The state legislature released the full redistricting maps for New York’s Congressional, Senate and Assembly seats — check back with the Eagle tomorrow for a full look.

New York City Mayor Eric Adams met with Manhattan District Attorney Alvin Bragg, Bronx District Attorney Darcel Clark, Brooklyn District Attorney Eric Gonzalez, Queens District Attorney Melinda Katz and Staten Island District Attorney Michael McMahon Monday. The meeting resulted in an agreement to meet regularly, according to a joint statement. “The purpose of the meeting was to discuss the mutually shared goals of keeping New Yorkers safe, particularly from the rising toll of gun crimes. The conversation was wide ranging, candid, and productive,” they said. “The mayor and district attorneys agreed that, among other things, safety and justice are not mutually exclusive, and must go hand in hand.”

Alternate side parking is suspended through Feb. 5, the city announced. Drivers will still have to pay meters in spots where they are required.

A COVID-19 clinic is now open in the Bay Terrace Shopping Center, Patch reported. A mobile van will offer rapid antigen COVID testing and Pfizer and Johnson & Johnson vaccines from 8 a.m. to 6 p.m. all week.

A winning take-5 ticket worth $15,786 was sold at the Elot Convenient and Grocery in Middle Village.

Queens Together founder Jonathan Forgasch and Drew Reid Kerr launched the Queens Chef Project, highlighting favorite objects and tools from 50 of the borough’s chefs, Eater reported. The full archive is available on queenschefproject.com. “Many of the chefs never set foot in a cooking school, and a handful had never even run a restaurant before,” Kerr wrote on the website. “Watching their mothers or grandmothers in the kitchen was a common theme, and there are some who had their culinary fates bestowed upon them while in completely different careers…we have to support food heroes today so they will all be here for us tomorrow.”

Queens borough president Donovan Richards and Councilmember Joann Aruola are hosting a vigil honoring Officers Jason Rivera and Wilbert Mora outside Borough Hall Wednesday, Feb. 2, at 5:30 p.m.

Detainees continue to miss medical appointments

By Jacob Kaye
Queens Daily Eagle

A Department of Correction official said in a January affidavit that the agency has not been producing detainees for medical appointments at a rate that satisfies a recent court order.

“In my opinion, I believe this rate of production does not constitute substantial compliance with the pertinent directives to provide timely access to the clinic,” Pressley said in an affidavit.

Taylor’s order stems from a class action lawsuit in which former and current detainees alleged that they were denied medical services despite demonstrating a need for them.

A Riikers Island official in charge of operations at the jail complex told a Bronx judge last month that detainees have continued to be deprived of medical services despite a recent court order.

DOC Bureau Chief of Facility Operations Ada Pressley told a Bronx County judge that incarcerated individuals at Riikers Island, the troubled jail complex that saw more deaths last year than any year dating back to 2013, haven’t been brought to medical facilities at a rate that Pressley believes is in compliance with a December court order made by Bronx Judge Elizab...
Snow buildup on Queens walkways halts mobility for some

Continued from page 1

ble for snow removal in order to ensure pathways and clearances are not only done in a timely manner, but are sufficient for those using accessibility aids. “Imagine a situation where you head out only to have to turn back due to an unremovable path, or even worse, getting stuck in the snow or ice,” he added. “They must understand that paths need to be a certain width and that curbs simply cannot be covered.”

For Jean Ryan, president of Dis- abled In Action of Metropolitan NY, under-shoveled streets are a consistent part of her winter experience. Often, she was stuck at home for more than a month because of other people’s snow-covered sidewalks. “Snow, especially on sidewalks that are not shoveled at all or just have a narrow footpath and walls of snow at bus stops and on top of pedestrian ramps greatly impacts anyone with a mobility disability, and many other people, too,” she told the Eagle. “We have to stay home and miss work or school and we are unable to run errands or visit family or shop for food. Wheelchairs and walkers, crutches, canes, shopping carts, strollers, and rolling suitcases cannot pass.”

Jurisdiction for removal on city-owned property varies depending on the situation — DOT handles some areas because of the elevated train, but DSNY handles clearing the Forest Hills area along Queens Boulevard. “We are on it, and we appreciate the patience of all New Yorkers as we work to clear many areas by hand,” a DSNY spokesperson told the Eagle.

By Monday night, the crosswalk near 75th Avenue had been cleared, according to the rep. There are more than two dozen snow laborers working alongside sanitation workers in Queens to clear areas inaccessible to plows, and the work will continue into Wednesday, they added.

Any resident who sees a public area that needs to be cleared of snow or ice for safety reasons should call 311 and anyone interested in joining the team of snow laborers can call 311 or visit nyc.gov.

Maloney launches plan to ban fossil fuel plants in Queens

By Rachel Vick
Queens Daily Eagle

Queens elected officials and advocates braved the cold Monday to announce their next legislative steps to combat New York City’s contributions to the climate crisis next to a neighborhood so affected by air pollution it has been nicknamed “Asthma Alley.”

U.S. Rep. Carolyn Maloney unveiled the “Justice in Power Plant Permitting Act,” which would ban the award of permits to fossil-fueled generating energy sources, outside the Ravenswood Generating station this week. “We are in a climate emergency. To combat it, we must recognize that two generations of residents right here in Asthma Alley have been subjected to unending toxic pollution,” Maloney said. “This legislation will bar major sources of air pollution, like Big Allis or peakers, as well as other fossil fuel-fired sources within one mile of a major source, from being permitted when they harm the health and well-being of our communities. These units are killing my constituents, and far too often these plants are placed in communities of color.”

