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THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

Joint Meeting of the Health and Education Committee and the Housing, Homeless and Human Rights Committee

September 25, 2018

CB6 Board Office, 211 East 43rd Street, Suite 1404

Meeting Minutes

Health and Education Committee

Present: Elvy Barroso (Chair), John Keller (Vice Chair), Carin van der Donk, Claude L. Winfield

Excused: David Tsin

Absent: Louise Dankberg, Paige Judge, Ahsia Badi, Karen Moore

Housing, Homeless and Human Rights Committee

Present: Carin van der Donk (Chair), Rajesh Nayar (Vice Chair), Joseph Parrish, Pamela Vassil, Claude L. Winfield

Absent: Kyle Athayde, Aaron Humphrey

Guests and Members of the Public

In attendance: Claire Brennan, Manhattan Community Board Six (CB6); Rebecca Chew, Administration for Children's Services (ACS); Diana Du Croz, CUNY School of Journalism; Julie Farber, ACS; Juan Carlos Fuenzalida, Bellevue/New York State Nurses Association (NYSNA); Molly Hollister, CB6; Sonia Ivany, NYSNA; Rachael Jensen, ACS; Francesca Perrone, Office of Council Member Keith Powers; Rose Mary Rogers, Bellevue/NYSNA; Seema Shah, CB6

Call to Order and Adoption of the Agenda/Previous Meetings' Minutes

Elvy Barroso called the meeting to order at 6:41 PM.

The agenda was adopted on a motion by John Keller and seconded by Carin van der Donk.

The minutes of the prior Health & Education Committee meeting and the prior Housing, Homelessness & Human Rights Committee meeting were adopted.

Committee Business

Agenda Item #1: Presentation from the New York State Nurses Association on the matter of minimum safe staffing ratios throughout the New York City Health + Hospital System

The following people appeared and spoke on behalf of the Safe Staffing for Quality Care Act, a bill currently before the New York State Legislature:

- Sonia Ivany, NYSNA
- Juan Carlos Fuenzalida, Bellevue Hospital Liaison for NYSNA
- Rose Mary Rogers, Bellevue Hospital/NYSNA

Among other observations, the speakers commented that:

- The importance of safe staffing levels for adequate patient care, noting that nurses now have to care for as many as 12 patients at once and that there are “stark” differences between patient outcomes in underserved portions of the state.
- Patients in underserved communities, particularly African American and Hispanic patients, are significantly underserved and critically understaffed.
- There is a significant difference in hospital wait times between affluent and predominantly high-minority, low-income areas.

The speakers asked for the support of the Committee and CB6 for the Safe Staffing and Quality Care Act.

Agenda Item #2: Updates from ACS about Community Advisory Board status

The following people appeared and provided an update to the Committee:

- Julie Farber, Deputy Commissioner, Family Permanency Services at ACS
- Rebecca Chew, Associate Commissioner at ACS

The speakers reported that the ACS Children’s Center (located on First Avenue between 28th and 29th Streets) is actively working to form a Community Advisory Board, which will engage with members of the local community, local law enforcement and leadership of CB6.

Among other observations, the speakers commented that:

- 70% of the children at the Children’s Center are placed in foster homes or other child welfare settings within 1—3 days.
- Kinship placements are targeted to increase from 27% to 34% of placements.
- Foster Homes Recruitment is an active and ongoing effort for ACS.
- 40 new staff were recently added to the Children’s Center.
- There is ongoing program development for the residents.
- Multiple Safety and Security Initiatives are in place, including:
 - A “strong working relationship” with the NYPD.
 - The formation of a Children’s Center Safety Committee.

- Increased perimeter patrols between ACS and the NYC Department of Health and Hospitals Police.
- Regular meetings with security executives and liaisons from Bellevue Hospital Police, NYU Langone and other businesses in the local area.
- “Constant video monitoring” inside and outside the facility.

CB6 members offered to assist ACS in publicizing its efforts to recruit new foster homes.

Agenda Item #3: Discussion of a Resolution on the legalization of Marijuana

Carin van der Donk introduced a “Resolution Supporting Assembly Bill/Senate Bill A.3506-B/S.3040-B which would create a system for the production, distribution, and adult non-medical use of marijuana.”

A motion was made by John Keller and seconded by Carin van der Donk to move the Resolution.

