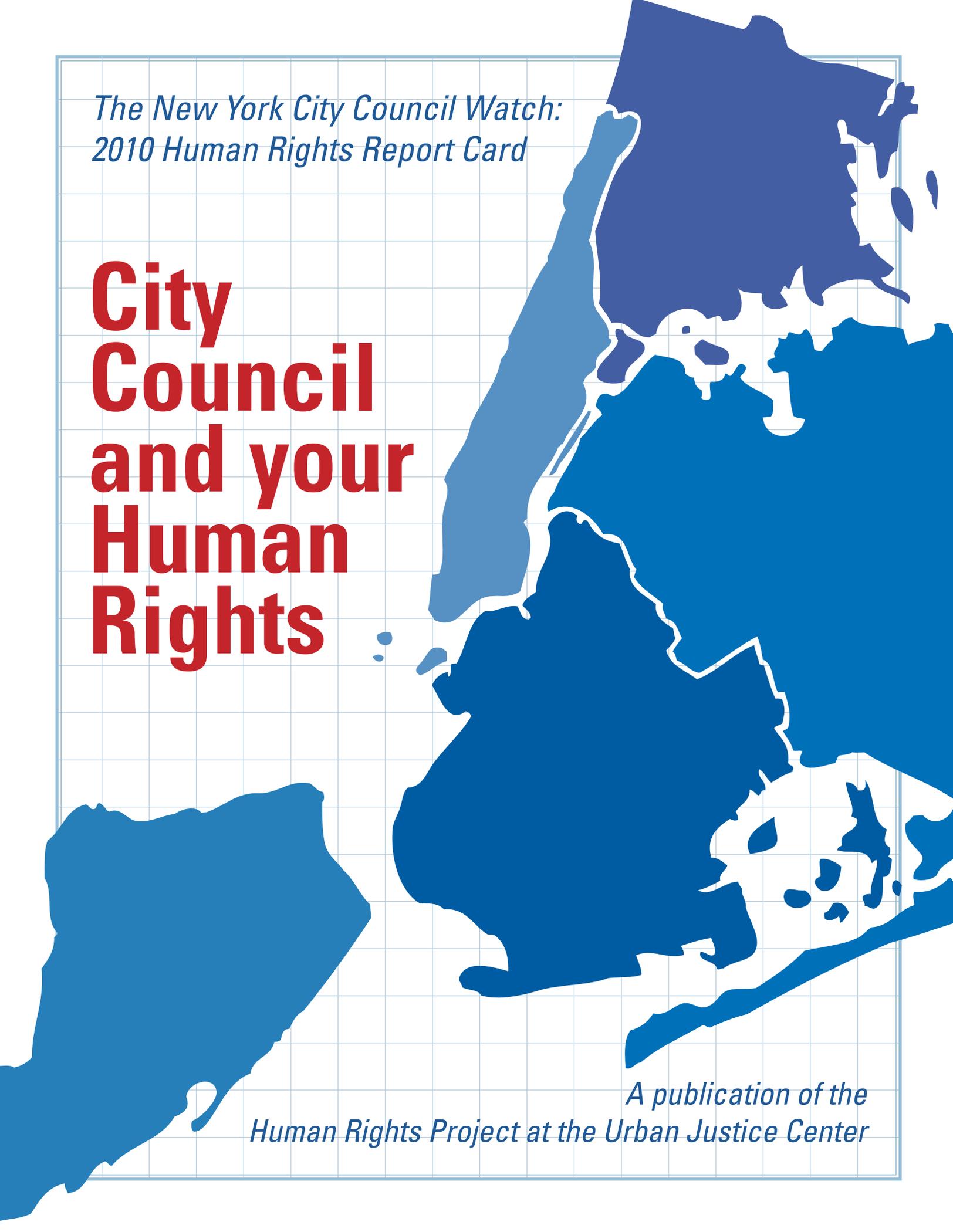


*The New York City Council Watch:
2010 Human Rights Report Card*

City Council and your Human Rights

*A publication of the
Human Rights Project at the Urban Justice Center*



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INTRODUCTION

The Human Rights Project at the Urban Justice Center is pleased to publish its third annual report card assessing the performance of New York City Council Members in promoting the enjoyment of human rights by New Yorkers. The Human Rights Report Card aims to provide reliable and accessible information on the legislative efforts of City Council representatives in promoting human rights. Please note that the actual assessment period for this report is from September 2009 to August 2010. For more information on the report card, please visit www.hrpujc.org.

What are Human Rights?

Human rights are the basic rights and freedoms to which all human beings are entitled by virtue of being human. The first international recognition that all human beings have fundamental rights and freedoms was codified in the Universal Declaration of Human Rights (UDHR)—drafted in the aftermath of the Second World War. The United States played a prominent role in drafting the UDHR, which recognizes civil, political, economic, social, and cultural rights.

Many people in the United States understand human rights to center on civil and political rights, while economic, social and cultural rights are more often viewed as aspirational duties of the government. This understanding contradicts universal human rights norms and standards. Human rights law recognizes all human rights on equal footing, and as interdependent. The human rights

to freedom of expression, to education, or to health are important rights on their own; but they are also each instrumental in reinforcing the enjoyment of the other. Freedom of expression is compromised if a person is hungry, sick, or uneducated.

The Human Rights Project at the Urban Justice Center works to defend the rights of New York City's most vulnerable residents by encouraging the government to comply with human rights standards and law. We are particularly concerned with economic and social rights. We believe that conditions in New York's poorest neighborhoods reflect the government's priorities and are often the result of policies that directly or indirectly perpetuate poverty. Universal human rights standards hold gov-

EXAMPLES OF HUMAN RIGHTS

Civil and Political Rights	<ul style="list-style-type: none">• Equal protection of the law;• Freedom from discrimination;• Freedom of association;• Freedom of religion;• Right to take part in the government of one's country
Economic, Social and Cultural Rights	<ul style="list-style-type: none">• Right to decent work;• Right to just and favorable conditions of work;• Right to protection against unemployment;• Right to education;• Right to adequate housing;• Right to health;• Right to freely participate in cultural life

ernments accountable for developing solutions to address poverty and its associated conditions, rather than leaving remedies to the unpredictability of charity or politics. In this regard, the report looks at the efforts that the New York City government has made to protect basic rights—housing, health, decent work, equal treatment under the law—that are most compromised when people live in, or close to poverty. Both the Mayor and City Council play a key role in shaping policies that protect human rights, however this report centers primarily on the role of the City Council.

What Does the Council Do?

The City Council is the legislative branch of the New York City government. The 51 council members each represent, and are elected by, one council district of the City. The main responsibilities of the City Council include the passage of new laws, consideration and approval of land use applications, and passage of the city budget.

How are our Human Rights affected by the Council?

Through the bills, budget, and city planning issues they control, the City Council impacts the life of every New York City resident. Council members have the power to protect the human rights of the people they represent, and like all elected officials, they owe a duty to do so. To the Council's credit, New York City has some of the strongest anti-discrimination and civil rights legislation in the country. Unfortunately, enforcement of this legislation often falls short due to procedural inadequacies and budgetary problems largely created by Mayors Giuliani and Bloomberg, and tolerated by the Council. ¹ As the City faces growing inequalities and challenges in protecting economic and social rights exacerbated by the recession, it is important for the Council to vigilantly exercise its powers to protect the rights of the most vulnerable among us. Here are just a few recent examples of the opportunities the City Council has had to protect human rights:

- The Council helped protect the right to housing by making it illegal for landlords to reject applicants based on any lawful source of income, reducing discrimination against section 8 program participants. (*Int. 0061-2006, enacted 3/26/2008*)
- The right to health and well-being was affirmed by the Council in passing a bill that made it illegal to block access to reproductive health care facilities. (*Int. 0826-2008, enacted 4/20/2009*)
- The Council failed to defend the right to education when it considered but did not vote on the "School Safety Act" which would have provided increased oversight on educational interruptions due to police intervention in non-criminal, non-violent school discipline issues. There are plans to reintroduce the bill in 2010. (*Int. 0816-2008, filed 12/31/2009*)

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- In the interest of equality and freedom from discrimination, the Council required the New York Police Department to provide them with statistics on police firearm discharge incidents. This improves the Council’s ability to monitor any patterns that would indicate racial or other forms of bias in police shootings. (*Int. 0516-2007, enacted 1/21/2009*)
 - The City failed to respect or protect the economic rights of workers and small business owners by approving the Willets Point Development Plan, effectively displacing workers and harming their source of livelihood while denying them involvement in the project’s planning. (*Resolutions 1687-1692, adopted 11/13/2008*)

When the Council chooses to protect the fundamental human rights of all its constituents rather than the narrow interests of the wealthy and powerful, many average New Yorkers benefit and the health of the City improves. With this report card, we hope to inform our fellow New Yorkers about the current state of our city government and hold council members individually responsible for their work. What has your council member done to advance your human rights?

METHODOLOGY

The Human Rights Report Card is published annually in September, and assesses the prior twelve-month period from September through August. The 2010 Human Rights Report Card covers legislation enacted from September 2009 through August 2010. Unlike the previous two, this report card covers the beginning of a new legislative session—the 2010-2013 session—and thus most of the bills considered were introduced in 2010 and have not had ample time to allow for hearings and/or votes. The 2010-2013 legislative session also ushered in 13 new council members who took office in 2010, and were not in Council to vote on key legislation passed in the last quarter of 2009. For this reason, and based on the short assessment period, we have decided not to rank council members this year. The 2011 report card will resume rankings.

The issues covered in this year’s report card were largely dictated by legislation that was enacted in City Council during the twelve month assessment period, or pending a vote in 2010. The 2010 report includes five main issue categories including: Housing, Workers’ Rights, Health, Criminal and Juvenile Justice, and Government Accountability. Where bills fall under more than one broad topic area, we have taken the liberty to categorize the bill as we deem appropriate. We did not include bills that specifically address environmental concerns as the New York League of Conservation Voters issues a comprehensive report card on the environmental record of council members. We also did not include a category for education as the City Council has a limited role in legislating the public education system, and there were few bills that fell under this issue category.

The following criteria were used to assess the council members for this report card.

Votes on Key Legislation: The Human Rights Project conducted research and consulted social justice advocates to identify key pieces of legislation that passed from September 2009 through August 2010. Council members' votes on legislation were assessed on whether or not they advanced the core principles of human rights. Legislation was determined to either advance or violate human rights goals by measuring its stated mandate against the universally accepted standards of human rights codified in the human rights framework. Votes were assigned 45 out of 100 points, with an additional 5 points for co-sponsors of the bill, or 10 points for primary sponsors.

CRITERIA	
1. Votes on Key Legislation	45
Primary Sponsorship on Voted Legislation OR Co-Sponsorship on Voted Legislation	+10 +5
2. Sponsorship on Introduced Legislation	35
Primary Sponsorship on Introduced Legislation	+5
3. Human Rights Questionnaire	5

This year, bills were assigned one of two different weights depending on whether they were considered major or minor bills. Major bills are defined as bills that could have a large impact on the support offered for one or more fundamental human rights in New York City. Rather than proposing a narrow fix to a specific problem, these bills attempt to change the landscape of our city in a manner that would move it towards becoming a standard-bearer in its protection of human rights. Minor bills are important bills that seek to affect a basic human rights issue with regard to a particular population, or that propose a limited solution to a larger human rights problem. Major bills were weighted twice as much as minor bills. Council members who were excused during a vote were assessed based on the number of votes they were present for. Abstentions were awarded half the points of a vote.

Sponsorship of Introduced Legislation pending a Vote: Council members can demonstrate early support for a bill, and help put pressure on the Speaker to move the bill through the legislative process by co-sponsoring a bill and speaking out in its support. In order to provide a more complete assessment of a council member's support for specific human rights issues before they reach a vote, we have considered their sponsorship on pending pieces of legislation by apportioning 35 out of the total 100 points to bill sponsorship, and an additional 5 points for primary sponsors.

Human Rights Questionnaire: A human rights questionnaire was sent to every council member to obtain a more comprehensive picture of their priorities and understanding of human rights. A sample of the questionnaire is available at www.hrpujc.org. The human rights questionnaire is an essential tool for gauging the transformative role that council members play in promoting human rights. 5 points of a council member's total grade was given towards completion and content of the questionnaire including 1 point for submission; 1 point for demonstrated leadership on human rights issues; 1 point for demonstrated understanding of human rights; and a total of 2 points for promoting economic and social rights.

The descriptions on the individual report cards for council members were informed by their responses to the questionnaire. Overall grades were assigned as follows: A+=>80; A=70-79; B+=60-69; B=50-59; B-=40-49; C+=35-39; C=30-34; C-=25-29; D=15-24; D-=5-14; F=0-4.

Criteria Used for the Speaker's Report

The report card also includes a separate analysis of the Speaker of the New York City Council. The Speaker is primarily responsible for shaping the legislative agenda of the Council and essentially determines when bills are introduced, and whether they are scheduled for a hearing and/or vote. This year's Speaker's Report covers a new legislative session beginning January 2010, and thus a relatively short assessment period. As a result, we have provided information to serve as a baseline for next year's report. The criteria used to assess Speaker Quinn's performance include:

Substance of Bills moved or stalled in the Legislative Process: We examined the substance of bills that were moved through the legislative process to obtain a preliminary idea of the priorities of the Speaker.

