

PUBLIC ADVOCATE PROGRESS REPORT



Tish James

PUBLIC ADVOCATE FOR THE CITY OF NEW YORK



January - December 2015

Message from the Public Advocate

With growing neighborhoods and vibrant communities, our City has never been more exciting or dynamic. But far too many New Yorkers continue to miss out on the progress New York City is experiencing. From individuals struggling to keep a roof over their heads, to the children and families who feel invisible in the most glittering city on the planet, the most vulnerable New Yorkers need a champion in government who never stops fighting for them.

I think about these New Yorkers every single day I serve as your Public Advocate.

This year, we further expanded the reach of the Public Advocate's Office by litigating, legislating, investigating, and advocating on some of the most pressing issues of our time. In this progress report, you will find details about our work protecting tenants, promoting criminal justice reform, standing up for children and families, and making sure that as we grow New York, none of our neighbors are left behind.

In just two years in office, we have introduced 32 bills, filed 10 lawsuits, submitted seven amicus briefs, and issued 13 policy reports, more than any Public Advocate before. Moreover, during the past year we have helped over 8,000 constituents in need who called, wrote, or visited the Public Advocate's Office. In 2015 alone, I participated in 32 town hall meetings and hosted 16 such meetings of my own where we listened to public concerns and worked to bring constituent services directly to residents. Many of the issues raised at these town hall style meetings led to broader issue campaigns that our office worked on in the form of legislation, litigation or policy reports and recommendations.

In 2016, you can look for the Public Advocate's Office to continue to grow in its breadth and depth of service as New Yorkers' watchdog.

I hope that in the coming months you will join me as a partner in this mission.

Thank you!

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**ABOUT PUBLIC
ADVOCATE
TISH JAMES**

Tish James is the Public Advocate for the City of New York, the second highest ranking elected office in the City. As Public Advocate, she serves as a direct link between New Yorkers and their government, acting as a watchdog over City agencies, and investigating complaints about City services.

Public Advocate James made history in 2014, becoming the first woman of color to hold citywide office in New York City.

In order to fulfill the duties of her position, Public Advocate James has the authority to introduce legislation, initiate litigation, hold public hearings and access agency data relevant to residents' concerns. She serves as an ex officio member of the City Council and chairs City Council Stated meetings. Public Advocate James is also charged with appointing members to various boards and commissions such as the New York City Planning Commission. Additionally, she serves on the board of the New York City Employees' Retirement System, the largest municipal public employee retirement system in the country.

Prior to being elected Public Advocate, Tish James served as a member of the New York City Council from 2004 to 2013. As a City Council member, she fought for paid sick leave and passed the Safe Housing Act, which ensured that thousands of families in rental buildings receive prompt and full repairs to their apartments. As chair of the Council's Contracts Committee, which has oversight over City procurement, she was an early whistleblower on the CityTime scandal, a case in which contractors defrauded the City of hundreds of millions of dollars, and she held multiple hearings to bring attention to the issue and passed vital legislation to ensure such a fiasco never happens again. As Chair of the Council's Sanitation Committee, she pushed through a revolutionary recycling package that included expanding plastic recycling, a new clothing and textile recycling program, and improved public space recycling.

As Public Advocate, she is transforming the office to deliver real results and reforms for all New Yorkers. In her first two years in office, she has filed more litigation and introduced more legislation than any previous public advocate on behalf of New Yorkers.

Tish James is an attorney, and previously served as an Assistant Attorney General and a public defender. She is a graduate of CUNY's Lehman College and Howard University School of Law and attended Columbia University's School of International and Public Affairs.

ACCOMPLISHMENTS

Protecting Children and Families



Comprehensive Reform of a Broken Foster Care System

By many measures, New York City has one of the worst foster care systems in the country. Instead of delivering swift results that mean reunification or permanent placement for children in the system, New York City's foster care system allows thousands of children to languish within the system.

That is why Public Advocate James launched a comprehensive fight to reform this broken system, issuing reports, passing legislation, and filing a sweeping federal class action lawsuit. Public Advocate James' actions culminated in historic oversight of the system. In 2014, Public Advocate James issued a [report on the issues plaguing young adults](#) aging out of foster care and passed a City law requiring the City's Administration for Children's Services (ACS) to report information about youth aging out of the foster care system.

"The state agreed to a series of reforms aimed at improving the lives of thousands of kids stuck in the city's dysfunctional foster care system in a new legal settlement...The settlement follows a lawsuit that children's rights advocates and Public Advocate Letitia James filed against the city and state, alleging widespread mismanagement that leads to huge delays finding kids a home."

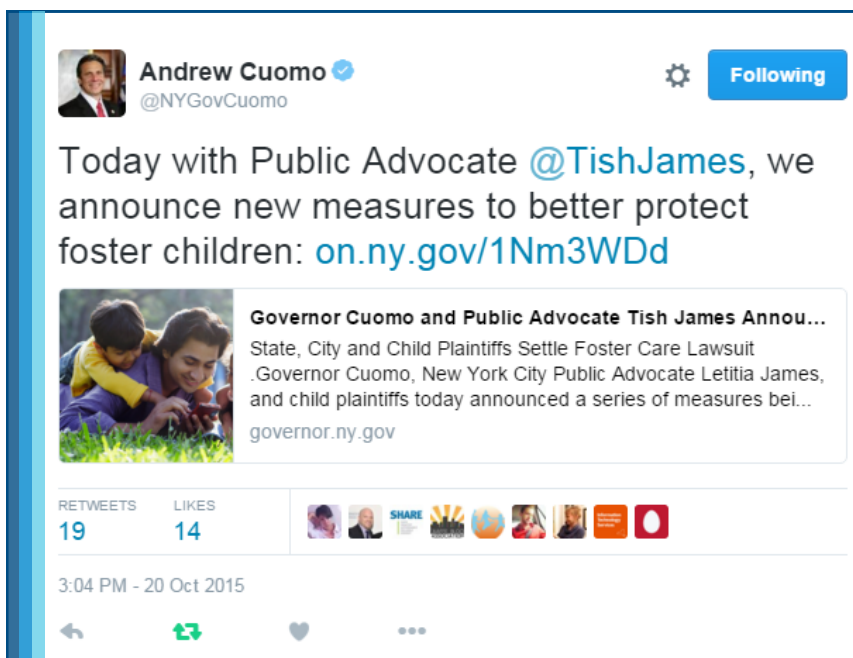
DAILY NEWS

October 20, 2015

In the spring of 2015, the Public Advocate's Office established a multilingual hotline to gather information from foster children and their advocates about barriers they face receiving services while in foster care. In July 2015, Public Advocate James released a second [report on the shortcomings of the foster care system](#).

And later that month, along with ten foster children, Public Advocate James filed a class action lawsuit against ACS and the New York State Office of Children and Family Services (OCFS) for causing irreparable harm to children in New York City foster care.

The suit alleges that ACS and OCFS are failing to protect children from maltreatment, to provide quality services, and to ensure proper placements. In October 2015, Governor Andrew Cuomo announced that his administration would settle the state's portion of the lawsuit and reached an agreement with Public Advocate James. Thanks to the agreement, there will be an independent monitor overseeing the foster care system; a research expert to examine individual cases; and corrective measures for problems identified in the system.



Ensuring Safe Streets for Kids

"We have worked hard to create safe and welcoming schools across Lower Manhattan. Sadly, the unpatrolled streets around our school are not as safe, and have been the setting for several hit and run incidents. I thank Public Advocate James for advocating for the safety of our children and families."

