of the
22 Housing Police Department become members
23 of the broader, consolidated, whatever you
24 call it after merger police department,
25 then certainly to make sure -- and to say

PROPOSED MERGER OF THE NYC POLICE

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1 to them that you cannot avail yourself of
2 other opportunities, you're going to have
3 to stay there, is not quite fair.

4 We have specialized units.
5 We have some of these divisions now. We
6 have patrol divisions, we have detectives,
7 we have narcotics. And those officers
8 will stay there based on the opportunity
9 and the needs and availability of other
10 units.

11 So it will be done whenever
12 positions are available, not necessarily
13 to say I want to go there and they will be
14 sent there. But they will have the
15 opportunity to take advantage of the
16 various other --

17 ASSEMBLYMAN AUBRY: So what
18 that means to me is that we have
19 individuals who are maybe highly skilled
20 in Transit and Housing who would move out
21 of those positions, potentially, career
22 options, better pay, better whatever, so
23 that there would be a diminution of talent
24 potentially within those two units.
25

PROPOSED MERGER OF THE NYC POLICE

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1 CHIEF LEAKE: I don't --

2 ASSEMBLYMAN AUBRY: Is that
3 not a possibility?
4

5 CHIEF LEAKE: Anything is
6 possible, but let me tell you, you do not
7 get transferred just because you say I
8 want to get transferred. There has to be
9 a need and you have to look at the total
10 situation. We would not --

11 ASSEMBLYMAN AUBRY: Merit is
12 involved, isn't it?

13 CHIEF LEAKE: Well, we have a
14 career path program where you get certain
15 points for performing certain types of
16 duties, and if you get the points and you
17 happen to apply and there is no particular
18 expertise required for the job the person
19 that has the most career points will get
20 the opportunity.

21 ASSEMBLYMAN AUBRY: So that's
22 based on merit, is it not, performance, if
23 you perform well?

24 Obviously, if you perform
25 poorly you don't get those points.

1
2 CHIEF LEAKE: Well, if you
3 perform poorly and your evaluation
4 indicates that you should not be
5 considered for that, obviously you would
6 not be considered for that.

7 ASSEMBLYMAN AUBRY: So you
8 would have people staying in positions
9 because they hadn't met those
10 qualifications?

11 CHIEF LEAKE: We have people
12 staying in positions now because they
13 haven't met them.

14 ASSEMBLYMAN AUBRY: There's
15 no question about that.

16 Let me also ask you, you had
17 indicated to us that there was --
18 potentially this trip to HUD by the Mayor
19 and the Chief was to address one of what
20 would be called one of the stopping points
21 to merger because if HUD does not agree
22 then you have a 60 million dollar hole
23 within this plan as I understand.

24 And that's an accurate
25 statement; if they can resolve it then

PROPOSED MERGER OF THE NYC POLICE

74

1 there's no 60 million dollar hole, and if
2 they can't, there is, and that would
3 obviously have some impact as to whether
4 or not we proceed.

5
6 Are there other impediments
7 legally that you and this whole team is
8 working on that if not resolved in a given
9 time frame would stop it that you're aware
10 of?

11 CHIEF LEAKE: Stop it?

12 I don't think I said that
13 anything would stop it.

14 I indicated that a new look
15 would be taken at it. Taken, you know --

16 ASSEMBLYMAN AUBRY: Any other
17 new looks -- 60 million dollars in a bad
18 budget year is subject to be, for the lay
19 people here, a stopper. I mean, we may
20 delay the plan -- we use jargon -- but if
21 we can't satisfy a 60 million dollar
22 hole --

23 CHIEF LEAKE: I just want to
24 make it clear that was your word, not
25 mine.

PROPOSED MERGER OF THE NYC POLICE

75

1
2 ASSEMBLYMAN AUBRY: You can
3 use my word too.

4 CHIEF LEAKE: I can use my
5 own too.

6 ASSEMBLYMAN AUBRY: All
7 right, no problem.

8 My understanding is there is
9 a possibility of state legislative action
10 necessary for this plan to be adopted.
11 And the October 1 deadline, is it your
12 anticipation that the state legislature
13 would be acting on this proposal?

14 CHIEF LEAKE: Well, I'm not
15 an attorney. Let me tell you, this is a
16 legal issue. There have been -- there are
17 two schools of thought to this comment, to
18 this issue. One school says that you can
19 do it administratively, there is no need
20 for legislation. Another side of the
21 argument says you must have approval.
22 Public Housing Law 402 indicates that the
23 Housing Chair has the discretion -- has
24 the discretion -- to make, to install a
25 police department in his jurisdiction.

PROPOSED MERGER OF THE NYC POLICE

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1
2 And also he has the discretion, it seems
3 to me, but I'm not an attorney, it would
4 seem to me, has the discretion to do it,
5 he has the discretion not to do it or to
6 rescind anything that he might have done.
7 But that is something for the attorneys.
8 I really am not going to comment on that.

9 ASSEMBLYMAN AUBRY: My
10 question is that would be another one of
11 the issues that would be a hurdle to be
12 faced.

13 What other hurdles do you
14 have?

15 CHIEF LEAKE: Well, somebody
16 decided that the legislature has to
17 approve it then the state legislature
18 would have to act on it.

19 ASSEMBLYMAN AUBRY: Are there
20 any other hurdles that we would face?

21 Is the City Council action
22 now a hurdle that --

23 CHIEF LEAKE: I'm sure --
24 see, I haven't -- I haven't been apprised
25 of all the hurdles.

PROPOSED MERGER OF THE NYC POLICE

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1
2 I can tell you that we are
3 concerned about the pension situation.
4 There is a difference in pension, I think
5 you mentioned before.

6 ASSEMBLYMAN AUBRY: Some 50,
7 60 million dollars.

8 CHIEF LEAKE: I don't know
9 what it boils down to but the pension
10 benefits for Housing officers are not the
11 same as New York City officers, not to say
12 that they are worse or better, but they
13 are not the same.

14 So those equalization moves
15 will have to be made.

16 There are some benefits that
17 Housing officers get that the City
18 officers don't get, and I think when the
19 City officers find out about it they're
20 going to come to you and say, wait a
21 minute, what about this.

22 So I'm not exactly -- you
23 know, there are a host of issues that have
24 to be addressed. I have every confidence
25 that they are going to be worked out.

PROPOSED MERGER OF THE NYC POLICE

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1
2 There are people working on them, and I
3 have a department to run, I am not
4 involved in all of the intimate parts of
5 this discussion.

6 ASSEMBLYMAN AUBRY: I
7 understand that, but it still presents a
8 financial objective or a hurdle that would
9 have to be faced in this plan also?

10 CHIEF LEAKE: It could
11 present that.

12 ASSEMBLYMAN AUBRY: It could
13 present that.

14 And it is my understanding
15 that those pension determinations are
16 basically contractual; by and large they
17 are established by contract?

18 CHIEF LEAKE: Yes, they are.

19 ASSEMBLYMAN AUBRY: And those
20 contracts are currently in place?

21 CHIEF LEAKE: Yes.

22 ASSEMBLYMAN AUBRY: And will
23 run through the terms, you don't have the
24 terms?

25 CHIEF LEAKE: Right.

PROPOSED MERGER OF THE NYC POLICE

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1
2 ASSEMBLYMAN AUBRY: So that
3 we would have -- you could potentially, if
4 you were accomplish other hurdles, have a
5 two tier system in pensions for members of
6 this unified force, potentially?

7 CHIEF LEAKE: Well, I think
8 we have a three or four tier system now.
9 So you're absolutely right, it could be a
10 multiple tier system.

11 ASSEMBLYMAN AUBRY: Let me
12 ask you this. The composition of the
13 Housing Authority Police, do they match
14 the composition of the New York City NYPD
15 in terms of residency, ethnicity, any of
16 those issues; are there some differences
17 there that we might see?

18 CHIEF LEAKE: No, I think
19 there are some differences. I think the
20 minority representation in the Housing
21 Police Department is greater than the
22 minority representation in the New York
23 City Police Department.

24 ASSEMBLYMAN AUBRY: Why would
25 you say that?

PROPOSED MERGER OF THE NYC POLICE

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CHIEF LEAKE: Why?

ASSEMBLYMAN AUBRY: Yes.

CHIEF LEAKE: I really couldn't venture a guess. I would not venture a guess.

ASSEMBLYMAN AUBRY: It has nothing to do with recruitment, Housing Authority having recruited heavily in minority communities?

CHIEF LEAKE: Well, I believe until recently the Housing Police Department members were gained through a unified recruiting effort.

ASSEMBLYMAN AUBRY: And yet in NYPD we end up with less minority representation than in Housing. That's interesting.

CHIEF LEAKE: Well, I don't know exactly the reason. I could not even venture a guess as to the reason, but that happens to be a fact.

ASSEMBLYMAN AUBRY: Does that affect the equation when we talk about merger?

PROPOSED MERGER OF THE NYC POLICE

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1
2 I mean it's remarkable that
3 all of these folks are here today really
4 voicing their support for this system
5 which obviously must represent them well
6 if not also in their complexion, and yet
7 we don't have a lot of people coming out
8 in NYPD saying save the NYPD?

9 CHIEF LEAKE: Well, I think
10 that --

11 Let me tell you, there is
12 something about a crowd like this that
13 intimidates and makes people who might
14 want to say something in support of it to
15 not say it. And I think that that's what
16 happens in a situation like this. You
17 sort of quiet the voices that might want
18 to say something in opposition to what is
19 being said.

20 ASSEMBLYMAN WRIGHT: Well, I
21 don't think you'll find a friendlier crowd
22 in New York City.

23 CHIEF LEAKE: Well, I
24 really -- I certainly know, I know that
25 this crowd, if you were to poll this crowd

PROPOSED MERGER OF THE NYC POLICE

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1
2 99 percent would be for the merger
3 apparently --

4 Maybe 99 percent would be
5 against the merger, but the one percent --
6 one percent -- maybe before we end
7 tonight, if I can ever get off this hot
8 podium -- maybe before we end tonight
9 there may be a voice out of the crowd that
10 will come and talk about the facts of this
11 situation.

12 ASSEMBLYMAN WRIGHT: Thank
13 you very much, Chief, thank you.

14 CHIEF LEAKE: Thank you.

15 ASSEMBLYMAN WRIGHT: I want
16 to thank the Chief for coming into this
17 community and trying to defend this
18 merger.

19 I'm just very sorry that the
20 Mayor who has been invited could not find
21 time to come, or his representative even,
22 could not find time to come up to this
23 legislative hearing because obviously it
24 is a very important topic, otherwise all
25 of you would not be here. And I'm sure if

PROPOSED MERGER OF THE NYC POLICE

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1
2 it weren't threatening rain more people
3 would be here in this audience.

4 The next person to testify is
5 Chief Leake's predecessor. Obviously many
6 of you do know his name, DeForrest Taylor,
7 Former Chief of the New York City Housing
8 Police.

9 CHIEF TAYLOR: Good evening,
10 Assemblyman Wright and the members of the
11 Subcommittee on Public Housing and other
12 elected officials, ladies and gentleman.

13 On Friday, May 20, 1994, I
14 testified in front of the City Council on
15 the proposed merger of the Housing Police
16 Department into the New York City Police
17 Department. I was adamantly opposed to
18 the merger and stated my reasons. Some
19 made the suggestion that perhaps I was
20 only trying to protect my shirt.

21 The next week the Housing
22 Authority and I decided to part company,
23 and on July 13, 1994 I retired from both
24 the New York City Police Department and
25 the Housing Police Department.

PROPOSED MERGER OF THE NYC POLICE

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1
2 During the interim period I
3 received calls from the press requesting
4 interviews on the proposed merger and my
5 seemingly abrupt retirement after
6 thirty-seven and a half years service for
7 the City of New York.

8 I declined all of these
9 requests because I felt that they were
10 more interested in headlines than in
11 arriving at the truth. I felt that any
12 protestations by myself would be
13 misconstrued as sour grapes or something
14 else.

15 When I retired I promised
16 myself that regardless of my personal
17 opinions about the merger I would make no
18 public statements of my belief. I felt
19 that the problem was no longer mine and
20 that it was up to others to pick up the
21 gauntlet and take up the fight. I felt I
22 could sit on the side lines and perhaps
23 for the first time in thirty-eight and a
24 half years just Monday morning
25 quarterback; I fully felt that I could

PROPOSED MERGER OF THE NYC POLICE

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1
2 play that role and not feel guilty about
3 it.

4 When the PBA called me and
5 asked me to appear here today and to offer
6 some testimony, I tried to think up every
7 excuse I could why I should not appear.
8 But something within me would not let me
9 win that battle. So I am appearing before
10 you tonight for what I hope is the last
11 time to talk about merger.

12 There will be persons who
13 appear before you tonight to offer many
14 reasons why they are opposed to a merger.
15 I will try to avoid being repetitious and
16 will instead try to explain the many
17 frustrations that this proposal caused me.

18 The frustration I felt arose
19 from the lack of an accurate description
20 of what merger meant, an explanation of
21 the benefits of a merger to the Housing
22 Police, and most importantly, to the
23 tenants of public housing.

24 How would the changes affect
25 the mission of the Housing Police

PROPOSED MERGER OF THE NYC POLICE

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1
2 Department and alter the services we
3 provide to the housing community. Which
4 units and functions will remain under the
5 control of the chief of the department and
6 which services will be further removed
7 from the point of operation.

8 Any attempts to clarify the
9 aforementioned points were met with vague
10 generalizations such as: It's still under
11 study, but don't worry things will be
12 better; the department will be better
13 managed; there will be a large savings of
14 money and the amount of police in the
15 developments will be greatly increased.
16 In that kind of atmosphere trying to
17 examine and understand merger was
18 tantamount to Don Quixote tilting at
19 Windows.

20 Here we are some seven months
21 into the process and the answers are still
22 missing.

23 In the real world of
24 corporate mergers such as R & H Macy's and
25 Federated Department Stores, these events

PROPOSED MERGER OF THE NYC POLICE

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1
2 are preceded by careful studies used to
3 convince the stockholders of the wisdom of
4 such ventures and not vague promises.

5 The question of better
6 management remains an enigma to me.

7 We have not had cases such as
8 the 73rd Precinct or the horrors of the 30
9 Precinct where the cops steal drugs and
10 guns and then resell the drugs and guns
11 back on the streets to the very persons we
12 are sworn to protect.

13 Last year we affected over
14 ten thousand drug arrests. So the same
15 opportunity for corruption is present for
16 us. Unlike the New York City Police
17 Department, we encourage uniformed
18 officers to make drug arrests, as the
19 statistics will bear out, and yet no
20 scandals.

21 During the three and a half
22 years of my stewardship we were never
23 accused of being President Sadat, nor did
24 we have an officer who made a habit of
25 tuning up innocent people as was testified

PROPOSED MERGER OF THE NYC POLICE

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1 deputy commissioner, deputy commissioner
2 of trials, deputy commissioner of legal
3 matters, and a department advocate. These
4 three units are staffed by well over 300
5 civilians and officers, and I'm probably
6 under-cutting in estimating that.
7

8 In contrast, I had one unit
9 that did the work of the three other
10 units, and was staffed by two civilians
11 and three officers or less than 1.5
12 percent of the New York City Police
13 Department force. The personnel bureau
14 which I oversaw as chief of personnel when
15 I was in the New York City Police
16 Department probably has over 2400
17 civilians and members of the service
18 assigned to it, while the Housing personnel
19 bureau has about 100 personnel,
20 approximately 4.2 percent the size of New
21 York City Police Department, and this
22 includes under its umbrella the payroll
23 function which in the New York City Police
24 Department is handled by the deputy
25 commissioner of Management and Budget and

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1
2 other deputy commissioners.