Effective functioning of the legislative process: We assessed the number of bills that were introduced in City Council but had not been scheduled for a hearing or vote as of the publication of this report.

Independence from the Executive Branch: We considered the number of bills supported by the Mayor that were scheduled for a hearing and/or a vote compared to those introduced by the council members.

CITY COUNCIL HUMAN RIGHTS OVERVIEW

The last year has been an exciting one for the City Council with many signs of an emboldened council increasingly willing to defend the human rights of New Yorkers in the face of powerful opposition. In December, the Council overrode Mayor Bloomberg's veto by voting to block approval of the Kingsbridge Armory development. This rare instance of a major development being stopped by the Council came as a result of organized community objections and concerns about worker's

rights specifically the demand that employers at the proposed development pay a wage of at least \$10 an hour. In addition, the November 2009 election ushered in some new blood. With the divisive issue of term limits framing the debate and changes in campaign finance law making races more competitive, New Yorkers elected 13 energetic new members while removing five incumbents. The new term at City Council started hopefully and many progressive bills have been introduced with the support of a majority of council members. Time will reveal whether the Council is willing to take the necessary steps to push through this more progressive agenda.

Good News

The Progressive Caucus

With the new session came with the formation of a new caucus—the Progressive Caucus—focused on actively pursuing solutions to the growing economic and social inequalities plaguing New York. Seven of the twelve Progressive Caucus members are newly elected, and leadership is shared between first term Council Member Brad Lander and second term Council Member Melissa Mark-Viverito. Other Caucus Members are: Margaret Chin, Daniel Dromm, Julissa Ferreras, Letitia James, Rosie Mendez, Annabel Palma, Ydanis Rodriguez, Deborah Rose, James G. Van Bramer, and Jumaane D. Williams. So far, the Caucus has worked to move the Council forward by submitting or supporting bills on fair wages and paid sick leave.

Workers Rights and Fair Wages

A focus of both the Progressive Caucus and the Women’s Caucus, the right to decent work, including paid sick time and a fair wage, has been a large concern for the Council this year. The Council’s decision to vote against the Kingsbridge Armory land use application signaled the arrival of the fair wage issue and seems to have ignited a move to protect the rights of workers, including proposed bills such as the “Fair Wages for New Yorkers Act,” the “Paid Sick Time Act,” and others requiring a prevailing wage standard for building workers, and health protections for nail salon employees. Hearings and public debate on topics such as pay sick leave and gender pay equity have provided evidence about the feasibility of these endeavors by cities like San Francisco, and states like New Mexico that have adopted similar measures. On the issue of paid sick time, testimony provided showed that it would not have a harmful effect on employment as is the frequent claim by opponents of the bill. Hopefully, the City Council is now armed with the information it needs to continue working on these important issues.

Government Accountability

The City Council and Public Advocate have introduced a number of bills attempting to improve data reporting, increase transparency, and enhance constituent protections within city government. The information gathered as the result of bills that require reporting on issues such as youth

incarceration, civil lawsuits against police, and indigent legal defense will hopefully enable the Council to make good policy decisions regarding these matters. The Council has also championed a number of bills intended to increase transparency in city government including bills that would require the city to webcast its meetings, disclose corporate campaign donations, and create a census process for vacant properties. These bills would provide the public with information that allows more effective involvement in their local government. Finally, with bills that would strengthen the Civilian Complaint Review Board, increase oversight of the Police Department, and create greater budget independence for city agencies charged with protecting citizen interests, the Council has taken the first steps to strengthening civil protections for all New Yorkers.

Protecting Homeowners and Renters

Decent and affordable housing is a perpetual issue in New York City. With a sharp spike in the street homeless, and the City's shelter population at an all time high, the need to protect the right to housing is urgent. While none of the bills that have been proposed this year address the overall issue, there have been a number of modest attempts to improve the housing situation. In addition to bills that would require perspective tenants be notified when potentially inaccurate screening services are used, protect homeowners from fraudulent "distressed property consultants", require the City to conduct an annual census of vacant properties, and create a pilot program to remove mold and vermin from the dwellings of vulnerable citizens, the City Council was able to negotiate a fix for the beleaguered Section 8 program. While these measures offer some relief, they are limited responses to a housing problem that will need a bold and comprehensive fix.

Bad News

Major Legislation Still Stalled

In the Speaker's Report section of this report card, we explain the role of the Speaker in determining which bills have a chance of making it through the City Council's legislative process and being signed into law. Bills with the support of the Mayor or Speaker Quinn are fast-tracked through City Council while other important legislation, often with a majority of council members sponsoring it, goes nowhere. One example of a bill currently stalled in the process despite 35 sponsors is the Paid Sick Time Act, which the Speaker has yet to schedule for a vote. The continued failure of major human rights legislation to receive a hearing, let alone a vote, indicates that the Council leadership is not fully dedicated to fixing the largest human rights problems facing the City, and that council members are not willing to explore alternatives available for bypassing the Speaker to schedule a vote including by evoking lead sponsor privileges allowed by council rules.

New Crime Bill Targets Minority Youth

The problem of youth violence is a difficult one that demands serious consideration. There are

signs that some council members are willing to make the effort required to understand and take on this issue, such as a current proposal, intro 0013/2010, to convene a youth violence task force that could research and recommend effective strategies for dealing with the problem. Unfortunately, the passage of local law 001/2010—a criminal street gang initiation activity bill—indicates that many council members do not share this broad understanding of how to solve the long-term causes of such criminal activity. They have opted for a bill that on the surface makes them appear tough on crime but in actuality hands law enforcement officials another tool with which to target minority youth. Please see the summary section of this report for a description of the bill.

Important Bills Gutted

Amendment is part of the natural life of a bill. After considering the input of stakeholders at a hearing and negotiating with fellow legislators, compromises and corrections are necessary. The process notwithstanding, when a bill created to fix a problem is changed so much that it loses its ability to do that job, it can become less desirable than no bill at all. Intro 0188/2010 addressing co-op housing selection transparency is one such bill. Specifically, the original Fair and Prompt Co-op Disclosure Law (Intro 0119/2006), which had the support of over half of the Council in the last session, required that co-op boards disclose their reasons for turning down applicants and would have improved transparency and accountability to protect against discrimination in the co-op application process. The new version does not require disclosure of the reasons for turning down applicants and was drafted with no civil rights input. This is an example of a bill that would have fixed a real problem relating to discrimination in housing in its original version. In its current state, it appears to deal with this problem while actually offering no effective mechanism for relief. The danger this creates is that the ineffective version of the bill will pass, allowing some members of the Council to ignore the problem by claiming they have already acted to solve it. Not surprisingly, human rights advocates who supported the initial version of the bill, oppose the new version.

Street Vendor Issues

Street vendors are a celebrated part of the New York City streetscape but also a controversial one. While vending provides a valuable opportunity for self-employment, the high demand for a fixed number of vending permits and strict and sometimes arbitrary enforcement of city regulations can make a vendor's trade difficult. Moreover, street vendors have a powerful adversary in the store owners and larger businesses who object to their presence in front of their properties. Many would advocate for a fair reworking of the current permit system but, unfortunately, some council members seem to be more focused on punishing vendors and putting them out of business. A variety of poorly designed vendor legislation was introduced this year, including bills that would further restrict the locations available to vendors, revoke vending permits for vehicle based vendors who had received parking tickets, and establish a ten member Street Vendor Advisory Board with only

one guaranteed representative of the street vendor community. In more promising developments, a bill was recently reintroduced to increase the number of vending permits issued, and Council Member Mark-Viverito is co-convening a street vendors working group with Senator Squadron to forge consensus between vendors and the larger business community.

THE CITY COUNCIL AND LAND USE

In addition to passing legislation, consideration and approval of land use application is another primary responsibility of City Council. Land use issues can determine the future of a city; how it develops and who it is developed for. The point at which major land use decisions are made is the point when our elected representatives have the greatest ability to influence the long term consequences of a project. Carefully planned developments can bring good jobs to New Yorkers, increase the availability of housing for all members of the community, and improve the health of a neighborhood, bringing services and amenities to local residents. Conversely, poorly planned projects displace current residents and workers, provide dead end minimum wage jobs, and benefit developers with large tax breaks and other government incentives while leaving the long term interests of the community unprotected. In New York City, poor communities of color have borne the brunt of poorly designed development projects. Ensuring that the rights of all New Yorkers are protected when major land use decisions are made is an important concern especially because Mayor Bloomberg's economic development policy has comprised in large part of large scale development projects.

Usually, the City Council's official involvement in a land use application is one of the final steps on the path to construction. Before the Council votes on a development, there has been a long process of engaging with city planning agencies and economic development bodies controlled by the Mayor, financial backers and, hopefully, a broad cross-section of the local community. Much of this process happens behind closed doors so that by the time the Council publicly considers a proposal, the deal is already largely complete. Local residents and business owners are often taken by surprise and do not have adequate time to prepare an organized response. In these instances the City Council often fails to fulfill their duty as community representatives and approves the application with limited inquiry into the long term consequences.

Examples of such poorly planned developments abound in the history of New York, with a few recent examples including the Albee Square Mall in downtown Brooklyn, a shopping center containing many local businesses owned by people of color that was demolished to make way for new luxury residences, retail and office space. The displacement of 100 200 workers and 50 businesses was premature, as construction on the project stalled for more than three years and left a vacant lot to blight the neighborhood. Similarly, in the Willets Point area of Queens, a redevelopment plan

authorized in November 2008 is resulting in the displacement of 1700 low income, mostly Latino immigrant, workers and 250 small businesses from what has been a thriving commercial area. Coney Island, long a working-class destination for summer recreation, was rezoned by the City in 2009 to make way for a luxury hotel, housing and theme park. While local low-income residents fear displacement, ongoing machinations by potential developers have thus far failed to result in a public plan other than the pending demolition of classic buildings.

Different communities have different priorities for new developments but the City as a whole has an interest in decreasing segregation and creating new housing for New Yorkers of all economic backgrounds. Low-income housing must be included in developments that take advantage of certain tax credits and is often heralded as one community benefit provided by new developments. Unfortunately, the manner in which low-income housing eligibility is calculated which is based on a citywide median income, as opposed to the specific neighborhood median income, often means that such housing in a new development will not be available to the lowest income residents displaced by construction or by the increased property values that come with development.

While no development can meet the needs of all stakeholders perfectly, there are a number of steps that the City can take to protect the human rights and interests of local communities slated for development projects. The UN Guidelines on Internal Displacement provide that foremost among these is to involve the public in the planning process early and often, allowing and responding to public input and trying to achieve compromises acceptable to the majority of stakeholders with special consideration given to the most vulnerable members of the community. The guidelines also insist on protecting the right to life and to a livelihood, and a guarantee of compensation and relocation where applicable. Projects that fail to protect the basic human rights of community residents, and neglect to involve the community in the planning process, or involve only carefully selected community representatives, do not deserve the support of elected representatives.

Important Projects

The City Council has decided hundreds of land use issues in the twelve months covered by this report. The projects selected for discussion here are intended as examples to illustrate the importance of City Council leadership on land use issues. While these applications were the result of long and complex processes, we seek only to highlight particular features that we believe highlight the positive and negative human rights aspects of development.

Broadway Triangle

The Broadway Triangle project is a good example of what happens when limited public involvement and a City Council swayed by special interests runs up against effective community orga-

nization. Approved by the City Council in December 2009, with an unusual number of council members voting against it, the plan addresses the redevelopment of an area of Brooklyn that sits at the confluence of Williamsburg, Bushwick and Bedford-Stuyvesant neighborhoods. Community organizers complained that the plan was created with limited community input that was restricted to constituents of the organizations chosen to develop the property. The resulting plan was designed to create housing that excludes residents of color in the Bushwick and Bedford Stuyvesant neighborhoods. Failing to dissuade the Council from approving the plan, those opposed to the project were able to bring a lawsuit that has thus-far been successful in stalling it and could possibly cause it to fail all together. In this case, the failure of the project developers and the City to engage the entire community at the planning stages has further delayed the creation of affordable housing that could be a boon to all segments of the affected communities.

Kingsbridge Armory

In contrast, the Kingsbridge Armory project represents a victory for the City Council, displaying what the Council can do when it takes leadership on a planning issue and stands up for human rights. The Kingsbridge Armory, a large and majestic brick building in the Bronx had been the focus of community requests for development since being transferred to city ownership in the late 1990s. Unfortunately, the City was unwilling or unable to facilitate the type of development the community has advocated for, including needed schools and recreational space in addition to retail. In 2009, the City Council received a proposal to build a shopping mall in the space, coordinated by the mayor's Economic Development Corporation. The issue around this proposal became a living wage, with community and council members seeking to ensure that the much needed jobs created by the project would both benefit the community and reflect the value of the opportunity being given the developer. When the Mayor and developer balked at the idea of providing wages of at least \$10 an hour that would better allow workers to support their families, the City Council denied the application and then overrode the Mayor's veto of their denial, sending a strong message about their commitment to promoting decent jobs for New Yorkers.

