

PUBLIC ADVOCATE PROGRESS REPORT



Tish James

PUBLIC ADVOCATE FOR THE CITY OF NEW YORK



January—December 2016

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Message from the Public Advocate

Dear friends,

As a lifelong New Yorker, I've seen first-hand how our city can exude excitement and opportunity at one turn, and deep challenges at the other.

For the last three years, I've been honored to serve as your Public Advocate and take on these challenges and opportunities, with an eye toward the most vulnerable New Yorkers who need a watchdog in government.

In the coming pages, you will find some of the work accomplished by my office over the past year. Whether its advancing child welfare reform, supporting workers and small businesses, or protecting tenants from abuses, we have been active in every corner of our City.

We have expanded our use of litigation and legislation to fulfill our charter-mandated responsibilities to perform oversight over city agencies. Our community outreach and constituent services operations have been established to meet New Yorkers where they are and address issues that everyday people are facing.

We will continue to pursue our signature policy agenda items, like fixing the City's Administration for Children's Services (ACS), utilizing the Worst Landlords Watchlist, and banning the use of salary history in hiring practices to end the cycle of pay discrimination. But we will also continue to assist constituents who simply need a little help cutting through the red tape of bureaucracy and solving problems in their neighborhoods.

I'd be grateful for your feedback and ideas about how we can make our government work for all New Yorkers and make sure the promise of our city is attainable to all of its citizens.

Sincerely,

A handwritten signature in black ink that reads "Letitia James". The signature is written in a cursive, flowing style.

Letitia James

About the Public Advocate

Letitia 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, acts as a watchdog over City agencies, and investigates complaints about City services.

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

As Public Advocate, Letitia James has the authority to introduce legislation, hold public hearings, and access agency data relevant to New Yorkers' concerns. She serves as an ex officio member of the New York City Council, and is charged with appointing members to various boards and commissions, such as the City's 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.

Letitia James has transformed the Office of the Public Advocate to deliver real results and reforms for all New Yorkers.

Letitia James is a strong advocate for criminal justice reform, and led the push for police body-worn cameras in the NYPD. She was one of the first to call for special prosecutors to be used in cases of police misconduct. Public Advocate James is a leader in the fight to reform the grand jury process.

Whether it's through her Worst Landlords list, legal action, or pushing for legislation, Public Advocate James is working to protect tenants and affordable housing. She has revamped the Worst Landlords List, introduced legislation into the City Council to protect tenants, and has been a leading voice in the fight for rent regulation laws.

Letitia James has a long history as an advocate for children and families. Whether defending children in foster care who were the victims of irreparable harm, protecting children with disabilities who were forced to ride on dangerously hot school buses, or ensuring that our students have the best quality education they deserve, she has never backed down from doing what is right for our children. She is also a strong advocate for paid family leave, raising the wage, and introduced legislation to ban questions about salary history from the employment process to end gender wage discrimination.

Prior to being elected Public Advocate, Letitia James served as a City Council Member from 2004 to 2013. She is a lawyer, and previously served as an Assistant Attorney General and a public defender. Letitia James is a graduate of CUNY's Lehman College and Howard University School of Law. She currently resides in Brooklyn.

The image features a monochromatic, blue-tinted photograph of the Statue of Liberty. The statue is shown from the waist up, standing on its pedestal. It holds a torch in its right hand and a tablet in its left. The background is a cloudy sky. The word "ACCOMPLISHMENTS" is written in large, white, bold, sans-serif capital letters across the middle of the image, partially overlapping the statue's torso.

ACCOMPLISHMENTS

Protecting Children and Families



Improving Child Protective Services

New Yorkers continue to mourn the tragic deaths of six-year-old Zymere Perkins and three-year-old Jaden Jordan, who died under the not so watchful eye of the Administration for Children's Services (ACS).

While these two high-profile deaths captured the attention of our City, they are sadly all too common. One month before Zymere's death, Public Advocate James released a scathing investigatory report on similar child fatalities. The investigation examined 123 child fatalities during a thirteen month period, and found that ACS is failing its basic responsibility to investigate allegations of abuse and neglect, and to provide services to keep at-risk children safe.

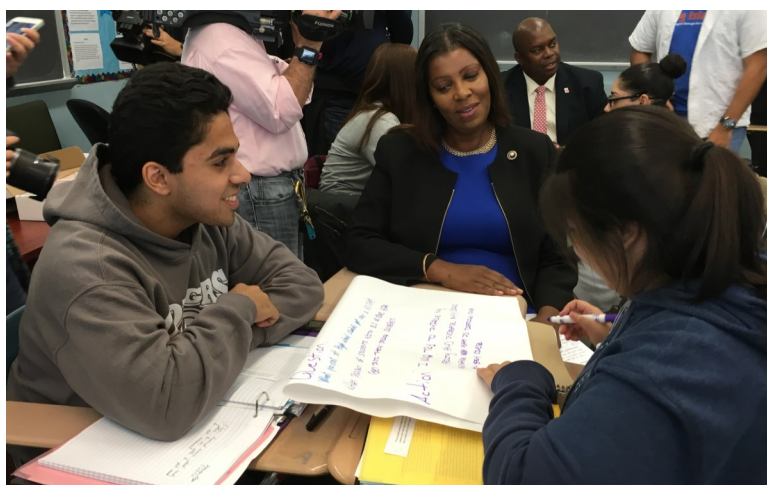
Public Advocate James has called on the agency to make four key reforms: exercise more rigorous oversight over contract agencies; ensure that caseworkers are adequately trained and supervised; provide deeper support to children exiting foster care; and ensure that the health-care needs of at-risk children are met.

Public Advocate James' Efforts to Reform ACS

For years, Public Advocate James has led the calls to reform the Administration for Children's Services (ACS). In 2014, Public Advocate James introduced Local Law 104, which requires ACS to report information relating to youth aging out of the foster care system. Public Advocate James has issued three reports on the shortcomings of the child welfare system. In July 2015, she released a report that used information from a multilingual hotline to learn firsthand about the current barriers to exiting foster care. In August 2015, along with foster care children, Public Advocate James filed a class action lawsuit against ACS and the State's Office of Children and Family Services (OCFS) for causing irreparable harm to children in foster care. In this lawsuit, Public Advocate James and OCFS proposed a settlement calling for an independent monitor and an independent research expert over ACS. The lawsuit is ongoing. In the meantime, the State has separately required the City to adopt a monitor, as urged by Public Advocate James.

Ensuring Foster Youth Have the Tools They Need to Thrive

Each year, over 1,000 young adults age out of New York City's foster care system but do not have the tools they need to get a job, find a place to live, or put food on the table. Research has shown that children who age out of foster care are more likely than their peers to be unemployed, homeless, and incarcerated as adults.



Public Advocate James with public school students

Public Advocate James introduced legislation to better track outcomes (such as youth who enter a homeless shelter) for youth aging out of foster care. In November, this bill was signed into law. This new law will help ensure that, by tracking these individuals, we obtain more information about what supports or resources we can provide them so they do not end up in shelters, and instead have the means to stand on their own feet after a childhood of uncertainty.

Keeping Students Safe from Bullying and Sexual Harassment

Too many children have fear and anxiety over bullying and sexual harassment in school, and many parents are unsure of their rights to help their children in school.

On the first day of school, Public Advocate James launched a campaign to expand protection for students and education for parents about bullying and sexual harassment in New York City's public schools. She initiated an awareness effort to inform parents about their children's rights to education and safety (seen to the right). Public Advocate James also sent a letter to the City's Department of Education (DOE) demanding information not yet publicly available regarding the City's compliance with the State's Dignity for All Students Act and Title IX, the federal law that bars discrimination on the basis of sex in educational programs receiving federal funding.

Pushing for Greater Diversity in Schools

The New York City public school system is one of the most segregated public school systems in the country. Black and Latino students experience the highest concentrations of intensely segregated public schools and attend public schools where the majority of their classmates qualify as poor or low-income.

In November, Public Advocate James called for the creation of a Chief Diversity Officer in the DOE to oversee the City's diversity efforts in schools. The Department of Education (DOE) lacks a cohesive plan to adequately address this systemic segregation and has approached the issue with a broken patchwork of initiatives that are failing our children. The Chief Diversity Officer will provide a corrective action plan to address the systemic issues of segregation and will be the point person responsible for implementing such a plan.



Letitia James

Public Advocate for the City of New York

What Every Parent Needs to Know for their Students' School

Know your Rights

Parents have the right to a free public school education for their child in a safe and supportive learning environment.

Parents have:

The right to information:

Parents have the right to their child's education records and information concerning educational programs that are available.

The right to translation:

Parents have the right to translation and interpretation services in order to communicate effectively with Department of Education personnel.

The right to a safe school:

Parents have the right to a school environment that is free of harassment and bullying; they have the right to know the procedures for reporting incidents of harassment and abuse and to have those complaints addressed.

The right to accommodations:

Parents have the right to have their children assessed for and to receive special services that are required to ensure an equal education for all, including children with disabilities, and to know how and when those services will be provided and by whom.

The right to a nutritious lunch:

Families whose income falls below federal guidelines are entitled to free or reduced-fee meals.

Protecting New Yorkers with Disabilities

Fighting for Safe Transportation for Children with Disabilities

For too long, New York City students with disabilities who attend school in the summer have sat through long bus rides in extreme heat with no air-conditioning. Many of these children are non-verbal and live with various disabilities, so are unable to communicate their discomfort. This situation is not only horrendous but also a violation of a City law which specifically calls for children with disabilities to be transported on air-conditioned buses when the temperature surpasses 70 degrees.



