Rikers death toll passes grim milestone

For the 17th time this year, a person in or just released from Department of Correction custody died. Eagle file photo by Jacob Kaye

By Jacob Kaye
Queens Daily Eagle

The New York City Department of Correction passed a grim milestone over the weekend after a 28-year-old detainee died of an apparent suicide on Rikers Island.

Erick Tavira, who had been in DOC custody for over a year on pre-trial detention, became the 17th person to die in — or immediately after being released from — DOC custody this year.

Early Saturday morning, Tavira, who was being held on second degree strangulation charges, was allegedly found hanging from a bed sheet inside a mental observation unit inside the George R. Vierno Center in the jail complex.

Tavira’s death comes weeks before DOC leadership is scheduled to appear before a federal judge to prove that it has improved conditions on Rikers Island. However, the mounting death toll inside the jail complex where a vast majority of detainees have yet to be convicted of a crime will likely play against their case and could potentially prompt the ordering of a federal receivership.

Sixteen people died in DOC custody last year, which itself marked an eight-year high. Tavira’s death pushes 2022’s death toll past that of last year with a little more than two months left in the year.

“Our deepest condolences go out to Mr. Tavira’s family, friends and loved ones in their time of grief,” DOC Commissioner Louis Molina said in a statement. “We take the health and safety of everyone in our custody seriously, and we are conducting a preliminary investigation into this death.”

Tavira’s death came almost exactly a month after the death of Robert Pondexter, a 59-year-old who was also held in the George R. Vierno Center.

City to take hard look at Rockaway healthcare

A new task force has been created to evaluate healthcare and trauma in the Rockaways, which faces a widening gap in access to medical services when compared to other parts of the borough and city.

Mayor Eric Adams joined Councilmember Selvina Brooks-Powers last week to announce the creation of the Taskforce on Trauma and Healthcare Access, which will aim to take a hard look at the current landscape of healthcare in the neighborhood and what needs to be done to improve it.

“Home to the second deadliest zip code at the height of the pandemic, COVID-19 uncovered the underlying healthcare inequities affecting residents in eastern Rockaways,” Brooks-Powers said.

“For the past decade, Rockaway residents had to rely on trauma facilities outside of the Peninsula for vital resources, exacerbating response times for our most critical patients,” she added. “This problem will only worsen with the anticipated population growth.”

Mayor Eric Adams, State Senator James Sanders, City Councilmember Selvina Brooks-Powers and others announced the launch of the Taskforce on Trauma and Healthcare Access to plan for Rockaway’s healthcare future last week.

Photo courtesy of Councilmember Selvina Brooks-Powers
The Taskforce on Trauma and Healthcare Access will examine the potential options to bring a trauma center to the peninsula and examine Rockaway’s needs, City Councilmember Selvena Brooks-Powers and others announced last week.

PHOTO CREDIT: Councilmember Selvena Brooks-Powers

### By Jacob Kaye

**Queens Daily Eagle**

Facing tightening polls in the race for New York governor and the continued perception that crime is on the rise throughout the state, Governor Kathy Hochul joined by State Attorney General Letitia James on Monday to update New Yorkers on the state’s efforts to clamp down on gun violence.

Though Hochul denied that Monday’s press conference was related in any way to crime fighting efforts, the new laws have resulted in a 23 percent decrease in gun violence, with 17,221 gun violence reports in 2021 compared to 21,716 in 2020, according to the governor. A separate Quinnipiac University poll had the incumbent with a 43 percentage-point lead over the Republican candidate. A separate Quinnipiac University poll had the incumbent with a 43 percent lead over the Republican candidate.

“Crime has become a central issue in the campaign,” Hochul said. “We know that these laws work, we know that they can save lives and prevent tragedies from occurring,” James said. “We are putting in the work to do just that.”

The announcement from Hochul comes as polls in the race for governor begin to tighten.

Last week, a Siena College poll had Hochul with an 11-percentage-point lead over the Republican candidate. A separate Quinnipiac University poll had the incumbent with a 4-percentage-point lead, Politico reported.

Crime has become a central issue in the campaign, in large part because Zeldin has made it so.

Earlier this month, the congressional representative appeared in Jackson Heights shortly after a man had died after falling onto the subway tracks in the Roosevelt Avenue subway station after getting into a physical fight with another man. Zeldin has repeatedly called for the repeal of the state’s bail laws and other criminal justice reforms passed in the last several years. On Monday, Zeldin was endorsed by the Correctional Officers Benevolent Association and said that if elected governor, he’d attempt to repeal the state’s ban on solitary confinement.

