



Public Advocate Betsy Gotbaum



Improving Access to City Services

Annual Report 2009

Dear Friends,

As my two terms as Public Advocate for the City of New York are drawing to a close, I'd like to take a moment to reflect on some of our accomplishments.



Over the past eight years, my staff and I have worked hard to make city government work for you.

My ombudsman staff alone has handled more than 90,000 of your calls, problems ranging from arcane pre-school admission practices to food stamp eligibility to pervasive mold in public housing. Beyond the individual cases we handle, our policy and legislative accomplishments have undoubtedly reached countless other underserved New Yorkers. In the City Council, I have introduced or co-sponsored more than 300 bills. And my policy staff has conducted more than a hundred studies and investigations that have led to lasting change. Among other things, my office:

- Investigated child fatalities in city shelters, finding that 20 children in a three-year period had died of abuse or neglect. I introduced legislation that, in part, created a special training program for shelter staff. And, after my office identified a high turnover rate among child welfare attorneys, the city hired 25 additional lawyers for the Administration for Children's Services.
- Conducted food stamp investigations that helped accommodate working New Yorkers. Our advocacy resulted in the food stamp application being reduced from 16 pages to 4, evening and weekend food stamp office hours being adhered to, and a community-based outreach program that helped enroll over 75,000 New Yorkers in the program.
- Pushed the city Department of Education (DOE) to offer make-up sessions to students after my investigation showed that special ed services were withheld for up to 20,000 students. My office also pushed to prevent the illegal practice of forcing high school students to drop out. And, at the request of the State Assembly Education Committee, I assembled the Commission on School Governance to make recommendations about mayoral control of New York City public schools. In 2009, the Commission's recommendations were used by the State Legislature as a blueprint for its new school governance law.
- Introduced the Language Access in Pharmacies Act, which was signed by the Mayor in September, 2009. This law requires New York City chain pharmacies to translate medical instructions into the seven languages most commonly spoken by residents who have limited English proficiency. It ensures that nearly 2 million residents can make safer medical decisions. Because of my bill, New York City is the first locality in the United States to require translation services in pharmacies.
- Compiled a free Guide to Public Benefits for Immigrants, the first of its kind, available in English, Spanish, Korean, Chinese, Russian and Bengali. We've had requests for 60,000 copies.

Thank you for giving me the opportunity to do this and other important work.

As I look ahead, it's clear that the needs of vulnerable New Yorkers are sure to continue, especially in this troubled economy. Many turn to the Office of the Public Advocate as a last resort. The work that's done, however, is not always visible or even acknowledged. Our work often slips below the media's radar. But the fact remains that, over the last eight years, the Office of the Public Advocate helped improve the lives of New Yorkers. We identified needs. We offered solutions. And we got results.

Sincerely,



PUBLIC ADVOCATE BETSY GOTBAUM



About the Public Advocate's Office

The Office of the Public Advocate has dual roles in City government. The first is that of ombudsman, which means the office has a critical, charter-mandated constituent services function. An “ombudsman” is formally defined as a commissioner who acts as an independent referee between individuals and their government.

Exasperated, sometimes desperate New Yorkers turn to the Public Advocate's Office when they can't decipher arcane city rules or when they run into other bureaucratic brick walls, whether they involve public school enrollment or food stamp eligibility or snafus with utility bills. Over the course of eight years, ombudsmen and women have responded to more than 90,000 pleas for help.

The Public Advocate's second key role in City government is that of a watchdog over city agencies, a role that includes conducting investigations and recommending improvements when agency

performance falls short. Further, the Public Advocate, an ex-officio member of all Council committees, is empowered to introduce legislation. The Public Advocate has a say in city planning and the budget process and also is a trustee of the City's largest retirement system, the New York City Employee Retirement System (NYCERS).

The Office of the Public Advocate could help even more New Yorkers, given adequate resources, including an independent budget that is not subject to political whims or partisan reprisals.

In short, the Public Advocate plays a vital and sometimes pivotal role in effecting positive, progressive change for all New Yorkers. True to its name, this office really does advocate for the public. The net effect is to help make a great city even greater.