Photo credit: K. Velsey/Observer

After receiving several complaints about these appalling conditions, Public Advocate James took action:

- Summer 2014—Public Advocate James calls on the City's Department of Education (DOE) to provide air-conditioned buses to all children with disabilities.
- Summer 2015—After the DOE fails to act, Public Advocate James files a lawsuit against the DOE, along with two children with disabilities. She cites dangerous temperatures, as high as 91 degrees, recorded on City school buses transporting children with disabilities in District 75 schools.
- Summer 2016—Public Advocate James reached a settlement with the DOE that called for the DOE to provide air-conditioned school buses immediately to the two students named in her lawsuit.

While this is a much-needed win for these two individuals, the battle isn't over yet. Public Advocate James is still actively pursuing her lawsuit to seek relief for all children with disabilities who are illegally forced to sit in buses with dangerously high temperatures.

Reforming Schools to Serve Children with Disabilities

Hundreds of thousands of students live with disabilities in New York City, yet, sadly, too many of these children are being failed by their schools. Public Advocate James has made it a priority to ensure that every child receives a fair and appropriate education.

An investigation by Public Advocate James' office revealed that for years, the City's Department of Education has used a costly and ineffective system to track the needs of over 200,00 children with disabilities. The system, SESIS, is unable to do what it was intended to do: produce and track data about the Individual Education Programs (IEPs) of students with disabilities and ensure compliance with federal and state reporting requirements. SESIS frequently fails to record data entered by teachers and other school staff, meaning students may not be receiving services they need. These problems also have resulted in a huge loss of potential Medicaid reimbursements for the City.

In February, Public Advocate James filed a lawsuit against the DOE for its failure to provide a fair education to children with disabilities. Just six months later, a New York State Supreme Court judge ruled in favor of Public Advocate James. This is an important step in ensuring that children with disabilities receive the educational services to which they are legally entitled.

Children with disabilities deserve equal educational opportunities, whether they attend public or charter schools. After complaints from parents that certain charter school operators were forcing children to leave schools because of their disabilities and weren't providing reasonable accommodations, Public Advocate James took action.

"[T]he current public advocate, Letitia James, [is] using her office effectively as a bully pulpit on behalf of people whose voices have been ignored by the mayor's office or the Council. Her latest crusade may be her most important. This week, Ms. James filed a lawsuit charging that the New York City Department of Education has failed to adequately track the needs of students with disabilities, which has resulted not only in a dearth of appropriate services for these children and their families, but also a significant loss in Medicaid subsidies to which the city should rightly be entitled."


Staten Island Advance

Feb 4, 2016

In February 2016, Public Advocate James, along with school parents and students, City Council Member Daniel Dromm, and others, filed a federal civil rights complaint alleging inappropriate, illegal, and discriminatory practices the organization utilizes to achieve “success” and the hardships that the students experience in the process. The complaint also alleges that the charter school operator has failed to comply with the disciplinary due process rights of students and has failed to provide parents with meaningful notice regarding their rights and access to supportive accommodations.

Ensuring Homeless Individuals with Disabilities Have Access to Shelters and Resources

During an in-depth investigation, Public Advocate James uncovered that New Yorkers with disabilities are being denied rightful access to shelter. This was the case for Alison, a 38-year-old mother living with Multiple Sclerosis and epilepsy. Alison fled her home with her three-year-old daughter because of an abusive partner, and found herself homeless and looking for help from the City's Department of Homeless Services (DHS). Because of her disabilities, Alison relies on a motorized scooter and requires an accessible home.

“The city’s public advocate, Letitia James, sent a letter in August to the Justice Department asking for an investigation after her office found widespread violation of the Americans With Disabilities Act, the 1990 law that prohibits discrimination against people with disabilities, in the shelter system.”

The New York Times

Sept 16, 2016

Despite knowing this, DHS placed her in multiple homes in which she was unable to safely use the bathroom, unable to bathe herself, and unable to cook for herself and her daughter. At one of her placements, Alison fell and slammed her head on a cement wall.

Sadly, Alison is one of countless New Yorkers facing discrimination at the hands of our City government. Public Advocate James called on the U.S. Department of Justice to investigate the widespread violations of the Americans with Disabilities Act she uncovered.

Protecting Tenants and Promoting Affordable Housing



Safeguarding the City's Rent Stabilized Housing Stock

Millions of New Yorkers live in rent regulated apartments, and too many are at risk of losing their homes as the stock of affordable homes continues to dwindle. Public Advocate James has championed the cause of preserving affordable units, which starts by ensuring landlords are abiding by the law.

At 90 West Street, the landlord is denying his tenants rent stabilization despite receiving tax abatements he is only entitled to because the building is rent stabilized. When the tenants in the building sued the landlord for denying these benefits, Public Advocate James, joined by other elected officials, filed a legal brief to support them.

"Affordable housing is the most important issue facing New Yorkers today, and there is no better champion for the cause than Public Advocate Tish James. Whether it be in the court room, at City Hall, or rallying with us on the streets, we know that Tish prioritizes preserving and creating affordable housing for all New Yorkers."

Michael McKee
Tenants PAC

Acting as the City's Watchdog: Property Tax Debt and City-Owned Properties

Public Advocate James is pushing for major reforms to the tax lien sale process as a means of preserving affordable housing. When New Yorkers fail to pay property taxes, the debt becomes tax liens. Each year, the City sells these liens to private banks that charge high interest rates and fees to the debt. Often, this results in New Yorkers defaulting on mortgage payments and losing their homes.

Public Advocate James' office conducted an in-depth investigation into the tax lien sale, and determined that the sale is not optimizing the City's potential to earn revenue and is exacerbating the City's deregulation problem.

"[S]ome properties...that have gone through these [lien] sales have often fallen into a kind of limbo, where nobody is taking care of them or the tenants inside. Ms. James has proposed that the city sell the debt through a preservation trust to non-profits, which would use their leverage with building owners to get them to fix their properties."

The New York Times

Oct 6, 2016

While every New Yorker has a responsibility to pay taxes, the tax lien sale is placing an undue burden on homeowners.

Public Advocate James called for the City to create a non-profit preservation trust to purchase tax liens of distressed properties. By utilizing a non-profit preservation trust with an affordable housing mission, more housing will be preserved.

Ensuring Public Housing Residents Have Basic Necessities

When public housing residents came to the Public Advocate's office complaining about cold temperatures in their apartments, her office investigated. The investigation found that the New York City Housing Authority (NYCHA) was illegally turning off the heat at night during the winter, leaving tenants in frigid apartments.

Public Advocate James filed a lawsuit against NYCHA. In March, NYCHA agreed to a settlement that notified tenants of NYCHA's legal obligation to heat apartments, required thermometers to be installed in apartments, and required temperature records to be reported on a monthly basis.

Making Sure Affordable Housing is Done Right

In February 2016, Public Advocate James released an investigative report documenting the failures of the City's Department of Housing Preservation and Development's (HPD) "Neighborhood Homes Program." The goal of the program was to allow community-based nonprofit groups to purchase and rehabilitate City-owned homes, and to sell the properties to middle class New Yorkers looking to become homeowners. Instead, Public Advocate James' investigation into one of the clusters of homes in Brooklyn found that the program failed the prospective purchasers it was meant to benefit.

Following Public Advocate James' report and exposure of the problems within the program, several of the individuals waiting to become homeowners for nearly a decade have made progress towards owning their homes, including one who became a homeowner after waiting 13 years. Public Advocate James continues to advocate for changes in similar programs, including calls for stronger and more independent oversight.



Public Advocate James with Neighborhood Homes Program participants outside their prospective home in Brooklyn.

Protecting Tenants from Unsafe Conditions through Legislation

As with most of her work, Public Advocate James employs a four-pronged approach for improving housing for New Yorkers: investigation, agitation, litigation, and legislation. In January, Public Advocate James introduced two major pieces of legislation to improve housing conditions and crack down on irresponsible landlords in New York City.

● **“Nuisance Abatement” Bill** will increase the City's authority to bring legal action against landlords for housing-based nuisances that are “dangerous to human life or detrimental to health.” When a landlord subjects tenants to conditions such as mold, vermin, or blocked fire exits, the City can file a lawsuit to take control of the property.

● **“No Eviction by Construction” Bill** will prohibit the City's Department of Buildings (DOB) from issuing building permits to buildings with a certain number of unaddressed hazardous violations. Too often, unscrupulous landlords will begin excessive construction on a building with tenants still living there in an effort to force them from their homes, often lying on the building permit.

Worst Landlords Watchlist: Holding Landlords Accountable

Worst Landlords Watchlist: A History

The Worst Landlords Watchlist was first started by then-Public Advocate Bill de Blasio. Since taking it over, Public Advocate James has drastically expanded and improved the list.

In addition to data from the Department of Housing Preservation and Development (HPD), Public Advocate James added complaints from the Department Buildings (DOB) in 2015.

In 2016, Public Advocate James continued to expand the Watchlist by adding DOB violations and Department of Finance tax lien information, and making the site easier to use and search. Also in 2016, for the very first time, members of the Public Advocate's Office visited at least one building owned by each of the 100 Worst Landlords in the weeks prior to the list being released, speaking to tenants, taking photos, and personally inspecting building conditions.

In addition to expanding its capabilities, Public Advocate James has utilized the Watchlist as a tool to go after bad landlords. Every New Yorker deserves to live in a safe and decent home and the Public Advocate will never stop using every tool at her disposal to guarantee this basic right.

