



## **MEMORANDUM IN OPPOSITION TO INTRODUCTION T2021-7101 REQUIRING COUNCIL CONFIRMATION OF POLICE COMMISSIONER**

The Police Benevolent Association of the City of New York, Inc. and its over 23,000 members, who patrol New York City's streets and do the difficult and dangerous work of protecting and keeping safe every resident, visitor, and business operating within the five boroughs, oppose the proposed legislation that would "require the Police Commissioner to be confirmed by the Council." The proposed bill runs directly counter to the Council's stated goal of bringing "accountability to New Yorkers."

As succinctly explained by Mayor de Blasio's Office, bringing "accountability to New Yorkers" is in fact the *precise reason* for granting the Mayor—and not other entities such as the City Council—sole responsibility for appointing key City commissioners:

"Mayor Control really means Mayoral accountability"<sup>1</sup>

Mayoral control over New York City schools is illustrative. "In 2002, newly elected Mayor Michael Bloomberg was granted mayoral control of the city's schools after making it a central issue to his campaign. This gave Bloomberg the power to appoint the city's schools chancellor."<sup>2</sup> Mayor Bloomberg successfully argued that this appointment power was imperative because it would allow "voters to hold him accountable for the system's successes or failures."<sup>3</sup> Since 2002, and according to the *New York Times*, "virtually all education specialists agree that mayoral control has proved to be a more effective way to run the schools in New York City."<sup>4</sup> As Mayor de Blasio has noted, this improvement is the direct result of "the system's clear accountability."<sup>5</sup> That is so because "under the old structure, power was so dispersed . . . that it was hard to know whom to blame for the poor performance of many of the city's schools. Now, it's clear who is responsible for improving the schools: the mayor."<sup>6</sup>

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<sup>1</sup> Office of the Mayor, Mayoral Accountability, available at [www1.nyc.gov/office-of-the-mayor/mayoral-accountability.page](http://www1.nyc.gov/office-of-the-mayor/mayoral-accountability.page).

<sup>2</sup> Amanda Luz Henning Santiago, *Understanding Mayoral Control*, City & State, Dec. 16, 2020, available at <https://www.cityandstateny.com/articles/politics/excelsior-newsletter/understanding-mayoral-control.html>.

<sup>3</sup> *Seven Years of Mayoral Control*, Gotham Gazette, available at [www.gothamgazette.com/index.php/archives/377-seven-years-of-mayoral-control](http://www.gothamgazette.com/index.php/archives/377-seven-years-of-mayoral-control).

<sup>4</sup> Kate Taylor, *Does It Matter Who Runs New York City's Schools?*, N.Y. Times, June 23, 2017, available at [www.nytimes.com/2017/06/23/nyregion/new-york-school-control.html](http://www.nytimes.com/2017/06/23/nyregion/new-york-school-control.html).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

The exact same is true with respect to the Police Commissioner. One person—elected by the entire City—must be responsible for the appointment of the Police Commissioner and all of the consequences of that decision, not the Mayor and 51 members of the City Council (or any subset thereof). Put simply, “when everyone is responsible, no one is responsible.”

In announcing this latest slate of policing bills, Speaker Johnson stated that they would bring “accountability to New Yorkers.” If “accountability” is truly the goal, the Council will reject this proposed legislation.