

# TRANSFORM, DON'T TRASH



Gavin Kearney, Environmental Justice Director, speaks at a City Hall press conference

Thanks to new city recycling programs and technology, New Yorkers are beginning to recycle and compost more of the waste we generate every day in our homes. But our curbside garbage is less than half of the story. The trash we throw out at work, the food scraps generated by restaurants and the waste in retail and manufacturing sectors amounts to a staggering 5.5 million tons of garbage per year, 75% of which is buried in landfills or burned in incinerators, contributing significantly to greenhouse gas emissions. Moreover, the most severe burdens of our commercial waste system such as truck traffic, diesel emissions and giant waste transfer stations are concentrated in a few NYC communities suffering from chronic health problems.

How can we change a sprawling, inefficient and obtuse system in which hundreds of companies and trucks overlap each other every day while servicing scattered customers? Enter the *Transform Don't Trash NYC* campaign — a diverse coalition of community, environmental, labor and small business organizations in which NYLPI is a key partner.

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**The Scherman Foundation, a longtime supporter of NYLPI's Environmental Justice work, awarded a three-year \$600,000 grant from the Katharine S. and Axel G. Rosin Fund to NYLPI and its partners, ALIGN and New York City Environmental Justice Coalition, in support of the campaign.**

NYLPI and *Transform Don't Trash NYC* are advancing legislation to create a competitive franchise system, under which waste haulers will submit bids for the right to collect waste in geographic zones designated by the City. Contracts would then be awarded on factors such as fair and transparent prices for customers, the hauler's ability to meet city recycling goals, commitments to fair wages and health benefits for workers, and potential for job creation through local processing of recyclable materials.

Through this plan, New York can eliminate over 5 million diesel truck miles every year on our streets, improve the health and wellness of our most vulnerable residents, prevent 2.5 million tons of waste per year from being landfilled or incinerated, and create over 15,000 quality local jobs by recycling our commercial waste into useful products.

## RESTORING A SAFETY NET

This fall, the North Bronx community is welcoming the return of vital maternity services at North Central Bronx Hospital (NCBH). Following the suspension of labor and delivery services last August, NYLPI partnered with the Northwest Bronx Community & Clergy Coalition, health providers, unions, and other citywide health advocates to organize neighborhood residents and demand the reopening of the hospital's award-winning maternity unit. The suspension reflected a broader pattern of cuts to health services in underserved communities across New York City. The loss of services was particularly devastating in the North Bronx where residents experience disproportionately poor maternal and infant health outcomes. Citing concerns about understaffing, the Health and Hospitals Corporation of NYC (HHC), the city agency that oversees city public hospitals including North Central Bronx Hospital, suspended labor and delivery services at the facility, giving patients and staff only three days' notice.

In response to the closure, NYLPI, along with its coalition partners, launched a campaign to demand that HHC reopen the labor and delivery unit at North Central Bronx Hospital, ensure the quality and staffing of the service, and establish means for meaningful community participation in the process for reopening. After months of organizing community members, soliciting city council support, and engaging in administrative advocacy, HHC announced in

March 2014 that it would partner with our coalition to reopen the service by the fall of 2014. Since March, HHC and coalition members have met monthly to discuss staff recruitment, unit upgrades, and marketing strategies. Additionally, as a result of our advocacy, Bronx Councilmember Ritchie Torres secured \$600,000 from the city council budget process to support the reopening of the hospital's maternity unit. There is still much work to do until the ribbon-cutting, but we hope that the successes to date will serve as a model for community health planning around New York City.

Community members with Health Justice Community Organizer Sascha Murillo (third from right) at North Central Bronx Hospital



## Welcoming Katie



We are delighted to announce that Katherine Rosenfeld has recently joined us as our legal director. Katie brings a wealth of experience as a civil rights litigator to lead and manage NYLPI's advocacy work, seeking justice for underserved New Yorkers.

"Not only does Katie have more than a decade of accomplishment at a leading civil rights law firm, but she also has an unmatched passion for racial, economic, and social justice," said McGregor Smyth, Executive Director. As the legal director, Katie will drive NYLPI's advocacy efforts, working with dedicated community partners, private law firms, advocates, and staff members to build community power and achieve justice. Previously, Katie practiced law at Emery Celli Brinckerhoff & Abady LLP, one of the foremost civil rights practices in the country. While there, she litigated a wide variety of high-profile civil rights and constitutional matters in both federal and state courts, including prisoners' rights, police misconduct, wrongful death, employment and housing discrimination, sexual harassment and assault, and class action litigation.

## NYLPI Notables

NYLPI draws much of its strength from its dedicated staff members who fiercely advocate for the communities they serve. It comes as no surprise then that NYLPI alumni go on to lead important organizations in the fight for social justice. We are proud of the many individuals who have contributed to NYLPI's efforts to achieve justice through community power, both through their work at NYLPI and the many tremendous organizations they go on to serve.