If passed, the bill would stop the permitting of other fossil fuel-fired sources within one mile of a major source if the combined effects of the area’s air pollutants would harm nearby communities. It includes a Just Energy Transition Fund for clean energy projects that support workers and environmental justice.

“Some of this is because of the air that they breathe, and we are fighting for cleaner air,” she added. “It is wrong. It is all wrong.”

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Behind the Bench

The Eagle will devote even more coverage to the court officers, law clerks and other workers who make our courts run.

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BROOKLYN DAILY EAGLE, of course, goes back to 1841.

We hope you will support our efforts in local journalism.

Jen Hopewell,
Assistant to the Publisher
jdh@brooklyneagle.com
Tales From the Trash Heap Lost and Found
Some Search in Trash for Valuable Lost Items

By Kate Honan
THE CITY

Dozens of desperate New Yorkers every year don gloves, boots and protective suits to dive through mountains of trash for prized possessions. Sometimes they even find them.

Dozens of times a year, regular New Yorkers put on gloves, boots and even protective suits to dive through piles of garbage, searching for possessions that were inadvertently thrown in the trash or dropped in a dumpster.

After a few hours of searching, they sometimes find their buried treasure — lucky lottery tickets, sacred religious items, cherished family photo albums, literally bags of cash and even dentures — before it ends up on a barge, destined for a dump far away.

“People find some amazing things — wedding rings and engagement rings, wallets, purses,” said the Department of Sanitation’s Sean Breton, a deputy chief of solid waste management operations.

Theodora Adelabu knows the feeling. She was already through JFK Airport security in December, on her way home to Nigeria for her father’s memorial service, when she realized she didn’t have her blue backpack packed with items high in monetary and sentimental value.

She retraced her steps, calling family and friends who saw her early that morning as she prepared for the flight.

“I was panicked, I was crying,” she said. She rescheduled a flight one hour later, knowing she couldn’t leave without the bag, which had her work laptop, gold and jewelry, traditional clothing for the service — and $10,000 in cash.

Smelling Like a Rose

Turns out, she had left her car off at a friend’s house at around 5:30 that morning and left the bag sitting outside. A neighbor she asked to look at security camera footage saw that at around 8:15 a.m. a DSNY truck came by and tossed the blue backpack in with other trash.

Adelabu rushed to the nearest sanitation garbage after Googling it, found the first employee and fell to her knees, literally, to ask for help.

“There’s something taken as trash that is not trash,” she said. “I fell on the floor.”

He helped her stand up, she recalled, and reassured her.

“If we picked it up, we’ll find it,” he told her, suggesting she get some gloves and boots for her dig at a waste-transfer site later that day in Brooklyn, after they isolated the truck that picked up her bag.

“Before I even left the garage they were clapping, and saying, go get it Theodora!,” she said.

Hours later, she donned a protective suit to search through a morning’s worth of garbage a few hours after her bag had been picked up.

They spread trash out into eight sections, and supervisors helped her figure out where she should search first based on the address and pick-up time.

“There were diapers and spaghetti,” Adelabu said. But she was so focused on her search, “I didn’t smell anything.”

About two hours later, she spotted a dark blue backpack.

“I said, I found it — I found it,” she said. “I lifted it up, and I fell on the floor.”

Although sanitation employees tried to temper her expectations about the shape of her laptop after a few hours in the truck, it miraculously turned on. Adelabu, who is a fourth-grade teacher in Canarsie, cleaned up her stuff, changed out of her clothes, and boarded a 9:30 p.m. flight to Nigeria.

“You don’t even appreciate what they do until you go in there and see what they do,” she told THE CITY. “It was something negligently done on my part, but they still were very supportive.”

Refuse to Lose

Sanitation picks up 12,000 tons of trash and recycling every day across the city, hauling it off to dumps outside of the city on large barges filled with containers of garbage.

It might seem impossible to find something as small as an engagement ring in all that garbage, but the department tracks all its trucks with GPS and knows when and where each pickup is made, officials said.

Yet there is only a brief window — around two to three hours — in which a person can possibly find a lost item after it’s taken off the truck and put into containers that eventually get shipped to landfills in other states.

Over the last six months of 2021, the Department of Sanitation arranged 29 of these lost valuables searches, officials said.

Of those searches, 12 were successful and four were canceled, which means the person either found their valuables somewhere else or decided it wasn’t worth picking through a mountain of filth and refuse for.

All of the searches are conducted by those who lost the items, but officials help them by offering advice on where the item could be based on the time and location of the pickup, said Timothy Belmer, a supervisor and export officer with the department.

He encourages the hopeful to look for any notable items they remember seeing picked up on their blocks, like a mattress. Tossed-out mail with table items they remember seeing picked up on their blocks, like a mattress. Tossed-out mail with table items they remember seeing picked up on their blocks. Tossed-out mail with table items they remember seeing picked up on their blocks. Tossed-out mail with table items they remember seeing picked up on their blocks.

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The IRS already has all your income tax data – so why do Americans still have to file their taxes?

By Beverly Moran

Guest Editorial Opinions

Doing taxes in the U.S. is notoriously complicated and costly. And it gets even worse when there are delays and backlogs, making it especially hard to reach the Internal Revenue Service for assistance.

But to me this raises an important question: Why should taxpayers have to navigate the tedious, costly tax filing system at all?

The case for a ‘simple return’

In 1985, President Ronald Reagan promised a “return-free” tax system in which half of all Americans would never fill out a tax return again. Under the framework, taxpayers with simple returns would automatically receive a refund or a letter determining their owed. Taxpayers with more complicated returns would use the system in place today.

In 2006, President Barack Obama’s chief economist, Austan Goolsbee, suggested a “simple return,” in which taxpayers would receive already completed tax forms for their review or correction. Goolsbee estimated his system would save taxpayers more than US$2 billion a year in tax preparation fees.