Domino Sugar

A plan to create a series of high-rise housing towers on the Williamsburg Waterfront has been cited by some advocates as an example of what is possible when the public is included at the earliest steps of the planning process. While the high density of the project and its potential impact on the surrounding community created initial controversy and continue to worry some neighbors, the developers were willing to negotiate on some aspects of their plan and made a pledge to dedicate 30% of the units to affordable housing programs, a primary concern of the community. The City Council's approval was the result of these long term efforts by the developers. The final plan approved by the Council however contains no legally binding guarantees that the promised afford-

able housing will be included in the final project. Whether the Domino Sugar development lives up to its promises remains to be seen.

Flushing Commons

A major development in what is already one of the most densely populated neighborhoods in Queens will add 600 apartments, retail, a hotel, and a Y to a space that was previously home to a municipal parking lot. Local businesses located closest to the site of construction oppose the project fearing that the temporary loss of parking for their customers will have a negative impact on their livelihood. The issues around this development were complicated by the fact that the businesses closest to the construction site are primarily owned by Korean-Americans while the majority of the businesses in the surrounding area are owned by Chinese-Americans. With the council member representing the district himself a Chinese-American business owner, there were concerns that the development's drawbacks would impact the community inequitably. The Council approved the project after they negotiated a compromise to increase the amount dedicated to financial assistance for the businesses affected by the project, and the developer agreed to cap parking rates for five years. Two council members—Brewer and Lander—voted against the project because they wanted more low-income housing guarantees. The Flushing Commons project was not used in the assessment of council members as it was difficult to determine its real impact.

Ultimately, the planning decisions made today will shape the New York City of the future. The ongoing trend of large scale luxury housing developments and shopping centers replacing lower density residential and commercial property creates few living-wage jobs and limits future opportunities for light industrial development and commercial expansion. With no centralized planning agency looking out for the long-term interests of the city, we must hold the City Council responsible for taking a leadership role in these decisions. Only then will we ensure that the future we are moving toward is one of increased livability and equality that will allow all New Yorkers to enjoy an adequate standard of living and a decent quality of life.

THE CITY COUNCIL AND THE BUDGET

One of the most significant yet least understood roles that City Council plays is passage of the city's budget. The budget the Council controls is over \$63,000,000,000 (billion) for 2011. This is larger than the budgets of most states! The 63 billion dollar budget represents large expenditures in a number of areas that directly impact the human rights of New Yorkers. For example, in the 2011 budget 630.6 million city dollars are allocated to Department of Health and Mental Hygiene to support the health of New Yorkers, 7.94 billion will go to the Department of Education for schools and other educational programs, and 64.5 million will go to the Department of Housing Preservation and Development for the creation and protection of affordable housing. In addition to large

agency budgets there are numerous smaller allocations that fund programs and services aimed at securing basic rights for individual city residents.

While the laws that the City Council passes can change the way the City is supposed to work, the budget impacts how it actually does work. To illustrate, while New York City has one of the most comprehensive civil rights laws in the country, the agency charged with enforcing it, the Commission on Human Rights, has had its staff reduced by almost half through budget cuts over the last twenty years and is consequentially less effective in proactively fighting discrimination. This type of manipulation often goes unnoticed and does not demand political accountability in the same way that a vote on an unpopular law would. The responsibility for these of cuts rests on both the Mayor and City Council. A brief description of the City's budget process is provided below, however a full analysis of this year's budget is beyond the scope of this report.

The Budget Process

The New York City budget is adopted through a complex process. Working with city agencies and the budget office, the Mayor submits a preliminary budget that is sent to the City Council for public hearings and comment. After receiving the Council's findings and recommendations, the Mayor prepares an executive budget. The executive budget is then presented to the Council.

In shaping this document, the Mayor's prerogative to estimate income and expenses and increase or cut budget items establishes the starting point for the City Council's final review. Hence, the executive budget frames the debate the Council will have, and gives the Mayor an ongoing voice in the Council's budget adjustments. The City Council, working with the Mayor's numbers, must then attempt to make budget adjustments that favor Council Member and constituent priorities.

The responsibility for these adjustments falls primarily on the Council's Budget Negotiation Team. This year the team included Council Members Arroyo, Brewer, Comrie, Dickens, Dilan, Fidler, Foster, Garodnick, Gonzalez, Ignizio, Jackson, James, Koslowitz, Lappin, Mark-Viverito, Oddo, Palma, Quinn, Recchia, Reyna, Rivera, Ulrich, Vacca, Vann, and the late Council Member White.

Because income and expense projections change over time and are never completely accurate, the Council may be able to identify additional funds not included in the Mayor's estimates. The Council can also make cuts to some budget items or increase funding for others. Finally, although the Council must approve the budget, the Mayor has the power to veto any increases in budget items and can only be overridden by a 2/3 majority vote of the Council.

The Problem

As a result of the current economic crisis, all levels of government are facing severe declines in

revenue. New York City is no exception and has been forced to reduce the 2011 budget by 4 billion dollars in order to achieve the balanced budget required by state law. The disturbance caused by such economic contractions can be offset by careful long-term planning along with equitable cuts in services and efforts to increase revenue. Unfortunately, this balance is not always struck.

In addition to the funds raised through local taxes and fees, the city budget is dependent on State and Federal contributions in particular budget areas. These relationships are often complicated but are usually not under the control of the Council. If the state or federal governments fail to do their jobs, or choose to impose unrealistic conditions on funds, services for New Yorkers may suffer. At the time the 2011 budget was adopted, the State budget's completion had been delayed and some federal money owed to the state was not certain to be paid.

As a result of this projected shortfall and the uncertainty of state and federal contributions, the Mayor chose to cut funding for city and community agencies in a number of areas, while reversing a decision to reduce the size of the police force. The funding cuts were targeted at a variety of programs, many of which serve to ensure New Yorkers' enjoyment of their human rights. Together, the cuts represent the elimination of almost 11,000 jobs, including 6,000 layoffs. Child care and senior centers, health care services, and libraries are just some of the areas where the budget was cut.

The Council took steps to restore a number of the Mayor's cuts by making adjustments in expense and revenue forecasts, as well as reducing funding for some of the programs it funds from its own budget. The Council spent at least \$231.6 million of its own budget to restore programs cut by the Mayor.

Some examples of the Council's restorations include :

- \$11.3 million dollars for child care classrooms and 6.7 million for day care centers throughout the city.
- \$4.2 million dollars for HIV/AIDS case management
- \$3.2 million dollars for domestic violence prevention and recovery programs
- \$22 million dollars for community colleges and scholarships

Although they were able to restore some of the cuts made by the Mayor, the City Council left some program cuts in place. They did not save all the childcare and senior centers scheduled for closing and did not fully restore library funding. Thousands of city workers are still scheduled to lose their jobs and millions of dollars in services will be lost at a time when many New Yorkers are struggling to make ends meet.

The Progressive Caucus had proposed investigating additional sources of revenue, including a tax on the wealthiest New Yorkers, in order to avoid these cuts . This effort was rebuffed by the Mayor and resulted in no action by the Council. With the budget forecast making additional cuts possible in the coming years, we hope this suggestion will be revisited in the future.

Discretionary Funds

In addition to funding allocations made through the city budget, each council member has access to discretionary funds that they disburse for services in their district. While these funds are often labeled as pork, and notwithstanding misuse of these funds by a small number of council members, they are more often used to fund important social services. It is unclear how and why some council members get more in discretionary funds than others but it appears to be dictated in part by a council member’s experience in navigating the process and how much is asked for. Another factor that should not be discounted is a member’s relationship with Speaker including whether or not the Speaker can count on him/her to help in gaining the support of other members on crucial votes. The chart below lists the discretionary funds allocated to individual council members this year.

Domenic M. Recchia, Jr.	\$1,371,839	Robert Jackson	\$710,464
Lewis A. Fidler	\$1,244,089	Thomas White, Jr.	\$703,571
Leroy G. Comrie, Jr.	\$1,118,121	Vincent M. Ignizio	\$702,131
James S. Oddo	\$1,089,131	Maria Del Carmen Arroyo	\$683,526
Joel Rivera	\$998,901	Albert Vann	\$682,839
Peter F. Vallone, Jr.	\$978,321	Stephen T. Levin	\$672,339
Inez E. Dickens	\$940,464	Deborah L. Rose	\$672,130
Erik Martin Dilan	\$881,339	Diana Reyna	\$651,839
Annabel Palma	\$857,651	Jessica S. Lappin	\$612,664
Christine C. Quinn	\$852,464	Melissa Mark-Viverito	\$592,964
James Vacca	\$712,651	James Sanders, Jr.	\$578,321

Eric A. Ulrich	\$578,321	Ydanis A. Rodriguez	\$460,464
Mathieu Eugene	\$577,339	G. Oliver Koppell	\$457,651
Michael C. Nelson	\$577,339	Daniel R. Garodnick	\$453,114
James F. Gennaro	\$543,321	Brad S. Lander	\$427,339
Sara M. Gonzalez	\$539,839	Peter A. Koo	\$416,321
Mark S. Weprin	\$534,321	Daniel J. Halloran III	\$415,321
Daniel Dromm	\$528,321	Charles Barron	\$414,703
Julissa Ferreras	\$528,321	Rosie Mendez	\$414,664
Karen Koslowitz	\$528,321	Vincent J. Gentile	\$377,339
James G. Van Bramer	\$528,321	Gale A. Brewer	\$367,964
David G. Greenfield	\$502,339	Margaret S. Chin	\$364,464
Darlene Mealy	\$502,339	Helen D. Foster	\$362,651
Fernando Cabrera	\$498,151	Larry B. Seabrook	\$362,276
Letitia James	\$487,339	Elizabeth S. Crowley	\$358,321
Jumaane D. Williams	\$477,339		

Individual Council Member Report Cards

(Individual reports starting on page 11 are listed in order of district #)

Council member	Page #	District	Borough	Took office
Maria del Carmen Arroyo	23	17	Bronx	March 2005
Charles Barron	29	42	Brooklyn	Jan. 2002
Gale A. Brewer	20	6	Manhattan	Jan. 2002
Fernando Cabrera	22	14	Bronx	Jan. 2010
Margaret Chin	19	1	Manhattan	Jan. 2010
Leroy G. Comrie, Jr.	25	27	Queens	Jan. 2002
Elizabeth Crowley	26	30	Queens	Jan. 2009
Inez E. Dickens	21	9	Manhattan	Jan. 2006
Erik Martin Dilan	28	37	Brooklyn	Jan. 2002
Daniel Dromm	25	25	Queens	Jan. 2010
Mathieu Eugene	28	40	Brooklyn	May 2007
Julissa Ferreras	24	21	Queens	March 2009
Lewis A. Fidler	30	46	Brooklyn	Jan. 2002
Helen D. Foster	22	16	Bronx	Jan. 2002
Daniel R. Garondick	19	4	Manhattan	Jan. 2006
James F. Gennaro	24	24	Queens	Jan. 2002
Vincent J. Gentile	29	43	Brooklyn	Feb. 2003
Sara M. Gonzalez	28	38	Brooklyn	Nov. 2002
David G. Greenfield	29	44	Brooklyn	March 2010
Daniel J. Halloran	23	19	Queens	Jan. 2010
Vincent Ignizio	31	51	Staten Island	Mar. 2007
Robert Jackson	20	7	Manhattan	Jan. 2002
Letitia James	27	35	Brooklyn	Jan. 2004
Peter Koo	23	20	Queens	Jan. 2010
G. Oliver Koppell	21	11	Bronx	Jan. 2002

Individual Council Member Report Cards

(Individual reports starting on page 11 are listed in order of district #)

Council member	Page #	District	Borough	Took office
Karen Koslowitz	26	29	Queens	Jan. 2010
Brad Lander	28	39	Brooklyn	Jan. 2010
Jessica S. Lappin	20	5	Manhattan	Jan. 2006
Stephen Levin	27	33	Brooklyn	Jan. 2010
Melissa Mark-Viverito	20	8	Manhattan	Jan. 2006
Darlene Mealy	29	41	Brooklyn	Jan. 2006
Rosie Mendez	19	2	Manhattan	Jan. 2006
Michael C. Nelson	30	48	Brooklyn	Feb. 1999
James S. Oddo	31	50	Staten Island	Feb. 1999
Annabel Palma	23	18	Bronx	Jan. 2004
Christine C. Quinn	19	3	Manhattan	Feb. 1999
Domenic M. Recchia, Jr.	30	47	Brooklyn	Jan. 2002
Diana Reyna	27	34	Brooklyn	Jan. 2002
Joel Rivera	22	15	Bronx	Feb. 2001
Ydanis Rodriquez	21	10	Manhattan	Nov. 2009
Deborah Rose	31	49	Staten Island	Jan. 2010
James Sanders, Jr.	26	31	Queens	Jan. 2002
Larry B. Seabrook	21	12	Bronx	Jan. 2002
Eric Ulrich	26	32	Queens	Feb. 2009
James Vacca	22	13	Bronx	Jan. 2006
Peter F. Vallone, Jr.	24	22	Queens	Jan. 2002
Jimmy Van Bramer	25	26	Queens	Jan. 2010
Albert Vann	27	36	Brooklyn	Jan. 2002
Mark Weprin	24	23	Queens	Jan. 2010
Thomas White Jr.	25	28	Queens	Jan. 2006
Jumaane D. Williams	30	45	Brooklyn	Jan. 2010

Margaret Chin

Manhattan Council District #1 – Democrat



Housing	75% / A	B+
Workers	78% / A	
Health	—	
Justice	53% / B	
Accountability	70% / A	

Questionnaire complete incomplete

Council Member Chin’s stated priorities for 2010 include creating bus stops for Chinatown buses, alleviating congestion, advancing new layers of tenant protection, and pushing for a more equitable budget with long-term revenue-generating options. Among other priorities during the budget process, she worked to get funding for an after-school program in Battery Park restored. She is a longtime housing advocate. Her office dedicated to constituent services is open five days a week, with open public hours on Friday. Councilmember Chin is a member of the Progressive Caucus.



