



# This Week in New York

**Covering New York State and City Government**

*A Publication of Pitta Bishop & Del Giorno LLC*

*July 7, 2017 Edition*



## **In Memoriam: NYPD Officer Miosotis Familia**

**We extend our deepest condolences to the family, friends, and fellow officers of Police Officer Miosotis Familia, who passed away on Wednesday. Officer Familia was shot in the line of duty on Wednesday in the Bronx.**

**A 12-year veteran of the NYPD and a member of the 46th Precinct, she had made 76 arrests over her career, 23 of which were felonies. Officer Familia had three children, including a set of twins, and spent her entire NYPD career in the Bronx precinct, where she worked the midnight shift.**

**Officer Familia served with selflessness and courage, and our gratitude and prayers are with her family.**

**And our gratitude and prayers are also with her fellow NYPD officers who put their lives on the line every day to protect us.**

### **A Police Officer's Prayer**

*Lord, I ask for courage;*

*Courage to face and conquer my own fears...*

*Courage to take me where others will not go.*

*I ask for strength;*

*Strength of body to protect others...*

*Strength of spirit to lead others.*

*I ask dedication;*

*Dedication to my job to do it well.*

*Dedication to my community to keep it safe.*

*Give me, Lord, concern;*

*For all those who trust me...*

*And compassion for those who need me*

*And, please, Lord, through it all; be at my side.*



**We Remember & Honor the  
Five Fallen Dallas Police Officers**

**July 7, 2016**

*The Dallas police ambush didn't create heroes, it revealed them.*

*-Mike Rawlings, Mayor of Dallas*

## ***In the News – New York State***

### **New Law Permitting Photo Identifications as Evidence at Trial in Effect**

Effective July 1, juries in New York State are allowed to consider a photo array shown to a witness by police, under legislation signed earlier this year by Governor Andrew Cuomo. The statute was included in the State's 2017-2018 fiscal plan.



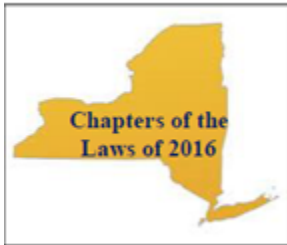
"This administration has fought tirelessly to ensure our criminal justice system works for all New Yorkers, and today we have taken another step forward," Governor Cuomo said. "Photo identification evidence can be a powerful tool to convict a perpetrator and protect the innocent, and these new procedures lay out a fair and effective path to help ensure criminals are caught and justice is served."

Previously, State law prohibited photo arrays from being introduced as evidence at trial.

According to Governor Cuomo, research indicates that photo identification is most reliable when conducted closest to the time of a crime or initial sighting and when it is the first procedure used to identify a suspect. Photo arrays can be highly effective at confirming whether a person was, in fact, involved in a crime. This helps to protect innocent people from arrest and conviction, and holds guilty individuals accountable.

ID procedure reform was included in the enacted State budget, which also required the State Division of Criminal Justice Services to establish the standard protocol for law enforcement. The protocol adopted by the State includes a number of safeguards, including requiring an investigator who does not know the identity of the suspect or where the suspect's photo is located within a photo array to show the photos to a witness.

Governor Cuomo included identification procedures reform – and a mandatory requirement of police to video record interviews with individuals in custody for serious offenses, including homicide, sexual assault and kidnapping – in his Executive Budget. Both reforms were supported by the District Attorneys Association of New York State, the Innocence Project, and the New York State Bar Association. The legislation requiring video recording takes effect on April 1, 2018.



## Bills Signed by the Governor

**Chapter 49 – Sponsored by M of A Gottfried/Senator Hannon** -- Extends the effectiveness of certain health provisions through July 2020 including: (1) Medicare maximization for home care and nursing homes; (2) utilization thresholds for Medicaid; (3) approval of and reimbursement to Limited Home Care Services Agencies that serve individuals who are residents of adult homes and enriched housing programs; and (4) the provision of respite support by adult homes, residences for adults and enriched housing programs to non-residents for up to 120 days.

**Chapter 63 – Sponsored by M of A Abbate/Senator Golden** -- Extends for two years, from July 1, 2017 to July 1, 2019, the authorize the oversight of binding arbitration by the Public Employment Relations Board (PERB) between the Metropolitan Transportation Authority (MTA) and its labor representatives in order to promote settlements and avoid disruptions in transit service.

**Chapter 64 – Sponsored by M of A Farrell/Senator Golden** – Extends New York City's ability to issue certain bonds and notes through 2018.

**Chapter 67 – Sponsored by M of A Gunther/Senator Young** -- Extends the expiration of Kendra's law which provided the ability to order assisted outpatient treatment (AOT) from June 30, 2017, to June 30, 2022.