Though never implemented, the two proposals illustrate what we all know: No one enjoys filling out tax forms. So why do we have to?

As an expert on the U.S. tax system, I see America’s costly and time-consuming tax reporting system as a consequence of its relationship with the commercial tax preparation industry, which lobbies Congress to maintain the status quo.

A costly and time-consuming system

Return-free filing is not difficult. At least 30 countries permit return-free filing, including Denmark, Sweden, Spain and the United Kingdom. Furthermore, 95% of American taxpayers receive at least one of more than 30 types of information returns that let the government know their exact income. These information returns give the government everything it needs to fill out most taxpayers’ returns.

The U.S. system is 10 times more expensive than tax systems in 36 other countries with robust economies. But those costs vanish in a return-free system, as would the 2.6 billion hours Americans spend on tax preparation each year.

Maybe you’re wondering whether Congress is just behind the times, unaware that it can release us from tax preparation? Not true.

Commercial tax preparation

About two decades ago, Congress directed the IRS to provide low-income taxpayers with free tax preparation. The agency responded in 2002 with “Free File,” a public-private partnership between the government and the tax-preparation industry. As part of the deal, the IRS agreed not to compete with the private sector in the free tax preparation market.

In 2007, the House of Representatives rejected legislation to provide free government tax preparation for all taxpayers. And in 2019, Congress tried to legally bar the IRS from ever providing free online tax preparation services.

Only a public outcry turned the tide.

The public part of Free File consists of the IRS hosting links to commercial tax-preparation websites. The private part consists of those commercial entities diverting taxpayers toward costly alternatives.

According to the Treasury Inspector General for Tax Administration, which oversees IRS activities, private partners use computer code to lure the free websites and take unsuspecting taxpayers to paid sites.

Should a taxpayer discover a free preparation alternative, the private preparers impose various restrictions such as income or the use of various forms as an excuse to kick taxpayers back to paid preparation.

Consequently, of the more than 100 million taxpayers eligible for free help, 35% end up paying for tax preparation and 60% never even visit the free websites. Instead of 70% of Americans receiving free tax preparation, commercial companies whittled that percentage down to 3%.

Tax savings and evasion

Perhaps you are guessing that there are valid policy justifications for avoiding government and empowering the private sector. Judge those arguments yourself.

One argument from commercial tax preparers is that taxpayers will miss out on valuable tax savings if they rely on free government preparation.

In fact, the government software would reflect the same laws used by the paid preparers with the same access to tax saving deductions or credits. Further, tax preparers like H&R Block promise to pay all taxes and interest resulting from a failed audit. As a result, these services have every incentive to take conservative, pro-government tax positions.

A second argument is that government-prepared tax returns encourage tax evasion.

In a no-return system, the government reveals its knowledge of the taxpayer’s income before the taxpayer files. Thus, the argument goes, the tax-payer knows if the government has missed something and has reason to let the mistake stand.

But taxpayers already know what information forms the government has because they receive duplicates of those forms. The incentive to lie does not increase because the taxpayer avoids weeks of tax preparation.

Bolstering the anti-taxers

Finally, there is the anti-tax argument for onerous tax preparation: Keep tax preparation unpleasant to fuel anti-tax sentiment.

In the past, Republicans argued against high taxes. But after decades of tax cuts, Americans are no longer swayed by that argument.

Exasperating tax preparation, according to this argument, helps keep the anti-tax fever high. And that fuels public hate for government and the tax system.

Unfortunately, the anti-tax contingent’s desire to force Americans to spend time and money on tax preparation dovetails with the tax preparation industry’s desire to collect billions of dollars in fees.

Tax preparation companies lobby Congress to keep tax preparation costly and complicated.

Indeed, Intuit, maker of TurboTax, the tax preparation software, has listed government tax preparation as a threat to its business model.

One example is the earned income tax credit, a government program for low-income people. The credit is so complicated that 20% of the people who are eligible never file, thus missing out on thousands of dollars in savings.

If the government prepared everyone’s tax returns, that 20% would receive government support. Nonetheless, Intuit has lobbied lawmakers to make the credit more complicated, thereby driving more taxpayers to paid preparation services.

In other words, it seems the tax preparation industry has kept the system complicated because the potential cost to it in terms of lost revenue is vast.

I believe only public outcry can change the system.

Beverly Moran is professor emeritus of law at Vanderbilt University.
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HONG KONG — Lunar New Year: Worshippers prayed during the Lunar New Year celebrations at the Man Mo temple on Tuesday. The celebration marked the Year of the Tiger in the Chinese Zodiac calendar.

Photo: Vincent Yu/AP

BOLIVIA — “Not one less”: Demonstrators shouted slogans as they marched against gender violence, particularly against women’s disappearances and femicide in La Paz, on Monday. The sign read in Spanish: “Not one less.”

Photo: Juan Karita/AP

ECUADOR — Flash floods: Rescue workers carried away the body of a victim of flash flooding triggered by rain filling up nearby streams that burst their containment mechanisms, collapsing a hillside and bringing waves of mud over homes in the La Gasca area of Quito on Tuesday.

Photo: Dolores Ochoa/AP

CHINA — Disinfecting: A worker wearing a protective suit sprayed disinfectant at a screening checkpoint for arriving athletes at the 2022 Winter Olympics, on Tuesday, in the Yanqing District of Beijing.

Photo: Mark Schiefelbein/AP
CHINA — Curling: A stash of brooms were lined up to be used on the ice at the curling venue ahead of the Beijing Winter Olympics on Tuesday, in Beijing.