**NISHA AGARWAL** served as NYLPI's Health Justice director and was recently named the commissioner of the Mayor's Office of Immigrant Affairs where she will help develop and see through Mayor de Blasio's immigration agenda.



**EDDIE BAUTISTA** was the director of community planning and went on to lead the New York City Environmental Justice Alliance, a network of community-based organizations in low-income communities of color.



**MIRANDA MASSIE** served as general counsel and legal director and has gone on to found the Climate Museum Launch Project, which is dedicated to building civic engagement with climate policy.



**MICHAEL SILVERMAN** worked as an attorney in the Disability Justice program and is now the executive director of Transgender Legal Defense & Education Fund, which is committed to ending discrimination based upon gender identity and expression.



**KIM SWEET** was NYLPI's associate general counsel before becoming the executive director of Advocates for Children of New York, which promotes access to the best education New York can provide for all students.

## Q&A with the LD

### What are you most excited about as you join the NYLPI staff?

I'm thrilled about many aspects of joining NYLPI, but high on the list is that I'm looking forward to getting to know all the amazing people who are part of NYLPI, both my colleagues here in the office as well as NYLPI's clients and community partners and our board members.

### What would you like the NYLPI community to know about you?

Because I spent the last ten years as a member of a civil rights law firm here in New York City, I appreciate the power and the limits of litigation to effect positive change. What drew me to NYLPI was the opportunity to be part of a dynamic organization that adds so many critical pieces to our work for social justice, including community partnerships and organizing, working with the private bar, and legislative advocacy. It's all a powerful combination, one up to the challenges of the difficult issues that NYLPI tackles every day.

### When you're not community lawyering, how do you like to spend your time?

I love to spend time in nature with my family, including my two sons (ages 5 and 8). We like to go to Fort Tryon Park in our neighborhood, and hiking in the Catskills and the Adirondacks.

# PRO BONO CONNECTIONS

## Highlights from *Pro Bono Matters*

Children's Magical Garden aims to foster healthy children through hands-on vegetable and fruit gardening and has served its community for 30 years. **Sidley Austin LLP** is helping them with a litigation to prevent the destruction of the garden.

VOCAL-NY is a statewide grassroots organization that is dedicated to building power among people affected by HIV/AIDS, drug use and mass incarceration to build healthy and just communities. **Proskauer Rose LLP** is assisting them with a litigation.

Housing Conservation Coordinators is a community-based nonprofit based in Hell's Kitchen that is dedicated to advancing social and economic justice for poor, low-income, and working individuals and families by strengthening and preserving affordable housing. **DLA Piper US LLP** is helping them review their bylaws and board policies.

*Arts & Democracy's work is based on the creative power of arts and culture as a catalyst for action, especially among people who have been traditionally disenfranchised. **Kaye Scholer LLP** is helping them to incorporate and become tax-exempt.*

Friends of Bogardus Garden oversees a cherished downtown public space that abuts a major public transportation hub at Chambers Street and West Broadway. **Paul, Weiss, Rifkind, Wharton & Garrison LLP** is helping them to review a contract.

MissFancyPants, Inc. is dedicated to creating an environment that promotes confidence, self-esteem, and a positive body image for girls and young women through a fashion, arts, and leadership-based curriculum. **Skadden, Arps, Slate, Meagher & Flom LLP** is assisting them in becoming tax-exempt.



We're thrilled to share that Marnie Berk, Director of Pro Bono Programs was named by the New York Law Journal as a Lawyer who Leads by Example for her "outstanding record of providing crucial legal services" to low-income New

Yorkers. It's a much-deserved award for Marnie, whose tireless efforts at the helm of our Pro Bono Clearinghouse make a huge and positive impact on the lives of countless New Yorkers.

## Model Partnerships

The Anti-Immigration Fraud Working Group, coordinated by the New York Immigration Coalition, came to NYLPI seeking help to draft a bill that would provide greatly expanded protections against immigration fraud. Fraudulent actors exploit immigrants by giving false promises of citizenship in exchange for exorbitant fees, misrepresenting themselves as attorneys or immigration officials, and often endangering immigrants' future ability to qualify for legitimate immigration status and benefits. NYLPI connected New York Immigration Coalition with a team at **White & Case LLP**, led by Owen Pell, to assist them in drafting a bill to be introduced in the New York State Assembly and Senate. The bill put into place critical requirements for organizations that seek to provide services to immigrants and created new crimes specifically targeting those who defraud immigrants. The bill also designated the New York State Office for New Americans as a permanent executive office of the state government. This summer, the bill passed both the New York State Assembly and the Senate and was signed into legislation by Governor Andrew M. Cuomo.

"Thanks again for all your help! This could not have been possible without the great work of White & Case and therefore without NYLPI's help in linking us to them."