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 is why Public Advocate James continues to release the Worst Landlords Watchlist.

The Watchlist, a database of the worst landlords in New York City, is designed to hold the City's worst landlords accountable and to empower tenants and advocates. In 2016, for the first time, the Watchlist included Department of Building (DOB) violations and Department of Finance (DOF) data on tax liens.

The Watchlist has become a critical tool for helping tenants organize against unscrupulous landlords, has assisted with the criminal convictions of some of New York's worst landlords, and has led to better living conditions for countless New Yorkers. We will never stop fighting for the housing rights of every New Yorker.

Going After the City's Worst Landlords

Public Advocate James' annual Worst Landlords Watchlist has led to several legal actions against the most egregious offenders on the Watchlist, who have failed to protect the health and safety of tenants.

A family with five children was subjected to unthinkable and dangerous living conditions by

Ephraim Vashovsky. The family, who had lived in the building for 14 years, was forced to live among massive construction changes, alongside units that were demolished and floors that



were knocked out, creating a five-story drop from the top floor to the basement. The building was without fireproofing, fire escapes, heat, and water. When the family did have water, it froze so frequently they had to travel to nearby restaurants to use the bathroom.

Public Advocate James stood with Manhattan District Attorney Cyrus Vance as he indicted and arrested Mr. Vashovsky, in part because of the work of the Worst Landlord Watchlist. The family is now safely living in a temporary home.

Tenants at 919 Prospect Avenue owned by Seth Miller in the Bronx have been living in a construction zone. The ceilings are caved in, there is no heat, no hot water, the building is full of toxic dust and other debris. The tenants used the Worst Landlords Watchlist as a tool to demand of their landlord that he must uphold basic standards of decency in his building.

In December, Public Advocate James joined the tenants as they filed a lawsuit against Mr. Miller seeking a court-appointed administrator to take over handling repairs in the building.

Making Progress: Examples of Buildings That Have Improved

940 Grand Concourse, The Bronx. In 2014, 940 Grand Concourse was named the worst building on the Watchlist with a total of 660 violations. By 2016, the building had only 31 violations.

153 Chauncey Street, Brooklyn. In 2014, 153 Chauncey racked up a total of 631 violations, landing it a spot in the top 10 worst buildings. By 2016, the building had only 62 violations.

1479 Cromwell Avenue, The Bronx. In 2014, 1479 Cromwell was one of the top 10 worst buildings, with 504 violations. By 2016, the building had only 7 violations.

Combating Gun Violence



Divesting Public Funds from Major Gun Retailers

The murder rate in New York City is at a historic low, but any life taken with a gun is enough to tear apart a family and a community. Public Advocate James has continued to push back against the influence of the multi-billion dollar gun industry.

In July 2016, the City's largest pension fund, the New York City Employees' Retirement System (NYCERS), passed Public Advocate James' resolution to divest from some major gun retailers, and use its shareholder status to

pressure other retailers to change their practices. The move came one year after Public Advocate James, a trustee of NYCERS, called on the fund to divest to protect its investments from being scrutinized to their ties to dangerous firearms.

"New York City's employee pension fund will sell all its holdings of three American retailers because they sell guns, and will continue to press ahead in its efforts to get Walmart and a division of the supermarket chain Kroger to remove guns from their store shelves."

The New York Times

July 14, 2016

Holding Gun Manufacturers Accountable

Some of the largest weapon and manufacturers in the world, Sig Sauer, Smith & Wesson, and Sturm, Ruger, are backed by some of the largest banks in the United States, including TD Bank.

"We fully support Public Advocate James' call for the SEC to investigate Sturm Ruger's business practices. We know that on far too many occasions, Sturm Ruger's lethal products have ended up in criminal hands."

Leah Gunn Barrett

Executive Director, New Yorkers Against Gun Violence

Public Advocate James called on TD Bank to immediately terminate its financial relationship with the gun companies.

Public Advocate James also called on the U.S. Securities and Exchange Commission to investigate whether Smith & Wesson and Sturm, Ruger are misleading their shareholders by failing to disclose critical

information about the safety of their investments. This information includes how many of the company's guns are involved in crimes and mass shooting incidents and if the company is implementing procedures to prevent "bad apple" gun dealers from accessing their firearms. All investors have the right to know the true nature of their investments.

Holding Gun Retailers Accountable

In July 2015, an allegedly intoxicated, underage man purchased handgun ammunition at a Walmart store in Pennsylvania. In the next hour, he used the ammunition to shoot and kill three individuals.

The families of the victims filed a lawsuit against Walmart, and Public Advocate James is supporting them in court where she has filed two legal briefs. The first argued that the lawsuit should be heard in State court so Walmart cannot avoid liability by hiding behind federal law. The second brief argues that Walmart violated the Gun Control Act of 1968 when it sold handgun ammunition to a minor.

Empowering Women in the Workforce



Exposing a Major Wage Gap in New York City

Over the past several decades, women have made enormous strides advancing in the workforce. Yet there remains a shocking disparity between the salaries of men and women, even in New York City.

In April, Public Advocate James released a comprehensive policy report that found that, every year, women in the City earn \$5.8 billion less than men. The report reveals that women employed by the New York City government experience a gender wage gap three times larger than women working in the private for-profit sector, and two and a half times larger than women working in the nonprofit sector. The report also finds that wage disparities for women of color in New York City are significantly worse than the national average.

“New York City public advocate Letitia James...found that female municipal workers there make 18 percent less than their male peers, while private sector workers make nine percent less than men. That gap widens for Asian, African-American and Hispanic women, who earn 37 percent, 45 percent, and 54 percent less respectively than white men in similar jobs.”

GLAMOUR

August 12, 2016

Common Sense Legislation for a Fairer Workplace

After drawing significant attention to the issue, Public Advocate James took action. In August, she introduced a bill that will prohibit employers from requesting salary history from job applicants, a key step in closing the gender pay gap. When employers rely on previous salary history, they often continue a dangerous cycle of unequal underpayment to women.

The legislation, which will impact approximately 3.8 million workers in New York City, will prevent public, private, and nonprofit sector employers from requesting salary history from applicants, preventing the perpetuation of wage discrimination. A number of prominent New York City businesses, including

Kickstarter, Peeled Snacks, Majora Carter Consulting, and Ellevate Network, have committed to banning the practice and are supporting the measure.

“Work should be paid according to its worth, not to any past bias against the worker. By making it illegal for an employer to ask an applicant’s past salary before offering a job, Public Advocate Letitia James is uprooting a cause of discrimination in New York where women earn \$5.8 billion less each year than men do. We owe her our gratitude for helping us to live and work together fairly in this city we love.”

Gloria Steinem

Co-founder, Ms. Magazine, feminist organizer, activist

Strengthening Opportunities for Minority and Women Owned Businesses

Although nearly 30 percent of all businesses in New York City are minority and/or women-owned business enterprises (M/WBEs), only five percent of the City’s procurement budget was spent on hiring M/WBEs last year. As the most diverse City in the world, New York City must do a better job of doing business with a diverse set of companies. Public Advocate James has long fought to ensure that M/WBEs get equal opportunities and compete on a level playing field.

In the fall of 2016, Public Advocate James’ legislation to promote contractor diversity and economic empowerment for women and people of color in New York City was enacted into law. The new law requires government executives who make contracting decisions to undergo mandatory trainings about M/WBEs and creates a more transparent line of communication between M/WBEs and government agencies.

Keeping Communities Whole

With so many New Yorkers feeling like they are being squeezed out of rapidly changing neighborhoods and facing rising housing costs, Public Advocate James understands the important role government has in keeping communities whole.

Ensuring Promises Made are Promises Kept

Throughout New York City, there are many projects that are approved in part because the developers promise to include community benefits in those projects. Yet there has never been a method to track these commitments. In March, Public Advocate James, along with City Council Speaker Melissa Mark-Viverito, introduced legislation that would create a publicly available tracking system for any commitments made by New York City in connection with a development project going through the City's land use approval process.

The tracking system would not only record the City's commitments for the first time but would also require annual updates on the status of those commitments. The database created by this legislation would track all City commitments that have historically included promises related to: job creation, building or refurbishing parks, employing residents from public housing, redeveloping subway stations, or providing space for cultural institutions. This bill calls on the Mayor's office to designate an agency to oversee the development and implementation of this tracking system. In June, the administration, numerous advocates, and community members testified at a hearing convened by the City Council Committee on Land Use in support of the legislation.

Ensuring Rezoning Makes Sense for Communities

As the City embarks on an ambitious, five borough rezoning plan in twelve neighborhoods, it's critical that these plans make sense for communities. As Public Advocate, Letitia James holds an appointment on the City Planning Commission, which had to approve the rezoning plan. Following numerous discussions with community groups and New Yorkers around the City, Public Advocate James made numerous recommendations about the rezoning plan.

Public Advocate James called to lower the income eligibility for affordable housing, drive the production of more affordable units, protect existing residents from displacement, and guarantee equal treatment between market rate and rent-regulated tenants.

Preserving Access to Affordable and Healthy Grocery Stores



Photo credit: Scott Lynch/Gothamist

New Yorkers deserve access to affordable food options and groceries in their neighborhoods. But throughout the City, community staples like Key Foods and Associated Supermarkets are at risk of closing because of skyrocketing rents.

Public Advocate James has stood with residents in Chelsea, Washington Heights, Harlem, and Clinton Hill and worked with Community Boards, Council Members, and landlords to help save grocery stores that are lifelines for so many New Yorkers.