Photo: Brynn Anderson/AP

IRAN — Header: Iran’s Sadegh Moharrami, left, and Khalil Ibrahim Alhammadi of U.A.E. tried to head the ball during their 2022 World Cup qualifier soccer match, at the Azadi stadium in Tehran, on Tuesday.

Photo: Vahid Salemi/AP

INDIA — Magh Mela: A Naga Sadhu, or Naked Hindu holy man, rubbed ash on himself after taking a holy dip at Sangam, the confluence of the rivers Ganges and Yamuna on ‘Mauni Amavasya’ or new moon day, third and the most auspicious date of the bathing day during the annual month-long Hindu religious fair “Magh Mela” in Prayagaj, on Tuesday. Hindu pilgrims take dips in the confluence, hoping to wash away sins during the month-long festival.

Photo: Rajesh Kumar Singh/AP

BRAZIL — Landslide: Firefighters removed the body of a landslide victim after heavy rains in Franco da Rocha, Sao Paulo state, on Monday. At least 19 people died in cities in the interior of Brazil’s largest state, Sao Paulo, after landslides caused by heavy rains.

Photo: Marcio Chebbi/AP
Queens College commemorates Black History Month

By Jacob Kaye
Queens Daily Eagle

Queens College is rolling out a series of events to commemorate Black History Month, which runs through February.

In partnership with the Louis Armstrong House Museum in Corona, the school and museum will offer a special tour of the musician’s home. The tour will have a focus on the Civil Rights movement and will run from Feb. 10 through 26.

Also in collaboration with the museum and with Hudson Hall, the school will present Armstrong Now!, a live streamed performance at the Hudson Jazz Festival. The video will be available to view from 9 a.m. through 5 p.m. at the Louis Armstrong House Museum from Feb. 10 through 26.

On Thursday, Feb. 17, the museum will host a special live performance of Armstrong Now!, which will feature music, spoken word and dance. Though tickets have already sold out, live stream tickets can be purchased at HudsonHall.org.

Throughout Black History Month, the college’s Godwin-Ternbach Museum will share information through social media about the Black artists whose work is featured in the collection, including Hale Aspacio Woodruff, Claude Clark, M. June and Robert E. Fletcher.

A number of events, including a concert, panel discussions and trivia will be hosted on Queens College’s YouTube page throughout the month, as well.

“The resilience of community is important to both the educational and social fabric of Queens College,” Queens College President Frank Wu said in a statement. “Our history has been guided by our mission to educate promising students from diverse and immigrant communities. We are very much aware of answering to the high aspirations held by our students and their families. Our connection to communities has only been strengthened during the pandemic, as we have worked together to support students through very challenging times.”

Attendees to any Queens College in-person events must show proof of vaccination and wear a mask.

Queens College will host a number of Black History Month events in February.

Photo via CUNY
City to pay protester shoved by cop $387K, officer contributes $3,000

By Reuven Blau and Yoav Gonen

A Brooklyn protester who was forcefully shoved to the pavement by a police officer during the spring 2020 protests has settled her federal lawsuit against the city — an agreement that includes a rare payment out of the officer’s own pocket.

Under the terms of the settlement, the city will pay 22-year-old Dounya Zayer $387,000, after a viral video showed an officer using both arms to aggressively push her into a street curb near the Barclays Center on May 29, 2020.

Officer Vincent D’Andraia, who allegedly shoved her that night, is required to personally pay $3,000, settlement documents filed in Brooklyn federal court show.

“No one can put a number on what happened, and the trauma and emotional toll it had on Dounya,” said her attorney, Tahmine Aboushi. But “it’s important that he is held accountable and he shares some responsibility for what happened.”

The city Law Department refused to represent D’Andraia in the case but did have to agree on the settlement as city government’s legal team. Instead, he was covered by a city-financed union defense fund.

Nicholas Paolucci, a Law Department spokesperson, said the settlement “was in the best interest of all parties.”

D’Andraia’s union lawyer did not respond to a request seeking comment.

Aside from the civil case, D’Andraia is facing a criminal charge — misdemeanor assault — on injury to Zayer, including causing her a concussion, according to a police spokesperson.

Under the terms of the settlement, the city will pay 22-year-old Dounya Zayer $387,000, after a viral video showed an officer using both arms to aggressively push her into a street curb near the Barclays Center on May 29, 2020.

D’Andraia’s union lawyer did not respond to a request seeking comment.

A police officer in Lower Manhattan carrying plastic cuffs, June 2, 2020.

A Viral Push

Zayer told THE CITY months after the incident that she had lingering physical and emotional trauma.

A video that blew up on social media showed the tail end of the incident, which took place in the wake of the killing of George Floyd by Minneapolis police. It shows a rookie officer with “NYPD” letters on the back of his shirt forcefully give Zayer a two-handed shove.

She can be seen flailing backward, landing hard on the pavement, then holding her head with both arms.

The clip shows the officer, flanked by a white-shirted superior, continue to walk down the street among a mix of protesters, cops and news media. No police personnel can be seen on Zayer’s condition in the brief clip.

“The fact that the inspector saw it happened and kept walking — there’s a level of normalcy there, that an officer can do that and keep walking,” said Aboushi. “That’s it’s business as usual.”

Taxpayer Funded Brutality

The latest civil settlement highlights how taxpayers are on the hook to defend and pay up for cops’ bad behavior, even when the Law Department refuses to represent the officer due to the weakness of the case.

All told, New York City has doled out more than $1.1 billion for NYPD misconduct cases since 2015, more than any other city agency, according to the city Comptroller, which tracks payouts.

But civil settlements do little to punish officers who abuse their power, said Joel Berger, a lawyer who specializes in police abuse cases and who, in the 1990s, served as a senior official in the Law Department who decided when the city should withdraw representation of officers.