—Camille Macker,  
Director of Legislative  
Initiatives, NYCIC

A very special thank you to the following attorneys who have volunteered their time and efforts through the NYLPI Pro Bono Clearinghouse in the last six months. We appreciate your hard work on behalf of nonprofits.

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## Law & Society



McGregor Smyth of **NYLPI**, Honorees Peter J. Beshar of **Marsh & McLennan Companies** and Andrew J. Levander of **Dechert LLP**, and Hector Gonzalez of **Dechert LLP**

In the spring, NYLPI hosted its twenty-first annual Law & Society Award Luncheon, honoring Peter J. Beshar, Executive Vice President and General Counsel of the **Marsh & McLennan Companies**, and Andrew J. Levander, Chairman of **Dechert LLP**. The award recognizes extraordinary dedication to public service and legal excellence. Over 700 people, including lawyers, judges, public officials, and community partners, braved a snowstorm on February 13th to honor Mr. Beshar and Mr. Levander.

Mr. Beshar is renowned for his accomplishments in the private and public sector and his commitment to justice. At Marsh & McLennan, Mr. Beshar has been instrumental in an initiative to support military veterans as they transition to civilian life. He serves as the Chair of the Veterans

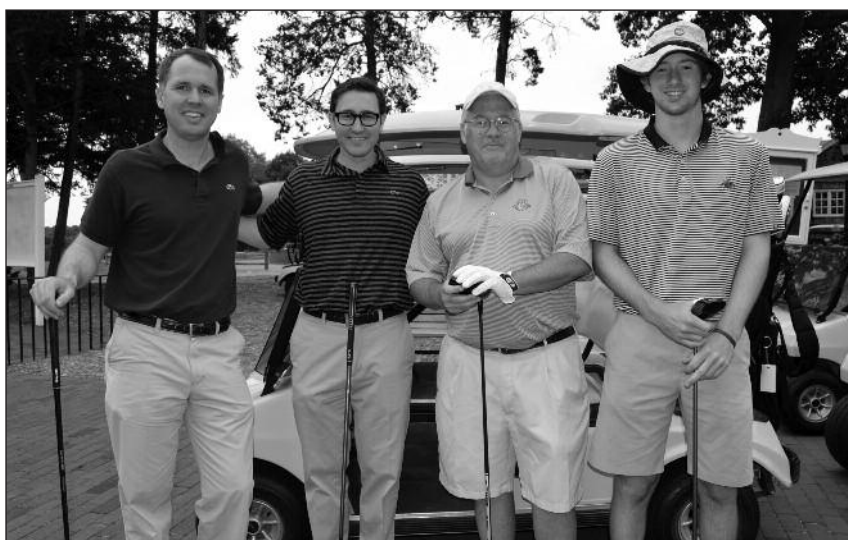
Committee of the Board of Trustees at John Jay College for Criminal Justice, on the Business Leaders Council of the Fix the Debt Campaign, and on the Global Council on Digital Health of the World Economic Forum.

Mr. Levander plays a very active role in promoting Dechert's highly acclaimed global pro bono program and community service engagements. His commitment to justice and the rule of the law is reflected in his position as a member of the Criminal Justice Act Panel, representing numerous indigent criminal defendants. In the last five years alone, he has been responsible for the filing of five pro bono criminal appeals. Mr. Levander also served for a decade as a trustee of Summer on the Hill, a program for indigent children in New York City.

Following the record-breaking success of the luncheon, Mr. Beshar and Mr. Levander partnered with NYLPI to launch a pro bono initiative with Lenox Hill Neighborhood House. With NYLPI's guidance and design, the project served nearly 50 seniors, helping them to make important decisions about their healthcare needs. Mr. Beshar and Mr. Levander's leadership throughout this project demonstrate their extraordinary commitment to the underserved.

## Golfing for Good

NYLPI's 2014 Michael Rothenberg Memorial Golf Outing took place on July 10th at Bethpage State Park's Red Course. The outing brings together avid golfers from New York City's legal community for a day of golf in support of NYLPI's critical work on behalf of marginalized New York City communities. At this year's event, more than 100 golfers from over 25 law firms, corporate legal departments, and businesses participated in the outing. We also had a busy beginner's clinic with 12 novice golfers receiving a personal lesson from a Bethpage pro. NYLPI plans to expand the outing in 2015 by including special events for summer associates. Many thanks to all the sponsors and golfers who participated in the event and for helping NYLPI to continue to provide vital legal services to underrepresented New Yorkers.



David Sarratt and Sean Hecker of **Debevoise & Plimpton LLP**, John Carroll of **Skadden, Arps, Slate, Meagher & Flom LLP** and Jack Carroll won the team prize for the best gross score.

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If you work for a nonprofit or community-based group working with underserved people and your organization needs legal assistance, please contact  
**Heidi Kim**  
at 212-244-4664.

**PRO BONO MATTERS  
Fall 2014**

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