3 The cost of merging the
4 pension systems which have alternatively
5 been estimated at 25 million or 50 million
6 are supposed to be off-set by removing the
7 above duplication of services.

8 There is a suggestion that
9 they would disband the narcotic
10 enforcement units that are under the
11 command of the borough commanders, and the
12 narcotic enforcement responsibilities
13 would be transferred to the New York City
14 Police Department.

15 When I first took over the
16 Housing Police Department three and a half
17 years ago this was the case. During that
18 period of time it was a common event to
19 see innocent children sleeping in their
20 beds struck and slain by random bullets
21 fired in the night.

22 I asked the detective in
23 PSA-3 where many of these incidents were
24 occurring what could I do to address these
25 senseless crimes. He said if you can stop

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1 the drug dealing those incidents will
2 stop.

3
4 The New York City Police
5 Department paid scant attention to the
6 sale of narcotics in housing developments
7 at that time despite receiving a monthly
8 list of the 50 worse narcotic locations,
9 and having Housing police officers
10 assigned to their units. But after we
11 formed the narcotic enforcement units we
12 continued to forward update lists each
13 month knowing that the day would come --
14 when the day came to disband these units
15 there would be a recorded history of the
16 amount of non-existent efforts by the New
17 York City Police Department in our
18 narcotic enforcement.

19 Why does the City want to
20 turn that clock back is beyond my
21 comprehension.

22 On the question of increased
23 manpower. The August recruit class has
24 been put off indefinitely and the
25 agreement that the City of New York had

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1
2 with HUD last year for the addition of
3 approximately 400 new police officers is
4 becoming as murky as the merger plans have
5 been today.

6 I know Chief Joe Leake and
7 Commissioner Bratton will do everything in
8 their power to keep the City from being
9 embarassed should a merger occur.

10 But this isn't about the next
11 three years. It's about the entire future
12 of public housing in New York City.

13 All over the country public
14 housing is in trouble. Many are
15 experiencing large numbers of vacancies
16 because people just don't want to live
17 there. Other municipalities are tearing
18 down their public housing as the only
19 answer to its failure.

20 While some will say that
21 housing within New York City is not a
22 desirable place to live as in the 40's and
23 the 50's, it is recognized around the
24 country as the best there is in the
25 nation.

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1
2 On June 28, 1994 HUD issued a
3 NOFA, notice of funding availability, of
4 1.5 million dollars a year renewable for
5 up to five years to improve public housing
6 police departments in eleven designated
7 cities. These cities are Baltimore,
8 Maryland; Boston, Massachusetts; Buffalo,
9 New York; Chicago, Illinois; Cleveland,
10 Ohio; Los Angeles, California; Oakland,
11 California; Pittsburg, Pennsylvania;
12 Philadelphia, Pennsylvania; Newark, New
13 Jersey; and Waterbury, Connecticut.

14 In addition, another fifteen
15 cities will be identified to be worked
16 with in the future.

17 Some of the tasks to be
18 started and upgraded include vertical
19 patrol strategies, response to calls for
20 services, bicycle patrol, investigation of
21 crimes, 911 services and a record
22 management system, narcotic enforcement
23 efforts with the final goal of receiving
24 national accreditation.

25 The NOFA goes on to state

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1 that the New York City Housing Authority
2 has a housing police department. This
3 department has already been accredited as
4 of March 27, 1994 and will not be included
5 in this offer.
6

7 Earlier this year HUD issued
8 a guideline for housing authorities
9 working with the DEA and ATF on narcotic
10 enforcement efforts. These guidelines
11 were based on the experiences already in
12 effect in the New York City Housing Police
13 Department. To all of the country we're
14 being hailed as to how a housing police
15 department should work except in New York
16 City.

17 Any decision on merger should
18 only be made after complete plans have
19 been submitted laying out the entire
20 benefits and down-side of such a merger.
21 The tenants of public housing should have
22 a say in its implementation for it is
23 their life and the lives of their children
24 that will be effected.

25 Thank you very much.

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1
2 ASSEMBLYMAN WRIGHT: I want
3 to thank Chief Taylor for some very
4 courageous testimony after thirty-eight
5 years in the police department. I think
6 that he deserves it.

7 Let's all give him a definite
8 round of applause.

9 Thank you very much.

10 The next person to offer
11 testimony has traveled a long way. He is
12 is the Chief of Police for the Housing
13 Police in Chicago, where I do believe -- I
14 do believe merger has already been tried.

15 I present to you Mr. George
16 Murray, the Chief of Police for the
17 Housing Authority in Chicago.

18 CHIEF MURRAY: Good evening,
19 everyone. I'll keep this brief.

20 The month of July has been a
21 very difficult one for the Chicago Housing
22 Authority Police. We have had to deal
23 with the massive gang war that broke out
24 on the West Side. During this past month
25 we've had over 50 shooting incidents, many

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1 of which have been directed at my police
2 officers.
3

4 In fact, last night we had a
5 situation in which gangs were trying to
6 take over a series of buildings on the
7 West Side and we had to retake the
8 buildings for the good decent residents
9 there, and as a result I was up most of
10 the night and only got about two hours
11 sleep.

12 However, that being the case,
13 in the middle of all of that and being
14 short on rest, I was determined to make it
15 here this evening for this very important
16 hearing.

17 The reason that I said that I
18 was going to be here no matter what is
19 that I am strongly, vehemently opposed to
20 any merger of public housing police.

21 Let me explain myself. The
22 Chicago Housing Authority is a very young
23 police department. It only got started in
24 April of 1989, but the reason that the
25 Chicago Housing Authority Police came into

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1
2 being is because quite frankly there was a
3 serious need and the feeling was that in
4 spite of the fact the Chicago Police
5 Department is one of the very finest
6 police departments in America, they just
7 were not getting the job done in public
8 housing.

9 There were numerous
10 complaints of lack of service. You would
11 hear routine stories of shots fired,
12 persons needing police assistance and
13 police officers driving up to the
14 building, waving, getting into their squad
15 cars and keeping on driving, passing on
16 by.

17 The Robert Taylor Homes, the
18 largest public housing development in
19 America, you would hear stories that they
20 would be lucky to see two or three squad
21 cars a week in the largest development in
22 America.

23 Obviously, it became very
24 apparent that there was a need to try
25 something different and that's how Chicago

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1 Housing Authority Police came into being.

2
3 Now when it did in 1989 the
4 residents were absolutely stunned to see a
5 large group of young people who actually
6 walked the buildings down, that actually
7 got out of the squad cars, went up into
8 the buildings and actually walked the
9 buildings down doing foot patrol.

10 They were used to situations
11 wherein if the police did arrive it was
12 usually enmasse, they go in, drag somebody
13 out, throw them in a paddy wagon and then
14 they're gone. Community policing was
15 definitely not the order of the day.

16 They quickly noticed the
17 difference in that we were totally
18 committed to serving the residents of
19 public housing, and that's not to blame
20 the Chicago Police Department, because
21 like I said, they are one of the very
22 finest and one of the best, but it's just
23 that they have a big job to do and they
24 probably spread themselves a little thin.

25 Now, since the CHA Police has

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1
2 been in existence during the last five
3 years there has been about a 40 percent
4 drop in overall crime. Now, that having
5 been said, it must be said that the
6 overall crime rate is still twice that of
7 overall city at large. But what it shows
8 is that a separate police force that's
9 dedicated to public housing works, first
10 of all, but secondly it also shows that
11 there's still more work to do, so if it
12 ain't broke don't fix it.

13 Now, we have a very close
14 working relation with the Chicago Police
15 Department. We work with them on a daily
16 basis and they have a public housing unit.

17 Now that being the case, I'm
18 often times at their role calls and seeing
19 how they operate. I know for a fact that
20 my commander counterparts with the City
21 envy what we have with the public housing
22 police, and the basic reason is this, that
23 they do not have enough officers to staff
24 the patrols on a routine daily basis. They
25 are largely dependant upon hiring back

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1
2 people on overtime from throughout the
3 City and other units in order to do their
4 patrols on each given lot.

5 That being the case, what you
6 often wind up with is some police officer
7 whose normal tour of duty is to work
8 Soldier Field guarding the various Chicago
9 football games or up at Wriggley Field
10 while the Cubs are losing yet again.

11 But then suddenly this
12 officer decides that, well, I feel like a
13 little action so I'm going to work public
14 housing today. So this officer comes down
15 here and calls himself going to work the
16 development for a few days in the week.

17 What invariably happens is
18 that I see my commanders holding their
19 breath, semi-panic stricken sometimes
20 because first of all, with each and every
21 role call they have to go out there and
22 explain again and again and again what
23 your mission is in public housing, what
24 you're supposed to do, the fact that the
25 vast majority of the people there are good

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1
2 and decent and that this is not Bosnia or
3 some place like that, or Viet Nam. They
4 have to do that over and over again. And
5 I can tell that often times they get very
6 tired of having to repeat themselves over
7 and over again.

8 Conversely with myself, I
9 have full time public housing
10 professionals, that's all we do and we do
11 it well. My counterparts have to sit
12 there worried about is this particular
13 officer on loan going to come down here
14 and call himself going to go big game
15 hunting tonight, or on the other extreme
16 there have been stories of officers
17 showing up for role call, taking a look
18 around for about fifteen minutes, and
19 saying give me the suspension, I ain't
20 going out.

21 So obviously there is a need
22 for something special and something
23 specific. What it boils down to is this,
24 that when you have a public housing police
25 that does only that you have a stake in

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1 making sure that you develop a
2 relationship with the residents. You have
3 a stake in making sure that it works
4 because you're there day in and day out,
5 24 hours a day. You know that 95 percent
6 of the people are just good decent people
7 trying to get by like you are and that it
8 is a small group of people who are causing
9 all the problems. You know that. You
10 know that the residents are not the enemy.

11
12 What it boils down to is
13 this, I've always felt that one of the
14 most important decisions that an
15 organization or person has to make in
16 their lives is to decide what it is that
17 you are, what it is that you're going to
18 do. If the public housing police is
19 merged in with the larger police
20 department, there is confusion. It
21 dissipates overtime. The good officers
22 that are currently working there will
23 suddenly wind up on traffic patrol
24 someplace else or working public aid,
25 violations, or doing any and everything

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1
2 other than public housing. What it boils
3 down to is this, you have to decide what
4 it is you're going to do and once you've
5 done that you can do it well.

6 By having your own separate
7 housing police you're giving far superior
8 service.

9 Thank you.

10 ASSEMBLYMAN WRIGHT: Thank
11 you. Thank you very much, Chief, and
12 thank you for coming from Chicago, and I'm
13 sure your Mayor Richard Daley can probably
14 tell Rudolph Guiliani a thing or two about
15 policing.

16 Our next testifyor and the
17 person that most of you know from this
18 community also happens to be the Chair of
19 Community Board 10 Public Safety
20 Committee, I do present to you Father
21 Lawrence Lucas.

22 FATHER LUCAS: Good evening.
23 As some of you know I am a priest of the
24 Roman Catholic Archdiocese of New York and
25 a pastor here in the community in which I

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1 was born and raised all of my life, but
2 I'm not speaking as such. I would like to
3 speak this evening, as for the last eight
4 years, Chairman of Public Safety for
5 Community Board 10 which covers most of
6 this area, and also, to be quite frank, a
7 chaplain to the New York City Housing
8 Police Benevolent Association.
9

10 I think the question of
11 merger has been adamantly opposed, and I
12 am pleased that this evening, for the
13 first in a long time, I find myself in
14 complete agreement with Chief Michael
15 O'Connor and it's always been the same
16 with Chief Taylor. I think the good Lord
17 has intervened.

18 And I did want to make it
19 very clear that I've been a long personal
20 friend of Chief Leake for over 25 years,
21 even though I'm only 26 years old, and
22 that this has nothing to do with our personal
23 relationship but it has to do with the
24 issue of this so called merger, and
25 therefore, it may seem that almost

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1
2 everything he said I'm going to be in
3 opposition to.

4 In the first place, I think
5 the question may very well be asked, who
6 is in favor of the merger, and primarily
7 you'll find the financial control board
8 which controls the board and the Mayor,
9 and you'll find old Rudolph Guiliani, our
10 present mayor.

11 I think when Chief Leake
12 suggested that the people who will
13 guarantee that this works are Guiliani,
14 Bratton and Franco of the Housing
15 Authority, it seems to me that he forgot
16 where he was for a moment, that this
17 community does not get overly impressed
18 and have a great confidence in the likes
19 of a combination of Guiliani, Bratton and
20 Franco. So that hardly helped to
21 eliminate our fear.

22 Who is opposed to it is
23 rather interesting. We've done surveys
24 and the vast amount of the tenants of
25 public housing, the community which is

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1
2 also -- of which public housing is a part
3 of. Many of the City Council members have
4 told me directly that they were opposed, a
5 large number of the community boards are
6 opposed to it.

7 Many of the reasons for this
8 opposition has already been said.

9 The question of finances is
10 difficult, I'm not a mathematician, but
11 it's rather difficult to see how this
12 merger in terms of inflation, in terms of
13 the federal and the state government who
14 contribute so much to the budget of the
15 Housing Authority can mean that this is
16 going to save money.

17 The impact on the tenants.
18 As Chief Murray from Chicago has
19 illustrated, this is not something that
20 just developed with the Guiliani
21 administration. As somebody mentioned
22 previous, that in 1952 it was what was
23 taking place in the experience of the City
24 that led to the creation of a separate
25 housing police.

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1
2 There have been over 40
3 studies in regard to merger that have
4 taken place in this City over a 50 year
5 period, and it's very interesting that the
6 conclusion of all of those 40 studies,
7 apparently nobody has given one of them to
8 the Mayor, has been to leave things the
9 way they are. You need a Housing Police
10 Department.

11 I'm not going to speak,
12 because there are folks who are capable of
13 doing that, on the impact on the union
14 that is law enforcement, the impact on the
15 citizens.

16 It is very interesting what
17 was just spoken about in the Chicago
18 experiment and seven of the largest cities
19 that have housing developments are now
20 moving toward the creation of a separate
21 housing police department, so that you
22 find in the City of New York we are really
23 running against the times.

24 There is another issue here,
25 and I suppose very few people want to

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1 touch on it, so I have to do the dirty
2 work. We were told nobody is going to
3 lose jobs. And as I look out there at
4 Chief -- retired Chief DeForrest Taylor --
5 I wonder whether he can testify that
6 nobody is going to lose a job.
7

8 Moreover, it hasn't been said
9 that we will get more police. Well, there
10 was supposed to have been four hundred
11 more hired. Because the City wanted to
12 make them a part of NYPD, HUD said we will
13 not pick up the tab. So on this occasion
14 they were not able to hire those four
15 hundred. So how you are going to tell me
16 that jobs won't be lost, I don't know.

17 Again, there is a question of
18 the advancement of people of color. If
19 you were to look at the New York City
20 Police Department right now it is very
21 clear that people of color except for the
22 very few in top positions you do not have
23 that rapid advancement that you have in
24 the Housing Police Department.

25 In the City of New York there

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1
2 are nine PSA's. Of the nine PSA's we have
3 two being headed by African police
4 captains. Contrast that to the City of
5 New York where of the 75 precincts in the
6 City there is only one African heading a
7 precinct, Jim Lawrence out in the 113
8 precinct out in Queens. He is the only
9 African heading a precinct in the entire
10 City of New York.