Nancy Harris, Principal of Spruce Street School

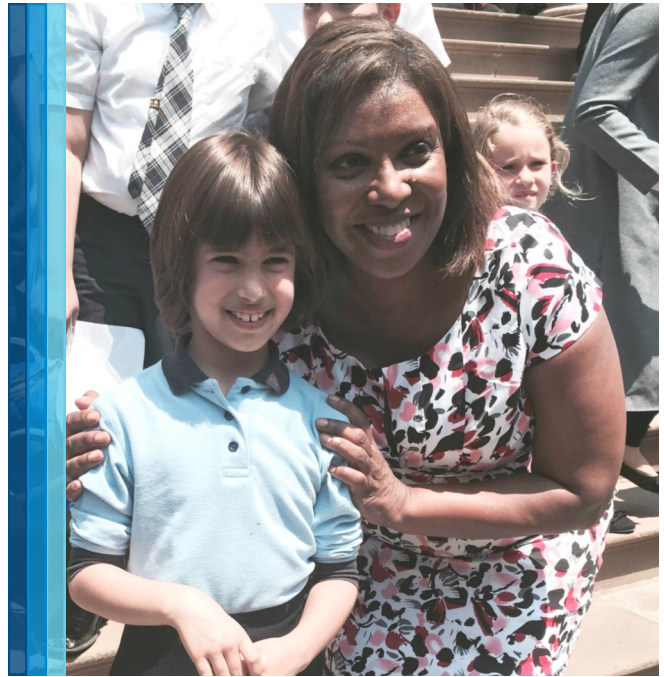
Public Advocate James understands that there is nothing more important than the safety of our children. This is why she fought to make sure that school crossing guards are employed in all heavily-trafficked areas near schools. Unfortunately, too many public schools throughout our City are inadequately staffed with trained crossing guards — putting students' well-being at risk.

In the fall of 2015, Public Advocate James worked with a variety of elected officials, parents, and the union representing crossing guards to bring attention to this matter.

To illustrate the need for action, Public Advocate James and other leaders pointed to Peck Slip School (P.S. 343) and Spruce Street School (P.S. 397) where pedestrian collisions and a pedestrian death have caused anxiety among parents who are concerned about the safety of their children and others crossing high-traffic streets. In response to this strong advocacy, in 2015, New York City allocated \$1.15 million to hire 80 additional crossing guards.

Expanding Access to Childcare

The Public Advocate's Office released a [comprehensive policy report](#) revealing that, on average, a family in New York City pays \$16,250 annually for childcare, and this amount is increasing by almost \$1,612 each year. Without access to subsidized care, a family of three living at the poverty line in New York City would have to spend 58% of their total yearly income on infant care.



“The average annual cost of infant care in the city is a whopping \$16,250, according to a new report by Public Advocate Letitia James—in part because of a shortage of available seats, according to James. ‘There are too many families that cannot afford childcare for their children, and as a result they have to give up their jobs or they have to take a pay cut to take care of their children,’ she said Monday outside City Hall.”

DAILY NEWS

November 9, 2015

Public Advocate James called for expanding the New York City Child Care Tax Credit to include families making up to \$65,000 annually. Currently, the income cap is \$30,000. This will increase eligibility for 34,500 more children and ease the financial burden for nearly 50,000 working families. Additionally, Public Advocate James pushed to consolidate how childcare services are administered to expand accountability and improve results. 2015 was also the year that Public Advocate James focused attention on improving childcare at CUNY campuses. The Public Advocate's Office released a [policy report recommending that the City increase its contribution to the CUNY budget](#)

for childcare from \$500,000 to \$1.53 million to ensure that no CUNY student is forced to choose between caring for their child and receiving the education they need to improve their life.

City funding for CUNY childcare programs has remained flat at \$500,000 since 1980. In that time, there has been an increased demand for services and an increased cost to provide these services. The report recommends that the additional funding should go toward increasing the number of childcare slots, increasing pay and benefits for childcare staff, and increasing data collection, research, and outreach efforts. A 2014 survey of all CUNY campus childcare centers found that 91% of student parents said it would be “difficult” or “very difficult” to attend school without campus childcare. According to Public Advocate James’ report, students with dependent children – especially single mothers – are at higher risk of dropping out, accumulating higher debt, and are more dependent on campus childcare for success in school. Even when student-parents manage to graduate, the lack of childcare services often delays their graduation and increases the amount of debt they accrue.

Keeping Day Care Centers Open

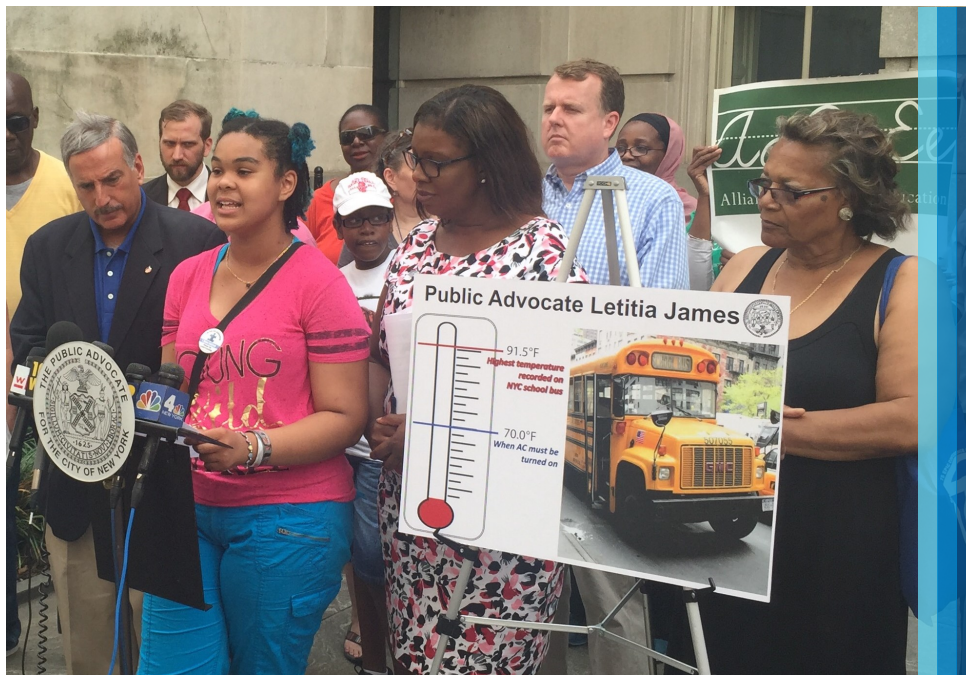
With rising rents citywide and the City’s focus on implementing Universal Pre-Kindergarten, Public Advocate James worked to restore attention to challenges confronting day care centers, particularly with respect to the threat posed by rising rents for day care providers.

Many childcare centers located in gentrifying areas that serve low-income children face greater challenges because of rising rents in their neighborhoods. The City has failed to properly plan for this problem at sites that it leases on behalf of day care providers. One such site was in Fort Greene, Brooklyn, where a center providing care for hundreds of families was set to shut down after serving the community for over 40 years. After months of standing with members of the community and negotiating with the administration, Public Advocate



James was able to renegotiate the terms of the lease and save the day care center. Later in the year, Public Advocate James’ child care policy report recommended that New York City directly negotiate long-term leases with landlords to ensure that providers have a stable space from which to operate. This direct negotiation is especially crucial in neighborhoods where gentrification can make it difficult for small centers to prevail in negotiations with landlords.

Standing Up for Children with Special Needs



Imagine a child stuck on a school bus in sweltering summer heat without any air conditioning. Now imagine that child having a disability and being non-verbal. This is exactly what was happening right here in New York City as special needs children, who attend school year-round, sat through long bus rides in extreme heat with no air-conditioning. These conditions are not

only very troubling, but also a violation of the law, which specifically calls for special needs children to be transported on air-conditioned buses when the temperature exceeds 70°F.

In August 2015, Public Advocate James filed a lawsuit against the City's Department of Education (DOE) for failing to adequately provide air conditioning on school buses transporting children with disabilities. The complaint, filed jointly with two children who attend schools for children with special needs, cites dangerous temperatures as high as 91 degrees recorded on City school buses, which were uncovered during an investigation by the Public Advocate's Office. Public Advocate James became aware of the issue in the summer of 2014 when the mother of a special needs child contacted the office because her autistic daughter had to be taken to the emergency room after being stuck on a school bus in sweltering heat without any air conditioning. Public Advocate James brought the lawsuit following her repeated but unheeded calls to DOE to address the issue.