Policy Reports

[Preparing to SAVE: A Survey of Safety Planning at New York City Public Schools](#) June 2009

[Touching a Nerve: How Closing the City's Oral Health Program Reduces Access to Dental Care for New York City Children](#) March 2009

[Paper\(less\) Jam: A Survey of New York City Human Resources Administration Eligibility Specialists](#) March 2009

[Public Advocate's Guide to the Earned Income Tax Credit and Free Tax Preparation Services in New York City](#) March 2009

[More Than Band-Aids: Investing in Public School-based Health Services to Improve Child Health and Well-being in New York City](#) March 2009

[Office of the Public Advocate Annual Report Fiscal Year 07-08](#) December 2008

[A Better Shot at Prevention: HPV Vaccine More Available at City Health Clinics](#) December 2008

[Get More For Your Money: Updated Guide to Banking in New York City](#) December 2008

[Improving Lesbian, Gay, Bisexual and Transgender Access to Healthcare at New York City Health and Hospitals Corporation Facilities](#) December 2008

[Old Problems, New Eyes: Youth Insights on Gangs in New York City](#) December 2008

[Barriers to Benefits: A Survey of Clients at New York City Human Resources Administration Job Centers](#) November 2008

[Guide to Public Benefits for Immigrants](#)
Updated February 2009

[The School Accountability Initiative: Totaling the Cost](#) November 2008

[OVERWORKED, UNDERUTILIZED: How the Department of Education's Reorganizations of Special Education Turned School Psychologists from Mental Health Professionals into Paper Pushers](#) November 2008

[Patient Progress: A Follow-Up Review of New York City's STD Clinics](#) October 2008

[Space to Play, Room for Improvement: An Evaluation of the Schoolyards to Playgrounds Program](#) October 2008

[Taking \(Birth\) Control: Progress and Problems in Access to Contraception at City Clinics](#) October 2008

[Final Report of the Commission on School Governance](#) September 2008

[Turned Away: The Impact of the Late-Arrival Placement Policy on Families with Children](#) August 2008

[Calling in Abuse: How Domestic Violence Perpetrators are Using the Child Welfare System to Continue Their Abuse](#) July 2008



2009 Highlights

“Clearly understanding a prescription is a basic right, yet pharmacies all around the city were allowing New Yorkers to go home with a medication they had no idea how to take. New Yorkers should not be in danger every time they fill a prescription.”

PUBLIC ADVOCATE BETSY GOTBAUM

Commission on School Governance

In September 2008, Public Advocate Gotbaum released the Final Report of the Commission on School Governance. At the request of the State Assembly Education Committee, Gotbaum assembled the Commission to make recommendations about mayoral control of New York City public schools. The Commission met with more than 100 stakeholders on education around the city, and issued its official Findings and Recommendations in the fall of 2008. In 2009, the Commission’s recommendations were used by the State Legislature as a blueprint for its new school governance law.

Law Requiring Pharmacies to Provide Translation Services for Prescriptions

In 2008, Public Advocate Gotbaum introduced a bill that would require city chain pharmacies to provide language assistance and translation services for non-English speakers. The Language Access in Pharmacies Act—which Mayor Bloomberg signed into law on September 3rd, 2009—also mandates that signs be posted to inform individuals of these services.

Guide to Public Benefits for Immigrants

Public Advocate Betsy Gotbaum produced and distributed a comprehensive [Guide to Public Benefits for Immigrants in New York City](#). The free guide provides valuable information on federal, state and city benefits, and is the first of its kind to specifically examine immigration status as part of benefit eligibility. The Public Advocate, in partnership with the New York Immigration Coalition, first released the guide in November 2008 in six languages: English, Russian, Chinese, Spanish, Korean and Bengali. About 60,000 requests have been made for copies of the guide.

“Immigrants bring our neighborhoods to life and make our culture the most diverse in the country. This resource lets immigrants know about crucial information like federal, state, and city benefits. We have already gotten about 60,000 requests for guides— and more keep coming in.”

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City Services Satisfaction Project

In December 2008, Public Advocate Gotbaum and Mayor Bloomberg released the results of the largest municipal services survey ever conducted in the United States. The survey, spearheaded by the Mayor, Public Advocate, and the Fund for the City of New York, asked 100,000 New Yorkers their opinions of city services. The results have provided a quantitative measure of where city government can continue to improve service delivery.

Costco to Accept Food Stamps

After pressure and repeated urging from Public Advocate Betsy Gotbaum and Councilmember Eric Gioia, Costco announced that it would begin accepting food stamps at its New York City stores. With an increasing number of New Yorkers receiving and applying for food stamps, Gotbaum argued that, by changing its policy, Costco could improve its image and expand its customer base while providing a great service to struggling families.