11 When you look at those of
12 color who are in very important positions,
13 people of color in the Housing Police in
14 charge of CCRB, the IAB, the recruit
15 division -- in fact, I just spotted
16 Inspector Artie Brown from recruitment --
17 in charge of the whole borough of
18 Manhattan and in charge of SSB which means
19 support service bureau, where at NYPD do
20 you find anything comparable to that.

21 In fact, the suggestion is
22 strongly being aired by some of Guiliani's
23 people that all of these top
24 administrators, all of these top police
25 officers will revert back to their civil

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1 service rank of captain. And if you think
2 that they are going to be reappointed
3 under the guise of what we know is NYPD,
4 we are deluding ourselves.
5

6 The question of vertical
7 versus horizontal is very clear. Members
8 of the executive board of the New York
9 City PBA have suggested rather
10 blatantly -- because now under the present
11 administration of the City you can say
12 anything you want, blatantly, and you
13 don't have to cover it over with whip
14 cream anymore because the top
15 administrator will justify and defend you
16 for whatever you say, particularly in
17 regards to poor people or people of
18 color -- they have already indicated that
19 a vertical patrol is not in their vision.

20 I will ask the Chief, who
21 unfortunately will have the dirty work to
22 try to implement Guiliani's fiasco whether
23 we could get an answer from Philip Caruso
24 whether Philip Caruso will allow his
25 hench -- I mean his police officers --

1
2 it is one thing standing before you and
3 saying they will be doing vertical patrol,
4 but it's another thing dealing with Philip
5 Caruso, the head of the PBA as to whether
6 he's even going to consider allowing his
7 folks to do vertical patrol. And if we
8 deal with our experience in terms of
9 people of color with Phil Caruso, then I
10 will ask someone to ask him that publicly
11 and let him give an answer to that
12 question, is he going to allow his
13 membership to do vertical patrol.

14 There is also a problem of
15 the training, whether it's two weeks or
16 three weeks. The question is when you go
17 to the police academy, primarily the
18 training is geared towards -- I said
19 primarily, not exclusively -- responding
20 to 911 calls in automobiles.

21 The training is not geared to
22 getting off your fat butts out of those
23 cars, being in a housing development,
24 knocking on doors knowing the people,
25 knowing their children, being able to walk

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1 up to an apartment and tell the mother or
2 father your child is out of order because
3 you have a consistent appointment to a
4 development where people have to walk to,
5 where people have to walk up and down.
6 NYPD's training, quite frankly, is not
7 geared towards that.
8

9 How can we believe that it
10 will improve -- I think that Chief
11 DeForrest Taylor already hit on the fact
12 that I was going to mention, it seems to
13 me that when you talk about a better
14 impact on the drug trade, I don't think at
15 this particular stage, not only after the
16 Mollen but after the Knapp Commission,
17 that a lot of us in this community is
18 going to have a great deal of enthusiasm
19 that NYPD is better able to do something
20 about drugs than the Housing Police.

21 It's very interesting, and it
22 was already pointed out in terms of the
23 scandals, it's not the Housing Police
24 Department but it is NYPD.

25 I want to end with another

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1 question. The primary question I think is
2 whether Phil Caruso is going to allow the
3 membership to do vertical, and whether
4 there is going to be - as it's been said,
5 if it's not broken why fix it -- but the
6 point is not so much if it's not broken,
7 the point is if it's working, not to the
8 best, you are going to cause it to
9 deteriorate even more.

11 I hate to suggest, but I
12 think many of us, although in these kinds
13 of meetings we are supposed to be nice and
14 not say things no matter how true it is,
15 but I would suggest, that if you look at
16 the budget proposed by the Mayor and what
17 devastation it will heap upon poor people
18 and particularly people of color, one
19 wonders whether this merger is not also a
20 part of the retaliation process for those
21 who did not vote for him. So that a
22 program that we are supposed to have
23 confidence in, that is being orchestrated
24 by Rudolph Guiliani, Bratton who somebody
25 just quoted, I think it was Assemblyman

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1 Keith Wright who quoted one paragraph of
2 his testimony before the City Council when
3 he was chief of Transit Police, you should
4 read the entire four page thing.
5

6 So I kind of suspect, and I
7 would be facetious, that his total
8 round-about face has nothing to do with
9 what he outlined in that testimony before
10 the Council, but simply because I am now
11 working for a new boss who really has
12 precious little concern for the
13 devastation of the -- (unintelligible)

14 I submit to you that the
15 merger is nothing more than planned
16 devastation for those in our kind of
17 communities.

18 ASSEMBLYMAN WRIGHT: Thank
19 you.

20 Our next speaker is Ozzie
21 Thompson.

22 MR. THOMPSON: Good evening
23 to everybody, to all the legislators and
24 to all my friends out here sitting down.

25 I came on the Housing Police

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1 in 1959 and it was only 400 of us to walk
2 the streets of New York. We had to walk
3 the streets because we came from the
4 community, we were the community, and we
5 moved out here and we learned one thing
6 and that was community policing.
7

8 We were the first and only
9 police department in the United States
10 that had community policing. We were so
11 good they came from Australia to learn how
12 to do community policing. We were so bad
13 we helped Newark get one. As they say,
14 when you walk the walk you talk the talk.

15 But all of a sudden PD
16 decided to send a chief into Housing and
17 they couldn't relate to the kids.

18 They did something good
19 management-wise by causing precincts, but
20 they took the cop out of the project.
21 That cop could walk, he knew what kid
22 smoked reefer, what kid was going to
23 school, what kid was doing this, he knew
24 who the gangs were. If you marked that
25 wall we knew where to get you.

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1
2 But they brought that. Now
3 they want to come up with a merger. If
4 they come up with a merger all my people
5 in public housing will have to go back
6 into what we will call a real ghetto.

7 The reason why I said that,
8 as the new president of the National Black
9 Police Officers I travel around the United
10 States. Wherever they have had projects
11 and they have taken away the housing
12 police, the gangs have gone in and taken
13 over. The people had to go out there and
14 put the National Guard or something to try
15 to help them. And then when they did that
16 some places got blown up, some houses got
17 destroyed.

18 Why? Well, think that in
19 New York City and everywhere that you live
20 is prime territory, prime property. Can
21 you imagine what will happen if they have
22 to destroy that and give that property to
23 the other element, like a Mr. Donald Trump
24 and the rest of them.

25 Look where every project is

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1 situated. The Polo Grounds, you're
2 looking where, over the river. Look where
3 you're at. Lenox Terrace, look at all
4 those places -- not Lenox Terrace, but the
5 projects on Lenox and 112th Street,
6 Lincoln House. Let's go out to Far
7 Rockaway. How about Queensbridge where I
8 work.
9

10 This is the time where we got
11 our reputation, Housing police were called
12 second to none, nobody could touch us. We
13 could walk out there, any crime, we could
14 handle it. But when the New York City
15 Police Department would come by, are you
16 going to walk in that dark area. Well,
17 that's my job.

18 NYPD has at this moment has
19 over thirty some odd thousand and they
20 can't even control them.

21 Before I go off I want to
22 tell you one other thing. I was a PBA
23 Vice President of the Housing Police.
24 Everything that we had to do, we had to go
25 the state legislature. I had to go to the

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1
2 City Council as a lobbyist to give them a
3 home room message and then go out to
4 Albany to get those bills passed.

5 The first precinct that was
6 ever done, PSA 7, I passed that bill.
7 Everything has come due to our working
8 with you because without you there is no
9 Housing Police, without you -- and I want
10 you to understand that. You got to get up
11 and start hollering you let us down in the
12 last election, don't let us down now. We
13 have to get out and get together and stop
14 City Hall.

15 ASSEMBLYMAN WRIGHT: Thank
16 you.

17 Before we continue, we have
18 been joined by two members of the City
19 Council, Stanley Michaels and Dion
20 Lenoris, and we have also been joined by
21 the Chairman of the Ways and Means
22 Committee for the New York State Assembly,
23 Mr. Denny Farrow.

24 Do you want to say a word?

25 Councilman Michaels would

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25

like to say a word.

And let me just say this, we have a number of testifyors that are still yet to come to the floor. Please, when you testify, when you testify, if you could just limit your comments to two minutes, two minutes please. Thank you very much.

COUNCILMAN MICHAELS: Good evening. I want to make one thing perfectly clear if it hasn't already been made, and that is the City Council of the City of New York has not approved merger in anyway.

As a matter of fact, at the time of passing the budget many council members including myself got up and said we oppose merger.

And as a matter of fact, when we passed the budget we passed it with a document that said that the City Council -- I have a copy here -- has its prerogatives and has the right to do anything it wants including pass

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1
2 legislation to do anything with respect to
3 merger, and the administration is not
4 listening.

5 They are still going around
6 telling everybody that the City Council
7 approved merger.

8 As late as July 26, a couple
9 of days ago, a letter had to be sent to
10 the Head of the Director of the Budget, of
11 Guiliani's budget, telling him that we did
12 not approve merger, and we are not
13 approving merger.

14 And if they haven't already
15 gotten the point, a press conference was
16 held today and legislation is being
17 introduced, it will be in the committee
18 that I'm a member of, the Public Safety
19 Committee, saying in effect in the first
20 section alone that I'm going to detail,
21 that no proposed merger of the City
22 Council -- the Transit Authority Police
23 Department or the New York City Housing
24 Authority Police Department shall be
25 implemented or any administrative action

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1 relating thereto taken other than studies
2 or planning unless the Mayor within six
3 months of the effective date of this law
4 which we will pass -- and I believe we
5 have a majority of people supporting this
6 law -- shall prepare and submit to the
7 Council a comprehensive proposal setting
8 forth the details of this proposed merger
9 and the City Council shall have approved
10 of this merger.
11

12 So before they even have to
13 go to the State to get approval, they're
14 going to have to come to the City Council
15 to get approval

16 We have yet to see one scrap
17 of paper as to what their plan is because
18 they don't have a plan right now. You
19 have to understand that.

20 Chief Bratton testified
21 before the City Council and he was asked
22 about this letter he sent to the New York
23 Times when he was the head of the Transit
24 Authority in which he said he opposed
25 merger that time, because among the main

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1 reasons he gave it will have a terrible
2 detrimental affect on the moral of the
3 members of the various bodies, namely the
4 Transit Authority.
5

6 And he was asked that, well,
7 how come you now changed your mind. And I
8 don't think anybody sitting there was
9 convinced that he had a real reason for
10 changing his mind other than to say, well,
11 now I'm the head of the police department.

12 The next logical question is
13 what happens when you're not head of the
14 police department.

15 The presumption has to be
16 that merger should not happen until some
17 things happen that makes it worthwhile,
18 and we've heard various testimonies on
19 what we need.

20 First of all, I'm not happy
21 with the Housing Authority Police right
22 now, not that the police did anything
23 wrong, it's that there's not enough of
24 them.

25 I sat through testimony last

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1
2 year and this year of people living in the
3 Housing Authority -- that's what we have
4 to listen to -- who told us that at 6:30
5 at night they're afraid to go out of their
6 houses to throw the garbage away.

7 What we have to do is
8 improve. If you want to do something to
9 the Housing Authority, improve it.

10 And we are doing a good job,
11 the Transit Authority Police. You got a
12 decrease in crime of to 46.3 percent from
13 the statistics they're telling us.

14 If that's working, why fix
15 it, it's not broken.

16 And the fact of the matter
17 is, folks, we got a long way to go if this
18 thing is ever going to happen and I don't
19 think it is at the present state of
20 things.

21 Thank you.

22 ASSEMBLYMAN WRIGHT: Thank
23 you.

24 I believe Dion Lenoris has a
25 few words to say.

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1
2 MR. LENORIS: A few weeks
3 back a very critical decision was made in
4 New York City, that of the budget.

5 I was one of eight people who
6 decided to vote against the budget, this
7 being a Republican budget, a Guiliani
8 budget, and one of the main reasons why I
9 rejected the budget was because one of the
10 key elements in that budget was pertaining
11 to the police merger.

12 Let's not be mistaken. Let's
13 not be fooled. There is a big agenda here
14 that tends to really pin our communities
15 and strip our communities of one of the
16 few things that we have going, good
17 protecting, bringing safety to our
18 community, and this really is a threat to
19 those gains that we've had so far. The
20 small victories that we've had in our
21 communities is being threatened.

22 I think we have to take a
23 stand as communities. Everybody needs to
24 take a stand and reject this.

25 I'm one of the sponsors of

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1 the legislation that is attempting to stop
2 this merger.
3

4 I'm going to tell you every
5 single member of the City Council needs to
6 hear from everyone of you in the
7 community, every community affected by
8 this merger. You have to be aggressive
9 because if you don't -- otherwise we are
10 going to see what happened in the budget
11 happen again with this merger.

12 We cannot let things be taken
13 away from us. We have to really be
14 pro-active and say we will not give our
15 community away, we will not see this
16 merger take place because it's going to
17 hurt our community.

18 ASSEMBLYMAN WRIGHT: Thank
19 you.

20 We have a member of the
21 Harlem community. She has been very vocal
22 on this issue. She's the tenant leader
23 from the Drew Hamilton Development, Ms.
24 Barbara G. Barbor.

25 After that we will be calling

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1 Tim Nichols and Don Afflick.

2 MS. BARBOR: Good evening,
3 fellow residents.
4

5 I don't know if we're the
6 tenants who live in public housing, but we
7 are residents because we live in
8 developments.

9 I have just a couple of more
10 thousand signatures for you to run off for
11 me.

12 The Great Chief, he went
13 outside to talk to the news media. And
14 I'm going to ask you all not to talk with
15 me but pray for us all because only God
16 makes promises that he keeps. Satan makes
17 problems that he never keeps.

18 And to all of our State
19 elected officials, I think what you need
20 to look into next, if our Mayor has some
21 control over the State Building because
22 I'll tell you, I've been to a lot meetings
23 here, and in the evening the air
24 conditioner has gone off. But it's all
25 right because residents who live in

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1 developments, we know what heat is like.

2
3 And I want to say to our
4 elected officials here and especially to
5 my councilman, Stanley Michaels, when you
6 vote for a whole package it means the
7 whole thing, and if you ain't right for
8 the whole package and there's some loops
9 in that package, what do you do? You
10 remove the loop holes.

11 And Councilman, I can only be
12 responsible to you for what I have to say
13 because Councilwoman C. Virginia Fields
14 and Councilman Adam Clayton Powell who
15 represents the largest units throughout
16 the country, outside of Chicago, are the
17 residents that I've been representing for
18 eleven and a half years.

19 See, you can't take my job
20 from me because what God gives me you
21 can't take from me.

22 Isn't it a shame. You know I
23 don't like for people to take my prayers
24 and just do what they want to do with
25 them. But I say for honesty to see our

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1
2 even really insulted that I do not see
3 Chief Cummings or Chief Caning or any of
4 our other top officials here. But what I
5 did see was an officer out there in the
6 hall on the phone for twenty minutes.

7 But I know my minutes is
8 almost up, and I know Sonny is saying
9 right.

10 But what I'm surprised at is
11 Chief Leake talks about -- and this don't
12 even sound like him -- he talks about two
13 officers don't go to lunch together that
14 they pick up another officer and then that
15 officer stays in that car and cover
16 lunches.