“This is a persistent problem in dealing with police misconduct,” he said. “The lawsuits provide much needed compensation to victims but the real question is what are you going to do about the officer.”

Critics contend that police officers, who abuse their power, should be obligated to pay for their own bad behavior. They contend that would prevent further abuses.

Berger said it was “astonishing” that D’Andraia “would only kick in such a tiny amount.”

“It’s bizarre,” he added, “any guy who costs the city that much money must have done something pretty bad. This is a subject that has long concerned me. In these lawsuits, the only people who really wind up being hurt are the taxpayers.”

The civil case also brings to light backroom deals that sometimes require officers to cover some, albeit relatively small sums, of the payout.

The civil case also brings to light backroom deals that sometimes require officers to cover some, albeit relatively small sums, of the payout.

The city that much money must have done something pretty bad. This is a subject that has long concerned me. In these lawsuits, the only people who really wind up being hurt are the taxpayers.”

The NYPD wouldn’t provide a status on any possible discipline he may be facing. Department officials typically want to bring charges while there’s a pending criminal case so as not to jeopardize or complicate the outcome of that proceeding.

Officers who are convicted or who plead guilty to a felony are automatically fired, based on union contracts. D’Andraia is facing a misdemeanor offense.

As for the civil case, last year New York City became the first major municipality to ban “qualified immunity,” the federal doctrine that makes it harder to accuse government officials of civil-rights violations. But the city law only applies to unreasonable searches and seizures as well as excessive force.

In the majority of NYPD cases, police officers themselves are not on the hook to cover any civil payout, according to research by UCLA Law professor Joanna Schwartz. Just 35 cops had to personally pay during the study’s six-year period from 2006 to 2011. Of those cases, half were less than $2,125, the study found.

“These things are extremely fact specific,” said Rae Koschetz, the former NYPD deputy commissioner for trials who now primarily defends officers facing charges.

“But the idea of having a police officer contribute toward a settlement in a situation where the officer was clearly wrong doesn’t offend my sense of justice,” she added.

Few Officers Disciplined

The city Law Department typically defends officers accused of wrongdoing in civil court, records show. City lawyers can decline when they conclude that the officer likely acted outside “the scope of his public employment and in the discharge of his duties” and violated internal disciplinary rules.

Just 48 of 562 cases with police officers as defendants in 2019 were declined by the Law Department, ProPublica reported last March.

Zayer’s civil suit also named D’Andraia’s supervising officer at the 73rd Precinct in Brooklyn, Deputy Inspector Craig Edelman, for not intervening in the incident despite being right there when it happened.

Edelman was transferred out of his command in Brownsville within weeks, but landed in a high-level role at the citywide Gun Violence Suppression Division.

Mayor Eric Adams has said he intends to pour resources into that division as part of his blueprint to stem shooting incidents in the city.

D’Andraia is among dozens of officers who were accused of misconduct against protesters during the widespread demonstrations in May and June 2020 following Floyd’s killing by police.

More than 18 months later, relatively few of those officers have faced discipline from the NYPD.

Among a group of 64 officers whose alleged misconduct was caught on video, police officials substantiated serious wrongdoing against five of them — including D’Andraia.

As THE CITY has reported, the NYPD’s Internal Affairs Bureau found that D’Andraia wrongfully used excessive force against a civilian in the Zayer case.

Police officials referred THE CITY to an online disciplinary database when asked whether D’Andraia had been disciplined for that finding. The database shows no disciplinary information for him.

The Civilian Complaint Review Board is designed to be an independent watchdog of certain police misconduct — including excessive force.

Board members reported in December that the CCRB had been investigating 318 complaints stemming from 2020’s Black Lives Matter protests and closed 238 of them — with 53 complaints substantiated.

Of the 12 cases against officers finalized by the NYPD thus far, discipline was imposed in just three of them, according to the CCRB.

The board is still investigating D’Andraia’s case, according to a spokesperson.

THE CITY is an independent, nonprofit news outlet dedicated to hard-hitting reporting that serves the people of New York.
By William A. Gratnick
Brooklyn Daily Eagle

There recently was a last, nostalgic run for the R-32 subway cars. They are a piece of history. They were the first stainless steel cars, built en masse by the MTA. What they were not, in my lingos, is vintage, as they were called in the announcement of their retirement. Let’s remember the truly vintage cars that proceeded the R-32.

The cars of the ’40s and ’50s were subterranean versions of the horse-drawn carriage. First of all, there was nothing pretty about them. They were steel boxes that started out dark and added to their darkness with the various things they picked up on their runs under and over the city. It wouldn’t be a stretch to call them ugly. They had no air conditioning. During the summer the windows were opened. That made it impossible to talk, even to oneself. The rumble and roar of the train was overwhelming. Add to it the squeal of metal wheels on metal tracks as the train hit a curve—well, it was deafening. It was also dangerous. I’ll be straight with you, I don’t know if I read this in one of the papers that would carry such a story—the News, the Mirror, the Post—or if it was urban legend. I feel pretty sure it happened: A kid, hotdogging it to impress his friends, tried to stick his head out the window. Coming into some stations, there were steel and cement floor-to-ceiling columns that separated trains going in different direction or that protected a lane for the express train to whiz by. One of those posts separated this young man from his head.

In the summer, rush-hour riding was like being in a cattle car or a sauna. In those days, people dressed. Men wore suits and ties to work. Women looked like they were stepping out of or into a fashion magazine when they were going shopping in Downtown Brooklyn or Midtown Manhattan. Space to move there was almost non-existent. One might have assumed you might have a better chance on the back platform. But it wasn’t always summer. The cars did have heat. The heat came from little steam-powered heating machines under the cross-hatched seating that had the give of a stone bench. However, I must admit, after years of use and abuse, the seats would begin to come apart. Part of the pleasure of having stockings ripped, clothing snared, or body parts pierced by a piece of thatch reaching for the sky like a plant seeking the sun. You got to the heater by lifting the fake leg of that straw seat. It was in one of these seats that George Metesky, “the Mad Bomber,” placed a bomb that blew the legs off a few innocent riders.