Hochul said, “Now there’s a story we should be telling people and also opportunities like this allow us to educate those who may not be as aware,” she added.

Hochul also acknowledged that much of the conversation surrounding crime focuses on the perception of crime, and not necessarily the raw data – while crime has been on the rise across the state and country since the start of the pandemic, it is nowhere near some of the levels of crime seen in New York during its most violent periods.

“Sociologists someday we’ll figure this out, but when you look at the fact that even February of 2020, just before the pandemic, if you’d done a survey of concerns of New Yorkers and Americans, for that matter, I don’t know that crime would have been in the top two, three, four or five even.” Hochul said. “Something happened during this pandemic, and across the country.”

“I don’t have my handle on how to explain it, but the human condition, or people are so disconnected from support systems or whatever the motivation is, I don’t know and I don’t need to know,” she added. “All I know is that we have seen an increase in crime.”

Hochul touts state’s gun violence efforts as gov’s race tightens

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Jen Hopewell,
Assistant to the Publisher
jdh@brooklyneagle.com
Lt. Eric Dym, who retired in the face of stiff penalties, asks critics: "What do you want to see?" They have some words for him.

By Your Gorden
THE CITY

The NYPD’s most-complained-about cop — who accumulated 56 substantiated allegations of misconduct against him by the time the Civilian Complaint Review Board (CCRB) retired last month — is speaking out in defense of proactive policing.

After de Blasio announced that the city was disbanding the anti-crime units in June 2020, even he called their tactics "overly aggressive." Dym said the only actual change sparked by de Blasio was that the officers went from wearing plainclothes to uniforms, while the work of the units continued as before.

Asked about Dym’s claims, an NYPD spokesperson shared a video of former NYPD Commissioner Dermot Shea announcing the transition of officers from anti-crime units.

**Constitutional Policing**

As a lieutenant since January 2015, Dym got to attend the NYPD’s notorious CompStat meetings at 1 Police Plaza, where precinct commanders and other personnel take turns on the hot seat over results in their coverage areas.

But even as police brass and de Blasio were for years publicly touting a kinder, gentler approach to policing, which brought back the concept of the broken windows policing, it was all about these neighborhood coordination officers and this type of policing,” he added.

“Instead of indicating to do police activity as we did — it didn’t seem like change. We still had broken windows ideology,” Dym told THE CITY.

“It’s not enough to change the policies — it’s not about changing the message, it’s about changing the way things are done.”

**Resisting Oversight**

Even as the CCRB began substantiating multiple cases each year against Dym, the NYPD veteran said that the police department was awarding him the highest performance evaluations possible.

Wong, of Legal Aid, acknowledged that the NYPD’s culture of rewarding aggressive law enforcement is a significant factor in preventing officers from changing their policing approaches.

She said the NYPD often diminished the significance of CCRB findings and was internally sending a different message for what it expected out of its police force.

"The Taser is not always an effective tool. No one likes to see the baton. Punches are ugly. They don’t want to go to prison for a long period of time. I don’t believe in\]" Dym said.

"They wrote that Lieutenant Dym was exonerated against all significant probability and in that light," the report said. "They were for years publicly touting a kinder, gentler approach to policing, which brought back the concept of the broken windows policing. Yet he at one point said he thinks many of the anti-police advocates genuinely believe their work is helping the public — even though he said that in the tumult he hadn’t seen anyone grab the suspect’s arm. But he said they watched the action unfold and described it as "horrible." It’s not enough to change the policies — it’s not about changing the message, it’s about changing the way things are done."
There’s no one ‘Latino vote’ – religion and geography add to voters’ diversity

By Laura E. Alexander and Cristian Doña-Reveco

Nearly 1 in 5 people in the United States today are Latino, and “the Latino vote” has attracted significant news coverage as their political voice grows stronger. Yet considering all 62 million Latinos as a group isn’t necessarily all that helpful in understanding attitudes or voting patterns, as some scholars and journalists have pointed out.

The U.S. Latino population is extremely diverse. As scholars who study immigration in the United States, we are especially interested in the growing religious diversity and often overlooked geographical diversity among Latino populations.

These aspects of Latino identity are just beginning to be recognized more clearly in media reports. Yet they are as informative as gender, race and other characteristics for understanding Latino voters – and likely come into play when Americans go to the polls in November.