There followed a lengthy discussion of the resolution as moved. The resolution as moved that was placed before the Committees for their discussion was as follows:

QUOTE

“Resolution supporting efforts by State Senator Liz Krueger for legalization, regulation, and taxation of marijuana for adult non-medical use in New York State and providing support for A.3506-B/S.3040-B which would create a system for the production, distribution, and adult non-medical use of marijuana. Co-Sponsors: Marisol Alcantara, Jamaal T. Bailey, Leroy Comrie, Martin Malave Dilan, Jesse Hamilton, Brad Hoylman, Velmanette Montgomery, Keven S. Parker, Jose Peralta, Gustavo Rivera, Jose M. Serrano

WHEREAS, Marijuana is a level 1 controlled substance under current law;

WHEREAS, the federal code’s criteria for Schedule I status of cannabis is being increasingly challenged by medical researchers and clinicians as well as legal, correctional, and criminal justice professionals concerned about the impact of arrests for marijuana possession on young men, particularly African-American and Hispanic inner city males.

WHEREAS, the main punitive benefit of current marijuana policy is that it discourages use. It might be expected, for example, that prohibition of marijuana would result in unavailability, yet that has not proved to be the case.

WHEREAS, 82% of high school students and young adults in their early twenties report that marijuana is “very” or “fairly” easy to obtain, and this is the very population whose use is most strongly disfavored. Moreover, there has not been a dramatic, or even significant, decline in marijuana use since the advent of marijuana prohibition;

WHEREAS, virtually every elected official who represents Community District Six at the City, State, and Federal level supports legalization or decriminalization in some fashion;

WHEREAS, there have been shows of support for legalization from:

- *the Progressive Caucus of the New York City Council, which includes Council Members Keith Powers, Ben Kallos, and Carlina Rivera;*

- *The New York State Democratic Committee.*
- *Manhattan Borough President Gale Brewer,*
- *Public Advocate Letitia James,*
- *Comptroller Scott Stringer,*
- *Manhattan District Attorney Cyrus Vance,*
- *Mayor Bill de Blasio,*
- *Governor Andrew Cuomo, and*
- *U.S. Senators Kirsten Gillibrand and Chuck Schumer;*

WHEREAS, *the District Attorney’s office reports that 63 percent of New Yorkers support legalization of recreational marijuana use;*

WHEREAS, *the District Attorney’s office also reports that marijuana possession arrests “waste an enormous amount of criminal justice resources for no punitive, rehabilitative, deterrent, or other public safety benefit;”*

WHEREAS, *the District Attorney’s office further observes that the prohibition of recreational marijuana use is enforced in a racially disparate manner and is especially damaging to minorities, with 86% of arrestees for possession in New York City in 2017 being black or Hispanic;*

WHEREAS, *racial disparities in policing and court systems in the United States has been described by Human Rights Watch as a failure to uphold this country’s obligations to meet internationally-recognized standards of human rights;*

WHEREAS, *the United Nations Office of the High Commissioner has stated that health is a fundamental human right, and access to medicines is a key issue related to ensuring this right;*

WHEREAS, *the positive health effects of marijuana for people with a variety of conditions, including multiple sclerosis, nausea resulting from chemotherapy, seizure disorders, and Crohn’s disease, are widely recognized in the medical community;*

WHEREAS, *marijuana is often sought by people dealing with chronic pain from headaches, cancer, glaucoma, or nerve pain, and can offer a beneficial alternative to prescription opioid medications;*

WHEREAS, *there is evidence suggesting that marijuana can be beneficial to some people coping with Post-Traumatic Stress Disorder (PTSD), ASD, anxiety and other mental health issues;*

WHEREAS, *there are cases where US Army veterans have been deported for a marijuana offense, even if they possessed and used the marijuana in an effort to treat their combat-related PTSD;*

WHEREAS, *the Drug Enforcement Agency has stated that no death from overdose of marijuana has ever been reported;*

WHEREAS, *marijuana use is already permitted for medical purposes in 30 states, including New York;*

WHEREAS, *many New Yorkers, especially from within the black and Hispanic communities, are still facing consequences in housing, public housing such as NYCHA and Section 8, and employment for the non-violent offenses of sale, possession, or use of marijuana;*

WHEREAS, *conviction of a marijuana drug offense could result in immediate and permanent ineligibility for federal student aid;*

WHEREAS, continued criminalization also means that those seeking to apply for legal immigration may have their applications denied and face deportation for this particular non-violent offense;

WHEREAS, S.3040/A.3506 The Marijuana Regulation and Taxation Act - would legalize, regulate and tax marijuana under state law along lines similar to the state's current system regulating alcohol;

WHEREAS, S.3040/A.3506 will require the clear labeling of THC content; and will require edibles to not look enticing to children, and be clearly labeled with correct instruction so as to prevent overconsumption.