Rosie Mendez

Manhattan Council District # 2 – Democrat



Housing	72% / A	B+
Workers	87% / A+	
Health	59% / B	
Justice	63% / B+	
Accountability	69% / B+	

Questionnaire complete incomplete

Council Member Mendez is a member of the Progressive Caucus, and is co-chair of the Women’s Caucus.

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Christine C. Quinn

Manhattan Council District # 3 – Democrat



Housing	24% / D	C+
Workers	58% / B	
Health	53% / B	
Justice	33% / C	
Accountability	56% / B	

Questionnaire complete incomplete

Council Member Quinn is the Speaker of City Council. Please see Speaker’s Report.

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Daniel R. Garodnick

Manhattan Council District # 4 – Democrat



Housing	34% / C	B-
Workers	66% / B+	
Health	5% / D-	
Justice	41% / B-	
Accountability	70% / A	

Questionnaire complete incomplete

Council Member Garodnick’s legislative priority this year is to reform the Civilian Complaint Review Board by pushing legislation he introduced to give it prosecutorial power. He has introduced bills to empower consumers and evicted renters, protect tenants, and advance voters rights. He has demonstrated support for a woman’s right to choose, improved access to healthcare and health, affordable housing, and homeowner protection. He used his discretionary funds to provide legal assistance for his constituents, preserve affordable housing, and serve the LGBT community. He is the co-chair of the Manhattan delegation.



Jessica S. Lappin

Manhattan Council District # 5 – Democrat



Housing	36% / C+	B
Workers	78% / A	
Health	65% / B+	
Justice	40% / B-	
Accountability	83% / A+	

Questionnaire complete incomplete

Council Member Lappin is the co-chair of the Women’s Caucus.

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Gale A. Brewer

Manhattan Council District # 6 – Democrat



Housing	67% / B+	A
Workers	92% / A+	
Health	68% / B+	
Justice	57% / B	
Accountability	84% / A+	

Questionnaire complete incomplete

Council Member Brewer is a champion for worker’s rights and promoting government transparency. She is the primary sponsor of a bill that would allow employees to earn paid sick time. She was also an early supporter of domestic workers. In the budget process, she worked to support a range of services including senior services, arts and science education, public schools, universities and libraries, mental health services, and NYCHA resident programs. Her office produces an annual newsletter on education and the schools in her district. She has spoken out in support of tenant and homeowner rights, and against cuts to transportation services for persons with disabilities, seniors, and students. Her district offices are open weekdays. She is co-chair of the Manhattan delegation.



Robert Jackson

Manhattan Council District # 7 – Democrat



Housing	49% / B-	B+
Workers	82% / A+	
Health	—	
Justice	44% / B-	
Accountability	77% / A	

Questionnaire complete incomplete

Council Member Jackson’s legislative priorities in 2010 are to provide New Yorkers equal access to affordable housing, quality education and safe neighborhoods. He is a champion of quality education and has introduced a bill requiring the submission of an annual report on school enrollment and capacity, and plans to reintroduce another to promote dignity and safety for public school students. He has allocated funding to groups in his district that serve immigrants and victims of domestic violence. He testified in opposition to rent increases in rent stabilized building, and spoke out against the Arizona anti-immigrant law. His district offices provide public access to a computer and notary services free of charge. He is the co-chair of Black, Latino, and Asian Caucus.



Melissa Mark-Viverito

Manhattan Council District # 8 – Democrat



Housing	83% / A+	A+
Workers	88% / A+	
Health	63% / B+	
Justice	72% / A	
Accountability	87% / A+	

Questionnaire complete incomplete

Council Member Mark-Viverito’s priorities include tenants’ rights, affordable housing, increasing transparency in government operations, and tying good job standards to city tax subsidies. She introduced a prevailing wage bill, and two others to address housing concerns. During budget negotiations, she worked to restore services for seniors, youth, immigrants and low-income families. She has spoken out against the collaboration between federal immigration officials and the City, as well as the Arizona immigration law. She is concerned about health disparities, policing tactics that target people of color, and the need for a more progressive tax structure. She is the co-chair of the Progressive Caucus, and co-Vice Chair of the Black, Latino and Asian Caucus.



Inez E. Dickens

Manhattan Council District # 9 – Democrat



Housing	43% / B-	B-
Workers	66% / B+	
Health	—	
Justice	11% / D-	
Accountability	57% / B	

Questionnaire complete incomplete

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Ydanis Rodriguez

Manhattan Council District # 10 – Democrat



Housing	36% / C+	A
Workers	91% / A+	
Health	—	
Justice	81% / A+	
Accountability	83% / A+	

Questionnaire complete incomplete

Council Member Rodriguez' legislative priorities include affordable housing, tenant rights, educational opportunities for children aged 0-5, and promoting human rights in government operations. He plans to sponsor bills to boycott Arizona, increase police accountability and fight police brutality, and to create good jobs. He is an avid supporter of the right to housing and allocated 43% of the total capital funds in his district to affordable housing. He was a public school teacher for 14 years and has worked to increase diversity in public institutions. He was arrested in an act of civil disobedience on the Arizona bill. His district office is open weekdays with extended hours on Wednesdays. He is a member of the Progressive Caucus.



G. Oliver Koppell

Bronx Council District # 11 – Democrat



Housing	54% / B	A
Workers	84% / A+	
Health	84% / A+	
Justice	62% / B+	
Accountability	89% / A+	

Questionnaire complete incomplete

Council Member Koppell has demonstrated leadership in promoting fair wages for New Yorkers. He is the co-lead sponsor on a bill that would require payment of a living wage on tax-payer subsidized projects, and has spoken strongly on the issue. He is also championing bills on policing and adequate housing, and plans to focus attention on fixing a loophole in a law that requires language access services in city agencies. He has also introduced a resolution on single payer healthcare. His local discretionary funding will focus on improving infrastructure and technology in public schools, parks, libraries and other cultural institutions.



Larry B. Seabrook

Bronx Council District # 12 – Democrat



Housing	25% / C-	B-
Workers	82% / A+	
Health	53% / B	
Justice	58% / B	
Accountability	57% / B	

Questionnaire complete incomplete

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James Vacca

Bronx Council District # 13 – Democrat



Housing	24% / D	B-
Workers	74% / A	
Health	47% / B-	
Justice	40% / B-	
Accountability	51% / B	

Questionnaire complete incomplete

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Fernando Cabrera

Bronx Council District # 14 – Democrat



Housing	66% / B+	B-
Workers	58% / B	
Health	—	
Justice	35% / C+	
Accountability	53% / B	

Questionnaire complete incomplete

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Joel Rivera

Bronx Council District # 15 – Democrat



Housing	24% / D	B-
Workers	82% / A+	
Health	58% / B	
Justice	33% / C	
Accountability	47% / B	

Questionnaire complete incomplete

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Helen D. Foster

Bronx Council District # 16 – Democrat



Housing	80% / A+	B+
Workers	87% / A+	
Health	63% / B+	
Justice	47% / B-	
Accountability	62% / B+	

Questionnaire complete incomplete

Council Member Foster is the lead sponsor on a bill that will promote human rights in government operations by requiring that the City proactively eliminate and prevent discrimination in the provision of public services. Her budget priorities include promoting health, education, housing and employment in her district. The Council Member and her staff estimate that they meet with 40 constituents and attend 50 meetings monthly.



Maria del Carmen Arroyo

Bronx Council District # 17 – Democrat



Housing	36% / C+	B-
Workers	74% / A	
Health	53% / B	
Justice	40% / B-	
Accountability	50% / B	

Questionnaire complete incomplete

Council Member Arroyo is the co-chair of the Black, Latino and Asian Caucus.

The text in this box is based on responses to a human rights questionnaire that was sent to every Council Member by the Urban Justice Center. Limited or no text in this section indicates that the Council Member did not respond to the questionnaire.



Annabel Palma

Bronx Council District # 18 – Democrat



Housing	91% / A+	A
Workers	92% / A+	
Health	—	
Justice	16% / D	
Accountability	86% / A+	

Questionnaire complete incomplete

Inspired by negotiations on the Kingsbridge Armory development, Council Member Palma partnered to introduce a bill that would establish a citywide policy that guarantees fair wages on subsidized developments. Her budget priorities include promoting programs for vulnerable and underserved New Yorkers. She believes that New York City should be a role model for the country in eliminating racial discrimination, and supports universal health care. She has spoken in support of the right to organize and be part of a union, and for increased child care service. She is a member of the Progressive Caucus, and chair of the Bronx delegation.



Daniel Halloran

Queens Council District # 19 – Republican



Housing	47% / B-	B-
Workers	0% / F	
Health	—	
Justice	42% / B-	
Accountability	51% / B	

Questionnaire complete incomplete

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Peter Koo

Queens Council District # 20 – Republican



Housing	47% / B-	B-
Workers	0% / F	
Health	—	
Justice	35% / C+	
Accountability	47% / B-	

Questionnaire complete incomplete

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Julissa Ferreras

Queens Council District # 21 – Democrat



Housing	33% / C	B
Workers	87% / A+	
Health	58% / B	
Justice	46% / B-	
Accountability	67% / B+	

Questionnaire complete incomplete

Council Member Ferreras is co-Vice Chair of the Black, Latino and Asian Caucus.

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Peter F. Vallone, Jr.

Queens Council District # 22 – Democrat



Housing	24% / D	C
Workers	58% / B	
Health	11% / D-	
Justice	41% / B-	
Accountability	38% / C+	

Questionnaire complete incomplete

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Mark Weprin

Queens Council District # 23 – Democrat



Housing	47% / B-	C+
Workers	0% / F	
Health	—	
Justice	35% / C+	
Accountability	47% / B-	

Questionnaire complete incomplete

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James F. Gennaro

Queens Council District # 24 – Democrat



Housing	25% / C-	C+
Workers	66% / B+	
Health	—	
Justice	33% / C	
Accountability	47% / B-	

Questionnaire complete incomplete

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Daniel Dromm

Queens Council District # 25 – Democrat



Housing	84% / A+	A
Workers	68% / B+	
Health	—	
Justice	58% / B	
Accountability	82% / A+	

Questionnaire complete incomplete

Council Member Dromm plans to introduce a resolution calling for relocation of the Arizona all-star game in 2011, and another to remove the finger printing requirement for people receiving food stamps. He introduced a bill to protect children who qualify for Special Immigrant Juvenile Status and has worked with advocacy groups to get federal immigration officers out of Rikers. His budget priorities include funding for immigrant services, adult literacy, education, and affordable healthcare including language accessibility at Elmhurst hospital. He was arrested for civil disobedience protesting the Arizona immigrant law. He was a teacher for 25 years and is a longtime LGBT activist. He is a member of the Progressive Caucus.



Jimmy Van Bramer

Queens Council District # 26 – Democrat



Housing	57% / B	B
Workers	58% / B	
Health	—	
Justice	33% / C	
Accountability	73% / A	

Questionnaire complete incomplete

Council Member Van Bramer's legislative priorities include increasing neighborhood safety, and he has introduced and supported legislation aimed at addressing this issue. He has also worked on legislation to increase access to libraries. His budget priorities include protecting after-school programs, senior centers and community organizations. He has funded groups that provide immigrant services. He is a proponent of LGBT rights and is the lead sponsor of a resolution calling for the repeal of the Don't Ask, Don't Tell. He has called for the lift of the Food and Drug Administration ban on blood donations from gay men. He is a member of the Progressive Caucus.



Leroy G. Comrie, Jr.

Queens Council District # 27 – Democrat



Housing	25% / C-	B-
Workers	58% / B	
Health	53% / B	
Justice	56% / B	
Accountability	67% / B+	

Questionnaire complete incomplete

Council Member Comrie is the chair of the Queens delegation.

The text in this box is based on responses to a human rights questionnaire that was sent to every Council Member by the Urban Justice Center. Limited or no text in this section indicates that the Council Member did not respond to the questionnaire.



Thomas White, Jr.

Queens Council District # 28 – Democrat



Questionnaire complete incomplete

Our sincere condolences go to the family of Council Member Thomas White, Jr. who passed away on August 27, 2010. May he rest in peace.