Religious diversity

Historically, Latinos in the U.S. have mostly been Catholic, but the numbers have recently changed. In 2020, the Public Religion Research Institute reported that 50% of Latinos say they are Catholic, 14% are evangelical Protestant, 10% non-evangelical Protestant and 19% religiously unaffiliated. Some researchers have estimated that by 2030, fully half of U.S. Latinos will identify as Protestant.

This diversity has implications for political ideology and affiliation. Latino Protestants, particularly evangelical Latinos, are generally more likely to identify as politically conservative and to support Republican candidates than Latino Catholics are, according to the Public Religion Research Institute’s 2020 Census of American Religion. Religiously unaffiliated Latinos, on the other hand, are generally more likely to identify as politically liberal and to support Democratic candidates.

These trends are similar to those among non-Latino white Americans. Political ideology by age also looks similar: Whether Latino or not, younger groups are more likely to identify as politically liberal, whereas older groups are more likely to identify as politically conservative.

Indeed, Latino groups’ voting preferences may be better understood by looking at religious affiliation, not ethnicity. Sociologist Gerardo Marti, for example, has shown that Latinos who identify as evangelical Protestants are more likely than other Latinos to embrace Christian nationalist ideas. This ideology promotes the view that the U.S. has a special relationship with God and that it should be governed by Christian principles. Marti also shows that evangelical Latinos are more likely to align with white evangelicals in favoring policies that maintain the political dominance of white Americans.

Protestant Latinos are also more likely than other Latinos to hold anti-immigrant sentiments, which track with attitudes among non-Latino white evangelicals. This may seem counterintuitive, since Latinos have been subject to racist stereotyping and often have connections to immigrant communities. However, immigrant groups’ attitudes toward newcomers do change over time, especially if those groups begin to gain access to privileges associated with whiteness.

Geographic diversity

The media has begun to pay more attention to Latino diversity, especially in the wake of the 2020 presidential election, but tends to focus on states like Florida, California and Texas. Regions where Latino communities are smaller but growing are understudied, particularly in the Midwest – home to five of the 13 battleground states in 2020.

Comparing by Census regions, the Latino population of the Midwest grew 28% between 2010 and 2020: the second-largest rate of all regions, only 2 percentage points less than in the South. The Midwest also has the youngest Latino population, with a median age of 26.7 years.

Because there is a significant association between age and political opinion, and because younger Latinos are more likely to be U.S. citizens and therefore able to vote, this could become a factor in the future.

Taken together

The intersection of religious and political affiliation among Latinos in the United States also seems to vary by geography. Considering geography and religion together helps highlight diversity among Latino voters.

Based on our analysis of polling data from the Pew Research Center’s American Trends Panel Wave 86, Latino Protestants in the Midwest are more likely to identify as Democrat or Democratic-leaning than in other regions: about 74%, compared with approximately 63% in the Northeast and 52% in the West and South. Meanwhile, 86% of Latino Catholics in the Northeast identify with the Democratic Party – but only 66% in the South.

Among religiously unaffiliated Latinos, meanwhile, 65% in the Midwest identify with the Democrats, lower than in any other region. These differences are intriguing, but since Pew only surveyed 207 Latinos in this region, representing just 6.1% of the total sample, it is difficult to reach statistically well-grounded conclusions – another reason for more research in the Midwest.

The problem with understanding “the Latino vote” is that there really is no such thing. Latino communities have always been diverse, and are growing even more so.

Laura E. Alexander is an associate professor of religious studies and the Golden Family Community Chair in Human Rights at the University of Nebraska Omaha. Cristian Doña-Reveco is an associate professor in the department of sociology and anthropology and the director of the Office of Latino/Latin American studies at the University of Nebraska Omaha.
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Aaron Judge’s future is uncertain. It remains to be seen whether Aaron Boone’s is, too.

Judge’s career in pinstripes might have ended when he made the final out in Sunday night’s 6-5 loss to the Houston Astros, who completed a four-game AL Championship Series sweep as the Yankees untraveled with yet another defensive meltdown.

“Getting a chance to wear the pinstripes and play right field at Yankee Stadium, it’s an incredible honor that I definitely didn’t take for granted at any point,” Judge said in the quiet clubhouse.

“I always check myself pregame and I say a little prayer and I kind of look around the stadium and I kind of pinch myself.”