Justice in New York City Jails

Protecting Inmates from Sexual Victimization

Women incarcerated at Rikers Island are too often victims of sexual harassment and abuse. Data from the U.S. Department of Justice shows that 8.6 percent of inmates at the Rose M. Singer Center—the women’s facility on Rikers—reported being sexually harassed or abused, compared to 3.2 percent of inmates in jails nationwide. Public Advocate James has been fighting for over a year to protect inmates from well-documented abuses. In the summer of 2015, she successfully petitioned the New York Board of Correction (BOC) to create new rules to address these high rates of sexual victimization, and in November 2016, the BOC adopted her rules.

Ending Financial Exploitation of Inmates’ Families

“New York City’s Public Advocate has introduced legislation that would cap money transfer fees JPay charges at Riker’s Island...The city’s Department of Investigation, an independent watchdog agency, has joined discussions with the public advocate about JPay.”

BuzzFeed

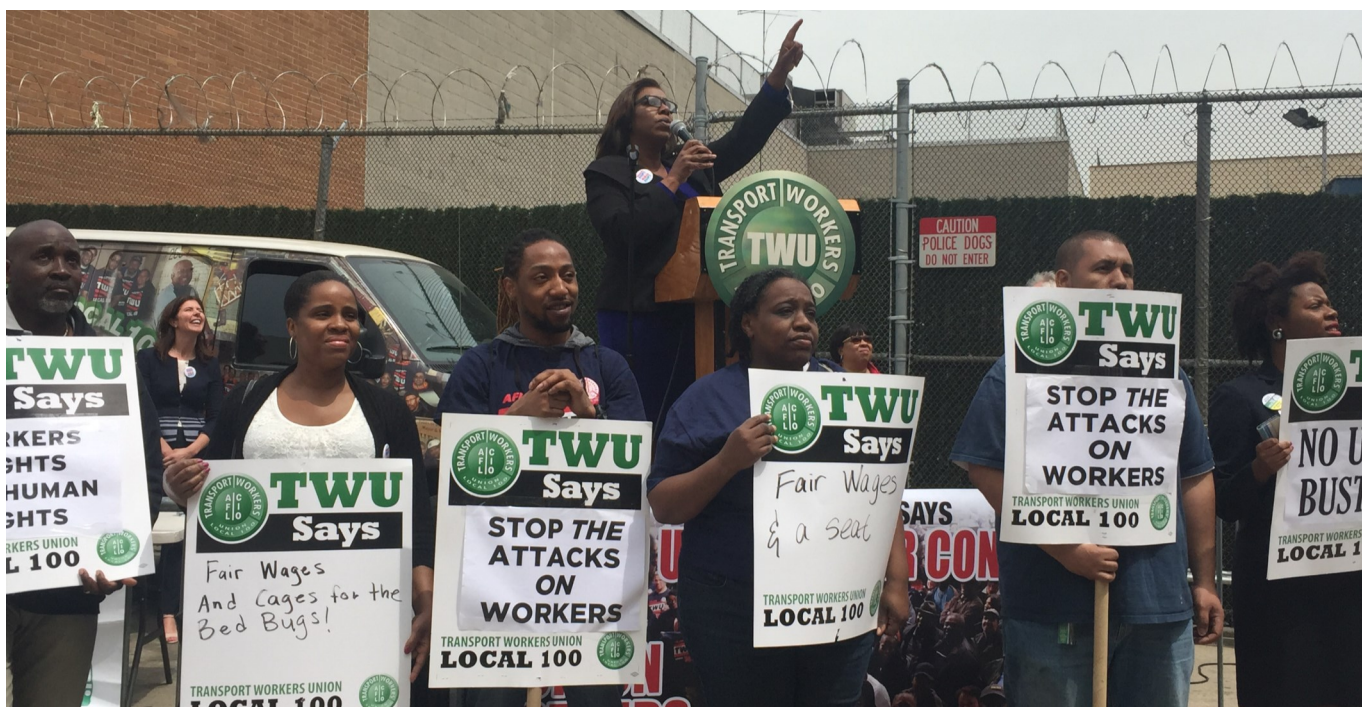
December 2, 2016

The families and loved ones of Rikers Island inmates are forced to pay unreasonable service fees to deposit funds into accounts so that inmates can purchase basic necessities at the commissary and access phones. The City’s Department of Correction contracts with two private, for-profit companies—JPay and Western Union—that enable families and loved ones to deposit money into these accounts. A thorough investigation by the Public Advocate’s Office found that the City’s contracts allow these companies to charge a sliding scale of service fees that can equal half of a small deposit (for example: a five dollar fee for a ten dollar deposit).

Considering that many inmates are in jail simply because they cannot afford to pay low bail, this is a major financial burden.

In April 2016, Public Advocate James introduced legislation that will cap these service fees. These transaction fees are nothing more than profiteering by third-party contractors at the expense of New Yorkers. No company should be allowed to take advantage of New Yorkers, and this legislation will ensure families are protected.

Fighting for Workers' Rights



Public Advocate James continues to be a champion for issues like collective bargaining, fair wages, and benefits. Whether she is on the streets with workers in the “Fight for \$15,” at the bargaining table with transit workers negotiating a new contract, walking the picket line with faculty at Long Island University (Brooklyn), or pushing through legislation to protect workers from hazardous conditions, Public Advocate James has never stopped fighting for workers.

Standing with Verizon Workers

When one of the country's largest companies refused to provide a fair contract to thousands of its workers, Public Advocate James was on the front lines of the battle demanding that Verizon Wireless give workers the treatment they deserved. After Verizon moved over 5,000 jobs overseas and pushed to outsource work to low-wage, non-union contractors, Public Advocate James marched with thousands of union workers in a picket line in protest. For months, she



In 2016, Public Advocate James joined fights for workers rights with: Verizon workers, LIU (Brooklyn) faculty, Macy's workers, NYU Langone workers, TWU Local 100 workers, 1199 workers, and others.

demanded that Verizon negotiate a fair contract with the newly formed retail workers union that would prevent outsourcing jobs overseas and to low-wage, non-union contract workers. She also called on Verizon to stop closing and consolidating call centers, stop freezing pensions, and stop slashing benefits for injured workers. In May, Verizon finally reached an agreement with the unions that ensured our hardworking families had equal pay, benefits, and the fair work practices they are entitled to. Union labor built the middle class in

this country and Public Advocate James will never waiver in her support of our workers.

Advocating for a Fair Contract

In September, the administration at Long Island University's (LIU) Downtown Brooklyn campus locked faculty members out of their offices and email accounts and canceled their health insurance after failing to reach an agreement on a new faculty contract. Although the administration claimed the lockout was carried out to prevent a strike, the union was continuing to negotiate in good faith and had not threatened to strike. In response to the administration's actions, Public Advocate James led the charge in calling for a fair and timely contract for faculty members. She was the lead signatory to a letter to the LIU President signed by other elected officials warning the president that any move to hire replacement workers would "only exacerbate your administration's troubled relationship with labor in New York City." She also marched on the picket line with the locked-out faculty members. After a 12-day lockout, the university's Brooklyn campus finally came to an agreement.

Ensuring all Employees are Treated Equally

In 2012, Suzanne Keceli—who worked as a security guard at the Empire City Casino at Yonkers Raceway—got a gay pride flag tattoo on her arm. She was told that this was not permitted and she needed to cover her tattoo. Suzanne complained that she was being discriminated against, and her employer retaliated against her: giving her a punitive job assignment, denying her opportunities for overtime, unfairly disciplining her, and allowing for a hostile work environment where anti-gay slurs and jokes were common. Her employer also subjected her to heightened supervision and surveillance. In March, Public Advocate James, along with legal and advocacy partners, filed an amicus brief in support of Suzanne, arguing that Suzanne should be protected under the New York State Human Rights Law.

Improving Access to Safe and Efficient Transportation

Protecting Pedestrian Safety

Until very recently, New York City's Right of Way law, which is intended to protect the millions of New Yorkers and visitors who cross our streets every day, contained a dangerous loophole. While crosswalk countdown clocks were being installed all across the City, the law on the books had not been updated for this technology upgrade. As a result, the pedestrian right of way during the countdown phase was left unclear, leaving New Yorkers physically and legally vulnerable to dangerous drivers.

After a long campaign, Public Advocate James' legislation to protect pedestrians crossing at intersections was enacted into law. The new law provides the right of way to pedestrians crossing the street when a numerical countdown has already begun. It allows law enforcement officers, investigators, and prosecutors to hold reckless drivers accountable if they fail to exercise due care. The passage of this law represents a common-sense step toward protecting pedestrians, particularly children and seniors, and making New York's streets safer.



Improving Airport Access for New York City Travelers

For too long, transportation to New York City's airports has posed a significant physical and financial burden to travelers. New York City is home to two of the busiest airports in the world, LaGuardia Airport (LGA) and John F. Kennedy International Airport (JFK). Every day, over 150,000 people travel to and from our two airports, and over 85 million passengers used them in 2015. Yet access to our airports is increasingly difficult for both travelers and employees. Many neighborhoods lack a convenient mass transit link to the airports. As a result, the most popular way to get to them is by taxi or other car service. This heavy reliance on taxis is problematic for several reasons: taxis can be expensive, they are subject to long traffic delays, and they contribute to traffic congestion.

Public Advocate James pushed the City to make critical improvements to our infrastructure. On the day before Thanksgiving, the busiest travel day of the year, she released a report with recommendations to improve access to LGA and JFK. The recommendations would improve and expand current public transportation options to make them more efficient and cost-effective. By following through on Public Advocate James' recommendations, New York City can increase the number of travelers using public transit options, thus reducing congestion on our roads, providing increased revenue for the City, and ensuring a more efficient trip to or from the airport.