Karen Koslowitz

Queens Council District # 29 – Democrat



Housing	71% / A	B
Workers	39% / C+	
Health	—	
Justice	35% / C+	
Accountability	59% / B	

Questionnaire complete incomplete

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Elizabeth Crowley

Queens Council District # 30 – Democrat



Housing	34% / C	B-
Workers	74% / A	
Health	11% / D-	
Justice	37% / C+	
Accountability	57% / B	

Questionnaire complete incomplete

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James Sanders, Jr.

Queens Council District # 31 – Democrat



Housing	73% / A	B+
Workers	74% / A	
Health	68% / B+	
Justice	54% / B	
Accountability	63% / B+	

Questionnaire complete incomplete

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Eric Ulrich

Queens Council District # 32 – Republican



Housing	24% / D	C+
Workers	74% / A	
Health	5% / D-	
Justice	35% / C+	
Accountability	51% / B	

Questionnaire complete incomplete

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Stephen Levin

Brooklyn Council District # 33 – Democrat



Housing	57% / B	B
Workers	58% / B	
Health	—	
Justice	39% / C+	
Accountability	47% / B-	

Questionnaire complete incomplete

Council Member Levin's stated legislative priorities are to protect the rights of children and low-income New Yorkers. He introduced a resolution supporting federal funding for public housing developments in the City. He fought to restore budget cuts to core services in his district, and was able to help save a day care center, senior center and pool. He believes that access to healthcare is a fundamental right. He has joined tenants to advocate for reinstatement of workers who were fired for attempting to organize. He also worked to increase the percentage of affordable housing at the Domino Sugar development in Williamsburg. He testified in opposition to the proposed closing of the Metropolitan Corporate Academy – a high school in Brooklyn.



Diana Reyna

Brooklyn Council District # 34 – Democrat



Housing	82% / A+	B
Workers	66% / B+	
Health	—	
Justice	40% / B-	
Accountability	33% / C	

Questionnaire complete incomplete

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Letitia James

Brooklyn Council District # 35 – Democrat



Housing	63% / B+	A
Workers	87% / A+	
Health	79% / A	
Justice	83% / A+	
Accountability	86% / A+	

Questionnaire complete incomplete

Council Member James is working to promote green jobs and human rights in housing. She will reintroduce a bill to address economic and racial disparities in accessing housing, as well as others on paid family leave, pay equity, and to further the human rights of incarcerated persons. Her other priorities include expanding LGBT rights; and addressing HIV/AIDS rates in communities of color and government outsourcing of city jobs to the private sector. Her budget priorities include supporting cultural institutions, youth programs, senior services, food pantries, school programs and renovations, and community groups. She has protested rent increases proposed by the Rent Guidelines Board. She is a member of the Progressive Caucus, and co-chair of the Brooklyn delegation.



Albert Vann

Brooklyn Council District # 36 – Democrat



Housing	53% / B	B+
Workers	82% / A+	
Health	68% / B+	
Justice	74% / A	
Accountability	63% / B+	

Questionnaire complete incomplete

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Erik Martin Dilan

Brooklyn Council District # 37 – Democrat



Housing	16% / D	C+
Workers	58% / B	
Health	—	
Justice	—	
Accountability	47% / B-	

Questionnaire complete incomplete

Council Member Dilan is the co-chair of the Brooklyn delegation.

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Sara Gonzalez

Brooklyn Council District # 38 – Democrat



Housing	25% / C-	B
Workers	82% / A+	
Health	58% / B	
Justice	56% / B	
Accountability	54% / B	

Questionnaire complete incomplete

Council Member Gonzalez has worked to improve conditions and protections for youth in detention including through her prime sponsorship of bills on the issue. In addition to working to preserve citywide initiatives, she allocated over \$450,000 for affordable housing and tenant protections, and other funding for three local hospitals in Sunset Park and Red Hook, as well as equipment for the Sunset Park Library. She sponsors free MRI brain scans and mammograms in her district. She is a proponent of adult literacy initiatives, and has spoken out against hate crime.



Brad Lander

Brooklyn Council District # 39 – Democrat



Housing	80% / A+	A
Workers	58% / B	
Health	—	
Justice	68% / B+	
Accountability	89% / A+	

Questionnaire complete incomplete

Council Member Lander's legislative priority in 2010 is passage of the paid sick time which he is promoting. He will also be working to increase effectiveness of local law 10 that makes it illegal to discriminate against tenants based on source of income. He is interested in ensuring that the city budget fairly shares the burden of economic downturn by preserving essential services for New Yorkers and asking 'a little more from those who continue to do well in the recession.' He believes that access to healthcare is a basic human right and supports a single payer health system. He fought to restore cuts to the immigrant services as well as section 8 vouchers. He has spoken out against hate speech, and in support of living wage jobs. He is co-chair of the Progressive Caucus.



Mathieu Eugene

Brooklyn Council District # 40 – Democrat



Housing	24% / D	B-
Workers	82% / A+	
Health	53% / B	
Justice	35% / C+	
Accountability	57% / B	

Questionnaire complete incomplete

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Darlene Mealy

Brooklyn Council District # 41 – Democrat



Housing	24% / D	B-
Workers	74% / A	
Health	47% / B-	
Justice	63% / B+	
Accountability	50% / B	

Questionnaire complete incomplete

The text in this box is based on responses to a human rights questionnaire that was sent to every Council Member by the Urban Justice Center. Limited or no text in this section indicates that the Council Member did not respond to the questionnaire.



Charles Barron

Brooklyn Council District # 42 – Democrat



Housing	72% / A	B+
Workers	87% / A+	
Health	63% / B+	
Justice	69% / B+	
Accountability	63% / B+	

Questionnaire complete incomplete

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Vincent Gentile

Brooklyn Council District # 43 – Democrat



Housing	24% / D	B-
Workers	78% / A	
Health	58% / B	
Justice	47% / B-	
Accountability	51% / B	

Questionnaire complete incomplete

Council Member Gentile's stated legislative priorities include promoting public health, public safety, environmental and quality of life issues. His budgetary priorities include preserving library and public safety funding. In the last legislative session, he was the prime sponsor of a local law that required the Department of Education to report treatments used in special education facilities outside of New York State in reaction to numerous reports of physical, mental and sexual abuse of New York City students at special education facilities outside the state.



David G. Greenfield

Brooklyn Council District # 44 – Democrat



Housing	—	C
Workers	—	
Health	—	
Justice	47% / B-	
Accountability	0% / F	

Questionnaire complete incomplete

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Jumaane D. Williams

Brooklyn Council District # 45 – Democrat



Housing	80% / A+	A+
Workers	88% / A+	
Health	—	
Justice	86% / A+	
Accountability	80% / A+	

Questionnaire complete incomplete

Council Member Williams' legislative priorities include promoting a proposed human rights bill that will help the city eliminate and prevent discrimination in the provision of public services. He supports legislation to expand supportive housing opportunities for youth involved with the criminal justice system, and another requiring that school lunches be donated. He has supported resolutions to promote access to healthy food, and protect the rights of innocent New Yorkers stopped and then released by cops. Council Member Williams was recently arrested in an act of civil disobedience regarding the Arizona bill. He is a member of the Progressive Caucus and co-Vice Chair of the Black, Latino and Asian Caucus.



Lewis A. Fidler

Brooklyn Council District # 46 – Democrat



Housing	42% / B-	B
Workers	58% / B	
Health	75% / A	
Justice	49% / B-	
Accountability	66% / B+	

Questionnaire complete incomplete

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Domenic M. Recchia, Jr.

Brooklyn Council District # 47 – Democrat



Housing	33% / C	B-
Workers	70% / A	
Health	—	
Justice	35% / C+	
Accountability	51% / B	

Questionnaire complete incomplete

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Michael C. Nelson

Brooklyn Council District # 48 – Democrat



Housing	45% / B-	B
Workers	78% / A	
Health	68% / B+	
Justice	53% / B	
Accountability	63% / B+	

Questionnaire complete incomplete

Council Member Nelson's legislative priorities will focus on establishing a temporary parking penalty forgiveness program and requiring that notices of violation issued by the Department of Sanitation be accompanied by a photograph of the violation. His budget priorities include funding the construction of a new wing at a local hospice center, technology purchases at local hospitals, and youth and senior programs. He has introduced resolutions calling on Congress to increase access of seniors and persons with disabilities to community based services, and to provide training to veterans caregivers.



Deborah Rose

Staten Island Council District # 49 – Democrat



Housing	47% / B-	B+
Workers	58% / B	
Health	—	
Justice	75% / A	
Accountability	61% / B+	

Questionnaire complete incomplete

Council Member Rose is a member of the Progressive Caucus and co-Vice Chair of the Black, Latino and Asian Caucus.

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James S. Oddo

Staten Island Council District # 50 – Republican



Housing	24% / D	C
Workers	58% / B	
Health	5% / D-	
Justice	35% / C+	
Accountability	47% / B-	

Questionnaire complete incomplete

Council Member Oddo is the chair of the Staten Island delegation.

The text in this box is based on responses to a human rights questionnaire that was sent to every Council Member by the Urban Justice Center. Limited or no text in this section indicates that the Council Member did not respond to the questionnaire.



Vincent Ignizio

Staten Island Council District # 51 – Republican



Housing	53% / B	B-
Workers	58% / B	
Health	5% / D-	
Justice	35% / C+	
Accountability	51% / B	

Questionnaire complete incomplete

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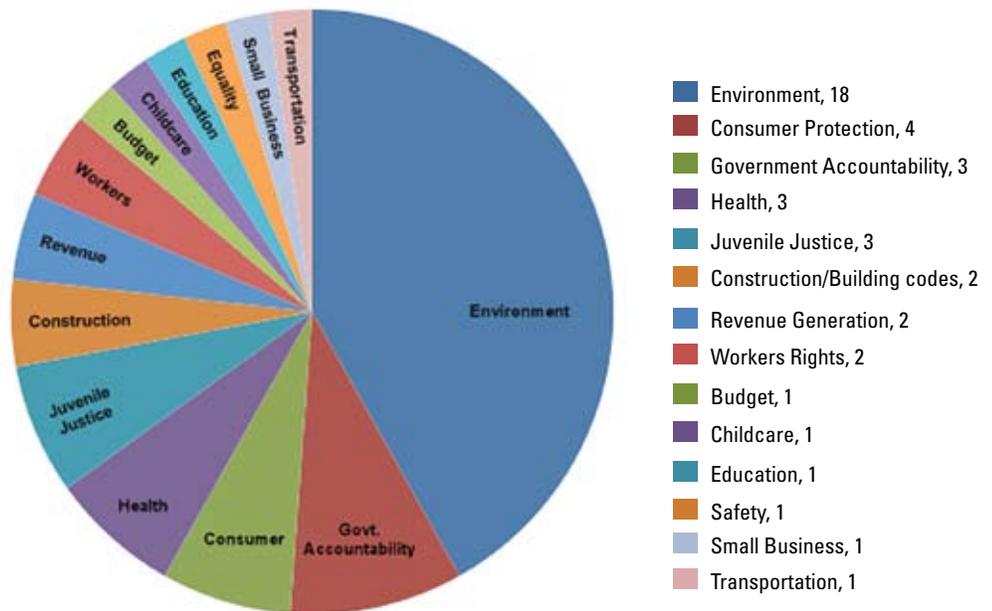


THE SPEAKER'S REPORT

Speaker Christine Quinn was first elected to City Council in 1999, and was nominated and elected by fellow council members to become the 3rd Speaker of the New York City Council in 2006. She began her second term as Speaker in January 2010. In addition to her duties as Speaker, she represents District 3 in Manhattan, which includes Chelsea, the West Village, SoHo, NoHo, the Flatiron District, Hell's Kitchen, Clinton, and portions of Murray Hill.