“Very few individuals get a chance to run on that field and do that and play in front of the fans that support us throughout my whole six years here,” he added. “It was a special time, and I just kick myself for not bringing home that championship for them.”

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In the hours before opening day, Judge turned down a seven-year contract that would have paid $213.5 million from 2023-29, choosing instead to remain eligible for free agency after the World Series.

He set an American League record with 62 homers, tied for the major league lead with 131 RBIs and finished second in the AL with a .311 batting average. But he hit just .139 with three RBIs and finished second in the AL with a .311 batting average.

“‘It’s baseball, man. I mean, it happens all the time where the greatest of greats go through a struggle,’ Boone said. ‘It’s a game of failure. You’re going to have some ups and downs.’

“Boone agreed last October to a three-year with a team option for 2025. In his fifth season as manager, New York sprinted to a 61-23 record in early July, sparking comparison with the 1998 championship Yankees. But hampered by injuries, the Yankees went 38-40 the rest of the way.

“Cleveland extended the Division Series to five games, and Boone’s pitching and outfield decisions were repeatedly questioned. Debate will only increase after he left in Nestor Cortes on Sunday night, and the All-Star left-hander allowed Jeremy Pena’s tying three-run homer. Boone then removed Cortes, and the Yankees announced the left-hander had a recurrence of a left groin injury.

“New York’s defense was a constant issue in the playoffs, making six errors and failing several other times. The Yankees hit .173 with 103 strikeouts in nine postgame games, including 162 against the Astros. Jose Trevino was 0 for 11, Oswaldo Cabrera 0 for 9 and Josh Donaldson 1 for 3.

“I could sit here and make excuses about if a ball falls this way, a ball drops that way, or a pitch is made here and there,” Judge said. “But what it comes down to is they just played better than us, played better defense, came up with the big hits and came away with the series.”

Without a World Series title since 2009, New York heads into an offseason in which pitcher Jameson Taillon, outfielder Andrew Benintendi and utilitymen Matt Carpenter and Marwin Gonzalez are eligible for free agency along with relievers Chad Green, Miguel Castro, Zack Britton and Aroldis Chapman.

“They took a chance on me coming back from rehab and elbow surgery,” Taillon said. “I loved my time here. I would definitely love to come back.”

First baseman Anthony Rizzo can opt out and give up a $16 million salary for next season, and the Yankees are likely to exercise a $15 million option on pitcher Luis Severino rather than pay a $2.75 million buyout.

Brian Cashman, the general manager since 1998, is finishing a five-year contract. He has been attempting to retool the roster in recent years to improve the defense. The process began when Gleyber Torres was moved to second base in September 2021 and catcher Gary Sánchez was traded last winter and kept up with the August acquisition of center fielder Harrison Bader, who hit .333 in the postseason with five homers.

New York was missing DJ LeMahieu, who may need toe surgery, and Benintendi, recovering from wrist surgery.

“It’s an awful day, just an awful ending. It stings. It hurts,” Boone said. “Obviously we had some key contributors missing that I think would have been difference-makers for us potentially.”
UNITED KINGDOM – Hopefully, he lasts longer than a head of lettuce:
Monday, Conservative Party leadership announced the nomination of Rishi Sunak, the candidate for the Prime Minister of the U.K., to replace Liz Truss, who was ousted last week.

FRANCE – Macron and Brigette greet the Swiss Guard: The French president and his wife, left, arrived at the Vatican to greet Pope Francis Monday.

TEXAS – U.S. Grand Prix: Ferrari driver Carlos Sainz, of Spain, spins in Turn 1 during the first lap of the Formula One U.S. Grand Prix auto race at the Circuit of the Americas, Sunday in Austin.

NEPAL – Happy dog: A Nepalese policeman pats his dog before performing rituals during Kukkur Tihar dog festival at their kennel division in Kathmandu. Dogs are worshipped to acknowledge their role in providing security during Kukkur Tihar which falls on the second day of Ti-ihar festival, one of the most important Hindu festivals of this Himalayan nation.
PEOPLE’S REPUBLIC OF CHINA – Waitin’ for the bus: Residents wait near a bus stop while taking COVID precautions in the Central Business District of Beijing Monday. The economy of China is lagging in growth that picked up last quarter, but it’s at its weakest point in decades. Photo: Ng Han Guan/AP