“Public Advocate Letitia James will be calling on city and state agencies for permanent mass transit improvements to LaGuardia and Kennedy airports as a means to create more equitable and reliable travel options while also reducing the number of cars on the city’s streets and highways. “

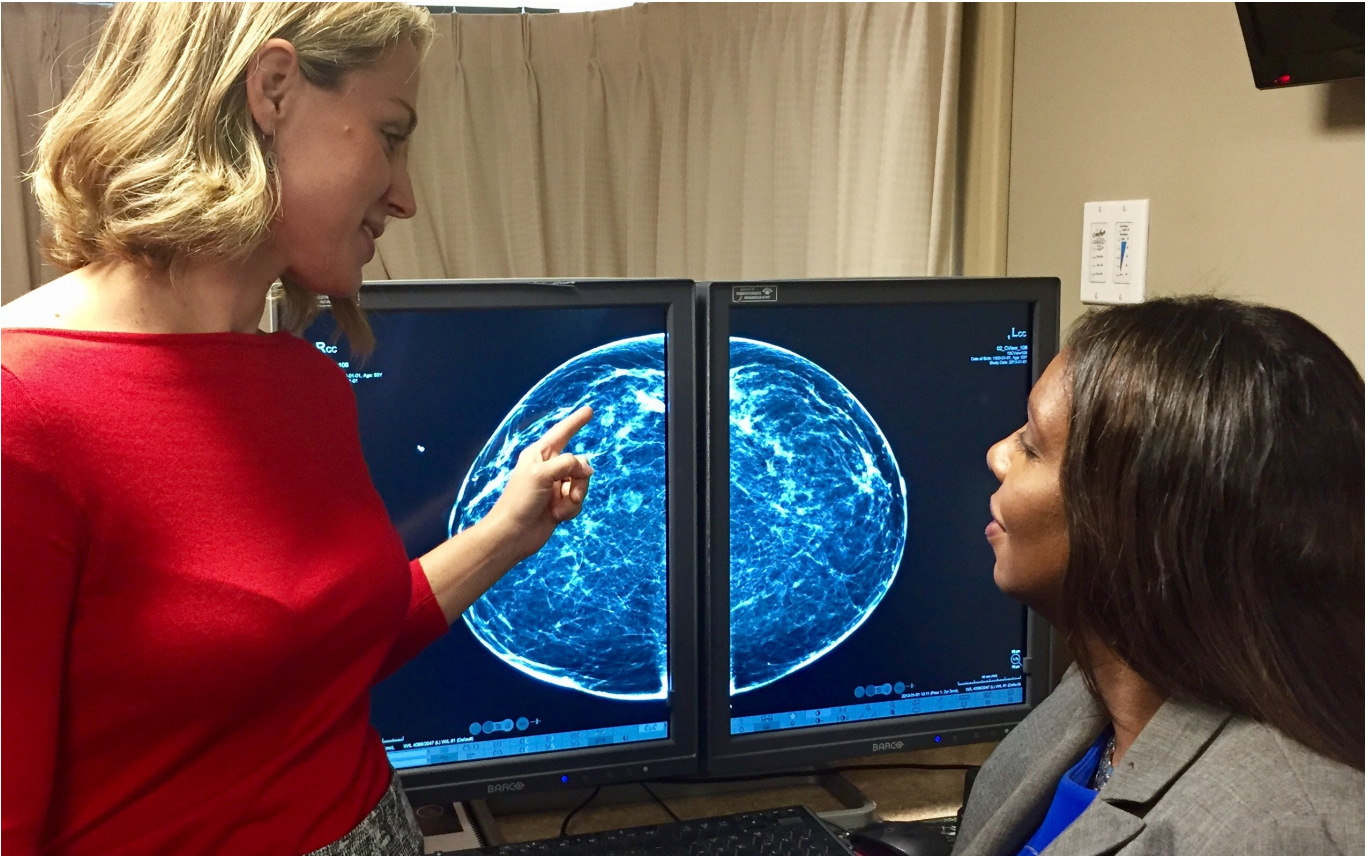
amNEWYORK

November 23, 2016

Improving Air Quality at Penn Station

In May, after receiving complaints about construction dust at Penn Station near the entrance to the A, C, and E subways, the Public Advocate's Office leapt into action. She investigated the complaints and wrote a letter to the Metropolitan Transit Authority (MTA), demanding immediate remediation to the health hazards the construction debris posed to both travelers and workers. “The air has been so dense that observers had difficulty seeing the lights in the cramped ceilings due to floating airborne dust,” she wrote. Public Advocate James also demanded better air monitoring within the station, noting that the air-testing machines in Penn Station are far from the subway entrances. When the MTA responded that the dust arose from a one-time demolition of a staircase, she demanded better attention to safety during future construction projects; she wrote, “As decisions about further major renovations of Penn Station continue, we must not forget the interim safety all who utilize and work at the station.”

Promoting New Yorkers' Health



Expanding Breast Cancer Detection Technology to Save Lives

In October, Public Advocate James released a report on Digital Breast Tomosynthesis (DBT), a new three-dimensional technology used to detect breast cancer, and called on New York City and State to expand access to this new technology. She highlighted the need for DBT, which more accurately diagnoses breast cancer but is not widely available to many low-income New Yorkers and New Yorkers of color, who may be the patients who need it most. DBT significantly increases the accuracy of breast cancer diagnoses: there is an increase of detection rates and a decrease in false positives. A recent study showed that cancer detection rates increased by 29 percent with the use of DBT and the recall rate (patients called back for a second exam because of an unclear image) decreased by 15 percent.

Public Advocate James has urged the City and State to make this life-saving technology available to all women in New York City. DBT is widely available at private hospitals in New York City, but only in one hospital run by NYC Health + Hospitals, New York City's public health care system. While DBT is covered by Medicare and many private insurers, it is not covered by New York State Medicaid. Public Advocate James is therefore calling on the City to include DBT in

all public hospitals and the State to add DBT to the Medicaid benefit package. Putting DBT in our public hospitals would not only increase early detection among all women, but it would go a long way in closing the racial and economic survival gaps among women with breast cancer.

Protecting Children from the Dangers of e-Cigarettes

In January 2016, Public Advocate James and Comptroller Scott Stringer hosted a rally to draw attention to e-cigarette advertisements that target children. In 1998, major tobacco companies entered into a “Master Settlement Agreement,” which banned cigarette manufacturers from advertising to children and teens. In the years that followed, youth smoking across the country dropped dramatically.

Unfortunately the agreement does not ban the manufacturers of e-cigarettes from these activities. E-cigarette companies now market to children—and it appears to be working, with an 800 percent boost in minors who use e-cigarette products since 2011. That is why Public Advocate James, together with activists and organizations, urged the Federal Trade Commission and the U.S. Food and Drug Administration to study and regulate e-cigarettes; they also called on the tobacco companies to voluntarily stop marketing e-cigarettes to kids.

Protecting New Yorkers from the Zika Virus

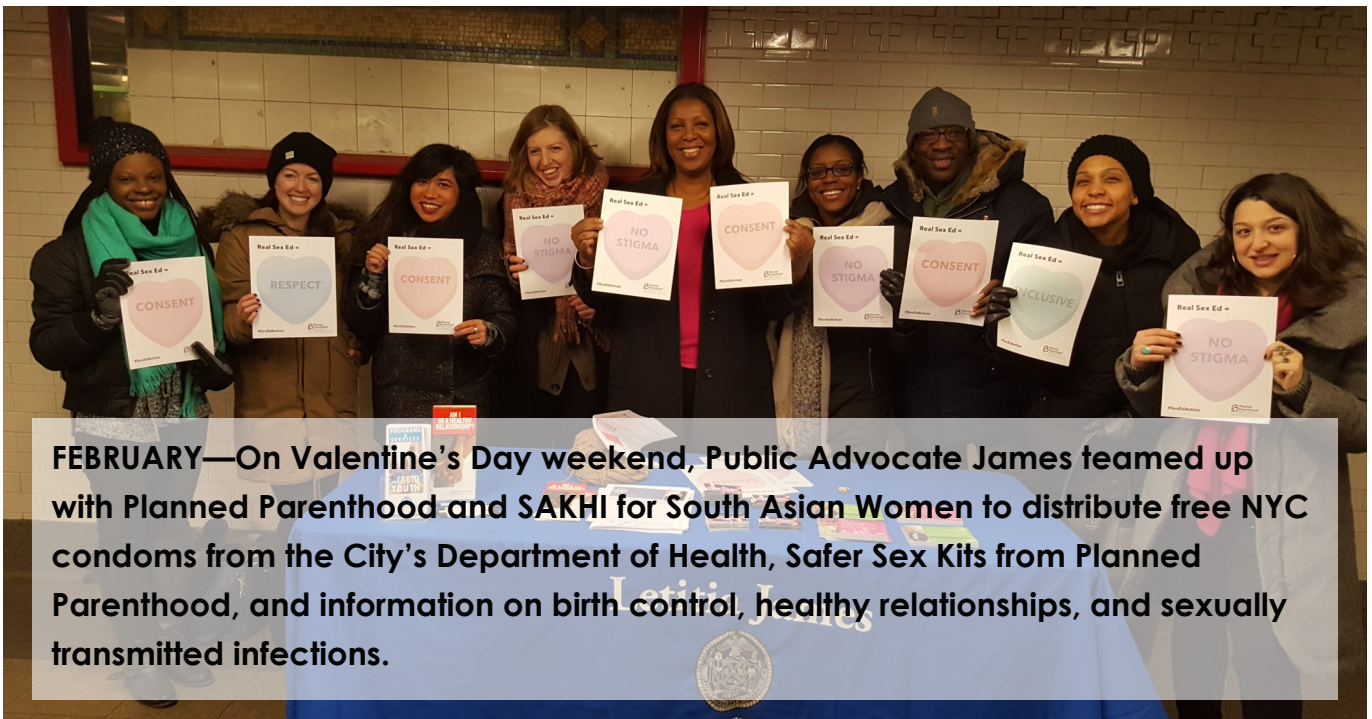
In August, Public Advocate James announced new recommendations and released a report to combat the spread of the Zika virus in New York City. Her recommendations included increasing the number of free Zika Protection Kits to low-income pregnant women, and expanding the program to assist and protect homeless people; expanding outreach to community and faith-based organizations; and issuing airport warnings to increase travelers' awareness about the signs, symptoms, treatment, and prevention of the Zika virus. Prevention is a key element in addressing the public health and safety of the City, and Public Advocate James continues to push the City to implement stronger preventive measures to protect New Yorkers while we wait for a cure.