17 Well, let me tell you
18 something residents, no police car goes up
19 in the building. And let me experience
20 something with you because the merger is
21 supposed to come two days before my
22 birthday. For God I live and for God I
23 die, and one thing I admire about
24 Councilwoman Fields and also this new
25 councilman is that they wasn't afraid of

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1 losing a few dollars to be a chair --
2
3 (unintelligible)

4 You see, I know how to eat,
5 and I know how to sleep and I know how to
6 talk and I know how to dress. Why?
7 Because God gave it to me.

8 And I ain't in nobody's
9 pocket. And I made a promise to God that
10 I serve, and I ain't ready to die yet
11 because when we came back from Chicago our
12 plane almost crashed on February 3, but
13 God made Satan a liar. So I know what I
14 have to do.

15 What we have to do is we have
16 to let Mr. Franco know -- and is Mr.
17 Citron here? He's not here. But the
18 federal guidelines says that residents
19 must be involved, and all those things
20 that Chief Leake talked about the Federal
21 government gave it to us because it's our
22 money. And before you think you're going
23 to merger give us back our vehicles that
24 the federal government paid for the
25 residents.

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1
2 And lastly what I want to say
3 is that I'll be in Washington because I
4 know God is going to see me go to
5 Washington on Tuesday. And I do not take
6 prisoners because when you take prisoners
7 you have to give parole and probation, and
8 I ain't about that, as all of you know.

9 The last thing I want to
10 share with you, and Chief Leake is still
11 out there, all of you probably know about
12 the incident that happened on July 9 at
13 the Drew Hamilton Houses on my floor. And
14 I went out, and what it was it was a
15 disgrace, and Chief Leake's officers here
16 can tell you what I said, is that we had
17 officers from the 32nd Precinct who
18 surrounded my breeze way, because I was
19 the second resident on that floor 31 years
20 ago, and Mr. Bird, you know years ago we
21 didn't take that. And here this little
22 young whippersnapper, my neighbor full of
23 blood and everything shaking, and he says
24 get off of here. And I said, excuse me,
25 but you're in my house. I am the law. I

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1 said not on this floor. And thank God
2 that we had a Captain Lenox and a Sergeant
3 Wong and those officers from PS 86 because
4 they said now, we all the law here, but we
5 are blocked there between three doors and
6 this lady is crazy anyway. He said, well,
7 I'm the law. And I said, well, brother,
8 that's just why we ain't merging with your
9 you know what.
10

11 But what was the worst part
12 about it and I never shall forget it, and
13 I don't want you to forget it. At the
14 32nd Precinct -- I took a scarf on my head
15 and put some clothes on -- and thank God
16 what happened was a joke. And the
17 comment, and I will never forget this
18 officer, he said let me tell you something
19 about them people in public housing,
20 especially up there in Drew Hamilton, they
21 ain't going to be using no more guns, they
22 going to start doing the O.J. I said,
23 what you talking about, officer. The
24 other one said, don't say no more. So
25 this is what they think about us.

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1
2 What we have to do is go back
3 and get more petitions. And what we have
4 to do is put our elected officials in this
5 community on notice that the Mayor has
6 disrespected us by not coming to our
7 hearing, but we shall not and we will not
8 tolerate this behavior.

9 And Chief Leake said that the
10 federal government gave the money. It's a
11 lie because it's our money. And if we
12 have to go deep down with a rent strike
13 that's where we go

14 ASSEMBLYMAN WRIGHT: Thank
15 you, Barbara Barbor.

16 Again, we're going to have to
17 close this meeting at around 9:30. It's
18 about 9:00 o'clock now. So if we could
19 keep our comments to about two minutes,
20 please.

21 Timothy Nichols.

22 MR. NICHOLS: Good evening,
23 members of the Subcommittee, and
24 residents.

25 When I came here today I got

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1 my hugs and my kisses, got my handshakes,
2 I got dirty looks because they don't like
3 you to speak out on the issue about the
4 merger. Everybody stood up here and told
5 you why. We serve by the heart, and
6 that's the bottom line. We are not a
7 machine, you are our family.

8
9 What PD doesn't understand is
10 this, that although we are not perfect we
11 are your police department. We are your
12 police. I see my friends sitting here.
13 I've been to community meetings throughout
14 this City.

15 I'm going to make some
16 corrections here. 'Never, never, never
17 does the Housing police officer refer a
18 complaint. Never. Those of you sitting
19 here who listened to, well, you're no
20 longer going to be referred, well then you
21 might as well just go right to the Housing
22 police because we are going to take care
23 of you.

24 And I'll say this. It's not
25 two weeks of training. I was a field

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1 training officer. It's 48 tours, it's two
2 and a half months of kicking them in the
3 butt, tell them you are their boss.

4 Two years, two and a half
5 years now, I've been trying to bridge a
6 gap, a gap that has grown at times, and I
7 believe that that gap is starting to
8 narrow.
9

10 I love being a Housing cop.
11 I don't want to be NYPD. I want to serve
12 you, and I want to thank you for coming
13 here tonight.

14 One of the things that I
15 wanted to say, early on we sent a letter
16 out to our residents, most of you have
17 received it. Right now we have petitions
18 that are going to be sent to Henry
19 Zisnario to the tune of 327,000 names of
20 people of public housing that oppose this
21 merger.

22 Thank you very much
23 ASSEMBLYMAN WRIGHT: Thank
24 you, Tim.

25 Before we hear from DC 37, I

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1 just wanted to say that Congressman
2 Charles Rangal has been an integral part
3 in fighting this merger down in Washington
4 D.C.
5

6 The reason that he could not
7 be here today is because he is in the
8 middle of Ways and Means committee
9 meetings and talking with the Housing
10 Urban Development trying to stop this
11 merger because basically Congressman
12 Rangal knows that this plan is a plan
13 whose time has not come.

14 So I think Howard Lowe is
15 here from Congressman Rangal's office, and
16 I just want to thank Congressman Rangal
17 for all that he has done.

18 Now we will hear from Don
19 Afflick.

20 MR. AFFLICK: Good evening.

21 Up here on the stage with me
22 is Gloria Van Buren who is also the
23 president of 19 --I'm sorry, one of our
24 locals District Council 37 which
25 represents the Housing Authority

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1 administrative employees.

2 My name is Donald Afflick.
3 I'm the president of Local 1655 which
4 represents the clerical administrative
5 employees at the New York City Transit
6 Authority.
7

8 We are involved in this
9 merge. I have about 300 members and I
10 think Gloria has about 300 members
11 involved.

12 First of all, we would like
13 to thank the Assembly Subcommittee on
14 Public Housing for giving us this
15 opportunity to voice our opinions.

16 Let me begin by expressing my
17 deep concerns on behalf of my members,
18 the members of Local 957, the public, and
19 others who are concerned about the
20 potential consequences of this merger.

21 As often as we have asked we
22 have not yet gotten specific plans or
23 ideas demonstrating how police protection
24 in the subways and housing projects will
25 be improved.

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1
2 In fact, it is our belief
3 that should this merger occur police
4 protection in the subways and housing
5 projects will get worse and not get
6 better.

7 What all people don't know, I
8 am originally from the St. Nicholas Houses
9 and she's from the the Brownsville Houses
10 so we know what Housing Authority problems
11 are.

12 This whole merger idea was
13 put forward without any facts and without
14 any figures. You've heard tonight some
15 information in reference to that.

16 Let us tell you that there is
17 other problems in reference to that. I
18 heard the chief of the Housing Authority
19 made mention of his police officers doing
20 paperwork. One of the biggest concerns I
21 think that we have right now is if you
22 have civilianization within the Housing
23 and the Transit Police Department you will
24 be able to deploy more police officers in
25 the street.

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1
2 So what he told you in
3 reference to them getting up, if they have
4 these clerical administrative employees
5 who by the way the Mayor, when he ran for
6 office talked about, and is now renegeing
7 on the deal, we would have much more
8 police officers in Housing and in the
9 subways. So don't listen to that story
10 that he just told you that they have a lot
11 of paperwork to do.

12 We have men and women who
13 have worked with dedication and pride in
14 serving the people of the City of New York
15 and they have worked for promotion to
16 benefits and seniority. They are working
17 people and their lives revolve around
18 these jobs.

19 If this merger should happen
20 we would like to know what rights do they
21 have as far as they are concerned. These
22 rights must be protected.

23 If there is a merger will
24 they automatically become employees of the
25 New York City Police Department.

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1 Will their seniority still be
2 in place.

3 Will they be transferred
4 within the five boroughs.

5 Will those clerical
6 administrative employees with city wide
7 titles in Housing and the Transit
8 Authority be able to transfer into their
9 agency rather than going to the NYPD.

10 We also, the people that I
11 represent also have free transportation,
12 and we would also like to know will they
13 lose their free transportation that they
14 have.

15 We would also like to know
16 about the career ladder and about their
17 identity as Housing and Transit police
18 employees. When they first came to these
19 agencies they came with the dedication to
20 work for Housing or Transit.

21 The rights of these employees
22 must be protected as I say. They deserve
23 an answer to the questions and they
24 deserve an answer as soon as possible.
25

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1
2 They are tax payers and they are also
3 constituents of yours. Their livelihood
4 and future is on the line, and we need to
5 do something about this now.

6 I know no one in this room
7 wants to see these faithful employees,
8 long term civil servants penalized for
9 events over which they have no control.

10 Right now these 600 men and
11 women serve a valuable role.

12 This is a merger no where
13 near proven to be a necessity or a move
14 that will benefit anybody. There is a
15 substantial support staff involved in this
16 merge. This staff is vital because they
17 do the work that the Chief talked about,
18 they're the ones that deal with the vital
19 problems that come up as far as paperwork
20 is concerned, the problems, the details
21 and the functions of the Transit Authority
22 and the Housing police.

23 It defies logic to our City
24 to take this kind of expertise from our --
25 from the public servants. Any merge must

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1
2 be safe -- any merge must save these
3 employees' rights. Their jobs, their
4 rights and their benefits must not be put
5 at a risk for a political experiment.

6 I would like to say also that
7 I urge this body here to register their
8 disapproval of this misguided merge.

9 Now, that's from the union's
10 standpoint.

11 I would like to say one thing
12 from my perspective as a resident of
13 Harlem, a former resident of Harlem. I
14 also walked the New York City Housing
15 projects as a Tenant Association person.
16 I also was around in the City of New York
17 when the Housing and the Transit police
18 were considered second class.

19 I think right now the Transit
20 Police Department is one of the best
21 police departments in the country.

22 There was a report, and I
23 think Father Lucas made mention of it,
24 there was a report by the police executive
25 research forum. They said rather than

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1
2 merge the two forces that they should have
3 two separate distinct forces, and they
4 were talking about the Transit and they
5 were talking about the City, because the
6 Transit police operate without -- I'm
7 sorry, the Transit police operates right
8 now with oversight from the New York City
9 Police Commission.

10 I think that being like the
11 New York City Police Department is the
12 worst possible thing that could happen
13 because instead of a good police
14 department I think it will become inept.

15 The Transit police right now
16 should be policing it's environment and
17 developing a unique and challenging
18 experience that rightfully belongs to the
19 largest and most sophisticated police
20 department in this country.

21 I think the Transit Police
22 Department is a pretty good organization
23 and is doing an excellent and superb job.

24 We ought to be doing things
25 to improve the New York City Transit

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1 Police Department and not tear it apart.

2 Will this merger improve
3 safety for the rising public and the
4 people living in public housing. And I
5 think the answer is hell no, it will never
6 happen.
7

8 This was not a good idea in
9 1986 when Mayor Koch was in office and I
10 don't think it's a damn good idea in 1994,
11 and I want to thank you.

12 ASSEMBLYMAN WRIGHE: Thank
13 you, Don.

14 I want to say that I see
15 Chief Leake has returned.

16 Our next speaker will be the
17 head of the Strapp Hangers Campaign, we
18 have Mr Joe Rappaport.

19 I realize some people are
20 getting refreshments in the back, but if
21 we could just please, for these last few
22 speakers, just keep it down and give
23 respect to our testifyors

24 Mr. Joe Rappaport please.

25 MR. RAPPAPORT: How are

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1 people doing this evening?

2 I'm honored to be here
3 tonight with this tremendous crowd. My
4 name is Joe Rappaport. I'm from the
5 Strapp Hangers Campaign which is a group
6 that works for better subways and busses
7 and I know that most of the people here
8 are public housing residents, but I have a
9 feeling that a lot of the people out here
10 ride the subways and buses, almost
11 everybody perhaps.
12

13 The Strapp Hangers Campaign
14 which has been around since 1979 opposes
15 merger. We oppose it not because we
16 reject new ideas or innovation, but on
17 principle. This is an old idea that won't
18 work.

19 In 1986 it was mentioned the
20 last time the City seriously considered a
21 take over of the Transit police, the
22 police executive research forum said that
23 a merger would mean: That the number of
24 officers now working in the subways would
25 shrink below where it is. Now officers

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1 assigned to the hole -- and that's what
2 the NYPD calls the subways -- would see it
3 as punishment to go down into the subways,
4 and the subways would become a haven for
5 malcontents and misfits.
6

7 That's hardly the kind of
8 policing that New York City subway riders
9 need and there's little to suggest that
10 eight years later there would be any
11 difference.

12 In fact, this sounds like a
13 blueprint for a smaller subway force that
14 would be pulled from the subways for
15 everything from policing a victory parade
16 to dealing with some other crisis.

17 Some take over supporters say
18 it is going to save money but we think
19 that a take over is going to cost money
20 because of the increased pension benefits
21 and other costs.

22 Some other take over
23 supporters say that a take over would mean
24 that the police could use one strategy to
25 fight crime around the city, whether it's

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1 in the subway, the streets, or the housing
2 projects, and you've heard tonight that in
3 the housing project that would hardly made
4 sense, and that approach would would be a
5 mistake in the subways as well.

6 It's constructive to refer
7 back to that famous letter we've heard
8 about, and I know some people have copies
9 of it, from Chief Bratton that he wrote
10 just a couple of years ago in 1992.

11 Bratton said that a take over
12 is a bad idea because the key to making
13 the subway safe is what he called transit
14 specific tactics and the tactics should
15 draw upon the knowledge and the
16 capabilities of a high quality police
17 force with vast subway policing
18 experience. That approach would end if
19 there is a take over of the Transit
20 police.

21 The Transit police have
22 reduced crime over the passed four years
23 as we've heard by 46 percent.

24 Only in New York -- only in
25

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1
2 New York would we now be considering
3 breaking up that force that's had such
4 success in reducing crime in the subways.
5 Only in New York would we seriously be
6 considering that.

7 Finally, my group will be
8 handing out leaflets in the subway this
9 fall against the merger of the Transit
10 police, of the take over of the Transit
11 police. You might get a copy. Please
12 make that call. We will give a phone
13 number to either Guiliani or Governor
14 Cuomo. Please make that call for us.
15 Thank you.

16 ASSEMBLYMAN WRIGHT: Thank
17 you.

18 Before I bring on the next
19 speaker I have to read someone's public
20 testimony. This is from a person who is
21 very close to me, right across from the
22 street from where I live in the Lincoln
23 Houses.

24 This testimony is from Mr.
25 Flenoy Withers II.

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1
2 Chairman Keith L.T. Wright
3 and honored members of this subcommittee,
4 my name is Flenoy Withers II. I am the
5 captain of the Tenant Patrol of building
6 2201 in the Abraham Lincoln Projects.
7 Hopefully my remarks will assist in the
8 examination of the implications and impact
9 of this merger on my fellow residents of
10 public housing.