The cars generally had two temperatures. One was so hot that you couldn’t wait for a station where, when the doors opened, the car made its own weather as the hot air hit inside the cold air in the station. The other temperature was so cold that you needed to wear gloves to hold the pole or be wearing heavy pants to sit on the seat to protect your tush from getting frost bite. This joy came when the heaters didn’t work.

Then, there was this incident. It happened on a blistering weekend day as the train hurtled towards Brighton Beach. A voice was heard emanating from someone too short to be seen in the sweaty masses of riders. “Mommy, I don’t feel well.” That was followed first by a retching sound, then a variety of vocalizations of people who couldn’t get out of the way. Fortunately, I was in hearing distance but not hurting distance.

In the summer, rush-hour riding was like being in a cattle car or a sauna. In those days, people dressed. Men wore suits and ties to work. Women looked like they were stepping out of or into a fashion magazine when they were going shopping in Downtown Brooklyn or Midtown Manhattan. Space to move there was almost non-existent. One might have assumed you might have a better chance on the back platform. But it wasn’t always summer. The cars did have heat. The heat came from little steam-powered heating machines under the cross-hatched seating that had the give of a stone bench. However, I must admit, after years of use and abuse, the seats would begin to come apart. Part of the pleasure of having stockings ripped, clothing snared, or body parts pierced by a piece of thatch reaching for the sky like a plant seeking the sun. You got to the heater by lifting the fake leg of that straw seat. It was in one of these seats that George Metesky, “the Mad Bomber,” placed a bomb that blew the legs off a few innocent riders.

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In these box-like trains, one could walk from car to car. Standing on the walkway was a trip. It moved. Of course, it moved, or the trains couldn’t do anything but go straight. We’d bend our knees and pretend we were riding in a horseless carriage. The conductor, smarter than we, would shoo us away. On both sides, “protecting” us from taking a header onto the tracks from having lost our balance and being pitched onto the tracks in the dark tunnel, were two sets of chains. Some were covered in leather; some weren’t because, I assume, someone had stolen the leather wrapping.

Those who used the subways during this time remember the constant complaints of both the passengers and the people who worked the trains. It was no wonder. The city had three train networks: the BMT, the IRT, the IND. Although they were all controlled by the city since the 1940 subway “unification,” they were still independently operated. It was until the late 1950s that there came to be a Transit Authority to integrate and operate the system.

This amusement park-like experience cost one thin dime. Then came the first of many denominations of tokens, the first being 15 cents. While there was a token booth to get change and tokens, the turnstile only took a token. With the age of computers, the city finally was able to stop changing the size of the slot as the size and cost of the tokens increased.

That my friends, was vintage.
RAHUL MANAGEMENT LLC
NOTICE OF FORMATION OF RAHUL MANAGEMENT LLC. ART. OF ORG. FILED WITH SECY. OF STATE (SSNY) ON 11/21/21. CTY: QUEENS. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL COPY OF PROCESS TO: 319-02 216TH ST, QUEENS VILLAGE, NY 11429. PURPOSE: TO ENGAGE IN ANY LAWFUL ACTIVITY.

JAI & YING FAMILY LLC
NOTICE OF FORMATION OF JAI & YING FAMILY LLC. ARTS. OF ORG. FILED WITH SECY. OF STATE (SSNY) ON 12/6/21. OFFICE LOCATION: QUEENS COUNTY. SSNY DESIGNATED AS AGENT OF THE LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL PROCESS TO: C/O PIERCE, CONNOR & STRAUSS, 43 BRITISH AMERICAN BLVD, LATHAM, NY 12110, PURPOSE: ANY LAWFUL ACTIVITIES.

BAD ASS ACADEMY WHITESTONE, LLC
BAD ASS ACADEMY WHITESTONE, LLC, FILED ARTS. OF ORG. WITH THE SSNY ON 4/20/21. OFFICE LOC: QUEENS COUNTY. SSNY DESIGNATED AS AGENT UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL COPY OF PROCESS TO: 86-32 88TH AVE, FLUSHING, NY 11377. PURPOSE: ANY LAWFUL ACTIVITY.

63-15 METROPOLITAN AVENUE, MIDDLE VILLAGE LLC

2NDCHANGE SECURITY LLC
NOTICE OF FORMATION OF 2NDCHANGE SECURITY LLC. ART. OF ORG. FILED WITH SECY. OF STATE (SSNY) ON 4/20/21. CTY: QUEENS. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL COPY OF PROCESS TO: 83-27 TALMAN AVE, SOUTH OZONE PARK, NY 11420. PURPOSE: ANY LAWFUL PURPOSE.

FORTUNE STAR 2022 LLC
NOTICE OF FORMATION OF FORTUNE STAR 2022 LLC. ART. OF ORG. FILED WITH SECY. OF STATE (SSNY) ON 11/15/21. CTY: QUEENS. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL PROCESS TO THE LLC, 88-66 MYRTLE AVE, RIDGEWOOD, NY 11385. GENERAL PURPOSE.

RAHUL MANAGEMENT LLC
NOTICE OF FORMATION OF RAHUL MANAGEMENT LLC. ART. OF ORG. FILED WITH SECY. OF STATE (SSNY) ON 11/30/21. CTY: QUEENS. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY SHALL MAIL COPY OF PROCESS TO: 150-65 CROSS ISLAND PKWY, SOUTH OZONE PARK, NY 11420. PURPOSE: TO ENGAGE IN ANY LAWFUL ACTIVITY.