"My son has not had a single air-conditioned bus ride this summer...It is outrageous that I have to be concerned for my child's safety on the school bus. I am grateful that Public Advocate Tish James is joining us in this fight, and hope that DOE finally decides to do the right thing."

Catherine Simone, mother of student with autism, who joined in hot bus lawsuit

Protecting Children with Disabilities

Public Advocate James took decisive action when parents of children with disabilities came to her office alleging that their children were being abused at a for-profit school called Achievement First. She and her staff met with these parents and their children and heard harrowing stories of maltreatment of students as young as five. Children were being forced to wear weighted lead vests for hours at a time, were being locked in dark, windowless rooms during timeout, and were sent to lower grade classrooms as a form of punishment. These punishments were imposed for breaking rules as harmless as not looking in the teacher's direction or fidgeting one's hands.

Public Advocate James assisted the New York Legal Assistance Group (NYLAG) in filing a class action lawsuit against Achievement First in November 2015, alleging that the school had violated the civil rights of its students. The litigation is ongoing.

Supporting Paid Family Leave

Public Advocate James is a committed proponent of paid family leave. In June 2015, the Public Advocate's Office released a major policy report detailing challenges and solutions for providing paid family leave for New Yorkers. Public Advocate James worked with the City's Independent Budget Office to develop a roadmap for New York City to take the lead and implement a paid family leave program.

On the state level, Public Advocate James has championed the Paid Family Leave Insurance Act (A.3870/S.3004), which would expand the state's Temporary Disability Insurance program to include paid family leave for New Yorkers in need of such leave. This approach is the same way California, New Jersey, and Rhode Island have implemented paid family leave.

Protecting Tenants and Holding Landlords Accountable



Protecting Tenants from Dishonest Landlords

Sandra Johnson has lived at 14 West 125th Street for nearly thirty years. She has a disability, lives on a fixed income, and shares her apartment with her four children and six grandchildren, including one wheelchair-bound adult son. Her building was sold by the City to a landlord on the condition that important repairs be made and tenants protected. Despite agreeing to those terms, the landlord failed to make the necessary repairs, causing the building to remain in a constant state of disrepair. Somehow, in spite of the landlord's clear violation of the terms of the building's sale, the City's Department of Buildings granted the landlord the permits to expand the building and make more money while tenants suffered in sub-standard conditions.

That's why Public Advocate James stepped in and sued on behalf of the tenant, Ms. Johnson. Public Advocate James was joined by MFY Legal Services in the lawsuit, which exposed the fact that the landlord wrongly claimed the building to be vacant, even as tenants like Ms. Johnson and her family lived there.

Thanks to Public Advocate James' and MFY's action, the courts issued a restraining order to stop the demolition and construction work on the building.

Fighting Discrimination against Rent-Regulated Tenants

In the summer of 2014, rent-regulated residents living in the Upper West Side's Stonehenge Village were informed by building management that they would not be permitted to use the building's new fitness facility—it was for market-rate tenants only. Public Advocate James swiftly stood with tenants to protest against these discriminatory policies and, in August 2014, she filed a brief in support of a New York City Human Rights Law challenge against the landlord. Additionally, in March 2015 Public Advocate James co-sponsored legislation in the City Council to prevent this type of unequal access to building amenities. In October 2015, the building managers succumbed to pressure and terminated the unlawful policy, a victory for Stonehenge residents and for equality.

Supporting Tenants during Rent Law Crisis

In June 2015, rent-regulated tenants watched anxiously as Albany struggled to renew expiring rent laws that allow millions to afford to live in their homes. When the deadline approached and negotiations appeared deadlocked, Public Advocate James joined an emergency meeting with key leaders and housing advocates to discuss ways to address tenants'

concerns about the expiring rent laws. Following the meeting, Public Advocate James set up an emergency hotline with extended hours of service to provide support and information to concerned tenants and to help them to understand their rights. In just a few days, hundreds of tenants were assisted by the Public Advocate's Office through the emergency hotline and other mechanisms.



Holding Landlords Accountable with the Worst Landlords Watchlist

Every New Yorker deserves to live in safety and security, and every apartment must meet basic standards of habitability. Unfortunately, unscrupulous landlords throughout New York City are failing to uphold these basic rights, creating inhumane living conditions for tenants.

That's why Public Advocate James continues to release the annual [Worst Landlords Watchlist](#).

In 2015, the Watchlist included a number of improvements, strengthening this vital tool for tenants and advocates. For the first time, the Watchlist included data on open complaints from the City's Department of Buildings and allowed tenants to track the housing court activities of their landlords.

Public Advocate James also used new tools beyond the Watchlist to combat bad landlords. She launched legal actions against a number of the worst landlords to further fight for tenants.

She introduced a number of bills in the City Council to make systemic changes to protect tenants from the City's worst landlords. In this sense, the Worst Landlords Watchlist initiative combines Public Advocate James' main approaches to the office – litigation, legislation, investigation, and advocacy – to get results for tenants.

"I applaud Public Advocate James for continuing to expand the capabilities of the [Worst Landlords] list, and working hard to ensure that New Yorkers have a resource that helps them assert their rights."

Mayor Bill de Blasio

From Worst Landlords Watchlist to Jail

After two brothers, Joel and Aaron Israel, landed on the Worst Landlords Watchlist in 2014, Public Advocate James investigated additional complaints against them including allegations of negligence in maintaining safe conditions. She referred the case to Brooklyn District Attorney Ken Thompson and worked with him to take on the two landlords in the courts.

In April 2015, Public Advocate James joined District Attorney Thompson as the two landlords were indicted on multiple counts of harassment, intimidation, and fraud. On the day of their arrest, Public Advocate James stood with tenants to detail the abuses perpetrated by the landlords including stories of workers entering apartments claiming to make repairs, only to wreak destruction on their apartments, and of one mother who had to take her children to a local McDonald's every morning to brush their teeth because they had no running water.

Preserving Housing for Tenants Facing Eviction

Earlier this year, the City's Department of Finance (DOF) imposed a new and misguided rule to terminate rental protections for the relatives of deceased elderly and disabled New Yorkers without actually notifying beneficiaries and their families of the rule change. The benefit in question, known as either a "Senior Citizens' Rent Increase Exemption" (SCRIE) or "Disability Rent Increase Exemption" (DRIE), has the effect of freezing rent for beneficiaries at the time of application.

When SCRIE/DRIE rental benefits inexplicably ended for relatives of dozens of these individuals, such as 93-year-old wheelchair bound Qiao Xiao He, whose husband recently passed away, Public Advocate James knew she needed to take action. Public Advocate James joined with Legal Services and eight senior citizens and people with disabilities to file suit in federal district court to challenge the new rule.

[A]s the rent-freeze program, which is publicly funded, expanded to include thousands of more households, the city quietly moved to purge some from the rolls, and in the process kicked out a number of poor people even though they were eligible according to a lawsuit filed Wednesday by the city's public advocate and lawyers for low-income tenants....Letitia James, the city's public advocate, said her office tried to work with the finance agency to resolve disputes with eight tenants now facing eviction. 'They say these individuals are time-barred. That's unacceptable,' Ms. James said in an interview. 'We have no other recourse but to go to court.'