11 From the vantage point of
12 being a retired New York City employee who
13 has raised five children and have been a
14 Lincoln House tenant for 36 years, I feel
15 the merger of the City's three police
16 departments will do a disservice to the
17 tenants of public housing.

18 Since I'm fully aware of the
19 curriculum vitae under the name of
20 esteemed Mayor Guiliani I hesitate to
21 point out an obvious display of ignorance
22 on his part but how else can I explain his
23 proposal. Housing Authority police are,
24 for the most part, dedicated to the
25 tenants and are trained to deal with our

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1
2 special needs and problem. We know our
3 officers and they know us. We see and
4 talk to them daily. Because we keep
5 ourselves informed to current
6 developments, they know which person is
7 the lawbreaker and which tenant needs
8 help.

9 Speaking for myself I resent
10 my mayor's paternalistic attitude that we
11 are all ignorant as to what policy is in
12 our best interests.

13 I resent the prevailing line
14 of thought that we represent a menace to
15 civilized and accultured society; this
16 arbitrary nonsense that we are unfit for
17 education and the work place.

18 I am appalled at the
19 encroaching police-state mentality feeding
20 frenzy occasioned by a hapless drug policy
21 couched in the unwarranted terms of so
22 called family values.

23 Mr. Withers, would you stand
24 up please.

25 Our next speaker will be from

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1 the TWU, Spurgeon Hickman.

2
3 MR. HICKMAN: Good evening,
4 brothers and sisters. This is my first
5 occasion to come out in public speaking,
6 but I'm very inspired. I heard the sister
7 say earlier there was an air conditioner
8 shortage, but to me there is not a power
9 shortage here.

10 On behalf of the Transport
11 Workers Union we have been taking the
12 position for over six years that we oppose
13 this merger.

14 Personally, from a Transit
15 perspective you've been told that there is
16 a 46 percent decrease in crime, and I can
17 guarantee you, I've been on the job for 26
18 years, there will be an increase in crime.

19 No one has come to this
20 podium tonight and demonstrated or
21 explained to me or shown me that there
22 will be a benefit, that the Transit police
23 will have a better presentation. That's
24 not the case, it hasn't been demonstrated.

25 I'm not going to give a long

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1 speech but I will say this, if this merger
2 takes place I can assure you from 26 years
3 experience, the subway will be a very
4 unsafe place to go. From this platform,
5 all my brothers and sisters out here I can
6 see, and I know a lot of us use public
7 subway. I know, I'm a Transit worker, and
8 I use public subways to go back and forth
9 to work and I've been doing it all my
10 life, and I would hate to see a merger
11 come by that would jeopardize myself, my
12 family, my brothers and sisters, residents
13 and everybody else.

14 I'll leave you with this
15 thought. If there is a merger what
16 happens to the NYPD officer who has
17 violated rules and regulations of the
18 NYPD. Will he be assigned to the Housing
19 or to the subway. Think about that.
20 Thank you.

21 ASSEMBLYMAN WRIGHT. Thank
22 you.

23 Our next speaker will be the
24 the President from the PSA 2 Tenant
25

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1 Council. We have Reginald Bourman.

2
3 Before he comes up, we've had
4 many representatives from elected
5 officials here and I must acknowledge
6 them. We've had Joyce Johnson here for
7 City Controller Alan Heathersey's office.
8 We had a representative from Angelo
9 DelToro's office, and I do see a
10 representative from Attorney General
11 Oliver Copel's office, Mr. David Banks is
12 here also. Assemblyman Ed Sullivan.

13 MR. BOURMAN: Good evening,
14 everybody. I know everybody has been
15 waiting a long time, so even though this
16 looks long it's sort of like a short poem
17 because I promised that I would be brief,
18 and those of you from Brooklyn know that I
19 don't know what that means. But I'm going
20 to keep this to two minutes because
21 everything that can be said has been said.

22 First of all, I would like to
23 say that Keith Wright as an Assemblyman
24 you have guts to take on this issue that a
25 lot of elected officials during this

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1
2 election year haven't had the guts to take
3 on, and those that haven't had the guts to
4 take it on will hear from us on September
5 13 in the ballot box.

6 The second thing I would like
7 to say is to the head of PBA, the Housing
8 Police PBA, he's in the back. We have
9 been out on demonstration at City Hall for
10 more police and I think we need to go back
11 to City Hall to let the Mayor know what we
12 really mean about people in public housing
13 sticking together.

14 To wrap up, those of us here
15 who live in public housing, and I'm a
16 resident of public housing, we've been
17 left out. In the room where the deal was
18 cut political decisions were made, and if
19 you could take the veneer away what we
20 have left is one person telling 600,000 or
21 more, up to now you don't have a say in
22 the decisions that affect our lives.

23 It seems to me up to now that
24 there is a plan to take control of our
25 lives without the participation of our

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1
2 elected officials or us, the people, up to
3 now.

4 The Mayor believes that he's
5 running the City like a corporation where
6 he believes that the votes he received
7 last year gives him total control over our
8 lives because he believes that the
9 majority rules up to now. But as Lonny
10 Lenere said the majority might rule but
11 that doesn't take away the rights of the
12 minority.

13 The Mayor thinks he can do
14 this because we've been silent up to now.

15 There should be a merger, but
16 not of the police departments. Every
17 housing resident needs to merge together
18 now, every public official, every
19 community leader, every interest group,
20 the Housing Police, the unions let's merge
21 ourselves in a collective city wide
22 coalition now.

23 The TA president, the tenant
24 patrols, the PSA 2, we need to merge
25 tonight, and I do believe that on the

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1 Council. We said no then and it should be
2 no now.
3

4 The gentleman that wrote the
5 letter that was read into the record, he
6 mentioned the esteemed Mayor Guilliani.
7 He's got great academic credentials, and
8 so do I. I went to Oxford, he went to
9 Yale I think. But my mother told me a
10 peacock brings no prizes in a chicken
11 show.

12 You've got a large tall obese
13 New York City Police Department with
14 internal culture and traditions, totally
15 different from the relatively young,
16 short, lean, mean Housing Police
17 Department. If you merge or consolidate
18 these two police departments, the HAPD
19 style of policing which is kinder and
20 gentler, everybody referred to tonight,
21 they called it community policing, but
22 it's really a special kind of housing
23 policing, it's a totally different
24 interaction between officers and friendly
25 familiar residents and the police stranger

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1 interactions that take place with the New
2 York City Police patrol. No one has done
3 a study of what this will mean in terms of
4 organizational structure, internal
5 culture, the way they effect narcotic
6 enforcement, domestic disputes which are
7 not between husbands and wives or loving
8 partners, but between children and
9 parents, children and grandparents,
10 children and children, no one has done a
11 study of the style of policing, the
12 missions and functions of the two
13 different organizations or a human
14 resource impact statement, what this will
15 mean to both the Housing officers and to
16 the residents of the Housing Authority
17 development.

18
19 So all I wanted to say was I
20 don't see why they're going to do this
21 now, it's one more line on Guiliani's
22 resume, he'll be long gone and forgotten
23 when problems arise.

24 There is also the problem of
25 police corruption. The New York City

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1
2 Police Department is a very busy,
3 overburdened 30,000 human being agency.
4 The Housing Police Department has had no
5 serious corruption problem whereas the
6 City Police Department every 20 years has
7 a cycle which is very unfortunate.

8 The argument that you're
9 going to hear is that these are just the
10 same employees working for different
11 employer. This is totally nuts. No one
12 would say if you took a few children from
13 a well behaved family, a loving family and
14 you put them with a very large family with
15 many children, some of whom are known to
16 be delinquent that they would be the same
17 children serving different parents.

18 Thank you very much.

19 ASSEMBLYMAN WRIGHT: Thank
20 you, Mr. Vona.

21 Next is Mr. Tim Hubbard from
22 from the National Organization of Black
23 Law Enforcement Executives.

24 MR. HUBBARD: Good evening.

25 I am the New York Chapter President of the

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1 National Organization of Black Law
2 Enforcement Executives and we are against
3 the merger.
4

5 Many of the reasons we are
6 against it have been heard here tonight
7 and I won't repeat them.

8 However, first I would like
9 to say I know Chief O'Connor. I know
10 Chief Leake even better. These are both
11 very competent administrators and I don't
12 know why anyone would think of putting
13 their leadership into the bureaucracy that
14 I know is in the New York City Police
15 Department. I know that they are both
16 very competent and that they have the best
17 interests at heart of the citizens of this
18 City, and when they are heading their
19 departments they are better able to
20 control what happens and the buck will
21 stop at their desk. And I just don't see
22 a merger making them as effective as they
23 can be.

24 So I just hope it doesn't
25 happen for those two reasons, that those

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1
2 two gentlemen can serve us better as the
3 chiefs of their departments.

4 Secondly, we talk about more
5 resources becoming available if the
6 departments were to merge. That's not
7 what will make the Housing Police, for
8 example, better.

9 The Housing Police have for
10 years been shorted when the positions have
11 been doled out by the Office of Management
12 of the City. If you look at it from a
13 ratio perspective, Transit and Housing is
14 always shorted. That's why we don't have
15 adequate numbers of officers to patrol
16 those particular areas.

17 So the fix is really that
18 when future police officers are appointed
19 to give those two departments their fair
20 share, not to merge.

21 One other thing that has not
22 been mentioned tonight or I haven't heard
23 it is that in Housing police there is a
24 Housing Police cadet forum, where young
25 people are being prepared for careers in

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1
2 police service. That's being totally
3 funded by the Federal government.

4 If those funds are taken away
5 we are going to lose those role models
6 that we need to show our youth that there
7 is a better way.

8 So I say to you for all the
9 reasons that you've heard tonight and for
10 many other reasons that I don't have time,
11 to talk about, you need to get together
12 and let this Administration know that your
13 welfare, you have something to say about
14 it.

15 You know, this Administration
16 talks about changing. I represent an
17 organization of executives.

18 My last point is that change
19 is good in many instances, but you don't
20 just change for the sake of it, you manage
21 change.

22 Now from everything we have
23 heard tonight I see no plans, no
24 management for this particular merger. So
25 it's time to think about that and

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1 mobilize.

2 Thank you.

3 ASSEMBLYMAN WRIGHT: Just for
4 your information the person was saying
5 that basically you have to be out of here
6 in fifteen minutes, but we have two more
7 speakers. And then I will give it over to
8 my chairperson of my Labor Committee the
9 New York State Assembly, Ms. Cathy Nolan.
10

11 ASSEMBLYWOMAN NOLAN: Thank
12 you.

13 Assemblyman Aubry and I would
14 like very much, there are a number of
15 people here from Queens and I spoke
16 briefly with Ms. Cole from Queensbridge
17 and Mr. Graham from Queensbridge and Ms.
18 Wilkins from Ravenswood and Lillian Brown
19 from Queensbridge, and everybody in a
20 group decision wanted Tom Moran, and I
21 know Fred Jones is with him but Mr. Moran
22 is the president of the Ravenswood
23 Tenant's Association and we would like to
24 get a Queens perspective.

25 So if he's still in the house

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1 we would like to have him up to say a word
2 or two from a Queens point of view.

3 MR. MORAN: The one thing
4 that wasn't mentioned is the fact that --

5 ASSEMBLYWOMAN NOLAN: If we
6 could just -- if we could just have a
7 little bit of order. Assemblyman Wright
8 will be right back. We have one other
9 speaker after Mr. Moran and we'll all be
10 able to get out of the building in time.
11 They're not going to close any doors while
12 all these people are still here.

13 MR. MORAN: I got to let you
14 know that Ravenswood had voted on in March
15 that we do not accept any merger.

16 The next thing is, a question
17 I want to ask, how many New York City
18 police officers do you think live in the
19 City?

20 Not many, right. And we
21 really know where the Housing Police live.
22 Find the difference by the fact that they
23 are sensitive.

24 Janet Cole was in the car
25

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1 with me one night and she pointed out a
2 group of young children, teenagers,
3 playing in the street and she said if it
4 wasn't a Housing Police car that went by,
5 if it was a New York City Police
6 Department car that went by, those kids
7 would probably be frisked and maybe if
8 they got the wrong answer taken to the
9 police station.
10

11 Sensitivity. We have
12 knowledge of the fact that Housing Police
13 for the last few years have been trying to
14 get our young people involved with the
15 Housing police. Now we are saying to them
16 you're not going to help the people who
17 you thought you were going to help.
18 You're going to help who we want you to
19 help. And that's a dirty deal.

20 Ravenswood has made it known
21 to Assemblywoman Nolan and to Councilman
22 McCaffrey that we are against the merger,
23 and as you know by evidence Assemblywoman
24 Nolan is here. We need to have all the
25 representatives throughout the city

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1
2 realize that there is something that is
3 not being asked to us, whether we care for
4 it or not and Assemblyman Wright is the
5 first one that had the intuition to say
6 we're going to have this meeting.

7 I'll tell you, we had some
8 good people up here tonight, and you all
9 said everything much better than what I
10 could.

11 Thank you very much for your
12 time.

13 ASSEMBLYMAN WRIGHT: I
14 believe our last speaker for the evening,
15 I saw him earlier, he's from the Grant
16 Houses, is Keith Mitchell still here.
17 Keith Mitchell, tenant leader from the
18 Grant Houses.

19 MR. MITCHELL: Good evening,
20 ladies and gentlemen. My name is Keith
21 Mitchell. I am the vice chair of the
22 Manhattan North District Council of
23 Presidents. You've already heard from our
24 chair, Ms. Barbara G. Barbor. And I'm
25 also the president of the General Grant

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1 Houses Resident Association.

2 I'm here this evening not
3 only representing the 6,000 residents of
4 General Grant, but as I said to support
5 what our District Chair, Ms. Barbara G.
6 Barbor, had already stated.
7

8 We in Manhattan North join
9 with our fellow residents throughout the
10 City of New York in stating to you tonight
11 that we are in total opposition to the
12 proposed merger of the New York City
13 Housing Police Department with the New
14 York City Police Department.

15 To this end, we have already
16 engaged in a petition drive where we have
17 collected and delivered to each of our
18 elected officials and also to the United
19 States Department of Housing and Urban
20 Development over ten thousand signatures
21 which has signified our opposition to the
22 Guiliani plan.

23 Contrary to what is stated,
24 any merger of these police departments
25 would in fact jeopardize the number of

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1 officers assigned to patrol our housing
2 developments.
3

4 While the New York City
5 Council approved the plan, and while it
6 "tacked on" a condition that would give it
7 "some say" as the proposal moves through
8 this approval process, it, the Council,
9 did not guarantee that our local PSA
10 Police Service Area coverage would be
11 increased or even maintained at their
12 present staffing levels.

13 I ask you tonight to force
14 the City of New York to force the Mayor
15 and the City Council to produce a plan,
16 the plan that would detail how they intend
17 to maintain the coverage because our
18 safety comes first, and PSA 6 alone the
19 total head count presently is 130
20 uniformed officers who cover three shifts
21 and 32 developments from 116th Street to
22 Dyckman Street from the Hudson River to
23 the Harlem River. To merge this command
24 with the 26th, 28th, 30th, 32nd, and 34th
25 precincts would dilute the strength of the

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1 command. If anything we need to increase
2 the head count and not demolish the head
3 count.
4

5 As you are all aware, the New
6 York City Police Department is a high
7 profile agency with its officers and
8 vehicles. On the other hand, the New York
9 City Housing Police Department provides
10 direct service delivery to the New York
11 City Housing Authority residents and
12 additionally to the surrounding community.