BHG PROPERTY MGNT LLC

RUBY'S EXOTIC FOODS, LLC
NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY (LLC). NAME: RUBY'S EXOTIC FOODS, LLC. ARTICLES OF ORGANIZATION FILED WITH SECRETARY OF STATE OF NEW YORK (SSNY) ON 11/20/2021. OFFICE LOCATION: QUEENS COUNTY. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. THE POST OFFICE ADDRESS TO WHICH THE SSNY SHALL MAIL A COPY OF ANY PROCESS AGAINST THE LLC SERVED UPON HIM/HER IS 3640 KEY VILLAGE BLVD, ASTORIA, NY 11105. PURPOSE: ANY LAWFUL PURPOSE.

2NDDEPARTMENT/New Business Formations
2ND DEPARTMENT/New Business Formations

2ND BUSINESS FORMATIONS
Whoopi Goldberg speaks during the Broadway at the White House event in the State Dining Room of the White House in Washington, Monday, Nov. 16, 2015.

AP Photo/Gordon Knispel, File
Disbarred lawyer pleads guilty to grand larceny

By Rachel Vick
Queens Daily Eagle

A former lawyer from Bayside pleaded guilty to stealing more than $1 million from dozens of clients over the course of five years this week.

Yohan Choi, 47, stole approximately $1.8 million from more than 50 clients between 2015 and 2020, Queens District Attorney Melinda Katz announced.

“As a member of the bar, this defendant took an oath to uphold the law,” Katz said. “Unfortunately, his greed overpowered his sense of duty and between August 2015 and August 2020 he failed to turn over more than $1.8 million to clients who had settled personal injury claims.”

Sentencing from Choi’s cases were deposited into various bank accounts, but clients due sums between $1,000 and $50,000 never received their share.

Choi, whose license to practice was suspended in 2017, signed 26 confessions of judgment to repay in excess of $1.8 million.

Queens Criminal Court Judge Eugene Guarino set the sentencing for April 6 and indicated he would be ordering Choi to serve one and a half to four and a half years in prison for grand larceny in the fourth degree.

Avenatti decides not to testify at trial vs. Stormy Daniels

By Tom Hays
Associated Press

Michael Avenatti said Tuesday that he will not testify at his trial on charges that he cheated porn actor Stormy Daniels out of nearly $300,000 in book proceeds.

Avenatti announced his decision in Manhattan federal court after telling Judge Jesse M. Furman that he had no witnesses in court who were ready to testify.

The California lawyer, who became well known representing Daniels in 2018 and early 2019 that a publisher was not making timely payments from the $800,000 advance for her autobiography, “Full Disclosure,” said he chose to testify because prosecutors had not proven their case.

Prosecutors say Avenatti falsely claimed to Daniels for months in 2018 and early 2019 that a publisher was not making timely payments from the $800,000 advance for her autobiography, “Full Disclosure.” They say he was spending the payouts on payroll for his financially strapped law practice and on personal expenses for himself.

Daniels sued Trump because she wanted to fight against then-President Donald Trump, said Avenatti, 50, has maintained his innocence.

Prior to opening statements last week, his lawyers made shortly before the 2016 presidential election, Avenatti, 50, has maintained his innocence.

Prosecutors say Avenatti chose to represent himself during cross-examination of his former office manager on the second day of the presentation of evidence and has been his own lawyer ever since, including when Daniels testified for two days last week.

Closing arguments were scheduled for Wednesday.

Avenatti has yet to begin serving a 2 1/2 year prison sentence after his conviction for trying to extort up to $25 million from sportswear giant Nike. He also awaits retrial in a California case on charges that he cheated clients of millions of dollars. He represented himself in the case last year which ended in a mistrial.

Yohan Choi, a former attorney, pleaded guilty to grand larceny charges after he allegedly stole over $1 million from former clients.

Astoria-bound renewable energy project moves forward with workforce training

By Rachel Vick
Queens Daily Eagle

The Champlain Hudson Project, which will bring renewable energy from the border of Canada into Astoria, announced the advisory board responsible for handling $40 million in green jobs training for frontline communities this week.

Advisers to the Green Economy Fund include climate justice experts, lawyers, workforce development and advocates.

“The Champlain Hudson Power Express will deliver reliable, renewable energy that is essential to New York’s clean energy future,” said Donald Jessome, CEO of Transmission Developers. “That future requires us to invest in the jobs that will help us transition to a green economy, and we are grateful to the expertise of this diverse group of influential environmental and economic development professionals to help us do just that.”

Lawyers include Director of Environmental Justice for New York Lawyers for the Public Interest Anthony Karifa Rogers-Wright and Jose Almanzar, co-chair of the New York Bar Association Environmental Justice Committee.

Other members include Bloqueen Power CEO Donnell Baird; Dan Cullen, director of Field Services for Workforce Development Institute; Bob Don, director of Business Development at Urban Upbound; President and CEO of the North Country Chamber of Commerce Garry Douglas; Constance Frazier, commissioner of the Rockland County Human Rights Commission; Environmental Justice Advocate Benita Law-Diao; Jeff Vockrodt, executive director of Climate Jobs NY and Lourdes Zapata, president and CEO of the South Bronx Overall Economic Development Corporation.

Advisory Board responsibilities include identifying the best programs that ensure equitable and far-reaching workforce development training, with priority given to disproportionately impacted and at-risk — including low income and Indigenous, Black, and Brown — communities.