The New York Times

June 2, 2015

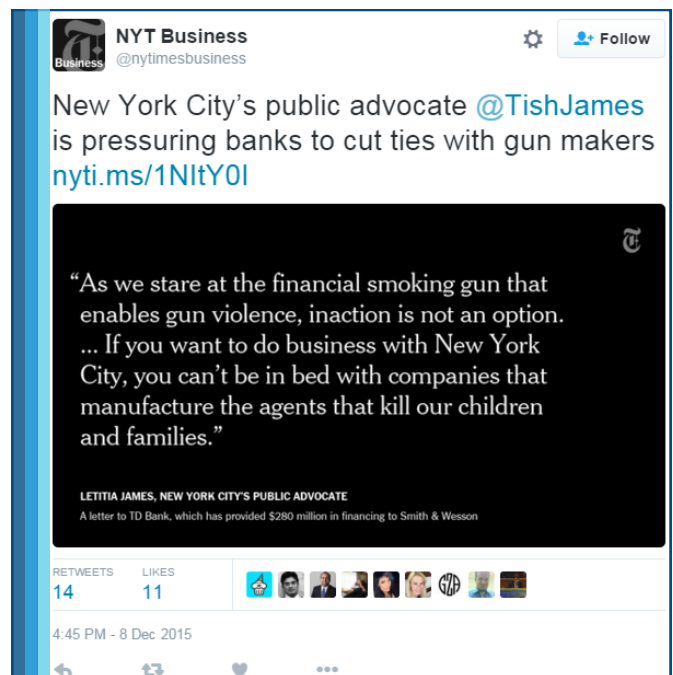
As a result of Public Advocate James' work and the efforts of advocates, DOF reversed its policy, helping countless New Yorkers remain in their homes.

Combating Gun Violence



Divesting New York City from Gun Retailers

In July 2015, Public Advocate James called for New York City to divest millions of dollars from Walmart and other gun retailers until they agree to stop selling firearms. Walmart, the most well-known of these retailers, is an aggressive promoter of gun ownership and the largest gun and ammunition retailer in the United States, selling firearms just a few aisles away from children's toys and baby food. Public Advocate James is a trustee of the New York City Employees' Retirement System, the largest of the City's pension funds, which overwhelmingly passed her resolution to begin divestment proceedings.



Challenging Banks that Fund Gun Makers

Public Advocate also took action against gun manufacturers. Smith & Wesson is one of the largest weapons manufacturers in the world, reporting over \$600 million in gun sales in 2014. Smith & Wesson firearms were used in the San Bernardino massacre, the Umpqua Community College shooting, and the Aurora movie theater shooting.

After learning that TD Bank gave a nearly \$300 million loan to Smith & Wesson and also holds millions of dollars in contracts with New York City, Public Advocate James sought to use the City's contract-

ing leverage to take on the financial institutions that help to fund gun violence in the United States. She called on TD Bank to terminate its relationship with Smith & Wesson and any other gun manufacturer, to donate any profits from such deals to organizations working to end gun violence, and to pledge to never engage with gun manufacturers again.

Public Advocate James also called on the federal Securities and Exchange Commission (SEC) to launch an investigation into whether Smith & Wesson is violating U.S. Securities Law by failing to disclose material information to its shareholders.

“Ms. James is opening a new avenue in her fight against gun sellers and makers. Earlier this month, she called on TD Bank, a big lender, to stop financing Smith & Wesson. This summer, she convinced the New York City Employee Retirement System, the city's largest pension fund, to explore divesting itself of its holdings of gun retailers like Walmart and Dick's Sporting Goods.”

The New York Times

December 14, 2015

Technology to Improve Public Safety

Gunfire tracking systems represent one of the more promising examples of how advancements in technology can be used to improve public safety and law enforcement. The technology aims to address the underreporting or delayed reporting of gun shots by notifying the NYPD of the existence and location of gunshots within less than a minute of their occurrence. In 2015, the gunfire tracking system detected over 1,600 gunshots, 74% of which were not reported to 911. Public Advocate James has been a strong supporter of gunfire tracking technology, such as the ShotSpotter system, since her time as a City Council member and, following the establishment of an NYPD pilot program earlier this year, she introduced legislation that would ensure transparency by requiring the NYPD to publish data collected from the technology on a quarterly basis.

Safety and Justice for New Yorkers



Photo credit: Beбето Matthews, AP

Advancing Reforms to Ensure Justice and Accountability

Following the failure of the grand jury to indict in the death of Eric Garner, Public Advocate James became one of the first elected officials in New York to call for a special prosecutor in cases involving the death of an unarmed civilian at the hands of police. Public Advocate James successfully made the case that a special prosecutor would avoid conflicts of interests and increase transparency and accountability in those cases. Soon after, Attorney General Eric Schneiderman stood with Public Advocate James to call for a special prosecutor. Ultimately, Public Advocate James proudly stood with Governor Andrew Cuomo as he signed an executive order in July 2015 establishing a state-wide special prosecutor.

Continuing to Fight for Transparency in the Garner Case

Throughout 2015, Public Advocate James continued to fight in court to unseal minutes from the Eric Garner grand jury case. She took the case all the way to the State's highest court on the basis that sunlight and transparency are needed to restore the public's faith in our criminal justice system. Public Advocate James argued that there is no logical reason to maintain grand jury secrecy as the video that shows the circumstances of Mr. Garner's death is public, and the identities of those involved are not hidden. Though her appeal was ultimately not granted, Public Advocate James is continuing to fight for reforms to create a criminal justice system with more fairness, transparency and accountability.

Reforming Rikers Island

For years, Rikers Island has been the site of deeply troubling and well-documented abuses. Public Advocate James has fought to reform the way the jail is run and championed protections for both inmates and correction officers. In addition, Public Advocate James has supported reforming solitary confinement, including ending the practice for juveniles.

Public Advocate James campaigned against sexual violence in our jails. Rikers Island has the highest reported rates of sexual victimization compared to jails nationwide. And although federal regulations exist to protect inmates, these regulations are virtually unenforceable in City jails. So in the summer of 2015, Public Advocate James successfully petitioned the City's Board of Correction to create enforceable rules to crack down on sexual victimization on Rikers Island. These new rules will ensure that all inmates have the basic human protections that every person deserves. In addition to this work, Public Advocate James has been advocating for improved mental health services for inmates on Rikers Island.

“New York City's public advocate is proposing tough new rules to crack down on sexual assaults in city jails, citing federal statistics that show two Rikers Island lockups have some of the nation's highest rates of reported attacks by both guards and fellow inmates....New rules would require better training of investigators to verify assault complaints, restrictions on contact between older and teen inmates, background checks of jail staff for past allegations of sexual misconduct and more power to fire staffers who sexually abuse inmates.”

AP

December 14, 2015

Preventing Sexual Assault on Campus

As part of Public Advocate James' extensive work to address sexual assault, she convened a town hall meeting for advocates, students, and other interested parties to discuss how the City can help colleges and their communities to meaningfully address sexual assault. Consistent with her approach of listening to all New Yorkers, the event offered an opportunity for attendees – most of whom were college students – to discuss ideas in working groups and report their input to the rest of the event's attendees.

“The Alliance supports the Public Advocate’s efforts to end sexual assault in New York City. We are particularly delighted to see the Public Advocate’s focus on expanding resources for all survivors of sexual assault including college/ university students. Sexual assault has been a hidden and unjust situation for many years that must be addressed.”

*Mary Haviland, Esq., Executive Director, NYC Alliance
Against Sexual Assault*

The ideas and information discussed at the town hall meeting were used to inform the drafting of the Public Advocate’s legislation (Int. 517), which aims to use city resources to assist colleges and universities to address sexual assault on their campuses.

In addition, Public Advocate James worked with her colleagues in the City Council to organize a hearing that focused on her legislation and

oversight of campus sexual assault in general. At the hearing, Public Advocate James and her Council colleagues heard shocking, personal stories from students detailing sexual assault and stalking on campus. Many survivors’ stories described negligent or uninterested school administrators, wholly unprepared and unprofessional campus security and police officers, and an overall lack of resources for counseling and support.

Public Advocate James also worked extensively at the state level to ensure that rape crisis services and rape prevention programs received adequate funding in the state budget. Thanks in part to her hard work, the State provided an additional \$4.6 million in funding for rape crisis centers, almost tripling the previous year’s allocation.