**CONNECTING WITH
NEW YORKERS**



JANUARY—As part of a regular series of forums with Staten Island clergy and City agencies, Public Advocate James hosted a meeting with the City’s Commission on Human Rights (CHR) and faith leaders. The meeting was an opportunity for clergy to speak with CHR about issues in the community.



FEBRUARY—On Valentine’s Day weekend, Public Advocate James teamed up with Planned Parenthood and SAKHI for South Asian Women to distribute free NYC condoms from the City’s Department of Health, Safer Sex Kits from Planned Parenthood, and information on birth control, healthy relationships, and sexually transmitted infections.

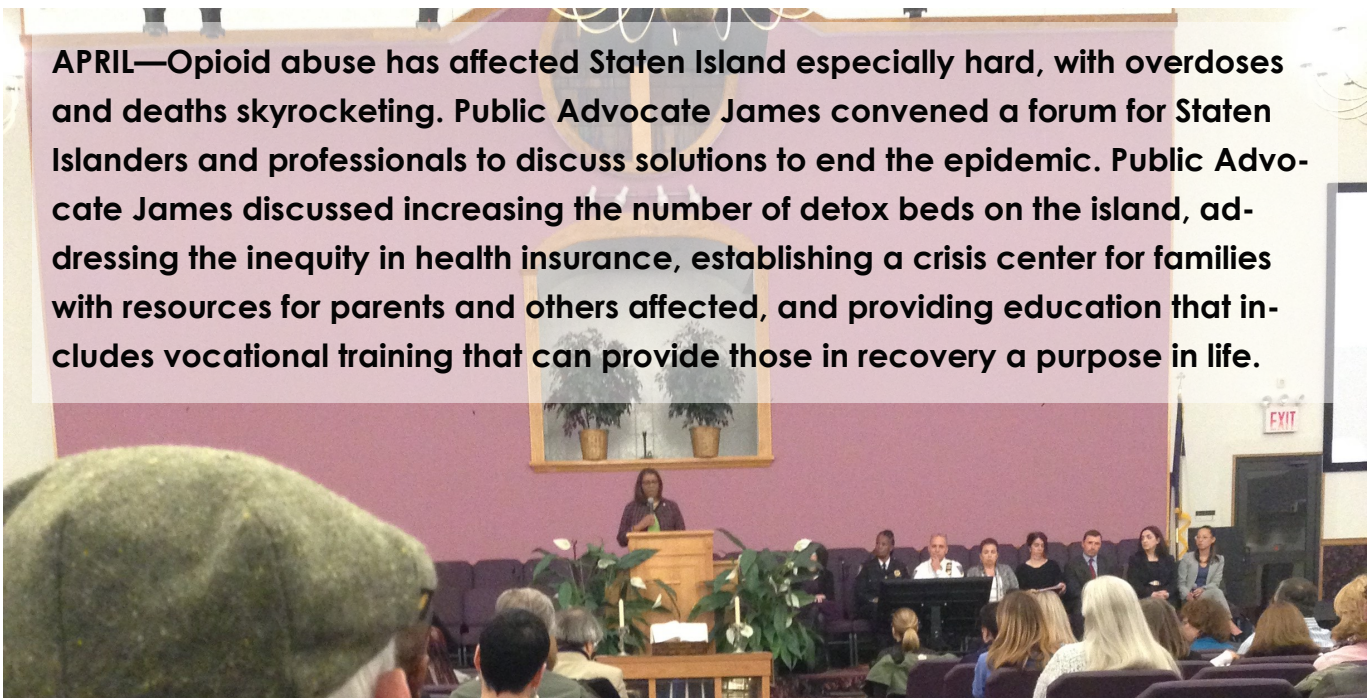
FEBRUARY—Public Advocate James and Manhattan Borough President Gale Brewer hosted a Public Health Awareness Summit in upper Manhattan. The event brought together healthcare providers to connect New Yorkers to services in the community, provided information, offered flu shots, and health demos.



FEBRUARY-APRIL—Public Advocate James hosted a series of deed theft teach-ins in Brooklyn, together with Legal Services NYC and other nonprofits. The series offered individual counseling and seminars on common deed theft scams, to help New York homeowners prevent, and fight back against, deed theft.



MARCH—The Public Advocate’s annual Lunar New Year Celebration was held in Flushing, Queens. Hundreds of Asian-American New Yorkers attended the celebration of the Year of the Monkey, which highlighted the first time in our City’s history that Lunar New Year was recognized as a public school holiday. At the event, Public Advocate James presented awards to distinguished nonprofit organizations for their outstanding services to the Asian-American community.



APRIL—Opioid abuse has affected Staten Island especially hard, with overdoses and deaths skyrocketing. Public Advocate James convened a forum for Staten Islanders and professionals to discuss solutions to end the epidemic. Public Advocate James discussed increasing the number of detox beds on the island, addressing the inequity in health insurance, establishing a crisis center for families with resources for parents and others affected, and providing education that includes vocational training that can provide those in recovery a purpose in life.

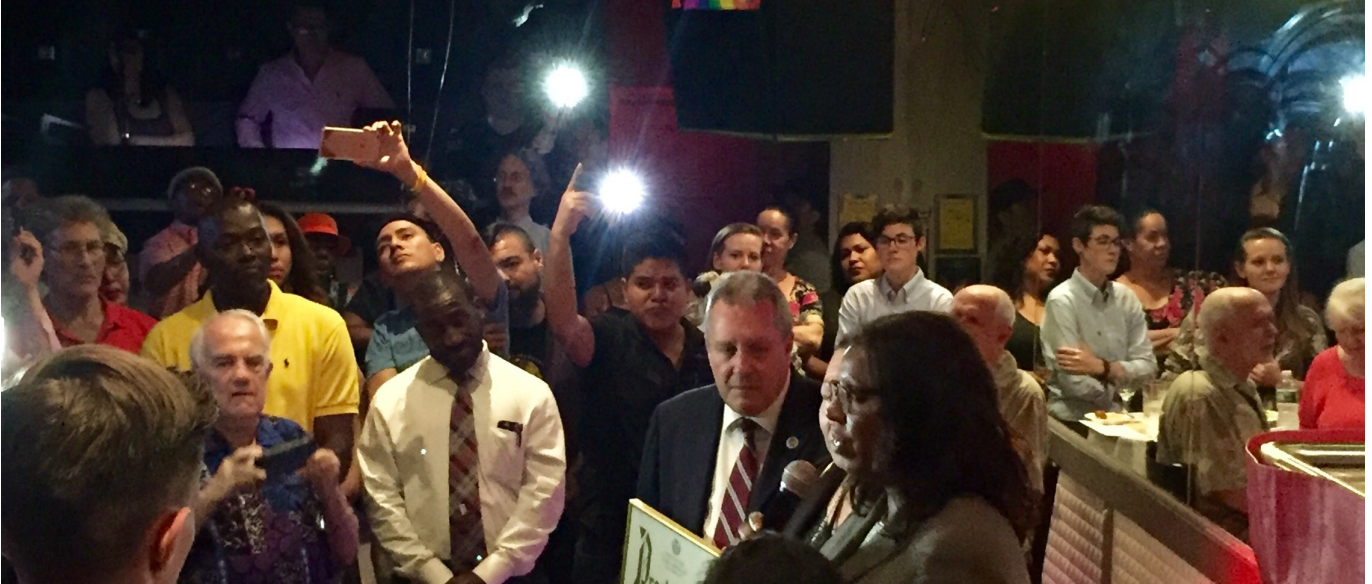


MAY—Public Advocate James, who has put together a Russian-speaking Cabinet, hosted a town hall in South Brooklyn, home to the largest Russian-speaking community in the City. The discussion focused on employment issues between Russian-speaking New Yorkers and City agencies, lack of transportation options in Coney Island, and funding for cultural institutions. The town hall resulted in a job fair in the community with over a dozen employers, attended by hundreds of community members.



JUNE—Public Advocate James, who played a key role in creating the NYC Veterans Services Agency, hosted the first-ever Citywide town hall on veterans issues. Several hundred veterans, advocates, and community leaders attended the event, which featured a panel of experts and advocates, and information and resources from service providers.

JUNE—Public Advocate James hosted her second annual Pride Month event in Jackson Heights. At the event, which was attended by hundreds of LGBT New Yorkers and their allies, Public Advocate James honored several prominent members of the LGBT community.