Cleaning Up the “Bronx Swamp”

In April 2008, Public Advocate Gotbaum visited a stretch of filthy standing water in the South Bronx – termed the “Bronx Swamp” by local residents – to call on the city to take responsibility for its cleanup. With the detection of West Nile Virus by the city Department of Health (DOH), Gotbaum argued that the situation required immediate action. Soon after, the Mayor’s office announced it would initiate a swift cleanup.

Constituent Complaint Resolution



New York City Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
Department for the Aging					109
*HEAP	14			14	
*SCRIE	26	2		28	
*Other	58	6	3	67	
Board of Standards and Appeals	2				2
Borough Presidents	1		1		2
Buildings Department	222	40	7		269
Center for Animal Care & Control	14	4			18
Children Services, Administration for					289
*Agency for Child Development	19	7		26	
*Foster Care	222	40	1	263	
*Other					
City Council	14				14
City Planning Commission	21	2			23
City Clerk	11	3	1		15
City Registry	1		1		2
City University of New York	12	2	1		15
Citywide Administrative Services, Department of					56
*Department of Personnel	1		1	2	
*Other	39	5	10	54	
Civilian Complaint Review Board (CCRB)	7	3	8		18
Civil Service Commission		3			3
Community Boards	5	1			6
Comptroller's Office	31	4	5		40
Conflict of Interest Board					
County Clerk	1				1
Department of Corrections	21	2	6		29
Department of Consumer Affairs	157	12	35		204
Department of Cultural Affairs	2		1		3

New York City Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
Design and Construction, Department of	2		1		3
District Attorneys	28	1	6		35
Division of Business Services			3		3
Economic Development Corp., NYC	1				1
Board of Education	771	34	74		879
Board of Election	15	5			20
Department of Environmental Protection					516
*Environmental Control Board	50	8		58	
*Water Meter	54	16		70	
*Air	32	8	1	41	
*Basin Cleaning	9		1	10	
*DEP Construction	5			5	
*Hydrant	5			5	
*Noise	89	17	7	107	
*Sewer/Basin Repair	60	5	1	66	
*Water Leak	76	22	1	99	
*Other	48	7		55	
Finance, Department of					301
*Parking Violations Bureau	146	22	2	170	
*Other	113	11	7	131	
Fire Department					41
*EMS	5	1		6	
*Other	28	5	2	35	
Department of Health					194
*Vital Records	48	5		53	
*Pest Control	25	3		28	
*Other	87	22	4	113	
Health & Hospitals Corporation	80	16	7		103
Housing Development Corporation					
Department of Housing Preservation & Development					599
*Code	114	14	48	176	

New York City Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
*Landlord	1			1	
*Legal	1	1	1	3	
*Alternative Program	1			1	
*No Heat/Hot Water	145	6	8	159	
*Housing	37	6	2	45	
*Rent Housing Maintenance	20	5	1	26	
*Other	146	31	11	188	
NYC Housing Authority					1,698
*Applications	285	40	11	336	
*Maintenance	361	9	1	371	
*Personnel	1			1	
*Tenant/Mgmt Relations	155	13		168	
*Community Relations					
*Other	159	34	2	195	
Section 8	561	57	9	627	
Homeless Services	234	31	9		274
Human Resources					1,434
*Income Support	593	138	6	737	
*Division of AIDS Services	25	1		26	
*Medicaid	128	25		153	
*Food stamps	130	24	2	156	
*Child Support	79	18	1	98	
*CASA	33	11		44	
*Protective Services for Adults	66	10	2	78	
*Other	129	7	6	142	
Human Rights Commission, NYC	29	8			37
Information, Technology, and Telecommunications, Department of	50	1	1		52
Investigation, Department of	15	2	19		36
Juvenile Justice Department	1	1	1		3
Labor Relations, Office of	17	1	20		38
Landmarks Preservation Comm.	1	2	1		4
Law Department, NYC			2		2

New York City Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
NYC Libraries	9	2	3		14
Loft Board					
Marshal	5	5	2		12
Mayor's Office	56		6		62
Medical Examiner, Office of	3				3
Mental Health Retardation Alcoholism Services	14				14
Metropolitan Transportation Authority					189
*Transit Authority, New York City					
*Access-A-Ride	52	6	2	60	
*Other	109	14	6	129	
MISCELLANEOUS:	25	1	4		30
Parks & Recreation, Department of					163
*Forestry	70	15		85	
*Parks Maintenance	6	1		7	
*Recreation	12	1	1	14	
*Other	50	4	3	57	
Payroll Administration, Office of	11	1			12
NYC Pension System					62
*NYCERS	27	2	3	32	
*Fire Pension Fund		1		1	
*Board of Education	3			3	
*Police	7			7	
*Teachers	19			19	
* Transit					
Police Department					636
*Housing Bureau	5	1	1	7	
*Police (Street)	547	35	46	628	
*Transit Bureau	1			1	
Probation, Department of	4				4
Public Administrator	4	1	1		6
Public Advocate Report/Inquires	1,399	10	34		1,443