The Speaker is one of the most powerful and influential positions in New York City government after the Mayor. The Speaker is primarily responsible for setting the legislative agenda of the City Council, finding consensus among its members, and presiding over City Council meetings. The Speaker assigns council members to committee chair positions that come with an additional stipend ranging from \$4000 to \$10,000. Furthermore, the Speaker distributes discretionary fund allocations that council members use to support more specific needs in their districts. All these factors give the Speaker significant control over the Council and its legislative agenda, as well as the Council's effective functioning as a democratic institution and an appropriate check to the Mayor's powers. In last year's report, we assessed Ms. Quinn's first term as Speaker. In this report, we look at the beginning of her second term to provide a preliminary assessment and baseline information for a more comprehensive report next year. We have considered the Speaker's performance in three main categories:

Issues addressed by enacted bills in 2010



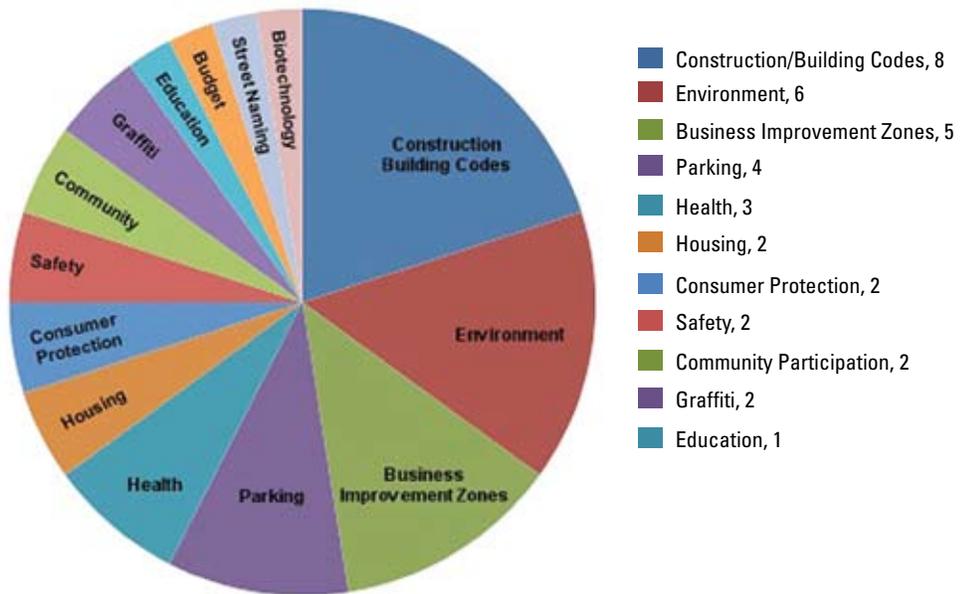
Advancing a Human Rights Agenda

Given her control over the City Council's legislative agenda, the Speaker ultimately make decisions on what bills will be scheduled for a hearing or a vote and thus moved through the legislative process. Even before a bill is introduced in Council, it goes through the Speaker's office ostensibly

to verify its legality but in practice this process is also used to prioritize bills to be introduced. In some cases, bills that had previously been vetted for legality in the previous legislative session and submitted for reintroduction with no changes are stalled in the Speaker's office. The Speaker herself recently admitted that she only moves bills that she supports to the Council floor for a vote; otherwise if she does not support a bill, she does not move it to the floor.² The substance of the Council's legislative agenda is therefore a reflection of the Speaker's priorities.

Judging from the issues addressed by the bills that have been enacted this year, revamping the city's recycling system and promoting a healthy environment appears to be an early priority of the Speaker's. The Speaker has also prioritized the need to collect data for more effective governance. Of the 43 bills enacted from January through August 2010, over one-third were related to environmental concerns particularly recycling, while improved government accountability, juvenile justice, health, consumer protection, and worker's rights together comprised another third of bills passed.

Issues addressed by enacted bills Sept.-Dec. 2009



The Speaker was either primary sponsor or a secondary sponsor on 14 pieces of introduced legislation. All but one of these bills have been voted on by the City Council and are either enacted or on the Mayors desk awaiting signature. Noteworthy among her bills is the Same-Sex Marriage Information Bill—that will require the City Clerk to provide citizens with certain information regarding same-sex marriages—and co-sponsorship on bills overhauling the City's recycling program and addressing mold and vermin in buildings. Unfortunately, the Speaker also sponsored a bill that potentially increases the penalty for so-called gang initiation activities. With key terms in the bill defined too broadly or not at all, there is real potential that the new powers will be used to put innocent youth of color in jail, creating more tension between police and the communities they are trying to protect.³

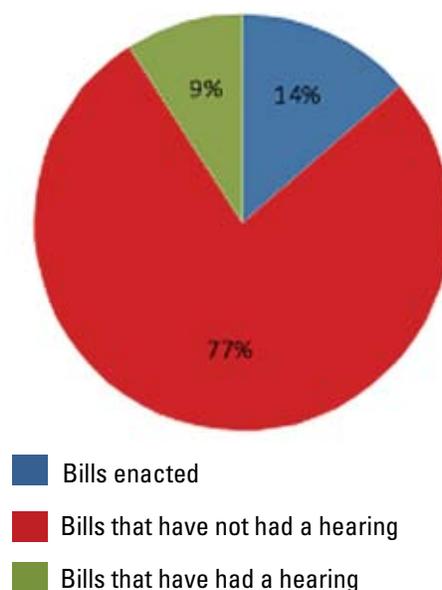
Of the 43 human rights related bills used for the assessment of council members in this report, the Speaker scheduled votes on 10 bills—6 bills that promoted human rights, and 3 that violated human rights. Commendably, she ushered the defeat of one bad bill—the Kingsbridge Armory Development. In addition to the bills that have passed, only 5 other bills have received hearings; the vast majority of bills are still in committee awaiting debate or consideration.

Despite passage of some good bills, Speaker Quinn’s legislative agenda does not reflect a recognition of many of the systematic problems that face New Yorkers including: the need for paid sick leave; the lack of safe and affordable housing; racial profiling and police violence targeting people of color; economic insecurity, and systematic discrimination and inequalities faced by New Yorkers on a daily basis. We hope that in these difficult economic times, legislation that advances during the rest of her term will reflect these priorities.

Effective Functioning of the Legislative Process

Ideally, the Speaker should encourage healthy debate on bills that have been introduced to identify the merits and/or drawbacks of specific bills, as well as to respond to outstanding questions. Most bills voted on in Council pass with a vast majority of council members voting in favor. Speaker Quinn has been quoted as feeling frustrated that “Council votes are 48 to 3, or 50 to 1” indicating that they may not be challenging themselves on the issues.⁴ Nevertheless, she has also been known to reprimand council members who vote against her. To encourage debate and a diversity of opinions, the Speaker should endeavor to set hearings on all bills introduced whether she personally supports them or not. In the past session, some bills languished for years without a hearing. Of the 330 bills that have been introduced this session, 75 have had hearings including the 45 bills that were passed during the assessment period. In contrast, 12 of the 14 bills that the Speaker has sponsored or co-sponsored have been enacted.

Bills introduced in 2010



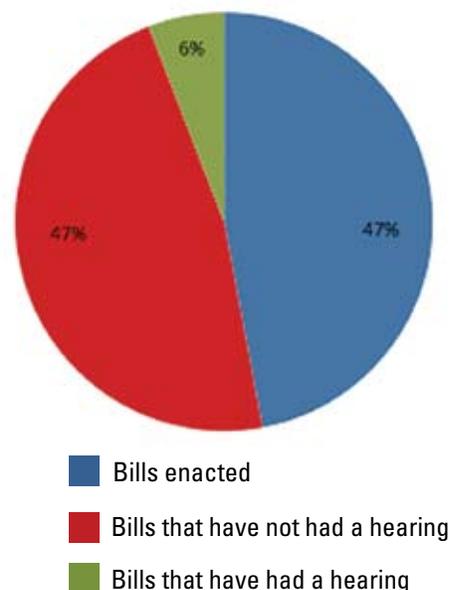
The Paid Sick Time Act is a current example of the Speaker obstructing a bill that has 35 sponsors and is thus guaranteed passage. The legislation, if enacted, would mandate private companies with twenty or more employees to provide paid sick time for their workers. According to recent surveys, 1.3 million New York City workers do not currently receive paid sick leave.⁵ The lack of paid sick leave threatens the economic security of working families who cannot afford to lose a day’s pay or

risk the loss of their jobs. The Speaker says that she is waiting for the Partnership for New York City to release its “neutral” analysis of the bill, however the Partnership is an advocate for big business and cannot be reasonably expected to produce a neutral analysis.⁶

Independence from the Executive Branch

The power of the Speaker in Council makes it easier for the Mayor to deal exclusively with her, ignoring other council members and by extension, not only their constituents but also important issues that need to be addressed in order to protect the human rights of New Yorkers. While it is important that the Speaker collaborate with the Mayor for the proper functioning of the City, it is also necessary that she prioritize the role of the Council as direct representatives of the diverse constituents of the City. In the past, the Speaker has given priority to the Mayor’s agenda over that of other council members. One way to gauge this is the speed with which bills supported by the Mayor are moved through the legislative process compared to that of council members. Again, it is too early to provide a complete assessment of the Speaker’s second term in this regard, and the information provided in the pie chart is meant to serve as baseline data.

Bills introduced at Mayor’s Request in 2010



Speaker Quinn and Transparency in Government

One of the hallmarks of Speaker Quinn’s agenda has been to significantly increase government transparency including improved access to information on Council bills, which facilitates the production of this report. In April, Speaker Quinn also unveiled budget reforms that include a new online searchable database of discretionary funding allocations.

1. Mayor’s Office of Operations, Mayor’s Management Report www.nyc.gov/html/ops/html/mmr/mmr_archive.shtml
2. Council Speaker Chris Quinn Still Mulling Paid Sick Leave Bill. NY Daily News. Adam Lisberg. June 30, 2010. www.nydailynews.com/blogs/dailypolitics/2010/06/council-speaker-chris-quinn-st.html#ixzz0xdakXAW5
3. Council Targets Gang Initiations. Gotham Gazette. Courtney Gross. Feb 12, 2010 www.gothamgazette.com/article/searchlight/20100212/203/3181
4. Election Remakes City Council, and May Give It More Bite, Too. New York Times. Sewell Chan. November 5, 2009. www.nytimes.com/2009/11/06/nyregion/06council.html
5. Pols Revise Mandatory Amount of Sick Days to quell Fears by Small Businesses. New York Daily News. Frank Lombardi. May 10, 2010. www.nydailynews.com/ny_local/2010/05/10/2010-05-10_pols_push_sick_day_law_revise_mandatory_amount_to_quell_fears_by_small_businesse.html
6. Council Speaker Chris Quinn Still Mulling Paid Sick Leave Bill. NY Daily News. Adam Lisberg. June 30, 2010 www.nydailynews.com/blogs/dailypolitics/2010/06/council-speaker-chris-quinn-st.html

SUMMARY OF LEGISLATION

The Human Rights Project at the Urban Justice Center divided the bills used in this report into two categories: major bills and minor bills. Please see methodology section for our definition of major and minor bills. Major bills are identified with a **.

Housing Rights

****Broadway Triangle Land Use Application - LU 1229**

 (Approved by the Council 12/21/2009)

This is a land use application that received Council approval to build low-income housing in an area of Brooklyn adjoined by Williamsburg, Bushwick and Bedford Stuyvesant. Community organizers complained that the plan was created with limited community input that was restricted to constituents of the organizations chosen to develop the property. The resulting plan would create housing that excluded residents of color. The development was subsequently stopped by a lawsuit claiming the planning process for the development was discriminatory.

Disclosure Requirements for Distressed Property- Law 2009-074

 (Signed into Law 11/17/2009)

Distressed property consultants are individuals who present themselves as agents for homeowners in distress, offering to help with foreclosure prevention and loan modification for a fee. Too often these individuals are acting fraudulently, charging for a service that is available free of charge and then not actually performing the service. This law is meant to augment state requirements for distressed property consultants by requiring that any print advertisements for such services clearly disclose the rules established by the state. This law offers a small measure of additional protection for homeowners in New York City.

Tenant Screening Disclosure - Law 2010-002

 (Signed Into Law 3/2/2010)

This law requires that potential tenants be informed when they are subject to a tenant screening report so that they can obtain copies of these reports to determine their accuracy and completeness. Tenant screening reports reflect appearances in housing court and are used by landlords to screen out so-called problem tenants. However, these reports are sometimes inaccurate and create problems for tenants even when they have won their housing court cases. Notification of the existence of these reports is an important first step in combating this practice and preserving the right to housing.

Notification of Rent Control Housing Demolition - Intro 274-2010

 (Introduced 6/9/2010)

This bill would require the New York State Department of Housing and Community Renewal (DHCR) to notify the community board and the council members in whose respective districts any rent controlled housing is permitted for demolition. Any such demolition requires a permit from the DHCR and under this bill notification would be required within five days of the issuance of a permit. Although this bill does not directly limit the removal of rent control housing units, it will increase notification and oversight that may lead to the retention of some units. This bill would promote transparency in government operations related to housing.

Emergency Management Housing Services - **Intro 0012-2010**

 *(Introduced 2/3/2010)*

This bill would require the Emergency Management Department to designate one deputy commissioner as responsible for coordinating services for residents who have been displaced from their homes due to emergencies. Ensuring that New Yorkers who are displaced from their homes are supported in finding new housing and other services is an important protection of the right to housing.

City-Owned Property Ownership Option - **Intro 0034-2010**

 *(Introduced 2/11/2010)*

Tenants of some city owned properties have an option to collectively purchase the property if the city is planning to dispose of it. Often, these tenants are not notified or instructed about their options in adequate time to plan for such a purchase. This bill would require that the city notify tenants and provide them sufficient information and time to exercise their ownership option, increasing opportunities for home ownership and protecting the right to housing.

Citywide Census of Vacant Properties - **Intro 0048-2010**

 *(Introduced 2/11/2010)*

The Office of Operations would be required to conduct an annual census of vacant buildings and lots under this bill. The information gathered in this survey would include the condition and ownership status of such properties. Housing advocates hope that this information would equip the City with the necessary information to act on housing reform issues.

Workers Rights

****Kingsbridge Armory Land Use Application - LU 1259**

 *(Defeated by the Council 12/21/2009)*

The City Council overrode a mayoral veto to stop this land use application seeking to create a new mall at a historic armory in Queens. The Council heeded community concerns about the project and a desire for living-wage jobs, a proposal that was rejected by the Mayor and developers. A victory for the Council and for the right to decent work, this vote marked a rare occasion in which the Council stood up for human rights by denying a land use application.