AUGUST—In August, Public Advocate James visited eight precincts for National Night Out, an annual community-building event that promotes police-community relationships. It is through events like National Night Out that communities are able to build trust, unity, and peace.

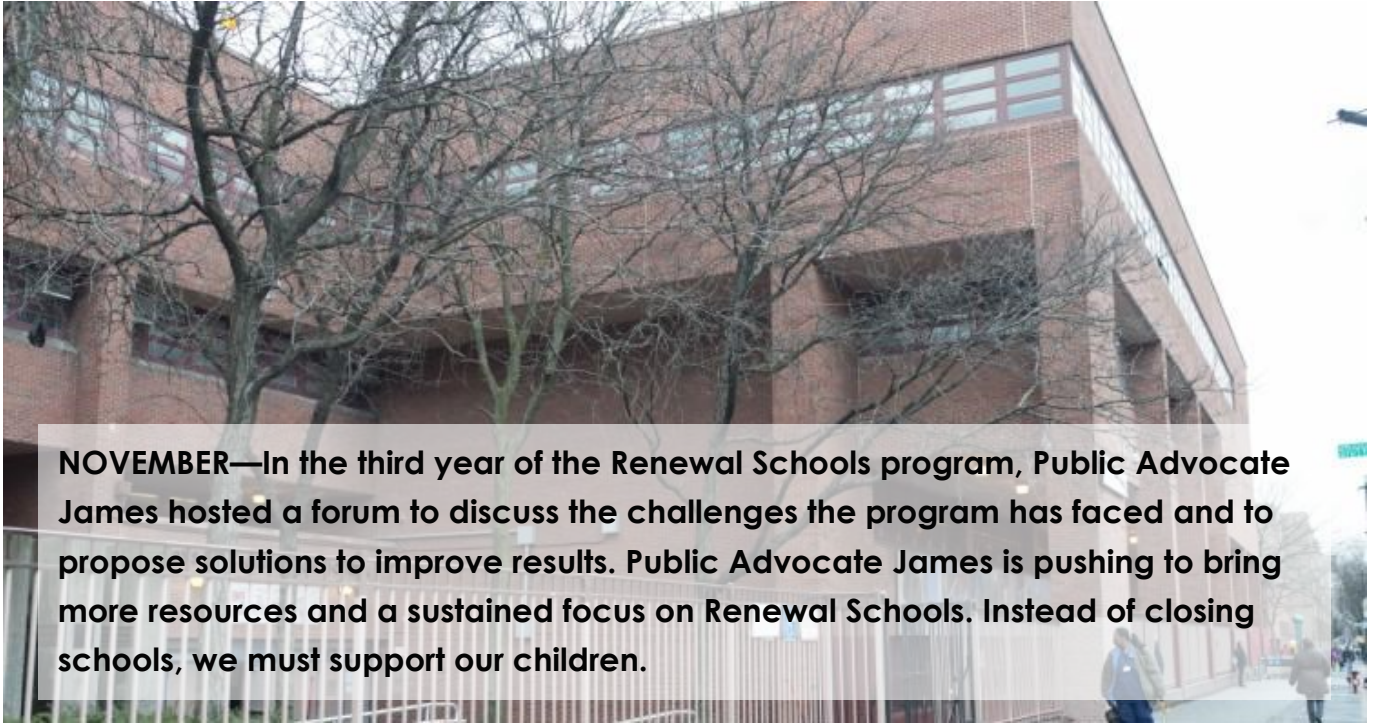


SEPTEMBER—In response to an increase in hate crimes, Public Advocate James hosted a town hall for faith leaders and community members to have an open, honest discussion about the need for everyone to live and work together toward a quality of life conducive to all. There were candid discussions about leaders visiting other houses of worship, understanding cultural differences, and being cognizant of one another's sensitivities.

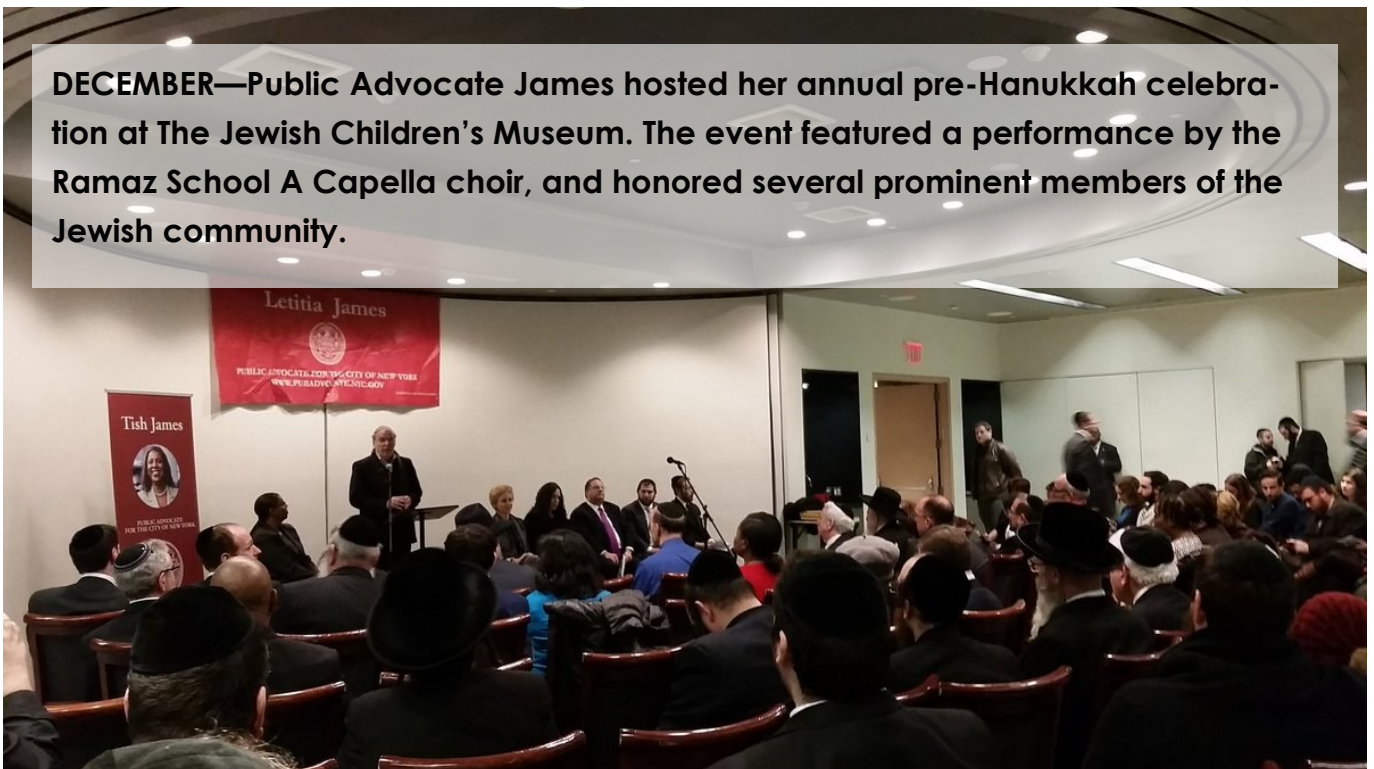


OCTOBER—Public Advocate James held “She Stands: A Call to Action” a forum on women’s economic and social mobility. The forum featured two panels that focused on the greatest obstacles facing women today and how government, the private, and nonprofit sectors can collaborate together.

