



# Community Newsletter

## ASSEMBLY MEMBER DANIEL O'DONNELL

Manhattan Valley ■ Morningside Heights ■ Upper West Side

FALL 2014

■ SERVING NEW YORK'S 69<sup>TH</sup> ASSEMBLY DISTRICT ■

Dear Neighbor,

As 2014 draws to a close, I want to take this opportunity to thank you for another productive year. I know how much work is left to be done, but I also know that not all elected officials represent districts filled with such passionate and intelligent constituents. I am thankful for your support and input, and I look forward to another year of work alongside you.

The Assembly had a busy session, taking up legislation on a wide variety of important issues for our state, including improving our correctional system, expanding access to education for New York's students, protecting our environment, and enabling New York City to set a safer default speed limit. Several of these new laws are discussed further in the newsletter, but I will begin here by highlighting a few things.

My Assembly colleagues and I reaffirmed our commitment to keeping hydrofracking out of New York by passing a three-year moratorium; unfortunately, the Senate did not take up the bill. Nevertheless, I will continue to do everything in my power to prevent hydrofracking in New York State, and I look forward to reporting more progress on this subject in future newsletters.

As you may know, this year's Women's Equality Agenda once again included ten crucial provisions, which, among other things, would have promoted equal pay, combated sexual harassment, enhanced protections for victims of domestic violence, increased penalties for human trafficking, and strengthened women's health and reproductive rights under New York law. Due to the single provision regarding reproductive rights, the Senate once again refused to pass the bill, even though the Assembly passed it with overwhelming support. I remain unwilling to compromise when it comes to every woman's right to make decisions about her own body, and will continue to push for passage of the Women's Equality Agenda during next year's legislative session.

This year both houses passed a law legalizing medical marijuana in New York State. While there is much more preparation yet to be done before medical marijuana becomes available to New York's most seriously ill patients, the law was signed by the Governor this summer, and plans to implement it are proceeding.

In the community this year, I sponsored several events, including my annual Community Reading Challenge and summer Community Health Service Day, as well as a brand-new anti-bullying forum. For more about these events, turn to the next page of this newsletter.

Finally, as we settle into the winter months, keep in mind that your landlord is required by law to provide heat between October 1st and May 31st. During the day (from 6:00 a.m.–10:00 p.m.), when the outside temperature is below 55 degrees Fahrenheit, your apartment must be heated to at least 68 degrees. During the night (from 10:00 p.m.–6:00 a.m.), when the temperature is below 40 degrees Fahrenheit, the apartment must be heated to at least 55 degrees. If your building is not meeting these standards, please call 311 to register a complaint, and then call my housing specialist, Joyce, at (212) 866-3970, for more assistance.

I hope you will find this newsletter informative and useful. My staff and I are always available to assist you in my Community Office located at 245 W. 104th Street, just off Broadway, or by phone at (212) 866-3970. I encourage you to call, write, or visit us, Monday through Friday, from 9:00 a.m.–5:30 p.m. For those with specific housing problems, I have a dedicated housing specialist on staff available to help every day. And, as always, if you would like to receive monthly email updates from me, please send an email with the subject "subscribe" to [odonnelld@assembly.state.ny.us](mailto:odonnelld@assembly.state.ny.us).

Very truly yours,

*Daniel O'Donnell*



Assembly Member O'Donnell attends the People's Climate March on Sept. 21st with his colleagues (left to right) Michelle Schimel (D-Nassau), Jeffrey Dinowitz (D-Bronx), and Brian Kavanagh (D-Manhattan), Chair of the New York State Caucus of Environmental Legislators.

## O'Donnell Bill Enables Lower Speed Limits in New York City

In January, following the tragic deaths of two pedestrians in Assembly Member O'Donnell's district, he introduced a bill to enable New York City to lower its default speed limit. After months of negotiations with both state and city elected officials, and close collaboration with dedicated advocates (particularly Families for Safe Streets), O'Donnell's bill to enable New York City to lower its default speed limit to 25 mph was passed by the Assembly in June. It passed the Senate just hours later, and was signed into law by Governor Cuomo in August. Then, on November 7, 2014, the first day the state bill was in effect, the default speed limit in New York City fell to 25 miles per hour.