WASHINGTON – Go Phillies: First Lady Jill Biden of Willow Grove, Pennsylvania, gestured in support of the Philadelphia Phillies as she and President Biden walked on the South Lawn of the White House after stepping off Marine One Sunday. Photo: Patrick Semansky/AP

MISSOURI – Flamboyant Fall: A woman jumped in the air as she posed in front of a maple tree outside of Kansas City Sunday. Photo: Charlie Riedel/AP

GERMANY – Holocaust Memorial: German President Frank-Water Steinmeier, seventh from left, and others laid down flowers at the memorial to the Sinti and Roma victims killed during the holocaust. Monday marked the 10th anniversary of the inauguration. Photo: Markus Schreiber/AP
The pandemic suddenly and dramatically changed the operations of New York’s state courts. Some of these changes positively impacted litigants and increased the court’s efficiency. Others presented ongoing challenges, especially to members of vulnerable communities and those who serve them. These public hearings seek input from interested and knowledgeable individuals, organizations, and other entities about which measures adopted during the pandemic should be carried forth post-Covid, either on a permanent basis or in the event of a future crisis. Those who testify at these hearings will have the opportunity to be heard by a panel of judges, court officials, and others who effect, or are impacted by, change in the operation of the New York State Courts. The Commission to Reimagine the Future of New York’s Courts was established by Chief Judge Janet DiFiore in June 2020. Comprising a distinguished group of judges, lawyers, academics and technology experts, the Commission’s mission is to research, analyze and make innovative proposals for the justice system of the future.

**Topics for testimony may include:**

- The impact of court-adopted Covid-19 technology, practices/protocols, and policy on the fair and efficient administration of justice in the state courts, including the use of remote technologies as well as modified in-person procedures for court proceedings.
- The ways in which pandemic practices impacted the efficacy of the New York state courts in providing comprehensive, timely, and accessible legal services, including language access, to all litigants.
- New or reimagined uses for technology to improve efficiency and access to justice.
- Blending in-person and virtual practices to meet the varied needs of different court users.
- The importance of meeting the needs of New Yorkers without consistent access to the technology required for virtual court proceedings, and those who are not familiar with using such technology.
- The impact of pandemic practices on the work of counsel, judges, and court staff.
- The use of technology to make courts more accessible for New Yorkers with limited mobility, who live in rural areas, who have childcare obligations, or who otherwise may struggle to attend court proceedings in person.
- The need for increased instruction and training on the use of technology for courtroom proceedings, for both litigants and legal services providers.

The Commission is seeking input from a diverse range of people and viewpoints and will consider both oral statements and written submissions. Because of limited time, requests to present oral testimony at a hearing or participate in a Listening Session will be accepted on a competitive and individualized basis and are limited to no more than ten minutes in length and may be further limited as needed. If you are interested in being invited to present at a hearing or participate in a Listening Session, please send an email to ppwg@nycourts.gov. The email should be sent no later than September 30, 2022 for the Buffalo Hearing, and October 7, 2022 for the New York City Hearing. In your email, please (1) identify the presenter, their affiliation, and location (city, town, village, etc. and county), (2) include the hearing or Listening Session they would like to participate in, and (3) attach a brief description of the topics and courts about which they propose to testify or discuss.

Written statements are invited in place of, or in addition to, oral testimony. The deadline for submissions is November 7, 2022. Please send an email and identify the author and the author’s affiliation. Written testimony must take any comments, written or oral, or written statements for individual hearings or as a result of the public hearings as a whole. The Commission encourages the submission of written testimony by individuals, organizations, or other entities, including civil and criminal courts, appellate courts, family courts, surrogate’s courts, housing courts, and town & village courts.

**Surveys and Feedback:**

The Commission may seek feedback from a diverse range of people and viewpoints by conducting surveys and seeking feedback from individuals and organizations. Written feedback is invited in place of, or in addition to, oral testimony. Written submissions are due by November 7, 2022. Written feedback must take into account any comments, written or oral, or written statements for individual hearings or as a result of the public hearings as a whole.

**Published Hearings:**

The Commission will post the text of any public testimony and written submissions on its website, NewYorkCourts.gov. The Commission will also consider the public’s feedback in its recommendations to the Unified Court System.
Penn Station neighbors set out to create their own area plan to counter Hochul's

Gabriel Poblete
THE CITY

Local residents and business owners who oppose Gov. Kathy Hochul's looming Penn Station-area redevelopment plan and its megatowers are trying a new tack in their resistance: coming up with a proposal of their own.