****Paid Sick Time Act - Intro 0097-2010**

 *(Hearing Held 5/11/2010)*

This bill would require private employers to provide paid sick time to their employees. Specifically, it would require employers of twenty or more full time employees to provide a minimum of one hour of paid sick time for every thirty hours their employees work. Sick time could be used for personal health needs and for the care of family members. In addition, the bill protects employees from retaliation that may result from the use of paid sick time. Paid sick time is an important aspect of the rights to decent work and health, and this bill would significantly extend this benefit to New Yorkers.

****Fair Wages for New Yorkers Act - Intro 0251-2010**

 *(Introduced 5/25/2010)*

This bill would require that people employed on property developed with the help of government development assistance be paid a wage of at least \$10 an hour and a supplemental health benefits rate of \$1.50 per hour. This bill should eventually create a measureable increase in the number of

living wage jobs in New York City. A living wage is an essential component of the right to decent work and increasing the number of living wage jobs will help to reduce poverty rates and income disparities.

****Prevailing Wage for Building Service Employees - Intro 0018-2010**

 *(Hearing Held 5/11/2010)*

This bill would require that a prevailing wage—the rate and benefits paid to workers in the same trade of occupation in the region—be set for building service employees in buildings owned or managed by persons receiving any financial assistance or rent from the city treasury. Establishing a wage standard for these employees would help to ensure the protection of the right to decent work particularly for workers who are not already in unions.

Nail Salon Working Conditions - Intro 245-2010

 *(Introduced 5/25/2010)*

This bill would regulate nail salons with regard to health and safety conditions for workers, who are mainly immigrants and women of color. Due to the fact that nail salons use a number of strong chemicals and expose workers to many other possible health hazards, this bill would promote the human right to health of workers by regulating the use, storage and available information about the chemicals being used, and require the issuance of certain safety equipment to minimize exposure to dangerous chemicals.

Child Care Employer Tax Credit - Intro 198-2010

 *(Introduced 4/29/2010)*

Intro 198 would implement a tax credit on the rent or occupancy tax imposed by the city to tenants who use taxable premises for employer-provided child care. The tax credit would be equivalent to twenty-five percent of the qualified employer-provided child care expenditures paid or incurred in establishing and operating a qualified child care facility. This bill would promote the human right to decent work for working parents and will set a good example for other businesses to follow.

Street Vendor License Availability Increase - Intro 261-2010

 *(Introduced 6/9/2010)*

This bill would seek to reform the problematic street vendor permitting system by removing current restrictions and allowing for an annual increase in permits. Permits would increase to twenty five thousand, and upon reaching this number, licenses would increase by 5% each year. This bill would promote economic equality by ensuring the human right to work and to a livelihood.

Health

Language Assistance Services in Pharmacies - Law 2009/055

 *(Signed Into Law 9/3/2009)*

This law requires chain pharmacies to provide oral and written translation services to non-English speaker patients. Pharmacies are also part of the healthcare system and they should provide complete services to help understand complex medication instructions to limited English proficiency patients and reduce the chances that patients will misunderstand medical information. This law would help promote the human right to health for New Yorkers.

Creation of LGBT Youth Services Division – **Intro 0094-2010**

 *(Introduced 3/3/2010)*

A division of LGBT Youth Services would be created within the City Department of Health and Mental Hygiene under this bill, targeted at improving the specific health needs and well-being of lesbian, gay, bi-sexual and transgender youth. Focusing health services on the needs of particular groups will help ensure the equal enjoyment of the right to health by all New Yorkers.

City Ward HIV/AIDS Test Availability – **Intro 0144-2010**

 *(Introduced 4/14/2010)*

This bill would require the city to give individuals being discharged from foster care, a facility of the Department of Juvenile Justice, or a correctional facility the option of a free HIV/AIDS test. Improving access to and opportunities for testing is an important public health goal.

Ban on Toys Containing Dangerous Chemicals - **Intro 175-2010**

 *(Hearing Held 6/10/2010)*

This bill would prohibit the sale and distribution of any child feeding, child care product and children's toys that contain more than 0.1% diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP). These chemical products, known as "Bisphenol A" or BPA are commonly found in plastics and resins used to make baby food containers and toys, and can be harmful to the health of children who eat and drink from containers made with them. This bill would protect the right to health.

Notice to Removal of Emergency Medical Services – **Intro 190-2010**

 *(Introduced 4/29/2010)*

This bill would require that the Fire Department provide notice on the closing of any firehouse, fire fighting unit or emergency medical service station to City Council, community boards and borough presidents in districts where these units are located. This bill would help monitor changes in emergency service provision with an aim to ensuring the equal protection of health and wellbeing for all New York communities.

Notice relating to Food Allergens in Restaurant – **Intro 160-2010**

 *(Introduced 4/14/210)*

This bill would mandate restaurants that use as ingredients any major food allergens to post a sign provided by the Department of Health and Mental Hygiene, and to notify customers on their menus. The bill also requires that restaurants request that customers inform their servers about any food allergies they have before placing an order. This bill would help protect the health of customers.

Requiring Training on Food Allergies – **Intro 161-2010**

 *(Introduced 4/14/2010)*

This bill would require restaurant staff to undergo trainings provided by the Department of Health and Mental Hygiene on food allergies once every five years. This bill would educate restaurant employees with information to better avoid allergic reactions.

Mold and Vermin Removal Pilot Program - **Intro 224-2010**

 *(Hearing Held 6/10/2010)*

This bill would require the City to create a mold and vermin remediation pilot program in at least 175 different buildings with the greatest number of violations related to mold, rats, mice, insects,

water accumulation and garbage. Severe mold and vermin problems trigger allergies and respiratory diseases, and the pilot program would coordinate agency activities to better address these problems. This bill would promote a healthy living environment particularly in low-income communities where many of the worst landlord violators are found.

Juvenile Justice

Street Gang Initiation Activity – Law 2010-001

 *(Signed into Law 3/2/2010)*

This law has created a new class A misdemeanor, “criminal street gang initiation activity”, increasing the potential penalty for two actions that are already crimes. These existing crimes, “Hazing in the Second Degree” and “Menacing in the Third Degree”, would have their penalties substantially enhanced if they occurred in the context of a “criminal street gang initiation activity.” The problem with this bill is that it defines “criminal street gang” very broadly and “initiation activity” is left undefined. The foreseeable result, as much of the hearing testimony argues, is that police and prosecutors will have significant latitude in categorizing certain groups and activities for the purpose of subjecting them to these enhanced penalties. For example, a group of youth of color, easily portrayed as a criminal street gang under this bill’s broad definition, could face up to a year in jail for the exact same activities that would subject members of a fraternity to a 15-day maximum sentence. Due to the gross inequities possible under this bill, it negatively impacts the right to freedom from discrimination.

Juvenile Incarceration Data Reporting – Law 2010/012

 *(Signed into Law 5/18/2010)*

A law requiring the Department of Juvenile Justice to provide annual demographic data on all youth admitted to their detention facilities including age, gender, and race. Making this report available to the public will increase government accountability with regards to juvenile justice issues particularly in addressing the over-representation of youth of color in juvenile detention.

Juvenile Incarceration Abuse and Restraint Reporting – Law 2010/014

 *(Signed into Law 5/18/2010)*

A law requiring the Department of Juvenile Justice to report annually on incidents requiring physical restraint or confinement or resulting in injuries or allegations of abuse within their detention facilities. The availability of this information will allow the city to consider policy changes to improve the safety of juveniles in custody. Making this information available to the public will also increase government accountability with regard to juvenile justice issues.

Adolescent Jail Discharge Plan – Intro 196-2010

 *(Introduced 4/29/2010)*

This bill will require the Department of Correction to develop a discharge plan for all adolescent inmates who serve ten days or more in any city correctional institution. The bill would promote equality in the criminal justice system and would ensure youth are availed any additional services they are eligible for in the system.

Youth Violent Task Force – Intro 0013-2010

 *(Introduced 2/3/2010)*

Youth violence continues to be a problem for the City. This bill would create a task force to investigate and make suggestions for decreasing the frequency and impact of violent incidents involv-

ing youth, and for treatment of youthful violent offenders. Studying and addressing the causes of youth violence, and exploring proactive approaches that offer alternatives to young people before and after they become involved in violent crime could ensure that the youth of New York are protected from violence and discrimination while creating a safer city for everyone.

Criminal Justice

Police Civil Lawsuit Reporting - Intro 0130-2010

 *(Introduced 3/25/2010)*

This bill would require a quarterly report on civil lawsuits filed against the New York City Police Department. The Corporation Counsel would submit these reports to the City Council, Comptroller and Civilian Complaint Review Board, which will include the number and disposition of such lawsuits. Making this information more readily available would highlight the cost of police misconduct and provide the opportunity for better oversight for the Police Department, protecting the civil rights of all New Yorkers.

Fairness Arraignment Act - Intro 178-2010

 *(Introduced 4/29/2010)*

This bill will ensure that the city meets its legal obligation to promptly arraign people within 24 hours of their arrest, creating reasonable oversight over the arrest-to-arraignment process. The bill would also create a private right of action for individuals arraigned more than twenty-four hours following arrest. The Police Department and the Department of Correction would provide information to the City Council and Public Advocate on the cases in which arraignment took place more than 24 hours following arrest, and on why the arrestee was not arraigned within that period. This bill would ensure that the civil rights of New Yorkers are protected particularly for people of color who are disproportionately affected by delayed arraignments.

Adolescent Jail Data Reporting - Intro 197-2010

 *(Introduced 4/29/2010)*

This bill would amend the current New York City administrative code to require the Department of Correction to post a report on its website on a quarterly basis on the number of adolescents admitted to city jails disaggregated by race and ethnicity, zip code of residence, precinct of arrest and charged offence in order to be included in related census data. This bill would promote government accountability in the criminal justice system and would help address the over-representation of youth of color in the system.

Civilian Complaint Review Board Prosecution Power - Intro 0072-2010

 *(Introduced 3/3/2010)*

The Civilian Complaint Review Board investigates civilian complaints of police misconduct. This bill would give it the additional power to prosecute cases in which it finds misconduct. This replaces the current process in which a substantiated complaint is passed on to the Police Department, who then conducts their own investigation. Allowing the entire investigatory process to be independent of the Police Department would strengthen police oversight and protect the interests of New Yorkers in minimizing police misconduct and rights violations.

Police Investigation Auditing Board Creation - Intro 308-2010

 *(Introduced 7/29/2010)*

This bill would establish an independent audit board to investigate the anti-corruption measures

taken by the Police Department. The board would be able to issue subpoenas and will report back to the Mayor and City Council through an annual report of its activities and investigations. This law would promote transparency and accountability within the Police Department.

Government Accountability

Special Immigrant Juvenile Status - Law 2010/006

 *(Signed into Law 4/14/2010)*

This law requires the Administration for Children's Services to review its strategies towards the protection of undocumented immigrant children and to create an action plan to identify immigrant children who might be eligible to become permanent residents under the Special Immigrant Juvenile Status (SIJS), a particular form of immigration relief. This law helps the City improve its policies, services, and practices in relation to one of the most vulnerable groups— undocumented children who are living in foster families, and who are primarily children of color.

Same Sex Marriage Information & Promotion - Law 2010/45

 *(Enacted 8/25/2010)*

This law would inform New Yorkers of their rights and benefits regarding same sex marriage. The bill would require the City Clerk to prominently post information relating to marriage, domestic partnerships and similar subjects that includes a list of all domestic and international jurisdictions that perform same sex marriages. This bill would promote equality for the LGBT community.

****City Oversight Agency Budget Independence - Intro 0095-2010**

 *(Introduced 3/3/2010)*

This bill would increase the autonomy of four important city agencies charged with government oversight—The Public Advocate, Comptroller, Conflict of Interest Board, and the Civilian Complaint Review Board. Currently these agencies can have their ability to monitor government operations weakened if the Mayor decides to cut their budget. This bill would allow these agencies to set their own budget, and in the case of the Civilian Complaint Review Board would tie the budget directly to the budget of the NYPD who they are charged with overseeing. This bill would increase government accountability to the residents of New York, and would enhance their civil and political rights.

****Human Rights in Government Operations Audit Law - Intro 0283-2010**

 *(Introduced 6/29/2010)*

This bill would require the City to ensure that policies that have a disproportionate negative impact based on gender, race, sexual orientation, and other protected classes are remedied to guarantee the full enjoyment of human rights by all New Yorkers. Specifically, it would mandate a proactive audit and action plan by city agencies to enable them to identify and prevent discrimination in their operations and services. The bill would also create a task force to establish an ongoing process of cooperation with constituents, enabling their input in forging solutions to problematic city policies. By addressing the disparate negative impact of policies on historically vulnerable groups, the bill would advance equality.

Foster Care Separation Reporting - Intro 0168-2010

 *(Introduced 4/14/2010)*

Youth who age out of foster care are often at risk for homelessness and poverty. This bill would require the Administration for Children's Services (ACS) to regularly report comprehensive statistics

on the demographics and situation of youth aging out of foster care in the interest of ensuring they are receiving access to the proper services to assist them with this transition. This bill would promote government accountability in ACS services to protect the rights of vulnerable youth.