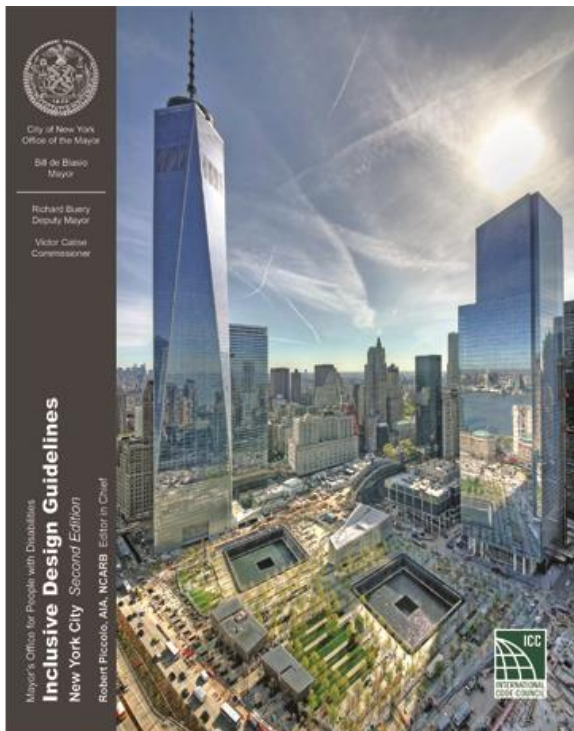
**Chapter 68 – Sponsored by M of A Williams/Senator Murphy** -- Extends certain provisions of law relating to the resale of tickets to places of entertainment through June 30, 2018

**Chapter 70 – Sponsored by M of A Abbate/Senator Golden** -- Extends from June 30, 2017 to June 30, 2019 the provisions allowing a public employee to petition before the Public Employment Relations Board or the New York City Board of Collective Bargaining and receive injunctive relief for an improper practice charge.

**Chapter 76 – Sponsored by Senator Golden/M of A Joyner** -- Extends the escalation of a cost of living increase of approximately 3% for all line-of-duty widows or widowers for fiscal year 2017-18.

**Chapter 82 – Sponsored by Senator Hannon/M of A Gottfried** -- Extends provisions adopted in 2007 to provide consumer and provider protections relative to contracts between health insurance plans and hospitals that are not renewed or are terminated. ensure that if a contract between a plan and a hospital is not renewed or is terminated by either party, the parties shall continue to abide by the terms of the contract, including reimbursement terms for a period of two months from the termination or end of the contract period.

## *In the News – New York City*



### **De Blasio Administration Releases “Inclusive Design Guidelines, New York City, Second Addition” to Increase Accessibility for New Yorkers with Disabilities**

*These guidelines, above and beyond mandatory building codes, will help architects provide more accessible features to the 11.2% of New Yorkers that have identified as having a disability*

The de Blasio Administration this week released the Second Edition of the Inclusive Design Guidelines, New York City. The IDG consolidates design guidelines from multiple sources and expands on the minimal requirements to produce multisensory enhanced environments that accommodate a wide range of individuals with physical and cognitive abilities of all ages.

“New York City is a place of inclusion where every single person who resides here should be able to navigate daily life without accessibility being a concern,” said Mayor Bill de Blasio. “We are excited to launch this 2nd edition of inclusive design guidelines as a tool to help make our city even more welcoming, convenient, and enjoyable for ALL New Yorkers.”

In partnership with the International Code Council, the IDG is available to designers, developers, property owners and managers throughout the world. The First Edition has been distributed in many countries including Italy, Israel, Dubai, and the European Union and many have expressed interest in this new edition. The IDG is truly making New York City a leader in design of inclusive and innovated environments. The Mayor’s Office for People with Disabilities wrote the first edition in 2010 to assist designers to produce environments inclusive to all.

“In order to be a City for all people, we must be a City that is accessible to all people – that means ensuring New Yorkers with disabilities can complete everyday tasks like picking children up from school or visiting their local library with greater ease, while also enjoying all of the things that make New York the greatest city in the world,” said Richard Buery, Deputy Mayor for Strategic Policy Initiatives. “I am hopeful that the 2nd edition of the Inclusive Design Guidelines will be a useful framework for the architects and builders who will bring our vision for a truly welcoming and inclusive New York City to life.”



## **NYC to Invest an Additional \$1.3 Million to Add Ballistic Protection to All NYPD Command Vehicles**

Mayor Bill de Blasio and the NYPD this week announced the Administration will invest an additional \$1.3 million toward the installation of bullet-resistant door panels, window inserts, and other retrofits for all NYPD command vehicles used by uniformed personnel in order to improve officer safety.

The investment comes as 12-year New York City Police veteran Miosotis Familia was murdered on Wednesday in an NYPD command vehicle near the corner of Morris Avenue and 183rd Street in the Bronx around 12:30 am.

“Together, as we mourn the loss of Officer Familia, we are reminded of our sense of community and that the safety of our men and women in blue who patrol our City every day to protect the lives of New Yorkers is paramount,” said Mayor de Blasio. “The investment builds on this Administration’s previous commitment towards outfitting NYPD patrol vehicles with safety measures that allow our officers to do their jobs, and it is fundamental that we continue to identify ways to keep them safe.”

This project will be funded by a combination of City Tax Levy funds and asset forfeiture funds.