Drone Technology and Safety

As recreational drones become more accessible and commonplace, they represent a new challenge for government to address the reasonable safety and privacy concerns of everyday New Yorkers while not stifling innovation and responsible use. In November, the New York City Council held a hearing on a bill introduced by Public Advocate James (Int. 614) that would require all drones flown in New York to be registered, to obtain insurance, and to display identification information. Bolstering Public Advocate James’ approach, the Federal Aviation Administration announced its intention soon after the hearing to also require registration for all drones throughout the country.

Fighting for Workers' Rights



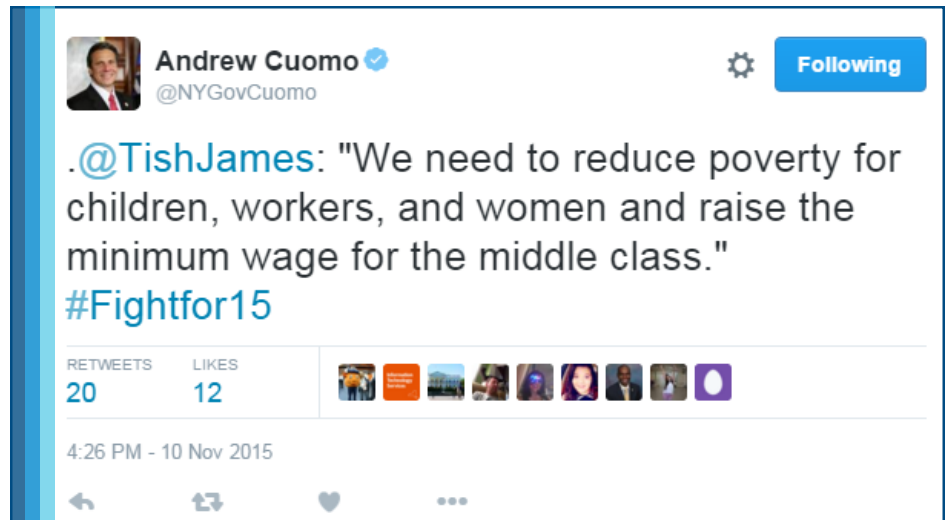
Saving Jobs from Outsourcing

When NYC Health + Hospitals sought to privatize vital dialysis services provided at City-owned hospitals to a contractor with a record of inferior service, Public Advocate James led the fight to preserve the existing, high-quality service and the quality jobs that go with it. Public Advocate James has been pushing back against this ill-conceived deal since the beginning of her term, meeting with health care providers, contacting public health officials to highlight the issues, questioning Health + Hospitals officials before the City Council, and testifying twice in front of the State Public Health and Health Planning Council in opposition to the deal. After almost two years of push-back, Health + Hospitals withdrew its application to sell the dialysis facilities in May 2015.

Fighting for Fast Food and Car Wash Workers

Public Advocate James has been a strong supporter in the fight to increase minimum wage for all New Yorkers to \$15 an hour, since she stood with workers on the very first Fight for 15 strike in 2012. She stood with Governor Cuomo when he announced his effort to raise the wage for fast food workers in the state, and continues to push for passage of a law to increase minimum wage.

For years, one of the worst offenders of wage theft and underpayment in New York City has been the car wash industry. Public Advocate James, who has long championed the cause of underrepresented low-wage workers, released an [investigative report documenting the challenges faced by car wash workers](#) in New York City. The report detailed evidence gathered from interviews with car wash workers in New York City that strongly suggested that violations such as wage theft and underpayment remain common practice in the industry. Car wash workers consistently reported that they were paid less than the tipped minimum wage, were subject to overtime violations, were made to pay for towels and uniforms, and went weeks at a time without receiving their wages.



Public Advocate James was also a co-sponsor of the City Council's Car Wash Accountability Act, passed in June 2015, which created financial safeguards against wage theft and workplace abuse and established new, worker-friendly standards for operating a car wash.

Protecting Workers from Wage Theft

On top of earning low wages, too many workers have to deal with wage theft. Their bosses or companies cheat them out of overtime, or other fairly earned pay. But, unlike car washes in New York City, enforcement of the law against wage theft for most other businesses resides with the State, while the City is limited in its ability to protect these vulnerable workers. Public Advocate James introduced legislation earlier this year to provide a role for the City to assist those who believe they are victims of wage theft. By establishing an anonymous wage theft hotline and resources to assist those with wage theft concerns, this bill (Int. 862) will provide much-needed assistance to those with concerns about wage theft and help them to understand their rights and available legal recourse.

Standing Up for Seniors



Celebrating Seniors

This year, Public Advocate James launched her first annual “Senior Week” in August. The week-long celebration kicked off with a town hall meeting and concluded with a Seniors’ Prom. Throughout the week, Public Advocate James and her team visited eight senior centers throughout the City, distributing information on City resources and helping to resolve constituent issues. As part of Senior Week, Public Advocate James published and distributed an elder abuse awareness card.

Assisting with Snow Removal

New York City’s richly diverse population includes approximately 900,000 people with disabilities and 1.5 million senior citizens. The laws and policies of the City must consider the special needs of these residents, particularly during extreme winter weather. In October, the City Council’s Committee on Sanitation held a hearing on a bill introduced by Public Advocate James (Int. 714) that would require the City’s Department of Sanitation to direct resources towards assisting seniors and people with disabilities to remove snow and ice from in front of their homes. In addition, considering the challenges faced by these New Yorkers, the bill would reduce fines for seniors and people with disabilities who receive a ticket for neglecting to remove snow or ice from in front of their home.

Strengthening Retirement for All New Yorkers

“Baby Boomers in New York City are struggling right now — they aren’t saving for their retirement, mainly because many employers don’t offer them access to any way to save for the long run. AARP commends Public Advocate James for taking a hard look at this crucial issue and starting a long overdue conversation about how to tackle something that’s plaguing so many in the workforce.”



Beth Finkel, New York State Director

Most New Yorkers are unprepared for retirement – a staggering 60% of private-sector workers in the City are without access to any form of a retirement plan and 40% of New Yorkers have less than \$10,000 saved for retirement. The impact of such wide-spread financial instability could have very serious human and fiscal consequences for the City in the future.

Public Advocate James took on this pending crisis with a multi-

faceted campaign to enhance retirement security, introducing legislation, [issuing a report](#), and convening a hearing with the aim of identifying a solution that could deliver financial stability to the next generation of New York’s seniors.

Following her extensive work and advocacy on this issue, Mayor de Blasio announced that the City will move forward with Public Advocate James’ legislation to establish a retirement security program for private sector workers in New York City.

The legislation, which Public Advocate James has been working on with the Mayor and City Council Speaker, will help ensure New Yorkers are saving for retirement from the day that they enter the workforce. If passed, the legislation will make New York City the first city in the nation to establish a private sector retirement savings program.

“Public Advocate Letitia James is renewing her push for a pooled retirement system for pensionless private-sector employees. In recent days, she has testified at a City Council hearing, [and] released a report on New Yorkers being unprepared for retirement...”

CRAIN’S
NEW YORK BUSINESS

June 26, 2015

Transparency and Accountability in Government



Photo credit: New York Observer

Improving School Transparency for Parents

Every New York City public school is required to have a school leadership team (SLT), which includes the principal, parent association president, teachers union representative, parents and staff members. These teams create roadmaps for the school's annual goals, which are required to be reflected in the school budget. When a school parent was denied entry into one of these meetings, Public Advocate James stepped in. The City's Department of Education (DOE) refused her request to open the meetings to the public, so Public Advocate James joined with the non-profit Class Size Matters and a school parent in a lawsuit against the DOE arguing that State law requires SLT meetings to be open to the public. In April, the State Supreme Court ruled in favor of Public Advocate James and her coalition, finding that SLT meetings must be open and parents must be allowed to attend the meetings.

Leading the Commission for Government Transparency

Public Advocate James is working to bring government into the 21st Century so all New Yorkers have the tools necessary to engage and make a difference in their communities. When she took office, Public Advocate James reconstituted the Commission on Public Information and Communication (CoPIC) – which had been dormant for a number of years.