The New York City Charter allows community boards to create their own land use agendas for an area, known as 197-a plans. Unlike Hochul's state-controlled Penn project, it would have to go through the city's land use review process. Manhattan's Community Board 5 is considering doing just that.

Last week, CB5 passed a resolution committing to create a zoning framework for "a cohesive future" in the North Chelsea and Penn Station area. The board intends to address concepts board members contend have not been seriously considered by the state, including the possibility of moving Madison Square Garden, the famed arena atop Penn Station whose city permit expires in 2023.

"We've told the governor what we thought of the plan that they spearheaded. We were really genuinely hoping that they would take our comments into account and incorporate it into their plan so that it is a plan that could be acceptable to the community," said Layla Law-Gisiko, chairperson of Community Board 5's Land Use Committee who ran for State Assembly earlier this year to fight the Penn-area plan. "And that didn't happen."

The community board committed to creating a working group of board members, local residents, businesses and other stakeholders, civic groups and experts. It will consider invoking Article 197-a to allow the board to create its own development plans.

Theirs is a bankshot, in hopes of influencing change. If they do go ahead and craft a 197-a plan, it will have to go through a process that includes approval by the City Council -- a political deal of approval -- but the plan itself is only advisory.

It could also come too late to change the course of already-in-motion plans by the state agency Empire State Development (ESD) to take over properties surrounding Penn Station via purchase or use of eminent domain. ESD claims the area is "blighted," allowing the state to override local development rules.

The ESD board approved the general contours of Hochul's plan to raise funds to drastically revamp the neighborhood around Penn Station. Her plan allows for 18 million square feet of mixed-space development around the country's most visited park and possibly most detested transit hub.

Hochul's Penn Station plan uses a financial scheme known as payments in lieu of taxes, or PLOTs, to capture tax dollars from developers of eight sites surrounding Penn Station, while giving developers increased building capacity at the sites.

The ESD board must still approve agreements with the developers for each of those sites. Another state entity, the Public Authorities Control Board (PACB), must approve any financial agreements, as well.

Toward Community Buy-In

Community Board 5's move to create its own plan, previously reported by the West Side Spirit, comes as CB5 members have criticized the Hochul plan for not being comprehensive and not seriously contemplating the removal of Madison Square Garden.

The resolution asserts the plan will aim to be fiscally sound and will address transportation, transit and infrastructure needs in the area, focusing on growth while not displacing existing residents.

"CB5 believes that although this area is of critical importance for the region and for the nation, the local community is best suited to spearhead and design a plan to address the multiple needs, and work with all stakeholders," the resolution states.

"If there had been community buy-in, we wouldn't be where we are. If there had been proper outreach, transparency, we wouldn't be where we are," Law-Gisiko said. "We take no pleasure in wasting our time screaming at the state."

Community boards and other sponsors have succeeded in getting 13 197-a plans adopted since the city's 1989 charter reform, according to the Department of Planning's website. Enacting a 197-a includes an environmental review as well as votes from the City Planning Commission and Council.

Tom Angotti, professor emeritus at Hunter College's Urban Policy and Planning department, had been part of the citywide task force that successfully pushed for 197-a plans to be adopted.

"A plan can be one element in supporting an alternative policy that will demonstrate the infeasibility and the unreality of the plan that the state has developed," Angotti said.

Angotti noted, however, that the monthslong Uniform Land Use Review Procedure (ULURP) process could bog down the Penn-area alternative plan - and noted that the 197-a plan for Williamsburg took over 12 years to develop.

Even then, the major Williamsburg-Greenpoint revision in 2005, which has since brought high-rise luxury development to the waterfront, went against some of the major recommendations of the 197-a plan, which emphasized the need to preserve industrial jobs in the longtime manufacturing area.

When it comes to the community being pit-

ed against the state, he said, "It's an uphill battle. "But you know, some of those battles have actually turned out against the state," he said.

Ongoing Opposition

Manhattan Community Board 5 is not alone in challenging the state's Penn-area redevelopment plan.

Richard Ravitch, the former chair of the MTA and the Urban Development Corp.— Em-
pire State Development's predecessor — came out against the project, urging the PACB to vote it down. (Ravitch is on the Board of Directors of THE CITY.)

Last month, a Manhattan lawyer filed a law-
suit demanding that the state disclose communica-
tion between the state and Vornado Realty Trust, the largest private stakeholder, whose principals have made substantial campaign donations to Hochul and her predecessor, Gov. Andrew Cuomo.