New York City Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
Records and Information Services, Department of	4				4
Rent Guidelines Bd.	1				1
School Construction Authority	7	1			8
Sanitation, Department of	81	9			90
Sheriff's Department	5				5
Taxi & Limousine Commission	20	1			21
Department of Transportation					233
*Traffic Enforcement	9	2		11	
*Other	206	14	2	222	
Trade Waste Commission					
Unions	26	2	1		29
Utilities	254	37	8		299
Youth & Community Development					9
*CDA	6	3		9	
*Youth Services					
TOTAL	9,252	1,009	485		10,740

New York State Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
Agriculture, NYS Department of	3	1			4
Attorney General, NYS	38	3	31		72
Banking, NYS Department of	34	4	15		53
Departmental Disciplinary Committees	17	0	2		19
Cemeteries, NYS Division			1		1
Comptroller, NYS			1		1
Consumer Protection	4	1	2		7
Children & Family Services	1	1			2
Crime Victims Board, NYS	7	0	0		7
School Construction Authority	7	1			8
Division of Human Rights, NYS	11	2	3		16
Corrections, Department of	7	0	2		9
Education, NYS Department of					23
*Office of Professional Discipline			2	2	
*Propriety Schools, NYS Bureau of	1			1	
*Other	17	1	2	20	
Environmental Conservation, Department of	7				7
Health, NYS Department of					107
*Office of Professional Misconduct	5		1	6	
*Other	72	8	21	101	
Higher Ed., Board of	5				5
Housing & Com Renewal, Division of					178
*Code	11			11	
*Discrimination	3	1		4	
*Harassment	23	1	3	27	
*Legal/Eviction	23	3	2	28	
* Other Code Rent	41		9	50	
*Other	50	4	4	58	
Housing Court	18	5	10		33
Insurance, Department of	42	3	8		53
Labor, Department of					115

New York State Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
*Division of Labor Standards	7	1	2	10	
*Other	82	4	19	105	
Legal Issues	70	8	127		205
Licensing, NYS Division of	4		2		6
Liquor Authority	2		1		3
NYS Lottery	2	1			3
Mental Retardation & Developmental Disabilities, Office of	1				1
Metropolitan Transit Authority	31	1	4		36
Mental Health, NYS	6		1		7
Motor Vehicles					40
*Repair Shops	1		1	1	
*Other	29	6	4	39	
Division of Parole	1	1	1		3
New York State Police			1		1
Port Authority of New York & New Jersey	5	0	1		6
Public Service Commission	4	3	9		16
State Governor	2		2		4
State Senate	2				2
Office of Temporary & Disability Assistance					1
*Visually Handicapped, Commission of	1			1	
Taxation, NYS Department of	13	1	5		19
Transportation, Department of	2				2
Workers Compensation	20	2			22
TOTAL	725				1,089

Federal Agencies

Agency	Closed Favorable	Closed Unfavorable	Referred	Unit Total	Agency Total
Agriculture Department					8
* WIC	2		2	4	
* Other	2		2	4	
Census Bureau			2		2
Education Department	2		1		3
House of Representatives	1		1		2
Housing & Urban Development					
Justice, US Department					33
*Immigration Services	19	1	7	27	
*Other	5	1	0	6	
Postal Service, US	3	1	23		27
Comptroller Currency	12		2		14
FAA	2	3	1		6
FBI	3		1		4
FCC	1		2		3
FDA	1				1
Homeland Security			1		1
IRS	13	1	8		22
Department of Labor	2				2
SEC	1				1
Small Business Administration	0	1			1
Social Security Administration	77	9	2		88
Senate	2				2
Department of State					8
*Passports	1		1		
*Other	2		1	3	
FTC	37	4	9		50
US Armed Forces	1				1
Veterans Administration	3	1	1		5
United Nations	1				1
Treasury Department	5	1	1		7
White House	5				5
TOTAL	203				297



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