WHEREAS, S.3040/A.3506 makes 21 the minimum legal age for marijuana possession and consumption;

WHEREAS, S.3040/A.3506 subjects all public facilities to the same anti-smoking requirements established by the Clean Indoor Air Act;

WHEREAS, S.3040/A.3506 allows communities to opt out of retail sale for off-premises consumption through a referendum process similar to what is now in place for alcohol sales;

WHEREAS, S.3040/A.3506 allows communities to opt in to allow retail sales for on-premises consumption through a vote of the local legislature, in addition to the local community board in the case of New York City;

WHEREAS, S.3040/A.3506 establishes an excise tax of fifteen percent of price at time of transfer, plus a fixed amount depending on the form of the marijuana, and allows localities the option of imposing an additional five percent sales tax on retail sales; and

WHEREAS, S.3040/A.3506 directs a portion of the state tax revenue collected to be directed to re-entry programs, substance abuse programs, and job training programs in low-income, high unemployment communities.

THEREFORE, BE IT RESOLVED that the Health and Education committee and Housing, Homeless and Human Rights committee of Manhattan Community Board 6 supports and endorses the "Marijuana Regulation and Taxation Act," NYS legislation sponsored by Assembly Member Crystal Peoples-Stokes (A3506-B-2018) and Senator Elizabeth Kruger (S3040-B-2018) which, if enacted, would alleviate many problems for New Yorkers while raising hundreds of millions of dollars in sales tax revenues which could be used to support needed programs.

BE IT FURTHER RESOLVED that CB6 urges our elected officials to incorporate language into their bills and statements that:

- Crafting a permitting and licensing process that favors prospective small business owners, especially those who have received non-violent criminal records for use, sale, or possession of marijuana, over the interests of large corporations,
- Directing a portion of taxations proceeds to a wellness program in NYS high schools to educate and encourage NYC teens to make healthy choices for their bodies and minds.
- Have an active dialog and input from Law Enforcement into the continuing crafting of this bill;
- Law enforcement receives additional support to successfully enforce black market sales to minors;
- Calling for the automatic expungement of all marijuana use, sale, and possession offenses from the criminal records of all New Yorkers;

END QUOTE

During lengthy discussion, the Committees considered and made multiple Amendments to the resolution as moved.

A Motion was made by John Keller and Seconded by Claude L. Winfield to adopt the resolution as amended.

The resolution as amended was presented to the committees as follows:

QUOTE

Resolution Supporting Assembly Bill/Senate Bill A.3506-B/S.3040-B which 1 would create a system for the production, distribution, and adult non-2 medical use of marijuana

WHEREAS, marijuana is a level 1 controlled substance under current law;

WHEREAS, the federal code's criteria for Schedule I status of cannabis is being increasingly challenged by medical researchers and clinicians as well as legal, correctional, and criminal justice professionals concerned about the impact of arrests for marijuana possession on young men, particularly African-American and Hispanic inner city males;

WHEREAS, the main punitive benefit of current marijuana policy is that it discourages use;

WHEREAS, it might be expected, for example, that prohibition of marijuana would result in unavailability, yet that has not proved to be the case;

WHEREAS, 82% of high school students and young adults in their early twenties report that marijuana is "very" or "fairly" easy to obtain, and this is the very population whose use is most strongly disfavored. Moreover, there has not been a dramatic, or even significant, decline in marijuana use since the advent of marijuana prohibition;

WHEREAS, a person high in marijuana use can have temporary memory loss, decreased muscle coordination, altered perception of time, changes in mood, and difficulty thinking or solving problems which can compromise driving and public safety;

WHEREAS, virtually every elected official who represents Community District Six at the City, State, and Federal level supports legalization or decriminalization in some fashion;

WHEREAS, the District Attorney's office reports that 63 percent of New Yorkers support legalization of recreational marijuana use;

WHEREAS, the District Attorney's office also reports that marijuana possession arrests "waste an enormous amount of criminal justice resources for no punitive, rehabilitative, deterrent, or other public safety benefit;"

WHEREAS, the District Attorney's office further observes that the prohibition of recreational marijuana use is enforced in a racially disparate manner and is especially damaging to minorities, with 86% of arrestees for possession in New York City in 2017 being black or Hispanic;

WHEREAS, many New Yorkers, especially from within the black and Hispanic communities, are still facing consequences in housing, public housing such as NYCHA and Section 8, and employment for the non-violent offenses of sale, possession, or use of marijuana;

WHEREAS, conviction of a marijuana drug offense could result in immediate and permanent ineligibility for federal student aid;

WHEREAS, continued criminalization also means that those seeking to apply for legal immigration may have their applications denied and face deportation for this particular non-violent offense;