13 With its vertical patrols
14 where the officers put their lives on the
15 line and walk down 21, and in the case of
16 Polo Grounds Towers 30 stories, from roof
17 top to street level, the New York City
18 Housing Authority Police officers have
19 developed more than a post condition.
20 They have developed a link with their
21 beat. To break this link would aslo break
22 the bond in which a resident of a given
23 development shares with his project
24 community officer, his PCO.

25 To merge the Housing Police

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1
2 Department also places in jeopardy the
3 highly successful, highly acclaimed bike
4 patrol which has netted countless numbers
5 of drug related arrests in the war on
6 crime.

7 Our safety comes first.

8 As I close, I ask that you
9 listen to the comments tonight, which you
10 already heard, and that you realize that
11 we residents are people also. In order
12 for the New York City Housing Authority to
13 live up to its mandate and its credence,
14 "to provided decent safe and affordable
15 housing", and I stress safe, we must keep
16 and maintain our New York City Housing
17 Authority Police Department, and if
18 anything else, improve it.

19 Thank you.

20 ASSEMBLYMAN WRIGHT: We do
21 have to wrap up soon because the building
22 will close at 10:00, we have a person from
23 the Bronx, a person from the Frederick
24 Douglas Houses and we will have a person
25 from the Marble Hill Houses.

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1
2 Cornelia Muamba from from
3 Frederick Douglas Houses please come
4 forward.

5 MS MUAUBE: Thank you very
6 much, and good evening.

7 I was raised in Abraham
8 Lincoln projects and my maiden name was
9 Stockley. My married name is Muamba. I
10 live in Frederick Douglas Houses.

11 I'm against, and the tenants
12 in Frederick Douglas are definitely
13 against the merge.

14 I was the president in '89 to
15 this year and at that time in '89 I
16 invited Commissioner Brown to Frederick
17 Douglas. At that time I had explained to
18 him that we needed more police and we need
19 police that were not afraid to deal with
20 family issues, domestic problems and
21 adolescent problems, because officers that
22 come from the precinct were afraid, they
23 saw all of us as criminals, deviant souls
24 or no gooders or lazy or what have you.

25 I do not want to embarrass

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1 Captain Leake, Chief Leake, but he knows I
2 come from the 24th Precinct because I live
3 on 100th Street and Columbus Avenue.
4

5 About three months ago, you
6 can verify this with McDermott, Captain
7 McDermott, that I was told by a police
8 officer in that precinct when I
9 intercepted the issue with the crossing
10 guard to mind my F business.

11 When I went to report this
12 officer to McDermott he told me that that
13 officer came from another area and had
14 missed the sensitivity class.

15 So what I want to say here,
16 before they can merge, the police have to
17 be sensitive to us, to all of us, no
18 matter who we are, what we look like.

19 Not long ago Councilwoman
20 Virginia Fields had to intervene when the
21 police man came and beat up one of the
22 tenant leaders.

23 When they enter the
24 development they come to kick butts, bust
25 head and they are afraid of our youth

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1 because all of our youth are selling
2 drugs.
3

4 Well, I want to tell you I
5 raised my fine black son in Frederick
6 Douglas Houses as a divorced mother. My
7 son was part of the youth patrol. My son
8 went to Fish University and graduated. My
9 son has entered New York University to
10 study law.

11 Thank you.

12 ASSEMBLYMAN WRIGHT: Thank
13 you very much.

14 Can I call the two chiefs
15 forward please. We have two more
16 speakers --

17 Can I just call the two
18 chiefs forward please.

19 It's been a long evening and
20 we are starting to break up and we only
21 have two more speakers, but they are going
22 to speak.

23 But I just want to thank both
24 of these police chiefs for staying here
25 this evening, and I know it's hot, and I

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1 want to say a personal thank you to both
2 of the police chiefs for staying and help
3 me bring this issue up because there's a
4 lot more that needs to be known about this
5 issue. So I just want to personally thank
6 them and the members of the Assembly
7 Subcommittee, Gary Pretlow, Jeff Aurbry,
8 and Cathy Nolan, and City Council person
9 Stanley Michaels. I just wanted to thank
10 them very much.
11

12 Will the next speaker, Ms.
13 Bloodson from the Marble Hill --

14 Yes, Barbara?

15 MS. BARBARA: We the
16 residents and my two other chairs from
17 Queens and the Bronx and also from
18 Brooklyn East were here, and we want to
19 thank you and we want to thank the
20 Assembly people for having this public
21 hearing, and we're going to show you how
22 much we care because when you get ready to
23 run, the residents of our development will
24 remember you.

25 ASSEMBLYMAN WRIGHT: Thank

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1
2 you, very much.

3 Ms. Bloodson from the Marble
4 Hill Development.

5 MS. BLOODSON: Thank you
6 very much. I listened to what was said by
7 all the people and I'm not going to add
8 substantially to what has been said except
9 to go on record that for the 1685 families
10 that live in the Marble Hill Houses, the
11 512 members of the senior citizen
12 development that are in the Marble Hill
13 Houses, for the archdiocese that has
14 a Headstart program in the Marble Hill
15 Houses, and the Marble Hill Day Care
16 Center, they all authorized me to say for
17 them don't touch our police. That's my
18 message to you.

19 Another thing I wanted to say
20 though to Chief Leake. He left the
21 building?

22 If we knew -- we know exactly
23 how much we will be considered. When you
24 realize that he sent this man up here
25 totally unprepared, did not give him the

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1 answers that he needed, fed him to the
2 lions because he had no respect for his
3 own people. I mean, the man worked for
4 him so you know how much he's going to
5 respect us.
6

7 We need to get together, work
8 on a regular basis and be in contact from
9 this point on and let Mr. Guiliani know
10 that he was elected, not crowned or
11 coronated.

12 ASSEMBLYMAN WRIGHT: Thank
13 you.

14 Our last speaker this evening
15 is Ms. Marcella Brown from the Bronx.

16 MS. BROWN: To all Assembly
17 persons and to the honorable Keith Wright
18 and to my friend Chief Leake, I just
19 wanted to say that the Interim Council of
20 the South Bronx met last week and got
21 together and formulated what you call a
22 resolution and this resolution is in the
23 hands of many many people and it went to
24 the honorable Henry Zeznellos (Ph. Spg.).
25 All I want to say is where there's unity

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1 there is strength and God bless us all for
2 being here and we know what we have to do,
3 continue to work together.
4

5 Thank you.

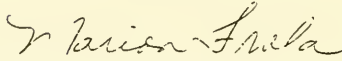
6 ASSEMBLYMAN WRIGHT: On
7 behalf of the New York State Assembly
8 Subcommittee for Public Housing I
9 personally want to thank all of the
10 members that showed up, Jeff Aubry from
11 Queens, Gary Pretlow, Cathy Nolan, Denny
12 Farrow, and let me just leave you with
13 this. Benjamin Franklin said years ago
14 around Independence Day, if we don't hang
15 together they will hang us separately.
16 Thank you very much.

17 (Whereupon, the within hearing
18 terminated at 10:00 P.M.)
19
20

21 I hereby state the foregoing is a true and
22 accurate transcript of the minutes of the
23 within hearing, to the best of my ability.

24 Marion Frola
25 MARION FROLA - HEARING REPORTER

1
2
3 I, MARION FROLA, do hereby state
4 that I attended and the time and place above-
5 mentioned and took a stenographic record of the
6 proceedings and testimony in the above-entitled
7 matter, and that the foregoing is a true and
8 correct copy of the same and the whole thereof,
9 according to the best of my ability.
10
11
12
13
14
15
16

17 

18 MARION FROLA - Hearing Reporter
19

20 DATED: 5/23/94
21
22
23
24
25



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RUTH W. MESSINGER
BOROUGH PRESIDENT

Testimony of
Ruth W. Messinger
Manhattan Borough President

Before U.S. House of Representatives
Committee on Banking, Finance and Urban Affairs
Subcommittee on General Oversight, Investigations
And Resolution of Failed Financial Institutions

September 19, 1994

Good morning Chairman Flake and members of the subcommittee.

I want to take this opportunity to put on record some of my concerns, that have been growing steadily since the Mayor announced his plan to merge the City's Housing and Transit police forces into the New York City Police Department.

My specific concerns about the assimilation of the Housing police by NYPD -- the focus of this hearing -- revolve around the following issues:

- Retaining effective specialized Housing police services;
- Maintaining recruitment/training designed to make Housing police representative of & sensitive to public housing residents;
- Preserving Housing police effectiveness;
- Potential merger costs;
- Inadequate information and communication processes concerning the proposed merger.

Let me speak to the last issue first. Ever since the Mayor first proposed the merger, public officials and residents of New York City Housing Authority (NYCHA) developments have, very reasonably, been asking to see the details of his plan. However, a little over a week ago, the Mayor signed an executive order to implement the first part of the merger -- the Housing Police into the NYPD -- on October 1st (less than two weeks from today), without providing any of those details.

At a City Council hearing only last Wednesday, we learned that a 200-page document had just been released. Called "An Outline for the Merger of the New York Police Department & Housing Authority Police Department," this document -- which cannot easily be digested and which contains no fiscal details related to the merger -- was not even initially shared with NYCHA tenant leaders.

This almost total lack of communication and of timely, detailed information has been extremely disconcerting to everyone, to elected officials concerned with issues of fiscal responsibility and public safety, and especially to public housing residents.

Early this year, my office surveyed NYCHA tenant leaders throughout Manhattan, and more than 70 percent listed crime and police as priority issues. Since then, we have sponsored several local meetings with tenant leaders and Housing Police, for the purpose of sharing information between housing developments, and working together to develop a public safety agenda.

My staff increasingly has been hearing tenant leaders vociferously expressing their concerns about what the merger will mean to "their" police services. Unfortunately, many NYCHA residents simply do not trust the NYPD and do not believe they will work to protect them as well as do the Housing Police. They have received very little specific information about how the merger will be effected and, most importantly, how it will impact on them. Having their fears ignored has only exacerbated them.

I believe these tenant concerns are legitimate, and deserve to be addressed, well before the merger takes place.

Allow me to briefly state my other concerns:

1) Specialized NYCHA Police Services and Programs: Housing Police have instituted successful anti-graffiti and anti-vandalism efforts, they do vertical patrols of residential buildings, they assist residents to establish tenant patrols, and their bike patrol unit is both effective and popular with residents. NYCHA residents must be assured these specialized police services will be continued after the merger.

2) Recruitment and Training: The Housing Authority Police Department (HAPD) now seeks to recruit directly from within NYCHA developments, which ensures HAPD officers understand and personally relate to the problems faced by NYCHA residents. It is not surprising, then, that HAPD's statistics reflect a much higher rate of minority employment than do the NYPD numbers.

Mannhattan Borough President Ruth W. Messinger
Police Merger Testimony - September 19, 1994

4

Housing Police also receive specialized training in addition to the regular Police Academy training. We must feel confident specialized recruitment and training efforts will continue after the merger. Mere assurances by the Mayor, the Police Commissioner, and the Housing Authority Chairman that New York City Police officers will now become sensitive to public housing residents and their needs simply are not adequate.

3) Police Effectiveness: Figures I recently saw indicate that in 1991, in 1992, and in 1993, the felony clearance rate for HAPD was over 44%, compared to the overall citywide clearance rate -- which fell from 18.8% to 17.8% during the same period. What specific measures will be employed to ensure HAPD's high felony clearance rate will be maintained after the merger?

4) Costs: Finally, I am concerned that merging the Housing Police with the NYPD will actually end up costing the City money, in two ways:

First: Considerable costs are associated with equalizing benefits and pensions between police departments. Last week, Commissioner Bratton testified that the City's Actuary is still reviewing the accuracy of a projected \$8 million cost for equalizing union benefits between Housing and NYPD for the October 1st merger, and he did not completely rule out the possibility that figure will rise to \$15 million. These are hardly inconsiderable sums for a city experiencing cataclysmic

fiscal problems.

Second: HUD currently provides approximately \$60 million towards the cost of dedicated Housing Authority police services. The Mayor continues to offer assurances the City will be able to keep those funds after the merger, but those assurances must be carefully questioned. My understanding is that HUD cannot and will not pay for basic municipal services, such as police services provided by the City's Police Department, and that the only way for the City to retain Federal dollars would be to demonstrate that Housing Authority residents will receive extra police services post-merger, that exceed the services NYPD provides to other city residents. If that requirement cannot be met, then we must ask: Where will the City find the money to replace that \$60 million?

All of us, and most especially NYCHA residents, are entitled to answers to these questions. And, unless satisfactory answers can be supplied in the very near future -- before any part of the merger is accomplished -- I do not believe the merger should proceed as scheduled.

Our Lady Of Lourdes Church

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Sept. 19, 1994

Outline of Father Lawrence Lucas Support of the Federal Bill and Opposition to the Merger of NYPD & NYHPD

- I The "merger" will proove to be a disaster for the tenants of Public Housing and the immediate communities specifically and to the City in general.
- 1- Reason for the origiinal creation of a separate HPD
 - 2- Past studies of the question
 - 3- the Chicago experience
 - 4- Today's trend in major cities with public housing
 - 5- the question of community policing and vertical patrolling
- II Tennant and community fears regarding Housing Police being absorbed inot or combined with NYPD.
- 1- training of NYPD primarily to respond to 911 calls vs crime-prevention role of HPD
 - 2- Vertical Patrolling and community policine in truer sense involving constant assignement and knowledge of people and families.Improvement in this can be readily accomplished by more resources to HPD and changing the allocation formula from 7-2-1 to 6-2-2.
 - 3- Black and Latino communities' distrust of City police in terms of attitude, behavior and the corruption factor
- III The overwelming opposition to merger on the part of Housing tennants and the communities of color in general.
- IV Already just the talk of merger has been and a real merger will proove even more detremental to career opportunities for people of color.
- V Right now, there are too many uncertainties and unanswered questions in regard to "merger".
- VI Very little specifics and absolutely no guarantees of anything in the present document.
- VII The manner and speed in which this "merger" is attempted to be rammed down the people throats. It's a real question of dictatorship vs leadership.

In short, very late for any real digestion relatively few people have seen a document full of promises, hopes, and alledged intentions in which a Mayor and Police Commissioner totally mistrusted in communities of color and totally insensitive to their feelings, and unconcerned about their views are saying to those communities, "Trust us".



**POLICE BENEVOLENT ASSOCIATION, INC.
HOUSING POLICE DEPARTMENT, CITY OF NEW YORK**

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**TESTIMONY OF NEW YORK CITY HOUSING POLICE BENEVOLENT
ASSOCIATION PRESIDENT TIMOTHY L. NICKELS IN OPPOSITION
TO THE MERGER OF THE NEW YORK CITY POLICE DEPARTMENT
AND NEW YORK CITY HOUSING AUTHORITY POLICE DEPARTMENT**

September 19, 1994

TESTIMONY OF NEW YORK CITY HOUSING POLICE BENEVOLENT
ASSOCIATION PRESIDENT TIMOTHY L. NICKELS IN OPPOSITION
TO THE MERGER OF THE NEW YORK CITY POLICE DEPARTMENT
AND NEW YORK CITY HOUSING AUTHORITY POLICE DEPARTMENT

September 19, 1994

Thank you for the opportunity to appear before you today. I am Timothy L. Nickels, President of the New York City Housing Police Benevolent Association. I am here to urge this body of Congressional factfinders to stop the City from destroying public housing.

