

March 28, 2013

Micah Kellner  
Assembly Member  
New York State Assembly  
Legislative Office Building 654  
Albany, NY 12248

Re: Safety for Roosevelt Island

I am writing on behalf of the residents of Roosevelt Island to suggest changes to legislation you authored, New York State Assembly Bill Number A.956 to create the New York State Civilian Complaint Review Board to investigate alleged misconduct by police and peace officers that you originally introduced as A.10618 on April 12, 2010.

I need not explain to you the importance of this bill you are sponsoring on behalf of our community. It is disappointing that our government has not responded to residents' consistent complaints regarding the conduct of the Public Safety Department and that our campaign may have been the first to bring these larger issues before the New York State Inspector General for their investigation. These alleged abuses have continued for the past three years, while the only legislation to address them has sat in committee with no other action taken.

I am inspired by the residents of Roosevelt Island who have personally stood up against abuse and have rallied together to improve their situation. On February 16, I attended the "Rally Against RI Public Safety Department Brutality." I was particularly moved when early in the event approximately 25 of the Island's young residents walked on stage and bravely announced they had all had troubling incidents with the Public Safety Department. This was followed by more than two hours of accounts from residents who had come to share their personal stories. I urge you to see their stories yourself on the Roosevelt Islander or at [KallosForCouncil.com/share/roosevelt-island-public-safety-stories](http://KallosForCouncil.com/share/roosevelt-island-public-safety-stories)

Assembly Member Jonathan Bing secured the passage of 13 bills in the Assembly, 6 through both houses, and 5 signed into law, while I served as his Chief of Staff. To give our community the support they deserve, please consider the following recommendations:

- **Force a Committee Vote on Your Legislation.** Assembly Rule IV §5(b) allows a Sponsor of legislation to force a vote in committee. When this legislation was first introduced in 2010 it did not make it out of the Codes Committee and when it was reintroduced in 2011-12 it remained in the Governmental Operations Committee without an online record of a vote each time. Please use this power to force a committee vote immediately.
- **Force a Vote of Your Legislation on the Floor of the Assembly.** The New York State Constitution Article III §18 empowers Assembly Members to collect signatures from two-thirds of legislators to force the legislature to convene an "extraordinary session" where they must vote on the legislation on the petition. Please use this power to force the legislature to make the legislation we need to protect Roosevelt Island residents.

- **Author Legislation Narrowly Tailored to Serve Our Community.** Roosevelt Island residents are requesting a CCRB for the Public Safety Department of the Roosevelt Island Operating Corporation, but your legislation does not call for the creation of such a board. The current legislation creates an unnecessary bureaucracy duplicating the role of the Inspector General that is already statewide in nature. Please either introduce a twin bill that is narrowly tailored or amend the existing bill to solve the problem in question by creating a board with sole jurisdiction over the Public Safety Department. Either narrowly tailored legislation or introducing two versions of the same legislation with one narrowly tailored and the other broadly tailored will mean a greater chance of success.
- **Public Hearing and Solicitation for Improvements.** Many of the changes below could have been identified prior to or immediately following the legislations introduction by holding of public hearings or through use of online transparency tools like those found at [KallosForCouncil.com](http://KallosForCouncil.com). Please hold public hearings on all of your legislation and submit it for public comment online and in person.

In reviewing the legislation you authored, A.956, we have identified multiple flaws that will not only prevent its passage, but create a body that is not reflective of the CCRB that it hopes to model. As authored this bill would not adequately serve to solve the problem for which it has been proposed as a solution. Here are some of the possible problems with the legislation and suggested solutions:

- **Create a CCRB Specifically for Roosevelt Island Operating Corporation Public Safety Department Not for Police Statewide.** The legislation seeks to create a CCRB for all police departments and peace officers throughout the State of New York. However, Roosevelt Island is only seeking a CCRB for the Roosevelt Island Operating Corporation Public Safety Department. The legislation must be amended or twin introduced that is narrowly tailored to address the specific problems on Roosevelt Island.
- **Require the Appointment Roosevelt Island Residents.** The legislation seeks to appointment nine (9) members without mention of residency. All nine would be appointed by the Governor, with six appointed on the recommendation of the Attorney General, Comptroller, and legislative leaders. The problem here is that the legislation centralizes appointment power in the very Executive branch from which residents seek protection. Please model on the CCRB by requiring all appointees to be residents of Roosevelt Island with geographic diversity related to housing complex. Appointments should include the Senator, Assembly Member, and City Council Member representing the Island along with allowing direct election.
- **Include Experienced Law Enforcement Professionals Just Like the CCRB.** The legislation specifically excludes the service of anyone with experience as a law enforcement professional while the CCRB appoints three out of thirteen who do have experience as a law enforcement professional. There is a role for individuals with experience as law enforcement professionals on a CCRB.

- **Require Cooperation by the Roosevelt Island Operating Corporation Public Safety Department.** The CCRB requires cooperation by the police department and its commissioner in all complaints, investigations, and reporting. This requirement must be included in the legislation.

We have already filed what we believe may be the first and only formal complaint with the New York State Inspector General and are going to supplement it with additional evidence we have collected. We hope an investigation will end abuses and create an oversight body of residents to prevent their recurrence.

I offer my support to you to get this legislation passed on behalf of the Roosevelt Island community, especially at this moment of concern, when it is so crucial that everybody works together for the sake and safety of our community.

This letter will be circulated to the Roosevelt Island Community Coalition, Roosevelt Island Residents Association as well as its Public Safety Committee, and finally online at [KallosForCouncil.com/share/public-safety-stories](https://KallosForCouncil.com/share/public-safety-stories) where we are soliciting community feedback, suggestions, and support. As such, further amendments are likely to be submitted.

We respectfully request: (i) an immediate public hearing on your legislation, (ii) amendment or introduction of twin legislation to keep the Roosevelt Island community safe, (iii) an immediate vote in the Assembly Committees, and (iii) an immediate vote on the Assembly Floor.

On Behalf of My Neighbors on Roosevelt Island,



Benjamin Kallos  
Candidate for City Council to  
Represent Roosevelt Island and the Upper East Side

cc:

Governmental Operations Committee  
c/o Assembly Member Steve Englebright, Chairman  
Legislative Office Building 621  
Albany, New York 12248