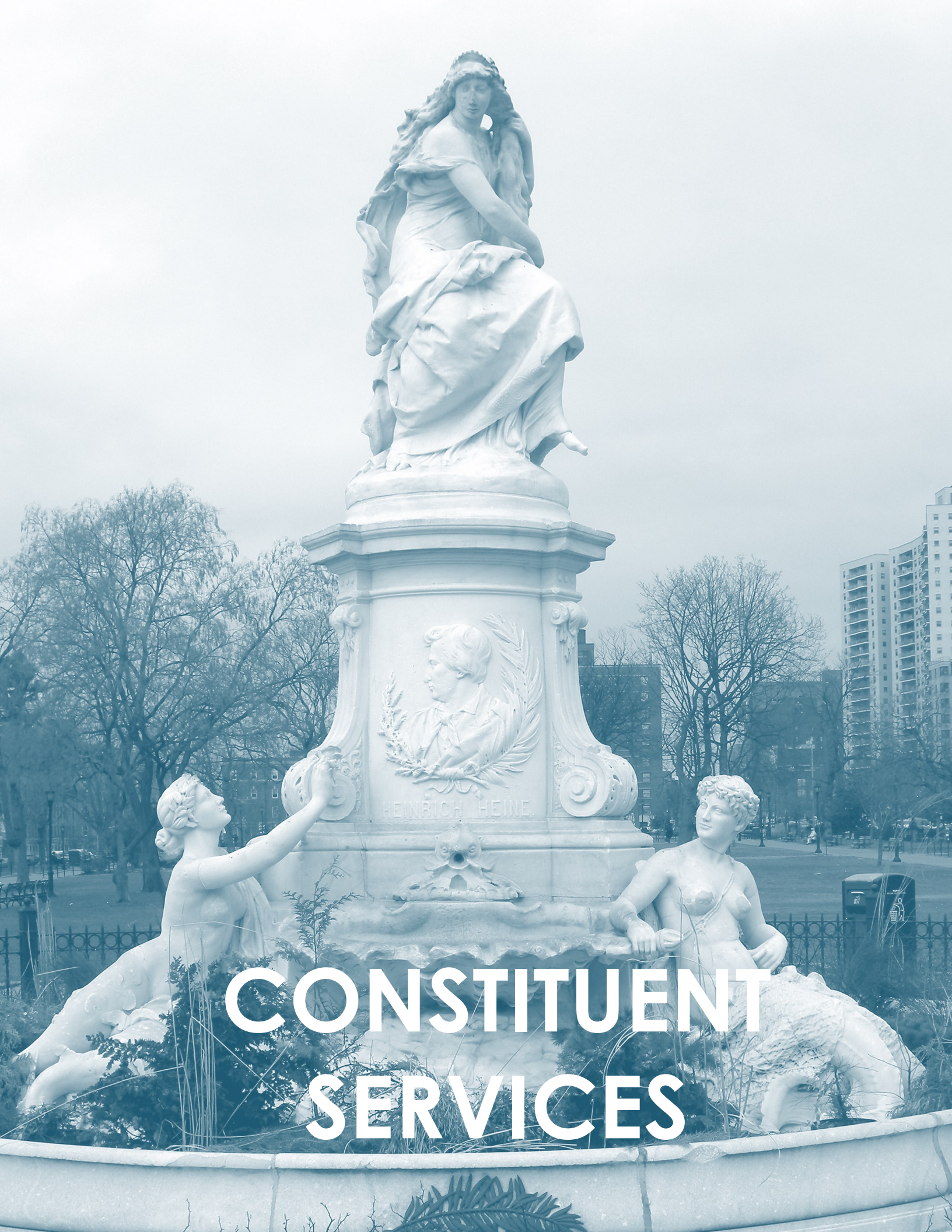




NOVEMBER—In the third year of the Renewal Schools program, Public Advocate James hosted a forum to discuss the challenges the program has faced and to propose solutions to improve results. Public Advocate James is pushing to bring more resources and a sustained focus on Renewal Schools. Instead of closing schools, we must support our children.



DECEMBER—Public Advocate James hosted her annual pre-Hanukkah celebration at The Jewish Children's Museum. The event featured a performance by the Ramaz School A Capella choir, and honored several prominent members of the Jewish community.



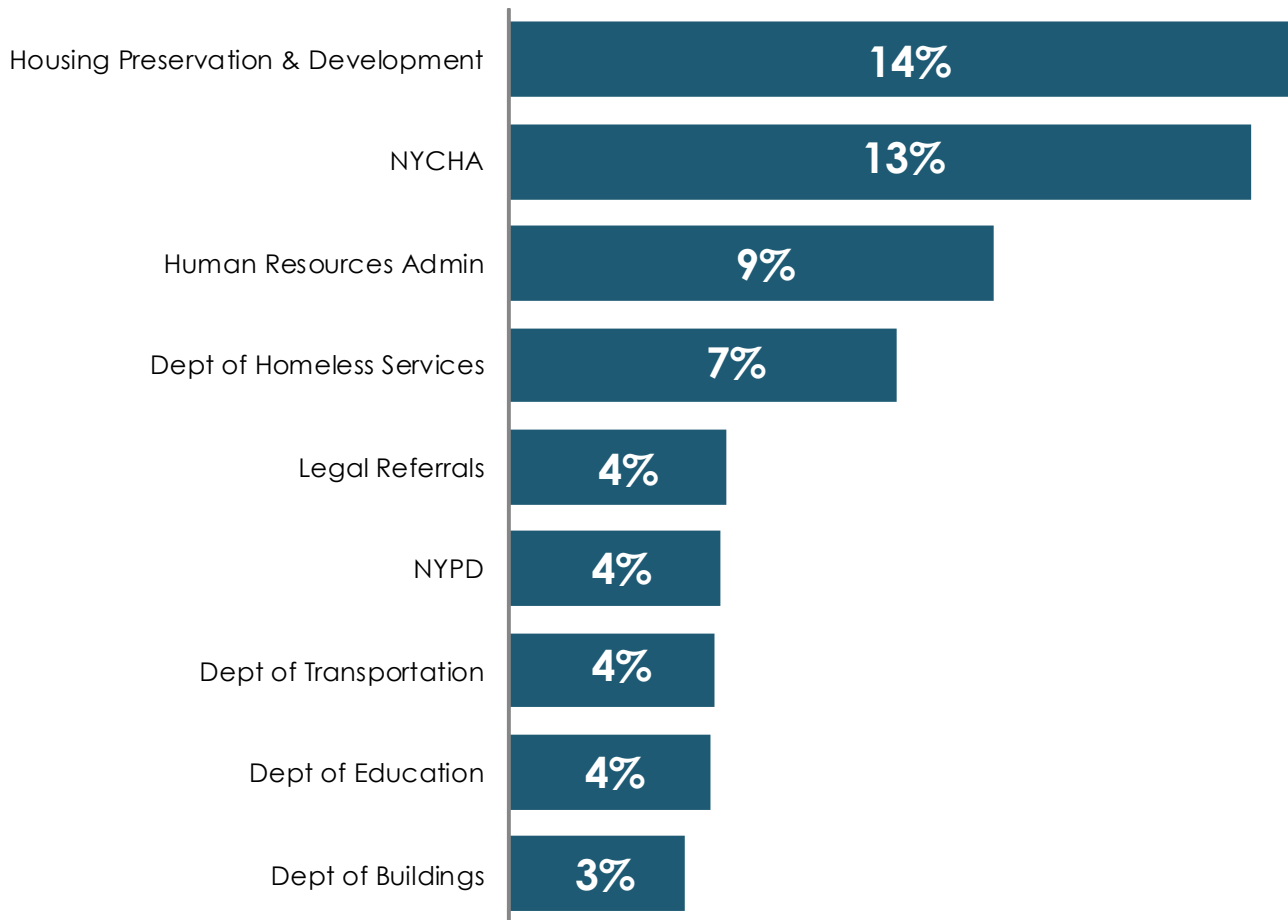
CONSTITUENT SERVICES

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 operations. Each month, thousands of New Yorkers call or visit the Public Advocate's Office where they receive help by 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 sub-par public services. With strong outreach efforts and intake, the office now opens an average of 668 cases per month.

The ten agencies with the most constituent complaints constitute nearly two thirds of all complaints made to the Public Advocate's Office.

Agencies with Most Constituent Complaints



Real Stories from Real New Yorkers



Adrianny — The Bronx

Adrianny and her son lived in a one bedroom NYCHA apartment. Her son has sickle cell anemia, and as his condition worsened, his doctors recommended he have a private bedroom due to his weakened immune system. Adrianny submitted multiple medical transfer requests to NYCHA, but was continually denied. Adrianny reach out to 311, who directed her to the Public Advocate's office. The Public Advocate's constituent services team worked with NYCHA on resolving the issue. NYCHA went on to accept Adrianny's request and move her and her son into an apartment that meets his medical needs.

"I called 311, and they told me to call the Public Advocate's Office. I called and spoke to a constituent services associate, who helped me get the transfer to a two-bedroom apartment. Thank you so much for all the help."

Adrianny, The Bronx

James — Queens

“In my senior years, I have noticed that too often we underestimate the power of a kind word, a listening ear, or the smallest act of caring, all of which have the potential to turn a life around. The Public Advocate’s constituent services associate got my gas back on after it had been off for over two months. Three cheers for him.”

James, Queens

James lives in supportive housing, and his gas service is included with his rental payments. When James’ gas service went out, he lost the capability to use his stove or heat in his home for two months.

James was unsuccessful getting the gas company to turn the gas back on. After the constituent services team advocated on his behalf, his gas service was restored.



Margaret — Manhattan

Margaret lived below an apartment whose tenants made a lot of noise, causing major disruption to her life. She complained to the building's management, but the noise didn't stop. Margaret then contacted the Public Advocate's Office, requesting assistance in resolving the dispute with her neighbor. After the constituent services team contacted the management company, requested its intervention in resolving the matter, the noise stopped.

"I started to regain my equilibrium and enjoy the peace and quiet I deserve as a citizen of NYC. Thanks to your worker for his compassion, capacity to listen, and intervention."

Margaret, Manhattan



Paula and Jack — Staten Island

When Paula and Jack discovered a sinkhole outside their home in Staten Island, they first called 311. After repeated calls over a period of months, they were first told the sinkhole was the responsibility of the Department of Transportation (DOT) and then told that it was the Department of Environmental Protection's (DEP) responsibility. Paula and Jack were concerned about their safety and the safety of their neighbors and frustrated with the lack of transparency and clarity they were receiving from 311. After not receiving a clear response, they called the Public Advocate's hotline. Within weeks, the Public Advocate's office had not only requested an immediate site inspection from DEP, but had the dangerous sinkhole repaired.

"The Public Advocate's office was the only office that took our complaint seriously. They took quick action to resolve our problem and fix the dangerous sinkhole in front of our home."

Paul and Jack, Staten Island

Jeanette — Brooklyn

"I hope you can help others here as you have helped me. Thanks so much for your help and concern; we need many others in city service like you."

Jeanette, Brooklyn

Jeanette needed multiple repairs in her NYCHA apartment. There was a leak in the bathroom, a window needed fixing, and the apartment needed a paint job. The most urgent of her complaints was that her refrigerator hadn't been functioning for over a year and a half. After NYCHA failed to provide relief, she contacted the Public Advocate's Office.

The constituent services team office contacted NYCHA on her behalf and helped get her refrigerator replaced and the other repairs scheduled.

THANK YOU.

Stay in touch:

www.pubadvocate.nyc.gov



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