Public Advocate James' primary focus as chair of CoPIC has been to help the people of New York obtain City data, to review local policies on public access to data, and to develop recommendations to improve this type of access.

In 2015, Public Advocate James convened three CoPIC hearings. The primary issue addressed at these hearings was to ensure that the City is fully implementing a local law that ensures government proceedings are available online. Currently, many of these proceedings are open to the public but, because they take place during the day, average New Yorkers are unable to attend. Ensuring that these proceedings are available online will allow government to be more participatory and inclusive.

Saving Taxpayers Millions

After a 15-month long investigation by Public Advocate James, New York City received approximately \$1.67 million from New York State for unclaimed funds dating back to 1985. Public Advocate James found that thousands of unclaimed funds registered to New York City government entities had never been identified by the City's Department of Finance. Some of the thousands of accounts reviewed by the Public Advocate's Office had not been reviewed in decades.

When Public Advocate James learned of potentially reckless spending by the DOE on a \$1.25 billion information technology (IT) contract, she demanded information. Following her calls for information, it became clear that the firm in question was previously involved in corruption and payoff scandals, and Public Advocate James immediately called for the contract to be pulled back. The Administration changed course, and as a result saved taxpayers \$170 million.

“Public Advocate James deserves credit for working with our office to uncover money owed to New York City's government, and we will continue to work with her to ensure that every dime is accounted for on behalf of city taxpayers.”

New York State Comptroller Thomas D. DiNapoli

Protecting Public Pension Dollars

“James, an elected official charged with serving as a ‘watchdog’ for New Yorkers and with overseeing the New York City Employees’ Retirement System public pension fund, told the court that the rule addresses a type of corruption New York has suffered in the past and should be upheld.”

THE BOND BUYER

February 27, 2015

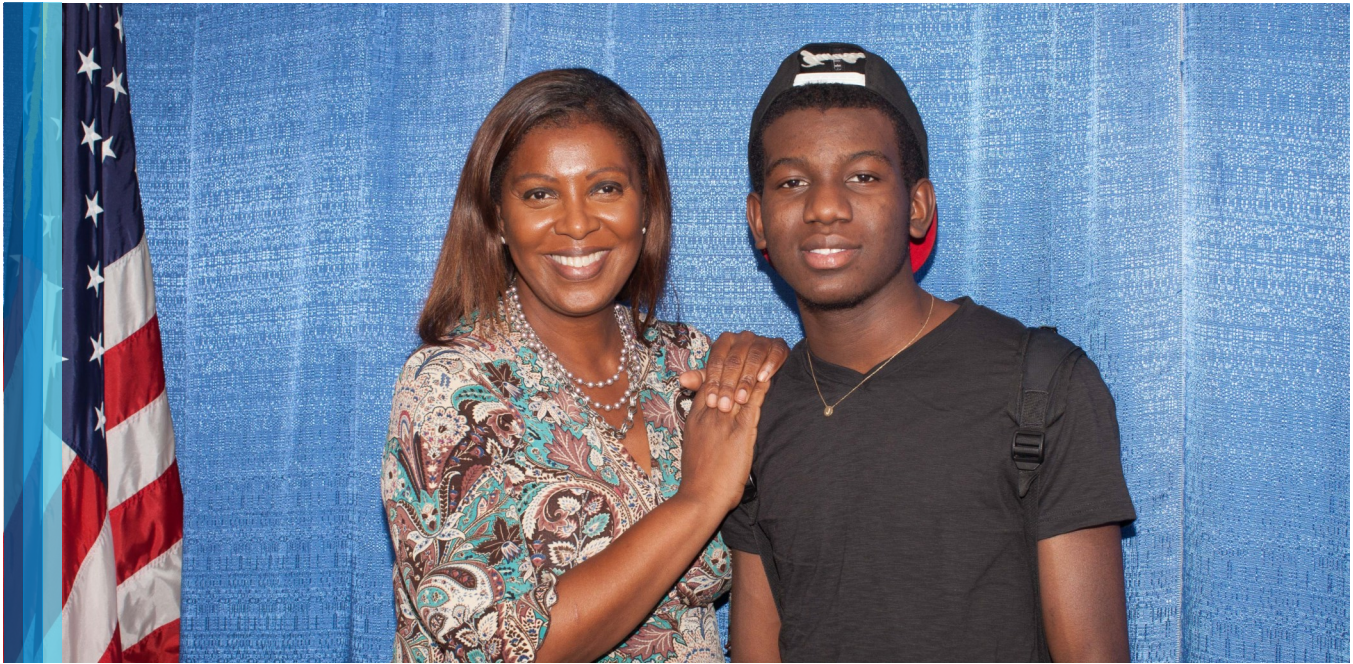
In 2014, the New York and Tennessee state Republican parties sued the federal Securities and Exchange Commission (SEC) over a rule that regulates against “pay-to-play,” limiting individuals that control public pension funds from making large donations to political candidates. The lawsuit was a tactic for the GOP to help 2016 presidential candidates raise more money from Wall Street.

In an effort to stem this thinly-veiled effort to allow those with money to control our democracy, Public

Advocate James filed an amicus brief in support of the SEC.

As a member of the board of the New York City Employees’ Retirement System, one of the City’s five pension systems, Public Advocate James understands she has an obligation to protect and grow the retirement savings on which hundreds of thousands of pension members rely. In August, thanks in part to Public Advocate James’ amicus brief, the U.S. Court of Appeals upheld the SEC’s “pay-to-play” rule.

Protecting Immigrant Communities



PA James with Keybi Garcia, whom she represented in court

Fighting for Immigrant Children

When millions of unaccompanied immigrant children who had fled devastating and dangerous circumstances in their home countries faced mass deportation in the summer of 2014, Public Advocate James called for lawyers everywhere to volunteer and assist these children in court. The vast majority of these children came to the United States alone, with no knowledge of our legal system, and were largely left to represent themselves in immigration court.

Public Advocate James helped set up a clinic to train attorneys to take on these cases *pro bono*. In addition, Public Advocate James – a public defender by training – led by example by taking on the case of unaccompanied minor Keybi Garcia in her free time.

“Honduran teen, Keybi Garcia, who was represented in Brooklyn Family Court by the New York City Public Advocate, Letitia James, had his wish granted of obtaining his green card after having to escape his country with other unaccompanied minors...Keybi’s family asked James’ office for help, not imagining that she herself would advocate for his case.”

EL DIARIO

December 13, 2015

Keybi came to the United States as an unaccompanied minor from Honduras. After his father died of cancer, he was sent to live with relatives who were unable to care for him. He went hungry for days at a time and was constantly threatened by gangs. Once he made it to the United States, he went to live with his adult cousin in Brooklyn, but soon after faced imminent deportation.

Ms. James, along with Legal Services NYC and The Door, represented Keybi in court and, thanks to her efforts, Keybi's deportation was cancelled and he obtained his green card at the end of December, 2015. He is now a junior in high school and wants to grow up to be a lawyer.

Ensuring Parental Involvement, Regardless of Language

There are more than 180 languages spoken by families with children in New York City public schools. Public Advocate James knows that without access to translation and interpretation services, immigrant parents cannot understand how best to help their kids succeed. That is why Public Advocate James fought to ensure that the City's Department of Education (DOE) adequately addressed language access for parents in its most recent restructuring plan. Public Advocate James called for a designated Language Access Coordinator at each of the new Borough Field Support Centers, and for additional coordinators to be hired to exclusively serve the language needs of parents and schools. As a result of the Public Advocate's pressure, DOE hired nine Field Language Access Coordinators to ensure that schools are providing parents with full access to translation and interpretation services.

Increasing Government Access

Meksheng Kwong is an immigrant from China who is a survivor of domestic violence and a mother of three children. To obtain the benefits she needs to feed her children and ensure they have health insurance, she has to visit the City's Human Resources Administration (HRA) every two months. Due to language barriers, her benefits were cut off multiple times. Yet, HRA – like all City agencies – is required to have comprehensive translation services in six main languages, including Chinese.