The City's plan to merge the New York City Housing Authority Police Department with the New York City Police Department was not public until last Wednesday and will be a disaster for the residents of public housing and all New Yorkers. It will result in the loss of public housing's last line of defense against the worse elements of society. It will result in fewer police officers patrolling public housing when they are pulled for other Citywide assignments at a time when the New York City Police had a decline of 810 beat Police Officers as reported in the September 14, 1994 Daily News -- all at an exorbitant increased cost to the taxpayers. It may eventually result in the potential loss of hundreds of millions of dollars in federal funding for police for public housing because of the inability of the City to live up to false expectations. And it will signal the end

of this great City's commitment to maintaining the safety and welfare of the residents of public housing. This body cannot abdicate its responsibility to ensure that these residents are protected in accordance with part practice, federal, state and local mandates. It must not allow the Giuliani administration to destroy a system that serves the public well, that is cost efficient and responsive to the unique needs of the residents of public housing.

We must not forget the lessons of history when considering merger. The Housing Authority Police Department was created in 1952 because the NYPD was not providing effective police protection for public housing residents. The NYPD at that time was unable to adequately address the basic concerns of protecting lives and property within Housing Authority developments. It failed to maintain public peace, prevent crime, detect and arrest criminals, guard and protect property.

I can guarantee you that the NYPD is no more able or willing to protect public housing today than it was prior to the creation of the HAPD in 1952. In fact, recent crime statistics show that the Housing Authority Police Department has a higher rate of success in policing than the NYPD. In 1993 the Housing Authority Police Department had a higher percentage rate of clearances in homicides, rapes, robberies, felony assaults, burglaries, grand larcenies, auto thefts, other felonies and total felonies. The same could be said for

1992 and 1991. A recent study by HUD confirms that the Housing Authority Police Department performs its job well and is one of the best public housing police departments in the country. I respectfully suggest that we abide by the age old maxim: "If it ain't broke, don't fix it."

The unique policing needs of public housing make it necessary that the Housing Authority maintain a separate police department. Residents of public housing are exposed to some of the City's most violent crimes -- domestic violence, illicit drug trafficking, crime spawned by persistent substance abuse. The most effective way to police public housing is with specially trained officers who know the building and know the residents.

The Housing Authority Police Department has a different mission and philosophy than that of the NYPD. The NYPD relies greatly on radio motor patrol and does not perform interior patrol of residential buildings. NYPD officers generally respond to "911" calls for service and service calls all over the City.

In comparison, the Housing Authority Police Department primarily relies on foot patrol and regularly conducts interior and vertical patrol of Housing Authority buildings. All members of the HAPD, including radio motor patrol teams, plainclothes officers, and others not specifically assigned to uniformed patrol, are expected to perform interior checks of Housing Authority buildings. The

HAPD maintains a permanent and constant presence within Housing Authority properties and buildings.

The styles of police work are also dramatically different. NYPD officers are trained for typical officer/stranger interactions with the public. These interactions are filled with the fear of dealing with a stranger. The officer must take charge of the situation immediately. The officer will use strong speech, authoritative body language, displays of weapons and the use of physical force.

In contrast, HAPD officers are trained for officer/familiar-resident interactions because they serve people they know, and people who trust them. Their work, however dangerous, is a less fearful experience which results in a kinder, gentler style of policing.

The validity of this argument is confirmed by NYPD Police Commissioner William Bratton, who is now curiously a proponent of merger. In 1990, in testimony before City Council in which he opposed merger, William Bratton as the then Chief of the Transit Authority Police Department, argued that the unique mission of the various departments, the differences in policing techniques and skills and the distinct duties of police officers to a diverse cliental demanded separate police departments. Commissioner Bratton's statements in 1990 were true then and are true now.

I can speak with some authority as to the fears,

experiences and dreams of residents of public housing. Besides being the President of the New York Housing Police Benevolent Association, I am also a former resident of public housing. I know the importance of having a police officer in the hallway, riding the elevators and patrolling the court yards. Public housing provided me with a good standard of living and a safe environment. That will not be the case if merger occurs. I can tell you that once the Housing Police Department leaves the projects, every resident will justifiably fear for his or her life. Every punk and thug will consider it open season. Gangs will take over.

Residents do not believe Mayor Giuliani's promise that no change will be caused by a merger because the City has made promises in the past which it has failed to keep. I am sure the Mayor will be promising this body, HUD and any other entity that is required to approve funding for merger that there will be even more police officers patrolling public housing after the merger. As you may recall, the City promised more police protection under the Safe Streets, Safe City Program in exchange for more tax dollars. However, as recently as several weeks ago the City has frozen the hiring of 400 new Housing Police Officers because of its legitimate fear that there will not be sufficient funding. History teaches us that promises by the City concerning police services are worthless.

We need only look to Chicago to see what will

happen if the City disbands the Housing Authority Police Department. In Chicago the City police department was responsible for patrolling public housing. In order to win back the projects from criminals the Chicago Housing Authority created its own police force much like New York's. Only now, after Chicago recognized the fact that public housing requires a dedicated, specialized police force in addition to City protection, is it beginning to take back public housing. Why is it that New York City appears to be going backwards when we have led the way for forty years.

Mayor Giuliani alleges he needs merger because it will result in economic efficiencies, manpower flexibility, and more coordinated policing. All of the Mayor's contentions are incorrect.

It is incontrovertible that merger will cost hundreds of millions of dollars more at a time the City and State can least afford it. By the City's own estimates, merger will cost at least an additional 30 million dollars more annually because of increased pension cost. That 30 million dollar figure does not take into consideration the other real costs associated with merger such as the equalization of contractual benefits, Variable Supplement Funds and pensions.

It is revealing that just a few weeks after the City Council passed the budget City Hall had to order further budget cuts totalling up to 450 million dollars because of

shortfalls in estimated revenues. These cuts also extend to the NYPD. The State Comptroller has concluded the budget still has a gap of more than 600 million dollars caused by the failure to account for spending on such items as pensions. Also the State Financial Control Board and City Comptroller have warned the City that its budget is based on major assumptions, which, if not realized, will result in a severe budget crisis. Their reports identify as much as one billion dollars in risky assumptions or initiatives and also call for more steps to avert a shortfall.

The Mayor has stated that merger will result in savings by eliminating redundant functions at the NYPD and HAPD. The hard facts reveal that combining these functions will not result in any significant savings because the Housing Authority Police Department has only a small number of police officers assigned to the units in question. Moreover, in the past it has been found to be cheaper for the HAPD to contract out for certain services than to have the NYPD provide those services. For example, the HAPD Support Services Bureau contracted out for car repair and maintenance services because it was found to be less costly than having the NYPD perform those services. Most significant however is the undeniable fact that the cost of transferring HAPD officers from NYCERS to the Police Pension will result in an annual cost of between 30 and 50 million dollars. Therefore, the Mayor's efficiency claim is bogus and endangers the City's fiscal condition.

What does all this mean? The Mayor is looking to spend millions of dollars on merger when he could be using that money to hire more police officers or to lessen the impact of these drastic budget cuts. It also means that the City's revenue estimates are wrong. And you can bet that its estimates on the cost of merger are also wrong. Can the City afford the high cost of merger given the fact it has a budget shortfall necessitating draconian cuts in services effecting millions of New Yorkers? Does City Hall need to spend money on trying to ram this program through without State approval? The answer to all these questions is a resounding **NO!**

It is our opinion that a merger cannot be accomplished without action by the New York State Legislature by the New York City Council, and HUD. The City and the Housing Authority must first amend state law before it can merge the Police Departments. Moreover, the Mayor and the Housing Authority cannot unilaterally transfer the Housing Authority Police Force to the NYPD without first obtaining new legislation amending Section 70 of the Civil Service Law. The City and Housing Authority with less than 24 hour notice to my union, placed into effect the notice transferring all HAPD Police Officers to the NYPD in violation of Section 70. Today, arguments are being presented to Judge Arber of the New York State Supreme Court asking her to declare the City's and Housing Authority acts to be illegal. I personally received a promise from Commissioner Bratton that he would keep me

informed of how merger was going to take place with reasonable notice. Would you consider less than 24 hours reasonable notice? How could anyone believe what this administration tells you when they already have a past record of not living up to their promises or flip flopping on issues without reason?

Additionally there would be a negative impact on the employees' pension rights. Membership in a pension system is a contractual relationship and neither the contract nor the benefits deriving from it may be diminished or impaired. We have fully outlined in our position paper the legal impediments to a merger which I will gladly make available to this body.

The Mayor's claim that merger would allow greater manpower flexibility and coordination can only mean one thing -- the redeployment of police officers out of public housing. The current system, per the Cooperation Agreement, mandates the NYPD to patrol public housing. Therefore it is already mandated that the NYPD deploy personnel into the projects. Don't be fooled. What the Mayor really wants is to be able to deploy the police out of public housing and place them in other areas of the City. You must not allow that to happen.

The Mayor has stated in a recent op-ed piece that the City and Housing Authority will be entering into a "written, enforceable guarantee, in the form of a Memorandum

of Understanding" which will insure that enforcement strength in the developments will be maintained. It has yet to be made available for our inspection. Given the City's failure in the past to live up to its agreements, it is very likely it could lose hundreds of millions of dollars in federal funding from HUD. HUD has in the past audited such agreements and recouped federal money when it was determined that supplemental police services were not being provided. That is what happened in Los Angeles County and I am certain it will happen in New York City over time. Can the City afford this extraordinary cost? I think not!

It is clear to me and everyone else familiar with this issue that once the Housing Authority disbands its police department, it will be transferring its force to patrol New York City -- not public housing. You can have all the memorandum of understandings you want, but the only way to protect residents of public housing is through a dedicated, independent police department.

Mayor Giuliani has set October 1 of this year as the date for merger. However, the City has not publicly presented any analysis, impact statement or study regarding merger. The plan which my attorneys received only in response to our lawsuit concerning Section 70 of the Civil Service Law was received only last Wednesday, September 14, 1994. The New York City Council Committee on Public Safety stated the plan on merger was useless and ineffective on how merger would impact police staffing levels for residents of

city housing. There is a reason for that -- any true analysis will prove the folly of the Mayor's plan. Any true analysis will demonstrate that the best system for protecting public housing is the current one. This body should be insulted at the Mayor's attempt to undertake such a drastic change effecting the safety of millions of New Yorkers without first conducting a study. Instead all you hear from City Hall is that the police departments will be merged on October 1.

In the Mayor's budget message he talks about negotiating with the unions. The City's idea of negotiation is to tell us that effective October 1, 1994 we will be merged out of existence. This is not negotiation! The law requires the City to negotiate over the issue of merger. It has not done so.

Why is it that the residents of public housing, who, let us not forget, also pay rent, have had no say as to the type of police services they want? The leaders of the Interim Council of Presidents of the New York City Housing Authority, who represent over 600,000 residents, have told me along with members of Congress, the State Assembly and HUD Secretary Cisneros, that they adamantly oppose merger. These leaders have said they want to keep their police force because they trust HAPD officers and because HAPD officers respect the residents. They have also indicated that residents fear the NYPD and will not cooperate with them if merger occurs. The residents of public housing must not be disenfranchised.

Their voices must not be ignored.

I urge all of you here today to prevent the destruction of public housing and to protect the residents of public housing. There can be no disputing the fact that money spent on merger would be better spent on hiring more cops. As the then New York City Budget Director Phil Michael said in late 1991:

"... I remain mystified as to the concrete benefits which would result from a merger. I have never seen any specifics. If we were to spend \$25-30 million a year more on police, I would recommend hiring 500-600 new police officers."

Mr. Michael's statement was true in 1991 and remains true today.

Thank you for your attention and my union stands ready to assist you in any way to save public housing.

h/testimon.

**BARBARA G. BARBER, CHAIRPERSON
MANHATTAN NORTH
INTERIM COUNCIL OF PRESIDENTS OF
THE NEW YORK CITY HOUSING AUTHORITY**
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Congressman Floyd H. Flake, New York Chairman
United States House of Representatives, 103rd Congress
Subcommittee on General Oversight, Investigations,
and the Resolution of failed Financial Institutions of
the Committee on Banking, Finance and Urban Affairs

**TESTIMONY OF BARBARA G. BARBER, CHAIRPERSON-MANHATTAN NORTH OF
THE INTERIM COUNCIL OF PRESIDENTS OF THE NEW YORK CITY HOUSING
AUTHORITY IN OPPOSITION TO THE MERGER OF THE NEW YORK CITY
HOUSING AUTHORITY POLICE DEPARTMENT WITH THE NEW YORK CITY
POLICE DEPARTMENT.**

SEPTEMBER 8, 1994

Thank you for the opportunity to testify before this august body today. I am Barbara G. Barber, Chairperson- Manhattan North of the Interim Council of Presidents of the New York City Housing Authority. I am here today to express my outrage and opposition to the proposed merger of the New York City Housing Authority Police ("HAPD") with the New York City Police Department ("NYPD") and to urge Congress to stop New York City from destroying the future of public housing. This future includes the continued safety and welfare of over 600,000 residents who reside in 325 developments

throughout the city.

New York City's plan to merge the New York City Housing Authority Police Department with the New York City Police Department will be detrimental to residents of public housing. Why was the HAPD created in the first place? In 1952 the HAPD was created because the NYPD was not providing effective police protection for public housing residents. The NYPD was not providing effective police protection and was unable to adequately address the basic concerns of protecting lives and property within Housing Authority developments. Basically, the NYPD failed to maintain public peace, prevent crime, detect and arrest criminals and guard and protect property. Why should we believe the situation will be any different now?

Our residents are exposed almost on a daily basis to some of the city's most violent crimes such as domestic violence and drug trafficking. Clearly, the most effective way to police public housing is with specially trained officers who know the buildings and know the residents.

The unique needs of public housing makes it necessary that the Housing Authority maintain a separate police department. While the NYPD relies on motor patrol and does not perform interior patrol of residential buildings, the HAPD primarily relies on foot patrol and regularly conducts interior and

vertical patrol of Housing Authority buildings. The HAPD maintains a permanent and constant presence within Housing Authority properties and buildings, while the NYPD does not.

This position is bolstered by testimony provided by the current NYPD Commissioner William Bratton before City Council in 1990 where he expressed his opposition to merger. At that time as Chief of the Transit Police Department, Mr. Bratton's position was that the unique mission of the various departments, the differences in policing techniques and skills, and the distinct duties of police officers to diverse clientele demanded separate police departments. It is our contention today, September 8, 1994 that just because Mr. Bratton took a new job does not mean that the need for separate police departments has somehow changed. In fact, the need for separate departments is now greater than ever due to pervasiveness of drug related crime.

Proof of the detrimental effects that merger can have on residents was evident in Chicago. Vincent Lane, Chairman of the Chicago Housing Authority on ABC News Nightline, on April 8, 1994, in a segment entitled "Searching for Safety" described the attitude of police. According to Mr. Lane, the Chicago Police would not go into the buildings, instead they would sit in

their squad cars outside. The attitude amongst police was literally to sit outside and wait until residents were killed. The officers would then go in and carry away the dead bodies and fill out the paper work. In order to win back the projects from the criminal elements the Chicago Housing Authority created its own police force much like New York's. Only now, after Chicago recognized the fact that public housing requires a dedicated, specialized police force in addition to City protection, is it beginning to take back public housing.

I can speak with much personal knowledge as to the feelings and sentiments of residents of the New York City Housing Authority. Besides serving as the Chairperson for Manhattan North of the Interim Council of Presidents, I have been a resident of public housing for the last 31 years and have been active in the tenant association for more than 30 of those years. The consensus amongst residents both young and old is that housing police officers are well trained for the task of policing public housing and they are more sensitive to issues of residents as a result of their training.