The science behind a reduction to 25 mph is sound. A pedestrian struck by a car traveling at 25 mph is approximately half as likely to die as one hit by a car traveling at 30 mph. Further, vehicles traveling at 25 mph are able to stop much more quickly—45 feet sooner—than they would at 30 mph. That reduction in the time and distance needed to stop can have a significant impact in reducing injuries and traffic accidents overall. O'Donnell's bill gives New York City much-needed control over its own streets, and, in combination with stepped up traffic enforcement by the NYPD, will make the city safer for all who inhabit it.



O'Donnell appears in the NYC Department of Transportation's campaign to promote the new 25 mph speed limit. Photo (c) NYC DOT.

**¡Atención!** La oficina de la comunidad del asambleísta O'Donnell tiene disponible empleados que hablan español para asistir al público tiempo completo, lunes a viernes de 9:00 AM a 5:30 PM. La oficina está localizada en el 245 West 104th Street, cerca de Broadway. También pueden llamar a la oficina en horas laborables al (212) 866-3970.

Recuerden que nuestro boletín informativo está disponible en español. Para obtener una copia favor de comunicarse con la oficina del asambleísta Daniel O'Donnell.

## Legislative Highlights

### Multiple O'Donnell Bills to Reform the Correctional System Signed into Law

This year, Assembly Member O'Donnell continued his tour of New York State's prisons, which he began soon after being appointed **Chair of the Correction Committee** in 2013. He has now been on **25 prison visits** across the state. O'Donnell wishes to see conditions in prisons with his own eyes in order to inform his legislative efforts and advocacy, and ensure that recent reforms are being honored. In 2014, both houses passed five correction-related O'Donnell bills, as well as several other important bills sponsored by other members of the Correction Committee. A few highlights of O'Donnell's correction-related legislation include:

**Assembly Bill A8395**, signed into law in March of this year, authorizes a judge to extend the probation period for a defendant who has violated the terms of his or her probation. Before this law was signed, judges had two choices for defendants in this situation: either to restore them to their probation, with no change in length, or to send them back to jail. This new law gives judges more flexibility when assigning consequences to a probationer who has violated his or her probation.

In response to a horrific attack on two young children in Brooklyn by a mentally ill man this spring, Assembly Member O'Donnell introduced **Assembly Bill A10071** to help prevent something similar from ever happening again. The alleged perpetrator had been out of prison for only 9 days after completing service of his sentence, and his parole officer was reportedly concerned about his behavior but unable to initiate swift proceedings to evaluate the offender's mental health. O'Donnell's bill, which was passed by both houses and awaits the Governor's signature, would rectify this situation by authorizing regional parole supervisors to initiate involuntary commitment proceedings. Crucially, the bill also requires mental health discharge planning for inmates prior to release.

To further examine this issue, this month Assembly Member O'Donnell held a joint hearing with the Assembly Mental Health Committee regarding the state of mental health in correctional



*Assembly Member O'Donnell and his husband John (far right), attend a Gay Men's Health Crisis (GMHC) event honoring playwright Terrence McNally. From left: Thomas Kirdahy, McNally's husband; Edie Windsor, plaintiff of the successful Supreme Court challenge to the Defense of Marriage Act; Terrence McNally; and Kelsey Louie, CEO of GMHC.*

facilities. O'Donnell plans to introduce legislation to improve the treatment of mentally ill inmates based on the information he received at that hearing.

### O'Donnell Bill Protecting Unpaid Interns Passes Unanimously, is Swiftly Signed into Law

Last fall a sensational court case brought to light a shocking gap in New York's employment laws: unpaid interns were not awarded the same protections from harassment that paid employees receive. Assembly Member O'Donnell was horrified to learn this, and collaborated with his colleague Senator Liz Krueger to propel a bill correcting this situation through both houses as quickly as possible. The Assembly passed the bill unanimously, and this summer, **A8201** was signed into law by the Governor.

Unpaid interns are now granted protection from sexual misconduct and harassment in the workplace, where interns are often more at risk than other employees due to the nature of their position. Furthermore, unpaid interns and prospective interns are now protected from practices regarding hiring and discharge that discriminate against certain groups of individuals.

### Improved Parent Participation on Local Education Councils

Last year, Assembly Member O'Donnell introduced a bill at the urging of Teresa Arboleda, president of the Citywide Council on English Language Learners (CCELL), to improve parent participation on the CCELL. That bill enabled parents of former English Language Learners (ELLs) to hold seats on the CCELL, and after it was signed into law last year, enabled the CCELL to finally convene a consistent quorum.