Meksheng Kwong, along with several other plaintiffs, filed a lawsuit against HRA in 2009. The court attempted to dismiss their case but Kwong and her co-plaintiffs appealed. Public Advocate James filed an amicus brief on behalf of the tenants in March 2015. And in May 2015 – in part because of Public Advocate James' assistance – the court ruled that the plaintiffs could move forward with their case.

Supporting Veterans and Establishing the Department of Veterans' Services



New York City is home to hundreds of thousands of veterans who face obstacles when reintegrating into civilian life and Public Advocate James has made helping veterans a priority.

Public Advocate James worked with City Council member and Chair of the Council's Committee on Veterans Eric Ulrich to successfully pushed the administration to create a dedicated Department of Veterans' Services. After months of rallies, testimony before the City Council, and calls to the Mayor, the campaign succeeded. Thanks to this move, there will be a city agency fully dedicated to veterans in New York City for the first time ever.

Public Advocate James also called on the City to expand its Veterans Treatment Courts following the death of Marine Jerome Murdough, who died in an overheated jail cell on Rikers Island after failing to post bail for a misdemeanor trespassing arrest. Veterans Treatment Courts are designed to meet the particular needs of veterans who are involved in the criminal justice system, like Murdough, with the goal of offering dedicated services to those who have served our country.

Veterans should have their day in court — their own special court, according to Public Advocate Letitia James. The city's elected watchdog is urging Court of Appeals Chief Justice Jonathan Lippman to create a Veterans Treatment Court in Manhattan.

DAILY NEWS

January 13, 2015

Protecting Our Environment



Photo credit: Alina Suriel, Queens Courier

Recycling in Public Housing

One of the easiest ways we can be good stewards of the environment is through recycling. Unfortunately, the City's recycling rates have been stagnant for many years. And recycling rates in public housing remain much lower than in other parts of the City.

In an effort to improve recycling rates, Public Advocate James introduced a bill (Int. 820) to establish a pilot program to provide incentives to encourage recycling. The program, which is currently utilized in Philadelphia and other cities around the country, provides redeemable points for recycling that residents can use at participating retailers and restaurants.

Protecting Our Waters

In November 2015, Public Advocate James joined with environmental group Riverkeeper on a visit to Flushing Bay and Flushing Creek to highlight several acute environmental conditions impacting these waterways and to push the City's Department of Environmental Protection for a more comprehensive and ambitious plan that would result in a truly clean and safe waterway. The area's waters are plagued by significant pollution including industrial uses, illegal dumping, and combined sewer overflows.

The pollution issues impacting these bodies of water are particularly delicate because two areas immediately next to the creek and bay, western Flushing and Willets Point, are slated for significant residential development.

Divesting to Curb Climate Change

Public Advocate James has used her role on the City's largest pension board to ensure that city dollars do not underwrite industries or businesses that work against the interests of New Yorkers. She stood up to the coal industry – the single greatest source of human-made CO₂ emissions – by calling for the New York City pension funds to divest from thermal coal companies. In a nod to the Public Advocate's work, in September 2015 Mayor de Blasio announced a citywide initiative to divest from all fossil fuels, including an immediate divestiture of coal, a move that Public Advocate James strongly supported.

Stopping Intrusive Air Pollution

Public Advocate James strongly supported residents in several neighborhoods who were experiencing unreasonable noise and air pollution resulting from the roughly 60,000 tourist helicopter flights that enveloped their neighborhoods each year. The helicopter operators ran flights seven days a week, sometimes starting as early as 7:00 am on weekend mornings. After writing letters and testifying at a public hearing on the issue, Public Advocate James and her allies succeeded at pushing the helicopter operators to reduce by half the number of flights and to cease flights on Sundays.



Improving Transportation Safety



Public Advocate James continues to fight to make our roads safer and our transportation system stronger. Public Advocate James introduced multiple common-sense legislative measures to protect pedestrians and avoid preventable traffic crashes.

Int. 997 will close a loophole in the law that denies pedestrians the right-of-way even when they cross the street with the signal.

Int. 789 will deploy state-of-the-art technology in City-owned vehicles to avoid collisions on roads.

Int. 875 will establish additional protected left turn signals at dangerous intersections — a measure proven to prevent collisions with pedestrians and save lives.

Int. 876 will require additional reporting to better identify dangerous intersections, a vital step to improving the safety of our streets.

In addition, Public Advocate James called for the city to make bike lanes a default feature of street redesign, especially on dangerous roads.

“Public Advocate Letitia James led a proactive effort to directly address what’s killing people on New York City streets, and vocally demanded solutions that defend New Yorkers’ right of way”



Transportation Alternatives, recognizing Public Advocate James as the only elected official/agency to receive an “A” grade in the 2015 Vision Zero Report Card.

Fighting for Equality



Public Advocate James has long championed the cause of marriage equality, which is now the law of the land. Following this historic victory, she continues to fight against the many injustices that persist within the LGBT community. She successfully advocated for additional funding for LGBT homeless youth. In addition, she created an LGBT mental health resource guide to address the stigma and discrimination of mental illness in the LGBT community. She successfully fought for New York City landmark status for the Stonewall Inn, an important symbol to honor LGBT civil rights in our country. Additionally, she convened an LGBT task force with over 40 advocacy and community organizations. The task force meets quarterly to develop policy, legislation, and strengthen advocacy efforts across the City.

"Homeless LGBT youth experience high rates of mental health issues. They face terrible stressors; it is devastating to be rejected by one's family and reduced to destitution in the streets. I thank the Public Advocate for calling attention to the mental health needs of our clients, and for her consistent advocacy on behalf of homeless youths."



Carl Siciliano, Executive Director,
Ali Forney Center

Polishing Up Nail Salons



For years, Public Advocate James has been fighting to make nail salons cleaner and safer for customers and employees. In April 2014, she introduced legislation (Int. 304) to improve the health and safety conditions in salons. Her legislation was the subject of an important City Council hearing where the Public Advocate heard testimony from small business owners, workers, and advocates. To further make the case for reform, she released an [extensive policy report documenting dangerous sanitary conditions and worker safety issues at salons](#) in New York City. Additionally, working with the Clinton Global Initiative and Lighting Science, Public Advocate James piloted innovative technology that will help salons and customers detect dangerous levels of toxins in the air.



CONNECTING WITH NEW YORKERS

Directly Engaging with Seniors

Seniors are a rich part of the City's diverse fabric, and Public Advocate James is dedicated to hearing and addressing their concerns. In October 2015, she partnered with AARP for a telephone town hall. Public Advocate James joined with nearly nine thousand seniors and discussed issues ranging from housing to transportation to retirement security.



Restoring Parents' Voices in Schools

With mayoral control of New York City public schools up for renewal for the first time in six years, Public Advocate James held six public forums on the issue, with at least one forum in each borough. Based on the public's input and research conducted by the Public Advocate's Office, Public Advocate James released a [major education report calling for renewed mayoral control focused strongly on enhanced parental involvement, strengthened accountability, and improvements to DOE's financial system](#). The outcome of the debate on mayoral control resulted in the renewal of the law for just one year. As a result, Public Advocate James continues to work to give parents and advocate a greater voice in our education system.

Giving a Voice to Mitchell-Lama Tenants

In 2015, Public Advocate James convened a Citywide Mitchell-Lama Task Force to investigate and address issues in Mitchell-Lama housing developments — in both rental and co-op units. In multiple meetings during the year, with leaders from all five boroughs, the task force focused on a variety of issues impacting tenants: developing transparency with the City's Department of Housing Preservation and Development; convincing building owners whose buildings are eligible to leave the Mitchell-Lama program to stay in the program; and identifying housing developments that are candidates to convert to affordable non-eviction co-ops. Through this ongoing work, the task force continues to give an important voice to Mitchell-Lama tenants.