In addition, a group called the Grand Penn Community Alliance has been running social me-
dia ads against the state’s project, most of which are focused on moving Madison Square Garden from its current location. The organization's executive director, architect Alexandros Washburn, a former urban designer for the city, said to the Vision Long Island's Main Street News, "If we rebuild the Garden, it's not an impossibility. If you're in government, you don't just throw up your hands and say 'that's fantasy.'"

Law-Gisiko received significant support during her campaign from property owners in the Penn Station area whose buildings stand in the way of development and oppose the Hochul plan.

Reinvent Albany, a good government group, released a report in July that the Penn Station project would result in a $1.2 billion tax cut to Vornado Realty Trust, a developer with a stake in five of the development sites, if it is modeled similar to the Hudson Yards project. The state has said any tax abatement will not go beyond those given to developers at Hudson Yards, but has yet to say if Vornado or any other developer involved with the Penn Sta-
tion redevelopment would receive a tax cut.

Rachael Fauss, senior policy advisor for Reinvent Albany, said the project could still change, noting that the PACB still has to approve agree-
ments between the state and developers. She also said that CB5's move to do its own plan chal-
lenges the notion that the area is blighted, since it shows an engaged community ready and able to reenvision their neighborhood.

"I think until it's built, until the construction starts and the demolition starts, there is that opportun-
ity," she said. "A lot can change in terms of political dynamics in the state."

THE CITY is an independent, nonprofit news outlet dedicated to hard-hitting reporting that serves the people of New York.

Residents and small business owners protested the Penn Station area redevelopment plans on West 30th Street, June 15, 2022.

In Hochul's plan for the area around Penn Station, construction would add multiple towers to the neighborhood.

Layla Law-Gisiko speaks during a rally Monday against the Penn Station area development plans.

Gabriel Poblete
THE CITY

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**14 • Queens Daily Eagle • Tuesday, October 25, 2022**
Queens Borough President Donovan Richards is hosting a resource fair for healthy relationships on Tuesday, October 26. The event is being held at Borough Hall from 6 p.m. to 8 p.m. to offer insight on navigating the criminal justice system, securing housing, financial empowerment and mental health services.

Experts on hand include Queens Family Justice Center, Safe Horizon, the Ali Forney Center, Safe Horizon, the Ali Forney Center, Queens District Attorney’s Office, the Justice Center, Latinas, South Queens Women’s March, the Arab American Family Support Center, Urban Resource Institute, Womankind and the City Commission on Human Rights.

The event is being hosted in partnership with the Queens Borough President’s Office, Queens Family Justice Center, Safe Horizon, the Ali Forney Center, Safe Horizon, the Ali Forney Center, Queens District Attorney’s Office, the Justice Center, Latinas, South Queens Women’s March, the Arab American Family Support Center, Urban Resource Institute, Womankind and the City Commission on Human Rights.

Members of the public who wish to attend can RSVP at queensbp.org/RSVP.
Erick Tavira becomes 17th person to die on Rikers Island this year

Continued from page 1

Pondexter, who became the 16th person to die after being held in Rikers Island this year, was granted compassionate release after suffering a medical emergency on Sept. 18. He died less than a week later at Bellevue Hospital.

The move to grant Pondexter compassionate release, which was granted by a judge, allowed the DOC to keep Pondexter off the agency’s death toll. As such, the DOC does not count Pondexter as having died in DOC custody.

Tavira, who was represented by attorneys with the Legal Aid Society, first entered into DOC custody on June 15, 2021. He was being held on $20,000 bail.

His attorneys say that he suffered from mental health issues, including substance abuse disorder.

“We are both heartbroken and outraged to learn that Erick Tavira, who had no prior convictions and was just 28-years-old, had his life cut short by an apparent suicide early this morning on Rikers Island,” the Legal Aid Society said in a statement on Saturday.

“Mr. Tavira’s case underscores the inevitable outcome when incarceration is used in lieu of treatment,” the public defense group added.

“Had Mr. Tavira had access to programming, today’s tragedy could have been completely avoided. Carceral settings are no place for people struggling with mental or substance abuse issues, and all criminal legal system stakeholders must pursue alternatives that prioritize community-based resources over the confinements of a cage.”

Tavira’s family filed a wrongful death claim against the DOC on Monday, claiming the city agency should have had him under closer observation considering the state of his mental health, the Daily News reported on Monday.