Domestic Violence Data Publication - Intro 0088-2010

 *(Introduced 3/3/2010)*

This bill would require the Police Department to publish data on domestic violence crimes along with the other felony crime statistics it currently makes available on its webpage. Identifying these crimes with separate data will convey the seriousness of domestic violence while providing important information to advocates and other community members working to help victims of violence.

Indigent Legal Defense Reporting - Intro 0098-2010

 *(Introduced 3/25/2010)*

The issue of indigent legal defense is a critical one. Quality counsel in the face of criminal charges, at family court, and in a number of other circumstances, should be available to all New Yorkers. This bill would require annual reporting on the resources dedicated, and results obtained on behalf of residents requiring public legal representation. Keeping track of such statistics could give the City valuable information with which to ensure that all New Yorkers are getting the legal representation they deserve.

City Council Webcast Requirement - Intro 0132-2010

 *(Introduced 4/14/2010)*

This would require that all public city council meetings be webcast. Making the business of the City Council more accessible to the public is always a positive step that encourages residents to exercise their right to political participation.

Corporate Campaign Donation Disclosure - Intro 167-2010

 *(Introduced 4/14/2010)*

This bill would require corporations, limited liability companies, limited liability partnerships and partnerships to disclose independent expenses related to their activities in support of the election or defeat of any candidate in an election. This bill would promote transparency and accountability in elections and would promote the voting rights of New Yorkers.

Webcast School Meetings - Intro 290-2010

 *(Introduced 6/29/2010)*

This bill would require the Department of Education to make available to all parent associations, parent teacher associations and community education councils webcast technology and equipment to enable digital recording of their public meetings. This bill would improve the access of information for parents and community members in the public education system and would promote the right to education.

School Capacity Utilization Reporting - Intro 155-2010

 *(Hearing Held 4/28/2010)*

This bill would require the chancellor of every city school district to submit to City Council an annual report on school enrollment, capacity and utilization data in order to be used for the current or future school year plan. This bill would improve access to information to address persistent problems in the public school system including reducing class sizes to optimize learning.

	HEALTH							
	Law 859	Int 0094	Int 0144	Int 0175	Int 190	Int 160	Int 161	Int 224
Arroyo	Y (s)							
Barron	Y (s)					s	s	
Brewer	Y (s)					s	s	s
*Cabrera	~							
*Chin	~				s			s
Comrie, Jr.	Y				s			
Crowley	X							s
Dickens	e (s)							
Dilan	e							
*Dromm	~	s						s
Eugene	Y (s)							
Ferreras	Y (s)					s		
Fidler	Y		PS	s	PS	s		s
Foster	Y			s			s	s
Garondick	X							
Gennaro	e			s				s
Gentile	Y			s	s			
Gonzalez	Y (s)					s		
*Greenfield	~							
*Halloran	~		s	s	s			
Ignizio	X							
Jackson	e (s)							
James	Y (s)	s	s	s		s	s	
*Koo	~							s
Koppell	Y (s)	s	s	s		s	s	s
*Koslowitz	~				s			s
*Lander	~	s						s
Lappin	Y					PS	PS	s
*Levin	~							
Mark-Viverito	Y (s)	s						s
Mealy	Y							
Mendez	Y (s)							PS
Nelson	Y (s)				s		s	s
Oddo	X							
Palma	e (s)		s			s	s	
Quinn	Y							s
Recchia	e				s			
Reyna	e (s)		s					
Rivera	Y (s)		s					
Rodriquez	~		s		s	s	s	s
*Rose	~			s				
Sanders	Y (s)		s	s				s
Seabrook	Y				s			
Ulrich	X							
Vacca	Y							
Vallone	X			PS				
*Van Bramer	~			s				
Vann	Y (s)		s	s				s
*Weprin	~							
White	Y (s)							
*Willams	~				s		s	s

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	HOUSING RIGHTS							JUVENILE JUSTICE				
	LU 1229	Law 1070	Law 0005	Int 274	Int 0012	Int 0034	Int 0048	Law 0001	Law 0037	Law 0153	Int 0196	Int 0013
Arroyo	Y	Y (s)	Y (s)				s	Y (ps)	Y (s)	Y (s)		
Barron	X	Y (s)	Y	s	s			X	Y	Y (s)		s
Brewer	a	Y	Y (s)	s		s	s	a	Y (s)	Y (s)	s	
*Cabrerera	~		Y		s		s	Y	Y	Y		
*Chin	~		Y	s		s	s	Y	Y	Y (s)	s	s
Comrie, Jr.	Y	Y (s)	Y					Y	Y	Y	s	
Crowley	Y	Y	Y (s)				s	Y (s)	Y (s)	Y (s)		
Dickens	Y	Y	Y			PS	s	Y	e	e (s)		
Dilan	Y	Y	e					e	e (s)	e (s)		
*Dromm	~		Y	s	s	s	s	Y	Y	Y (s)	s	s
Eugene	Y	Y	Y					Y	Y	Y		
Ferreras	Y	Y	Y				s	Y	Y	Y	s	
Fidler	Y	Y	Y			s	s	Y	Y (s)	Y (s)	s	
Foster	X	Y	Y		s	s	s	Y (s)	Y (s)	Y (s)		s
Garondick	Y	Y	Y (PS)				s	Y	Y	Y		
Gennaro	Y	Y (s)	Y					Y (s)	Y	Y		
Gentile	Y	Y	Y					Y	Y	Y (s)	s	
Gonzalez	Y	Y	Y (s)					Y (s)	Y (ps)	Y (ps)	s	
*Greenfield	~								Y	Y		
*Halloran	~		Y					Y	Y (s)	Y		
Ignizio	X	Y	Y					Y	Y	Y		
Jackson	a	Y (s)	Y				s	Y	Y (s)	Y (s)		
James	Y	Y	Y (s)	s	PS	s	s	X	Y (s)	Y (s)	PS	PS
*Koo	~		Y					Y	Y	Y		
Koppell	Y	Y (s)	Y (s)	s	s	s		Y (s)	Y (s)	Y	s	s
*Koslowitz	~		Y (s)	s			s	Y (s)	Y	Y (s)		
*Lander	~		Y (s)	s		s	s	Y	Y (s)	Y	s	s
Lappin	Y	Y (s)	Y (s)				s	Y	Y	Y		
*Levin	~		Y				s	Y	Y (s)	Y (s)		
Mark-Viverito	X	Y	Y (s)		s	s	PS	X	Y	Y	s	s
Mealy	Y	Y	Y					X	e	e		
Mendez	X	Y	Y	PS			s	X	e	e		
Nelson	Y	Y (s)	Y (s)	s			s	Y (s)	Y (s)	Y (s)	s	s
Oddo	Y	Y	Y					Y	Y	Y		
Palma	X	Y	Y (s)	s	s	s	s	Y (s)	e (s)	e (s)		s
Quinn	Y	Y	Y					Y (s)	Y	Y		
Recchia	Y	Y	Y	s				Y (s)	Y (s)	Y		
Reyna	X	Y	Y (s)	s		s	s	Y (s)	Y (s)	Y		
Rivera	Y	Y	Y					Y (s)	Y	Y		
Rodriquez	Y		Y (s)			s	s	X	Y (s)	Y (s)	s	
*Rose	~		Y					X	Y (s)	Y (s)	s	
Sanders	X	e (ps)	Y	s		s		Y	Y (s)	Y (s)	s	
Seabrook	Y	Y	e (s)		s			e	Y	Y		
Ulrich	Y	Y	Y					Y	Y	Y		
Vacca	Y	Y	Y					Y	Y	Y		
Vallone	Y	Y	Y					Y (s)	Y	Y		
*Van Bramer	~		Y				s	Y (s)	Y	Y		
Vann	Y	Y	Y (s)	s		s	s	X	Y	Y (s)	s	s
*Weprin	~		Y					Y	Y	Y		
White	Y	Y (s)	Y					Y (s)	Y (s)	Y (s)		
*Willams	~		Y (s)	s		s	s	X	Y (s)	Y (s)	s	s

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GOVERNMENT ACCOUNTABILITY											
	Law 0003	Law 045	Int 0095	Int 0283	Int 0168	Int 0088	Int 0098	Int 0132	Int 0167	Int 0290	Int 0155
Arroyo	Y (s)	Y									
Barron	Y (s)	Y		s	s						s
Brewer	Y (s)	Y (s)	s	s	s		PS	PS	s	s	
*Cabrera	Y (s)	Y									s
*Chin	Y (s)	Y		s	s		s		s		s
Comrie, Jr.	Y	Y (s)					s				s
Crowley	Y	Y									s
Dickens	Y (s)	Y					s				s
Dilan	Y	Y									
*Dromm	Y (ps)	Y (s)		s	s		s	s	s		s
Eugene	Y (s)	Y									
Ferreras	Y (s)	Y		s		s		s	s		
Fidler	Y (s)	Y (s)			s	s					s
Foster	e (s)	Y		PS	s						s
Garondick	Y	Y (s)	s		s			s	s		
Gennaro	Y	Y									
Gentile	Y	Y	s								s
Gonzalez	e (s)	Y		s							
*Greenfield		X									
*Halloran	Y	Y					s				
Ignizio	Y	Y									s
Jackson	Y (s)	Y (s)	s	s			s				PS
James	Y (s)	Y (s)	s	s	s	s		s	s		s
*Koo	Y	Y									
Koppell	Y (s)	Y (s)	s	s	s	s	s	s	s		s
*Koslowitz	Y (s)	Y (s)									s
*Lander	Y (s)	Y (s)	s	s	s	s	s	s	s		s
Lappin	Y (s)	e (s)	s	s	s		s		s		s
*Levin	Y	Y									
Mark-Viverito	Y (s)	Y (s)	s	s	s	PS		s	s		s
Mealy	Y (s)	Y									
Mendez	Y (s)	Y (s)		s						s	s
Nelson	Y (s)	Y (s)					s				s
Oddo	Y	Y									
Palma	Y (s)	Y (s)	s	s	s		s	s	s		s
Quinn	Y	Y (ps)									
Recchia	Y	Y									s
Reyna	e	Y (s)						s			
Rivera	Y	Y									
Rodriquez	Y (s)	Y	s	s	s	s	s	s	s		s
*Rose	Y	e		s				s			s
Sanders	Y (s)	Y		s	s	s					
Seabrook	Y (s)	Y						s			s
Ulrich	Y	Y									s
Vacca	Y	Y									s
Vallone	a	Y									
*Van Bramer	Y (s)	Y (s)		s	s			s	s		
Vann	Y (s)	Y		s			s				s
*Weprin	Y	Y									
White	e (s)	e									
*Willams	Y (s)	Y		s	s	s	s	s	s	s	s

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	WORKERS RIGHTS							CRIMINAL JUSTICE				
	LU 1259	Int 0097	Int 0251	Int 0018	Int 0245	Int 0198	Int 0261	Int 0130	Int 0178	Int 0197	Int 0072	Int 308
Arroyo	Y		s	s							s	
Barron	Y	s	s	s			PS		PS		s	
Brewer	Y	PS	s	s	PS	s					s	
*Cabrerá	~	s	s	s								
*Chin	~	s	s	s	s		s			s		
Comrie, Jr.	Y							s		s	s	
Crowley	Y	s		s								
Dickens	Y			s								
Dilan	Y										s	
*Dromm	~	s	s	s		s				s	s	
Eugene	Y	s	s	s								
Ferreras	Y	s	s	s	s						s	
Fidler	Y							s				
Foster	Y	s	s	s	s						s	
Garondick	Y	s									PS	
Gennaro	Y			s								
Gentile	Y	s		s		s		s				
Gonzalez	Y	s	s	s						s	s	
*Greenfield	~											
*Halloran	~							s				
Ignizio	Y											
Jackson	Y	s	s	s							s	
James	Y	s	s	s			s			PS	s	s
*Koo	~											
Koppell	Y	s	PS	s				s			s	PS
*Koslowitz	~	s		s								
*Lander	~	s	s	s				s	s	s	s	
Lappin	Y	s		s		PS					s	
*Levin	~	s	s									
Mark-Viverito	Y	s	s	PS			s			s	s	
Mealy	Y	s		s								s
Mendez	Y	s	s	s	s						s	
Nelson	Y	s		s		s		s				
Oddo	Y											
Palma	Y	s	PS	s	s		s				s	
Quinn	Y											
Recchia	Y	s			s							
Reyna	Y			s							s	
Rivera	Y	s	s	s								
Rodriquez	Y	s	s	s	s	s		s		s	s	s
*Rose	~	s	s	s					s	s	s	
Sanders	Y		s	s						s	s	
Seabrook	Y	s	s	s					s		s	
Ulrich	Y	s		s								
Vacca	Y	s		s				s				
Vallone	Y							PS				
*Van Bramer	~	s	s	s								
Vann	Y	s	s	s						s	s	
*Weprin	~											
White	Y	s									s	
*Willams	~	s	s	s	s	s	s		s	s	s	s

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About the Human Rights Project at the Urban Justice Center

The Human Rights Project at the Urban Justice Center works to improve the lives of New Yorkers living in poverty. We do this by monitoring and advocating for government compliance with universal human rights standards, especially the human rights to employment, housing, health, food, education and other economic and social rights.



**The New York City Council Watch:
2010 Human Rights Report Card**

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