This year, Assembly Member O'Donnell drafted and led to passage a similar bill, **A8436**, to enable parents of former ELLs to fill the ELL parent seat on local Community Education Councils (CECs)—a seat that is only filled on approximately half of the 33 Education Councils in New York City. On October 29th, 2014, the Panel for Educational Policy approved an adjustment to the city's Chancellor's Regulations, and from now on the ELL parent seat on all CECs can be filled either by the parent of a current ELL or the parent of a child who was an ELL within the last two years.

It is Assembly Member O'Donnell's hope that ELLs and their families will subsequently have a greater voice in the parent-led education discussions held by CECs across the city.



*Assembly Member O'Donnell visits Attica Correctional Facility, the week of the 43rd Anniversary of the Attica Prison Riots.*

# Welcome!

Assembly Member O'Donnell welcomes a new staff member, **Justin Simmons**, to his Community Office. Justin is serving as a Community Liaison.

## Thank You!

Two lawyers have been particularly generous in donating their time to constituents of Assembly Member O'Donnell's. He would like to extend a special "thank you" to **Jacqueline Bukowski** and **Patricia Maniscalco**.

## O'Donnell Hosts Inaugural Anti-Bullying Forum

Parents and school professionals from across District 3 joined Assembly Member O'Donnell and his co-hosts, the Community School District 3 Presidents' Council and the Community Education Council, on Monday, October 27th, for the inaugural Conversation about Bullying. They convened to discuss New York's anti-bullying legislation (the Dignity for All Students Act), and effective methods for addressing bullying.

The Dignity Act has now been in effect for more than a year. As the bill's drafter and main sponsor, Assembly Member O'Donnell is seeking to promote implementation and awareness about the bill, particularly in his own education district. He hosted this year's forum during National Bullying Prevention Month to do just that, as well as to provide parents and other educational stakeholders in the community with tools to combat bullying and information about what to do if they believe a child is being bullied or exhibiting bullying behavior.

Attendees heard advice and insight from an expert panel of stakeholders, including Professor Elizabethe Payne, founder and Director of the Queering Education Research Institute (QuERI); Principal John Curry of the Community Action School; and Nan Eileen Mead, District 3 parent and Presidents' Council Co-President.

The event was deftly moderated by Teresa Arboleda, President of the Citywide Council on English Language Learners.

The panelists emphasized, as the Dignity Act does, that the most effective approach to ending bullying includes an attention to fostering a positive school culture, in which students are encouraged to be different and to celebrate difference. Bullying behavior is often spurred and/or exacerbated by a perceived difference in the targeted child. It is frequently a mechanism for policing identity and enforcing "normality," whether that is in terms of race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender, or sex.

Schools and families can help to combat bullying by staying involved and starting conversations early. Parents should note concerning reports, including small things like cruel comments, so that pervasive problems can be addressed as early as possible.

Parents who are concerned about bullying should begin by getting in touch with their children's schools. If they have further concerns, O'Donnell encourages parents to reach out to his office for further information and assistance. He remains committed to helping end bullying in New York State, and will continue to do everything he can to improve the lives of New York's students.

## Does NYS Have Money for You?

The NYS Comptroller's office currently holds **over \$13 billion in "unclaimed funds"** from accounts across New York State, **some of which might be owed to you!** These lost funds have been inactive in various types of accounts for substantial periods of time, including ones held by banks, insurance companies, utilities, and many others. The Comptroller returns \$1 million per day of this forgotten money to individuals across the state!

See if New York State is holding money for you or your family members at the State Comptroller's website: [www.osc.state.ny.us/ouf/index.htm](http://www.osc.state.ny.us/ouf/index.htm).

## Constituents Enjoyed Free Services and Giveaways at the Eleventh Annual Summer Health Service Day at Grant Houses

Assembly Member O'Donnell's 11th Annual Summer Health Service Day at Grant Houses was a great success this year! Attending groups **provided information on a wide variety of health-related topics**, including dental health, nutrition, diabetes, and health insurance options. **Free screenings** for foot health, Hepatitis C, HIV, and blood pressure were also provided. Over 100 community members were able to take advantage of these opportunities—Assembly Member O'Donnell would like to thank everyone who stopped by and all the groups who sent representatives to share their information and services with the community!