“According to DOC’s own version of events, he never should have been able to take his life while in a mental observation unit,” M.K. Kaishian, Tavira’s family attorney, told the outlet.

Kaishian did not respond to the Eagle’s request for comment.

Tavira’s death is currently under investigation and it’s unclear whether or not officers were present at the time of Tavira’s death.

However, there have been a number of in custody deaths in the past two years where officers were either slow to respond or entirely absent.

In February, Herman Diaz, 52, died in the jail complex after choking on an orange. Video of the incident show multiple incarcerated people attempting to help Diaz, but no officers came to his aid, according to a report from the city’s Board of Correction, the DOC’s oversight body.

The lack in monitoring has been attributed to a continuing staffing shortage within the DOC’s officer ranks, according to the BOC.

The shortage began last year, when a large number of officers were calling out of work sick and going AWOL. Though those numbers have reduced, according to the DOC, the overall staffing numbers have also begun to plummet.

As of September, there were around 6,900 uniformed corrections officers. There were a little over 8,000 on staff the year prior, according to the DOC.

Tavira’s death also comes several weeks after the DOC briefly requested that they be able to extend the hours they could hold detainees in their cells in GRVC, where Tavira was being held.

Citing what they said were rising levels of violence in the Rikers building, DOC leadership asked the BOC if they could extend the number of lock-in hours from 10 to 17 hours per day.

“Safety is essential to operating a humane jail, and 14-hour out-of-cell time in GRVC is not conducive to operating this facility safely,” Molina said in the letter to the BOC.

“The DOC withdrew their request several days later, following outcry from a number of elected officials and advocates. “DOC must end these lock-downs at GRVC now and stop denying access to life-saving medicine,” said Victor Pate, the co-director of the NYHALS Coalition Campaign. “What did Mayor [Eric] Adams and his DOC Commissioner expect was going to happen? They threw gasoline on a wildfire and escalated an already deadly humanitarian crisis by systematically disregarding a 44-year-old minimum standard put in place to protect people’s health and safety. How many more human lives have to be lost before public officials wake up and do what is necessary?”

Though the BOC was scheduled to discuss the request and its removal at its monthly meeting last week, neither Molina nor any other member of the agency’s leadership showed up to testify. It was the second meeting in a row, Molina had missed.

Molina, DOC leadership and the city’s attorneys are scheduled to appear before federal Judge Laura T. Swan on Nov. 17 to give the judge an update on its “action plan,” a document submitted to the court earlier this year that attempted to outline the ways in which the DOC could improve the violence and conditions on Rikers Island.

The action plan, which was created in partnership with the federal monitor appointed to oversee Rikers in 2015, was prompted by a request from federal prosecutors for Swan to institute a federal receivership.

At the time, Swan declined to make the move but told the agency that should the action plan fail to improve conditions, receivership could be again considered.

A federal receivership is a relatively vague legal action that is mostly defined by the judge setting the order. It could result in the full takeover of the every-day operations of the jail by a federal authority. It could also result in a more collaborative approach to running the jail between the DOC and a federal authority.

Both Adams and Molina have said they would see a receivership order as an indictment on their ability to run the jail and have advocated against it.

Earlier this month, City Comptroller Brad Lander became the highest ranking city official to call for the installation of a receivership.

Following Tavira’s death, City Council Speaker Adrienne Adams condemned the city’s jail but did not go as far as to call for a change in its leadership.

“The dysfunction and inhumane conditions at Rikers are a crisis that requires serious chang- es,” Speaker Adams said. “Continued deaths, unhealthy/unsafe conditions for detainees and officers alike, and 50 percent of people detained having a mental health diagnosis are clear evidence of the need for this.”

“Our jails cannot be where people with mental health challenges are sent - they are ill-equipped to effectively respond [and] worsen people’s condition,” she added. “The mental health crisis facing our City is being exacerbated by people cycling through the justice system rather than getting help.”

By Rachel Vick

The New York State Court System’s Office for Justice Initiatives, New York State Bar Association and New York County Lawyers Association are hosting an awards ceremony to celebrate women for their achievements, as well as obstacles that have held them back.

Recipients include women recognized for their achievements, as well as obstacles that have held them back.

The ceremony will be streamed at 6 p.m. on Zoom at nycga.org/probonosward

The New York State Court System’s Office for Justice Initiatives, New York State Bar Association and New York County Lawyers Association are honoring pro bono services this week.

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