Talking to NYCHA Residents in their Homes

Starting in 2014, Public Advocate James began a special series of “Talk to Tish” town halls in NYCHA residences in all five boroughs – holding at least two in each borough. These community discussions allowed NYCHA residences to discuss problems and concerns with their NYCHA residences in a private and safe space. Public Advocate James brought constituent services specialists with her, who were able to directly meet with and handle individual complaints. The “Talk to Tish” series, which finished in May 2015, allowed the Public Advocate's Office to focus on systemic issues within NYCHA.

About “Talk to Tish”

The “Talk to Tish” series is an opportunity for Public Advocate James to connect with communities throughout New York City about the work that her office has done and to hear directly from residents about issues they may be experiencing.

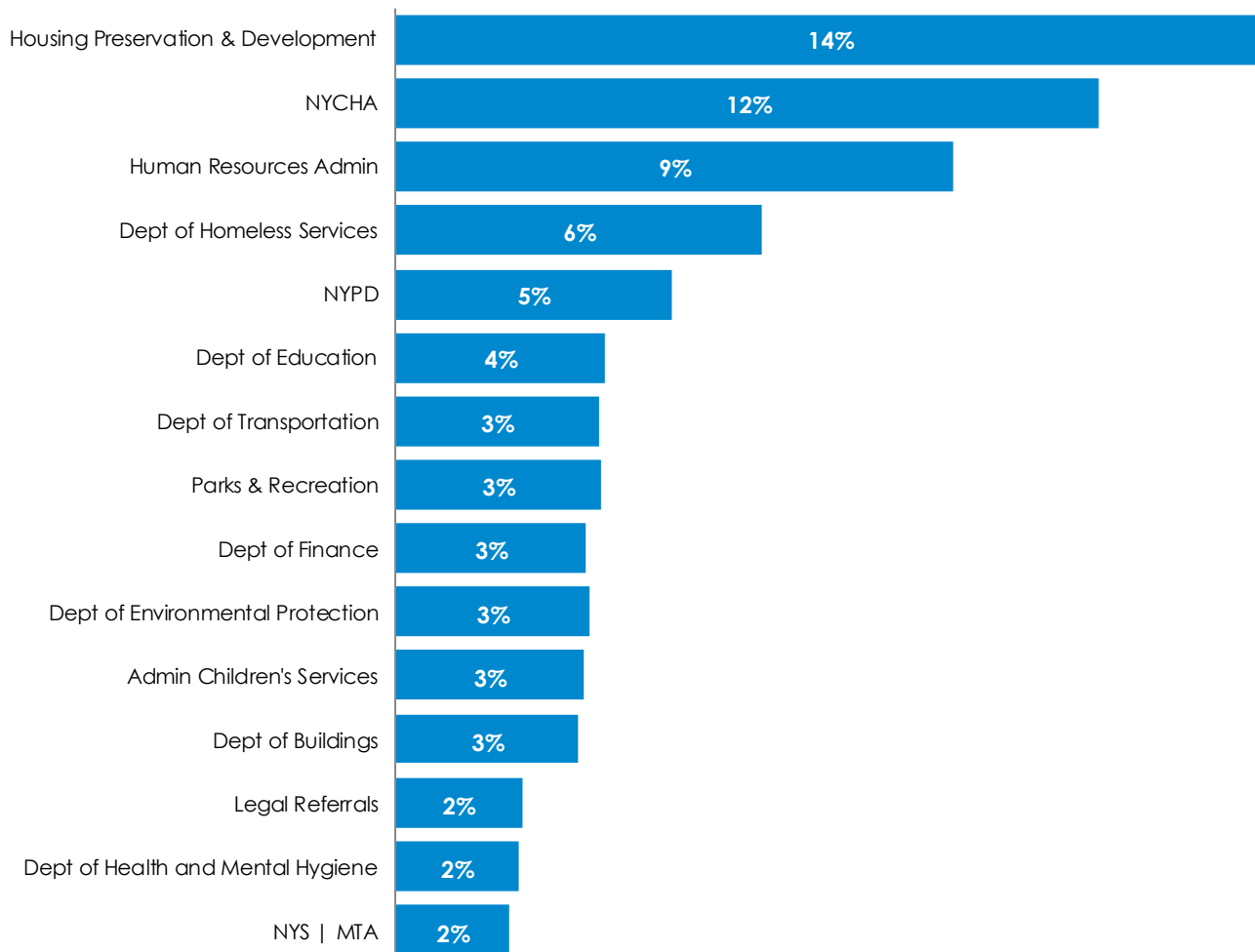
CONSTITUENT SERVICES

Helping Everyday New Yorkers Get the Services They Need

Helping the most vulnerable individuals and families in need is the foundation of Public Advocate James' Constituent Services operation. Each month, thousands of New Yorkers call or visit the Public Advocate's Office where they receive help cutting through red tape, identifying resources, getting questions answered, and obtaining general support. The Public Advocate's Constituent Services team has helped families with heat and hot water complaints, stopped unfair evictions, and investigated and reported wrong-doing that results in unsatisfactory public services. With strong outreach efforts and intake, the office now opens an average of 630 cases per month.

The fifteen agencies with the most constituent complaints constitute nearly three quarters of all complaints made to the Public Advocate's Office.

Agencies with Most Constituent Complaints



**A complete list of office statistics at www.pubadvocate.nyc.gov

Real Stories from Real New Yorkers

Charles — Manhattan

Charles is living in NYCHA housing. When his mother passed away, NYCHA attempted to kick him out of his home. Not only was he a grieving son, but he was dealing with eviction and facing homelessness. Charles came to the Public Advocate's Office for help and the constituent services team helped him get succession rights and remain in his home.

"I will never forget the Public Advocate's Office for advocating for me."

Charles, Manhattan

Sonia — Brooklyn

"I would like to thank the Office of the Public Advocate for the support...as I was fighting in court...At a time when housing is unaffordable and neighborhoods change, it gives me comfort to know that I can count on the Public Advocate's support."

Sonia, Brooklyn

Sonia is a small business owner who came to the Public Advocate's Office after being unfairly evicted from her apartment, where she had lived her entire life. The Constituent Services team supported Sonia, including providing a letter from Public Advocate James to the judge in housing court. Sonia is now back in her apartment.

Eloina — The Bronx

“When I had nowhere else to turn for my son, I came to the Public Advocate’s Office. They did everything...and made sure my son got the education he deserves. I will always be grateful to the Public Advocate’s office for their help.”

Eloina, The Bronx

Eloina, who speaks no English, has a five-year-old son with autism. A neurological evaluation recommended that he be placed in a special school, but the City’s Department of Education delayed moving him, so she came to the Public Advocate’s Office for help. The Constituent Services team advocated for Eloina and her son, and was able to get him placed at the appropriate school for his needs.



Mia — Queens

“With your help, I am proud to say all of my issues are now properly being taken care of. Once again, thanks for all your support.”

Mia, Queens

After struggling for a long time to get necessary repairs to fix the unhealthy living conditions in her NYCHA apartment, Mia contacted the Public Advocate’s Office. She was also in need of a larger apartment to accommodate her child. With the help of the Public Advocate’s Constituent Services team, Mia is now living in a new, larger apartment and all of her repairs have been addressed.

Joseph — Staten Island

Joseph lives with a disability. Like many residents of Staten Island, he relies on a car to get around, but needs a Parking Permit for People with Disabilities (PPPD) due to his disability. Despite following all of the necessary procedures and meeting the requirements, Joseph was unable to get his PPPD permit renewed. The Public Advocate’s constituent services team took on his case and worked with

Joseph for seven months, helping him with the City’s Department of Transportation and the City’s Department of Health until he was rightfully granted his permit.

“The Public Advocate’s staff worked on my complaint for seven hard months fighting for my rights...something I could not have done alone. I was informed that I was getting my permit back. The Constituent Services associate never gave up on my case. I want to thank you and your staff for the great work your office handles for the people of New York City.”

Joseph, Staten Island

THANK YOU.

Stay in touch:

www.pubadvocate.nyc.gov



gethelp@pubadvocate.nyc.gov



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