*Assembly Member O'Donnell debates a bill on the Assembly floor during the last month of the legislative session this year.*

## TENANT'S CORNER:

### Know Your Rights

The first place to look for your rights as a rent-regulated (meaning rent-stabilized or -controlled) tenant is in your original lease. For rent-controlled tenants, those leases may date back many decades. Nevertheless, a landlord is generally not permitted to impose any additional terms and conditions that are not found in one's original lease.

The same principle applies to rent-stabilized tenants: terms and conditions that did not appear in a tenant's original lease generally cannot be included in a subsequent lease renewal form (except when authorized by law or with the prior approval of the New York State Division of Housing and Community Renewal).

One common result of this principle for all rent-regulated tenants is that landlords cannot require tenants to pay for services that were included in the rent in their original leases. Typically, these can include such services as storage space, janitorial services, garbage removal, heat, hot water, and elevator services. This is not a complete list of potentially included services. It also means that landlords cannot add terms, such as a late-rent fee clause, a no-pet clause, a demand for Social Security numbers, or a lease rider giving the landlord the right to deregulate the apartment at the expiration of a J-51 tax abatement.

Rent-regulated lease holders should also keep in mind that even if the owner of their building has changed, the terms of their original lease are still in effect.

If you have any questions or concerns about your lease, please call Assembly Member O'Donnell's Community Office at (212) 866-3970.

# 11th Annual Community Reading Challenge Entertains Local Children

This year, Assembly Member O'Donnell hosted his 11th Annual Community Reading Challenge. Students in pre-k through eighth grade were provided with a book list, reading log, and a list of suggested activities and events. This year's theme was **Reading Saves the Day**. Through the suggested books and activities, Assembly Member O'Donnell sought to entertain and encourage readers to see their own "hero" potential. During the Community Reading Challenge every spring, children compile book reports, create drawings, take pictures, and visit local sites related to their readings. This year, students joined the Assembly Member for three book festivals at neighborhood libraries, where, thanks to this year's generous supporters, including **Bank Street Book Store, Book Culture, Feiwei and Friends, Gristedes,** and **Westside Market**, children enjoyed healthy snacks and won prizes, including books and gift cards.

Children were also able to meet guest authors—including **Paulette Bogan**, author of *Lulu the Big Little Chick*, **Matthew Cody**, author of *Powerless* and *Super*, and **Alex Simmons**, founder of the annual Kids' Comic Con. The students heard about Matthew Cody's journey to discover his love of reading, invented imaginary animals with Paulette Bogan, and created their own comics with Alex Simmons. Thanks to **Random House**, every child in attendance received a free copy of Matthew Cody's book, *Powerless*.

Visit **Assembly Member O'Donnell's website** for more information on this year's challenge, including featured participants and GIFs of Paulette Bogan's fantastic creatures, and be sure to watch out for information on next spring's challenge!

## Internships Available

Assembly Member O'Donnell's Community Office is now accepting applications for the **spring** internship program from individuals who are high school age or older. Interns in his office get a taste of the workings of a local government office, and the opportunity to research and advocate on behalf of important community and government issues. To apply, please fax or email a cover letter and resume to **(212) 864-1095** or [wilsonc@assembly.state.ny.us](mailto:wilsonc@assembly.state.ny.us).

For more information, please call **(212) 866-3970** and ask for **Callie**.

## E-Newsletters

Do you want more frequent updates about interesting community events, important government information, and what Assembly Member O'Donnell has been working on? Sign up to receive his monthly electronic newsletters by sending an email to [odonnelld@assembly.state.ny.us](mailto:odonnelld@assembly.state.ny.us).

245 West 104<sup>th</sup> Street, New York, New York 10025

### Daniel O'Donnell's Community Newsletter

Assembly Member ■ 69<sup>th</sup> District

Manhattan Valley • Morningside Heights • Upper West Side



#### COMMUNITY OFFICE INFORMATION:

Open Monday through Friday

9:00 a.m. – 5:30 p.m.

212-866-3970

[odonnelld@assembly.state.ny.us](mailto:odonnelld@assembly.state.ny.us)

## Assembly Member O'Donnell's Upcoming Free Legal Clinics

For constituents who need help with legal issues but are unable to come to Assembly Member O'Donnell's Community Office during the workday, Assembly Member O'Donnell hosts a monthly evening opportunity for constituents to consult with a volunteer attorney. Call **Joyce** at **(212) 866-3970** to make an appointment.

**Upcoming Clinic Dates**  
**December 18<sup>th</sup> • January 29<sup>th</sup>**  
**February 26<sup>th</sup> • March 26<sup>th</sup>**