WHEREAS, racial disparities in policing and court systems in the United States has been described by Human Rights Watch as a failure to uphold this country's obligations to meet internationally-recognized standards of human rights;

WHEREAS, the United Nations Office of the High Commissioner for Human Rights has stated that health is a fundamental human right, and access to medicines is a key 49 issue related to ensuring this right;

WHEREAS, marijuana use is already permitted for medical purposes in 30 states, including New York;

WHEREAS, the positive health effects of marijuana for people with a variety of 53 conditions, including multiple sclerosis, nausea resulting from chemotherapy, seizure 54 disorders, and Crohn's disease, are widely recognized in the medical community;

WHEREAS, marijuana is often sought by people dealing with chronic pain from headaches, cancer, glaucoma, or nerve pain, and can offer a beneficial alternative to prescription opioid medications;

WHEREAS, there is evidence suggesting that marijuana can be beneficial to some people coping with Post-Traumatic Stress Disorder (PTSD), ASD, anxiety and other 60 mental health issues;

WHEREAS, there are cases where US Army veterans have been deported for a marijuana offense, even if they possessed and used the marijuana in an effort to treat their combat-related PTSD;

WHEREAS, S.3040/A.3506 The Marijuana Regulation and Taxation Act would legalize, regulate and tax marijuana under state law along lines similar to the state's current system regulating alcohol;

WHEREAS, S.3040/A.3506 will require the clear labeling of THC content; and will 69 require edibles to not look enticing to children, and be clearly labeled with correct instruction so as to prevent overconsumption.

WHEREAS, S.3040/A.3506 makes 21 the minimum legal age for marijuana possession and consumption;

WHEREAS, S.3040/A.3506 subjects all public facilities to the same anti-smoking requirements established by the Clean Indoor Air Act;

WHEREAS, S.3040/A.3506 allows communities to opt out of retail sale for off-premises consumption through a referendum process similar to what is now in place for alcohol sales;

WHEREAS, S.3040/A.3506 allows communities to opt in to allow retail sales for on premises consumption through a vote of the local legislature, in addition to the local community board in the case of New York City;

WHEREAS, S.3040/A.3506 establishes an excise tax of fifteen percent of price at time of transfer, plus a fixed amount depending on the form of the marijuana, and allows localities the option of imposing an additional five percent sales tax on retail sales; and

WHEREAS, S.3040/A.3506 directs a portion of the state tax revenue collected to be 88 directed to re-entry programs, substance abuse programs, and job training programs in 89 low-income, high unemployment communities; and

WHEREAS, there have been shows of support for legalization from:

- The Progressive Caucus of the New York City Council, which includes Council Members Keith Powers, Ben Kallos, and Carlina Rivera;
- The New York State Democratic Committee;
- Manhattan Borough President Gale Brewer;
- Public Advocate Letitia James;
- Comptroller Scott Stringer;
- Manhattan District Attorney Cyrus Vance;
- Mayor Bill de Blasio;
- Governor Andrew Cuomo; and
- U.S. Senators Kirsten Gillibrand and Chuck Schumer;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six (CB6) supports and endorses the “Marijuana Regulation and Taxation Act,” NYS legislation sponsored by Assembly Member Crystal Peoples-Stokes (A3506-B-2018) and Senator Elizabeth Krueger (S3040-B-2018) which, if enacted, would alleviate many problems for New Yorkers while raising hundreds of millions of dollars in sales tax revenues which could be used to support needed programs.

BE IT FURTHER RESOLVED that CB6 urges our elected officials to incorporate 108 language into this current and future legislation that:

- Crafts a permitting and licensing process that favors prospective small business owners, especially those who have received non-violent criminal records for use, sale, or possession of marijuana, over the interests of large corporations;
- Directs a portion of taxation proceeds to a wellness program in NYS schools to educate children and young adults concerning the nature and consequences of marijuana use and encourage NYS teens to make healthy choices for their bodies and mind;
- Has an active dialog and input from Law Enforcement into the continuing crafting of this bill;
- Gives law enforcement additional support to successfully enforce black market sales to minors;
- Calls for the automatic expungement of all marijuana use, sale, and possession offenses from the criminal records of all New Yorkers;
- Places warning labels on all products containing marijuana.

END QUOTE

The resolution as amended (immediately above) was adopted. The vote count was as follows:

6 In Favor; 1 Opposed; 0 Abstaining; 0 Not Entitled

Chairs' Reports

Given the late hour, the Chairs of both Committees agreed to forego their reports.

Adjournment

Elvy Barroso adjourned the meeting at 8:39 PM.

Minutes submitted by: John Keller