The HAPD's consistent presence in public housing has enabled residents and officers to build good relations. The residents know their officers and the officers know the residents. The residents of public housing respect and trust them and they respect and trust the residents. Housing officers can be

observed in the hallways , riding elevators and patrolling court yards, providing a good standard of living and a safe environment for tenants.

In comparison, the consensus amongst residents is that the NYPD treats tenants with disrespect, contempt and insensitivity. The opinion of most residents is that the NYPD is plagued by corruption and brutality. Resident's fears of the NYPD continue to be compounded by incidents like the recent shooting of an undercover transit officer by a NYPD officer. Frankly, the NYPD needs to cleanse itself of it's own dysfunction before the Guiliani administration even considers the possibility of merger. We cannot and will not tolerate these people coming into our homes and acting in ways that violate our human rights. If we lose our police force we honestly believe that over time we will lose our homes to the worse elements of society.

Another strong point against merger regards federal funding. HUD provides the Housing Authority with over 70 million dollars annually to operate the police department and over 130 million dollars for capital projects related to policing. It is our opinion that all federal monies could be lost if merger is accomplished because of HUD's historical opposition to funding municipal police forces. Currently, the Housing Authority and the City of New York have a Cooperation Agreement whereby the City is required to provide,

without charge, the police protective services and facilities of the same character and to the same extent as those furnished to all inhabitants of New York City. HUD has been willing to provide funding to the Housing Authority for police services only because the HAPD provides supplemental police services to the basic services provided by the NYPD. HUD in the past has taken the legal position that it would not pay twice for the police services it has already contracted for in the cooperation agreements. That was HUD's position when the Los Angeles County Housing Authority disbanded its police force and contracted with local municipal forces for protection. After an audit was conducted by HUD for police services, HUD demanded the recoupment of misapplied federal dollars. The Federal dollars for police protection were stopped. We received indications from HUD that it would take the same position in regards to New York City. We believe that if federal dollars are stopped residents of public housing will undoubtedly bear the burden of not only losing housing police protection, but also an additional loss of police protection caused by the deficit or recoupment of allocated federal dollars.

Despite these facts Mayor Guiliani continues to refuse to listen to our concerns. He has stated that effective October 1, 1994 the HAPD will no

longer be in existence and the NYPD will be in charge of public housing. However, we still have not received any analysis, plan, impact statement or proposal in writing regarding the merger. We believe the Mayor is taking away our police force in retaliation for our support of former Mayor Dinkins in the last election.

Under the Guiliani merger plan all officers would wear the same patch on their uniforms. So how would residents know who the officers are that are assigned to public housing? With no way to identify our officers, we believe the Mayor will then redeploy our officers out of public housing to protect his favorite neighborhoods, leaving residents to fend for themselves. He clearly does not care about the safety of the poor or minorities--he only cares about paying back those who helped him get elected.

Public housing developments are our homes. We pay rent and are valuable contributors to maintaining public housing. As such, any action involving our homes must not and cannot be taken without our input or approval.

Our community's vehement opposition to merger was clearly shown on Thursday, July 28, 1994 at a hearing sponsored by New York State Assemblyman Keith Wright. Over 700 residents packed the hearing room with

nearly 300 others turned away at the door. Each speaker, except for the Housing Authority Representative, spoke against merger.

We will not stand by idly and be stripped of our rights. If the mayor is successful in merging the Housing Authority Police Department with the New York City Police Department on October 1, 1994, I will ask that we use the power of our numbers-- 600,000 residents strong and standing in unity to stage the longest and largest rent strike in New York City public housing history.

CONCLUSION

For the reasons stated above, the residents of the New York City Housing Authority vehemently oppose the Guiliani administration's planned merger of the Housing Authority Police Department with the New York City Police Department. It is the undeniable truth that the Housing Authority Police Department performs as a well trained, specifically deployed unit for the protection of residents of public housing. The proposed merger would undoubtedly negatively impact upon the safety and welfare of the more than 600,000 residents who reside in the 325 developments throughout New York City. We respectfully urge you as elected officials, to avoid having on your conscience the possibility of New York City Housing becoming another Los

Angeles Geneva Towers or Chicago Public Housing, by joining us in opposition to this merger.

Thank you for your attention and as Chairperson for Manhattan North of the Interim Council of Presidents of the New York City Housing Authority we stand ready to help you in any way we can to save the future of public housing and promote the continued safety and welfare of residents.



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, N.Y. 10007

C. VIRGINIA FIELDS
Council Member
9th Council District, Manhattan

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TESTIMONY OF NEW YORK CITY COUNCIL WOMAN C. VIRGINIA FIELDS IN
OPPOSITION TO THE MERGER OF THE NEW YORK CITY POLICE DEPARTMENT
AND NEW YORK CITY HOUSING AUTHORITY POLICE DEPARTMENT

September 19, 1994

Distinguished members of the Committee on Banking,
Finance and Urban Affairs Subcommittee on General Oversight,
Investigations, and the Resolution of Failed Financial
Institutions, I am C. Virginia Fields, City Councilmember for the
9th Councilmanic District in Manhattan. I am pleased to have the
opportunity to appear before you today to share my views on the
proposed merger of the New York City Police Department and New
York City Housing Authority Police Department.

I believe that the City's plan to merge the New York
City Housing Authority Police Department with the New York City
Police Department will have a tremendously negative impact on the
safety of residents of public housing in New York City. This
merger would effectively end the Housing Authority's traditional
mission to protect residents of public housing at a time when the
public is demanding more police protection and residents of
public housing need more police protection than ever by a
dedicated police force.

The Housing Authority Police Department was created in

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1952 because the New York Police Department was not able to provide effective police protection for the residents of public housing. The NYPD had failed at efforts to protect lives and property within Housing Authority developments. The Housing Authority Police Department currently has over 2,447 officers who are responsible for the interior patrol of 325 housing developments and the security of over 600,000 Housing Authority residents. In 1993, the Housing Authority Police Department was cited as having a higher percentage rate of clearances in homicides, robberies, rapes and other felonies than the NYPD. I am afraid that this merger threatens to return us to a period where there was very little, if any, policing in public housing.

The very real fears of New York residents of public housing are best confirmed by the universal example of the Chicago Housing Authority. The Chicago Police Department was solely responsible for the policing of public housing. At best, the department maintained a housing authority bureau within its department, very much like what is being proposed in New York City's merger plan. The Chicago Police Department, similar to the New York Police Department relies on radio motor patrols and did not engage in interior patrol of residential buildings. The result was Chicago Public Housing became a virtual Vietnam with warring street gangs, frequent gun battles and rampant drug trafficking. In 1991, the Chicago Housing Authority created a dedicated housing police department to provide supplemental police services. The Chicago Housing Authority is now in the process of retaking control of its public housing from the

criminal element which had taken over its developments in the absence of police presence. In spite of this clear example, New York City proposes to eliminate a police department specifically responsible for the safety of public housing residents. Even the current Police Commissioner, William Bratton, in 1990, as the then Chief of the Transit Authority Police Department, opposed the merging of the three New York Police Departments based on their distinct missions, policing techniques and skills in different environments.

Mayor Guiliani and Police Commissioner Bratton have suggested that one of the major reasons for the merging of the police is the monetary savings that would result. But in fact, various agencies have stated that the proposed merger would not result in any immediate savings but would result in substantial costs. The City's own analysis has projected that the cost of merger would include an additional \$30 million dollars more annually because of increased pension costs. The City's Office of Management and Budget in a September 8, 1993 memo, estimated that the cost of any police merger would be at least \$70 million annually and would not be completely offset by savings until FY'98. OMB has stated that the costs in excess of savings of the merger would be \$27 million in FY'94, \$28.8 million in FY'95, \$14.7 million in FY'96 and \$6.3 million in FY'97. What is especially troubling about this proposal is that the City is proposing to offset the costs of merger by reducing the overall number of uniformed officers which would be a direct violation of the Safe Streets, Safe City Law and Memorandum of Understanding

which mandates that at the end of FY'93 the combined police uniform staffing level must be 37,259. Thereafter, the manning level must be 38,310 until the end of FY'96.

In addition, there is the potential loss of \$60 million in funding that the Housing Authority Police Department receives from the Department for Housing and Urban Development. HUD has advised previous administrations that according to longstanding agency policy, HUD would not be willing to provide such funding to a merged police department. Previously, HUD has been willing to provide funding to the Housing Authority for police costs based on the fact that the policing services provided by the Housing Authority Police Department supplement services provided by NYPD. The NYPD is already mandated by both statute and formal agreement to provide policing services to public housing residents but is ineligible for federal aid from HUD. HUD's funding of the Housing Authority Police Department is based on its perception of the Housing Authority Police Department as a discretionary police force provided by the New York City Housing Authority to serve its public housing residents. Any change in the status of this force such as merging with the NYPD would force HUD to make a downward adjustment in the amount it provides for the New York City Housing Authority's operating subsidy. In Los Angeles, the Housing Authority of the County of Los Angeles disbanded its police force and turned over responsibility for policing public housing to the Los Angeles County Sheriff's Department and the Long Beach Police Department. In response, HUD demanded that it be reimbursed by the Los Angeles County Housing

Authority for funds that had been allocated for a dedicated police force. HUD will not fund municipalities for basic police services which the local housing authorities have already provided for in Cooperation Agreements with local governments.

In the end, I believe the proposed police merger would have a devastating impact on the safety and quality of life of our public housing residents. It would also cost the City of New York a great deal of money at a time when our city can least afford it fiscally. Public housing in New York City would be left exposed to the worst elements of crime and disorder and thereby endanger the lives of some of our most vulnerable citizens.

On a final note, while I remain opposed to this merger, there are a number of initiatives that I would like to see undertaken.

The first would be an increased commitment from the present administration to provide the necessary resources and training to increase the safety of public housing residents within the existing housing police structure.

Secondly, we should look at changing the formula by which police academy graduates are assigned to the Housing Authority Police Department. The intended goal would be to increase the number of officers available for permanent duty in the HAPD thereby increasing the presence of officers on patrol in NYCHA developments on a day-to day basis.

Finally, I would like to see a concerted effort by the City to recruit future members of the HAPD from the very developments that HAPD is responsible for policing. I believe this would increase career opportunities for young residents of public housing and even better establish good relations between residents of public housing and the HAPD.

Thank you for your attention.

Submitted on the behalf of
Stanley Hill
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TESTIMONY OF STANLEY HILL
EXECUTIVE DIRECTOR OF DISTRICT COUNCIL 37
BEFORE CONGRESSIONAL SUB-COMMITTEE
MONDAY, SEPTEMBER 19, 1994

District Council 37 represents 130,000 city workers in agencies throughout the city. There are numerous locals in the District Council that will be affected by the proposed police merger. However, two of the locals which are directly affected by the merger are Local 1655 which represents 300 Transit Authority workers and Local 957 which represents 300 New York City Housing Authority clerical employees.

First, I submit to you that the proposed police merger compromises the constitutional relationships between the mayor, the governing authorities, and the legislatures in both the city and state. The mayoral executive order calling for the merger of the New York City Police Department with the Transit Authority Police and the New York City Housing Authority Police calls into question the role of the relevant federal, state, and city authorities. The mayor should not act without the formal approval of these entities.

Second, many of the elected representatives from each of level of government have registered concerns about how the administration has moved this process. Respectively, they have noted that a unilateral action on the part of the current administration does not comply with legal and budgetary authority of the federal, state, and local governing entities. On the question of process and legal authority the merger should not proceed.

Furthermore, the merger does not make good public policy sense. Our opposition and the opposition of other interested

parties stems from a concern regarding the elimination of a dedicated stream of police protection in the Housing Authority and Transit Authority. If these streams of police protection are eliminated, how can we maintain the level of police protection these institutions have traditionally maintained. In effect, we believe that a merger dilutes police presence -- it means you will have a lower level of service delivery.

A major issue which the Guiliani Administration claims is resolved is the HUD funding for the public housing system. It is still unclear from HUD officials if this funding will be protected should a merger occur. There are millions of dollars at stake. None of the affected parties, from tenants, unions, and elected representatives know any of the details regarding the implementation of a merger. This process has been shrouded in secrecy rather than subjected to public review.

In addition, at a recent hearing before the City Council, the President of the Transit Authority Alan Kiepper and Transit Police Chief Michael O'Conner testified against the police merger. They too, indicated that the proposal lacked detail and did not acknowledge the integrated relationship between the TA and the TA Police. Members of numerous tenants associations also testified about their opposition to the merger. These residents have no information and are fearful that an already precarious situation in the housing developments will worsen once merger happens.

In effect for too many of us there remains many questions and unresolved considerations about the consequences of this merger. As often as we have asked, we have yet to see specific plans or ideas demonstrating how police protection in the subways and in the

Housing Authority will be improved. In fact, it is our belief that should this merger occur, police protection in the subways and in the Housing Authority will get worse. Protection in these areas can easily be compromised by the many contingent circumstances-- i.e. parades, demonstrations, bombings, etc. that NYPD must respond to.

Consequently, this whole merger idea seems to have been put forward without the facts or figures to make a compelling case. Let me tell you, there are problems in this merger. For example, Commissioner Bratton in his recent testimony before the City Council suggested that the intent of the merger is to eliminate duplicative services. However, no detailed outline of what services were considered non-essential and what personnel staffed these non-essential areas was presented. Moreover, the Commissioner indicated that NYPD would assume the bulk of the administrative functions; however, he did not propose any plans for new civilian hires to assume responsibility of these new administrative functions. The lack of civilianization in NYPD is already problematic. A merger means that the current civilian staff which has not been expanded will become over-burdened as the NYPD assumes greater responsibilities throughout the system.

Perhaps the best proof of how little planning has taken place can be demonstrated by considering the 300 members of Local 1655 who work in the Transit Police and the 300 members of Local 957 who work with the Housing Police. These men and women came to work with dedication and pride in serving the people of New York. They won promotions, benefits, and seniority. They are working people whose lives are built around jobs.

If there is a merger, what will happen to these workers? What

will happen to the rights and benefits they have fought so long and hard for. These rights must be protected.

If there is a merger, will they automatically become employees of the New York City Police Department? Will they lose the seniority they now have in place? Will they be subject to transfers anywhere within the five boroughs? Will those with clerical citywide titles in the Transit and Housing Authority be able to be transferred within their agencies rather than being transferred to NYPD? Will they lose their career ladders and their identity as Transit and Housing Employees? How are they going to be protected?

Our members and members of other unions who are employed in the three different police departments have different collective bargaining rights, salaries, annual leave, seniority rights, transfer procedures, and disciplinary rights. Moreover, some of our members are currently on civil service lists in their respective police departments. These issues represent critical concerns that must be resolved through collective bargaining. However, it is apparent that the administration is prepared to disregard the law and violate the rights of workers. The rights of these workers must be protected. They deserve answers to these questions, and they deserve the answers as soon as possible. They are taxpayers and your constituents. Their livelihood and their future is on the line.

Right now, these 600 men and women serve a valuable role. This merger is nowhere near proven to be a necessity or a move that will benefit anyone. There is a substantial support staff involved

in this merger and this staff is vital, because they are specially trained and experienced in dealing with the problems, details, forms and function of the Housing and Transit Authority. It defies logic to deprive our city of the kind of expertise possessed by these public servants.

Any merger must safeguard the present workers. Their jobs, their rights, and their benefits must not be put a risk for the sake of a political experiment.

I urge you to register your disapproval of this misguided merger.

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