“Too often the term corporate accountability is tossed around lightly and contains little to no weight,” Rogers-Wright said. “Hydro Quebec is in the process of demonstrating that through cogent and meaningful dialogue, meeting people where they are, and learning from mistakes and discrepancies of the past, corporations can actually be accountable while also playing a role in fostering a fossil fuel-free future that must be expedited.”

Fossil fuel emissions from powering buildings represent 67 percent of NYC’s greenhouse gas emissions.

The project in partnership with Hydro-Quebec received the contract from the New York State Energy Research and Development Authority to transmit 1,250 MegaWatts — enough power for more than one million New York homes.

The transmission line is scheduled to begin construction later this year and expected to lower greenhouse gas emissions equivalent to removing half a million cars from the road.

Avenatti has yet to begin serving a 2 1/2 year prison sentence after his conviction for trying to extort up to $25 million from sportswear giant Nike. He also awaits retrial in a California case on charges that he cheated clients of millions of dollars. He represented himself in the case last year which ended in a mistrial.
Legal Aid says DOC in contempt of order to provide medical services

The judge’s December order demanded the Department of Correction provide incarcerated people with access to sick call on weekdays and make it available at least five days a week within 24 hours of it being requested, provide security to allow incarcerated people to move to and from health facilities within the jail and to not prohibit or delay detainees’ access to medical care.

Attorneys, advocates, detainees and former DOC Commissioner Vincent Schiraldi blamed the inability to produce incarcerated people for medical appointments on a widespread correctional officer staffing shortage. In August of last year, around 100 officers were going AWOL each day, in addition to around 1,400 officers out on sick leave and over 1,100 under medical monitoring and unable to work with incarcerated people.

Incarcerated people cannot go to medical facilities on their own and must be taken by an escort. In December, around 1,060 of the 7,070 missed medical appointments were missed because the Department of Correction could not provide an escort, according to the DOC. The number of missed medical appointments was higher in December than it was in the months preceding the court order, according to DOC data.

Though staffing numbers began to improve in the fourth quarter of last year — federal monitor Steve J. Martin noted in his December Nunez Report that AWOL’s had declined by 81 percent — the issues stemming from the shortage continued to cause interruption in medical services, according to Pressley, though she blamed the shortage on the vaccine mandate for officers.

“The months of December (and January) are periods in which significant numbers of staff schedule their vacations around the holidays,” Pressley said. “In addition, as we are all aware, beginning around the summer of 2021, the Department has experienced exceptional staffing difficulties due to reasons associated with the COVID-19 pandemic including but not limited to staff who are considered ‘Leave Without Pay’ due to the COVID-19 vaccine mandate.”

“Most recently, with the advent of the highly contagious and transmissible Omicron variant, we experienced another spike in absenteeism beginning in December of 2021, an even greater number of staff has been confined to their homes, which has exacerbated the current staffing issues,” she added.

Like all corners of the city, Rikers Island saw a massive spike in COVID cases around the holidays among both detainees and officers. In January, DOC Commissioner Louis Molina told the Board of Correction that 2,300 of the agency’s nearly 9,000 staff members were out sick, many with COVID. On Dec. 31, around 513 detainees had an active COVID-19 case — a number that has since dropped to 30. as of Jan. 26.

Attorneys with the Legal Aid Society and their clients who brought the original lawsuit say the lack of medical care can prove perilous for detainees who are brought to Rikers with medical issues and those who develop issues while incarcerated alike.

Joseph Agnew, one of the original complainants, said he was brought to Rikers in September 2021 after being hit by a police car during his arrest. Before formally being admitted to the jail, Agnew was held in handcuffs on a bus for 14 hours and was denied access to food, water, a bathroom and medical attention, the lawsuit claims.

Agnew also alleges his asthma was complicated after the intake cell he was held in was sprayed with pepper spray multiple times. After being moved to permanent housing, Agnew denies he was denied medical attention despite making multiple calls to Correctional Health Services.

In response to Pressley’s affidavit, Legal Aid filed a motion for contempt, claiming that the court is not implementing or complied with Taylor’s December order.

“Egregiously, [the DOC’s] practice of denying people access to medical care intensified and the access problems worsened substantially after the Court’s Order,” the motion reads. “Yet [the DOC] concedes it has repeatedly violated the Order, allowing the suffering to continue. DOC’s flagrant disregard for the law and this Court’s Order cannot continue without grave and deadly harm to those who are entrusted to DOC’s care.”

The motion asks the court to fine the DOC $250 for each instance where a lack of escort resulted in a missed medical appointment.

Philip Desgranges, a supervising attorney in Legal Aid’s Special Litigation Unit, said his hope is that the contempt motion begins to hold the DOC accountable.

“There’s no repercussions,” Desgranges said. “These accruing fines will have a hefty cost on the city and on the Department of Corrections if they continue to day by day not provide such a basic service like access to health care so people can go in and leave Rikers healthy.”

Unfortunately, what we’ve heard over the last year or so, is too many cases of people dying, too many cases of people suffering and in pain because they just can’t see a doctor, they can’t see a nurse to get basic medical treatment,” Desgranges added.

A DOC spokesperson told the Eagle that “[ensuring that people in our custody receive timely medical [care] always has been a priority for the department.”

A spokesperson for the city’s Law Department said the agency was “reviewing the motion.”

On Monday, the DOC announced that around 1,000 officers had returned to work from sick leave in January. Though 1,500 uniformed personnel remain out sick, the influx of officers allowed the agency to initiate the transfer of 83 of the 118 women and LGBTQ+ detainees who were sent to a prison upstate during the staffing crisis.

The transfers are expected to begin this week, according to the DOC.

The DOC did not respond to request for comment about the transfers of the remaining 35 women and LGBTQ+ detainees before print time.