“My goal as the Police Commissioner is to do whatever I can to protect and equip our police officers,” said NYPD Police Commissioner James P. O’Neill. “This added ballistic protection will do just that. As we learn more from the senseless murder of Police Officer Familia, we will continue to look at any additional measures the Department can take to protect those who protect us.”

Following the tragic deaths of two NYPD officers in late 2014, the City allocated \$6.8 million to outfit the NYPD’s 3,813 patrol cars with bullet-resistant panels to protect the doors. To date 2,100 vehicles have been installed with bullet-resistant door panels and the City is on track to have bullet-resistant door panels installed in every patrol vehicle by end of 2017.

After an initial bullet-resistant window pilot program, additional funding of \$10.4 million dollars was allocated for the installation of bullet-resistant window inserts for patrol vehicles. The first 500 NYPD patrol car bullet-resistant window insert installations are expected to be completed this month.

“New York City owes a great debt to Police Officer Familia for her 12-years of service keeping us safe,” said Finance Committee Chair and Council Member Julissa Ferreras-Copeland. “As her family and colleagues mourn, we must do more to keep our police officers safe. I stand with Mayor de Blasio in investing in bullet-resistant windows for command cars to prevent tragedies like this in the future. No NYPD family should have to suffer through this loss again.”

“The senseless assassination of Police Officer Miosotis Familia left our city in mourning and reminded us all of the dangers faced by the NYPD. Those who dedicate their lives to serving us and protecting us from harm deserve the best protections on the job to keep them safe. Funding to shield command vehicles with bullet-resistant technology will not bring back Officer Familia, but it is my hope that it will prevent another family, the NYPD and this city from grieving the loss of any officer who could be targeted while on duty...” said State Senator Jeff Klein.

## ***Briefs***

### **A.G. Schneiderman Urges FCC To Take Action Against Spoof Robocalls**

In comments sent to the Federal Communications Commission (FCC) on Monday, Attorney General Eric T. Schneiderman, part of a bi-partisan group of 30 attorneys general, is urging the federal government to adopt rules that would allow telephone providers to block illegal robocalls.

The FCC has requested public comment on rules that would allow providers to block several types of “spoofed” calls, in which a call appears to be coming from one number, but is actually coming from a different number. Scammers frequently use spoofed calls to hide their identity and to trick consumers into believing that their calls are legitimate.

“Not only are unwanted robocalls a nuisance, they are a vehicle for fraudsters to carry-out scams on unsuspecting New Yorkers,” said Attorney General Schneiderman. “It’s a no-brainer that the federal government should make it easier to protect consumers against these practices. These new rules would be a big win for ordinary New Yorkers, and a blow against scam artists across the country.”

The new rules will remove any regulatory roadblocks to blocking illegal robocalls. If adopted, telecommunications companies would have clear guidance on blocking unsolicited and illegal calls coming from invalid numbers, unallocated numbers, and numbers whose owners have requested be blocked. For example, phone providers would be able to block a scammer that is using a telephone number that clearly can’t exist because it hasn’t been assigned.

## **Two-thirds of NY's Private Colleges Do Not Opt for Tuition Aid**

Twenty nine out of New York’s 95 private colleges who have undergraduate programs have enrolled in the new state financial aid program passed as part of the 2017-2018 budget. The Enhanced Tuition Awards, developed in conjunction with the free SUNY/CUNY tuition program—Excelsior Scholarship, calls for private colleges and the state to split up to \$6,000 in tuition costs for students who meet the income requirements.

Unlike the Excelsior Scholarship, which is covered wholly by the state after all other forms of financial aid are applied, the Enhanced Tuition Award is covered only partially by the state. Many private colleges already passed their 2017-18 budgets prior to enactment of the proposal.

The program, called the Enhanced Tuition Awards, is an offshoot of the state's Excelsior Scholarship, which provides free SUNY tuition to income-eligible students.

But unlike the SUNY program which applies to all of the state's four-year public colleges, private schools had the option to whether to participate in the Enhanced Tuition Awards -- which covers a portion of a private college's tuition. Private colleges haven't jumped aboard New York's plan to cover a portion of tuition costs.

## **Service Options for LIRR Riders Once Penn Station Repairs Start on Monday**

The Metropolitan Transportation Authority (MTA) released its plan to help Long Island Railroad (LIRR) commuters as Amtrak gets ready to start repair work at Penn Station. Starting Monday, the agency will reduce LIRR service in and out of Penn Station by about 20 percent. Two more passenger cars will be added to all trains.

Passengers are slated to have the options to be rerouted to Jamaica Station in Queens and Atlantic Terminal in Brooklyn, and then jump on the subway at no additional cost. The MTA is also offering peak-time ferries from Hunters Point to 34th St., and is running 200 buses in Nassau and Suffolk Counties.

The Amtrak repair work is expected to finish by Sept. 1. Updated service information: <http://www.lirrsummerschedule.com/>

# Coming Up

## New York State

No meetings scheduled the week of July 10<sup>th</sup>

## New York City

Thursday July 13<sup>th</sup>

Committee on Rules, Privileges and Elections, Council Chambers – City Hall, 10:30 a.m.

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