

## **Council speaker condones environmental racism on Lead Paint Bill?**

from Caribbean Life, 7/29/03

Amid charges that City Council Speaker Gifford Miller was condoning environmental racism, the borough presidents of the Bronx, Brooklyn, and Manhattan have called on Miller to act expeditiously in passing a bill that would reduce childhood lead paint poisoning.

Bronx Borough President Adolfo Carrion, Brooklyn Borough President Marty Markowitz, and Manhattan Borough President C. Virginia Fields have joined a host of public officials and advocates, including former Bronx Borough President Fernando Ferrer and City Comptroller William C. Thompson, Jr., in supporting a bill that would mandate landlords to remove or treat paint in thousands of apartments in the city.

The bill, introduced by Deputy Majority Leader Bill Perkins (D-Harlem), is known as New York City Childhood Lead Poisoning Prevention Act (Intro-101A).

"This bill offers greater protection for children from the ill effects of lead poisoning than Local Law 38," Fields said. "Furthermore, implementation of this potential legislation will not create unnecessary financial burden for building owners."

She identified Washington Heights and Central Harlem among communities in her borough "that experience some of the highest childhood lead poisoning rates in the city."

"The healthcare costs and special education costs of lead poisoned children to the City would be significantly decreased if the Childhood Lead Poisoning Prevention Act 2002 was passed and enacted as law." She said.

Noting that the proposed bill is a "substantial improvement" over previous bills, Carrion said that the goal of elected officials must be "a healthy, lead-safe environment, where all children can achieve their full potential."

"Our mission [is] to eliminate childhood lead poisoning, caused by a child's ingestion of lead-based paint chips and dust," he said. "I believe this legislation achieves both."

Markowitz said that six Brooklyn districts – Bushwick, Bedford-Stuyvesant, Ft. Greene, Flatbush, Red Hook, and Sunset Park- account for 60 percent of the worst affected areas, and that Brooklyn communities in general have been "disproportionately affected."

"Lead poisoning is not generally a treatable "illness," he said. "It can lead to permanent developmental disabilities in affected children. Additionally, the cost to the City for lead poisoning—medical treatments, the special education costs, and so forth— is far too high. For these reasons alone, prevention is paramount; and, we believe that the Childhood Lead Poisoning Prevention Act of 2002 provides significantly more protection than Local Law 38."

On July 1, the state's highest court, the Court of Appeals, threw out Local Law 38, which was adopted in 1999.

The court ruled that the Council had failed to conduct mandatory environmental analysis of the bill that was rushed through the Council by former Speaker Peter Vallone.

Some 35 Councilmembers and other public officials have, therefore, since joined Perkins in introducing Intro-101A.

"If enacted, it would consolidate the administration and enforcement of the City's lead poisoning

prevention program,” said Thompson, who, with Fields, Ferrer, and other advocates, last week joined Perkins on the steps of City Hall in making their case.

“It would establish concrete standards and benchmarks that would allow the City to ascertain how well it is achieving its public health goals,” he added. “And DOHMH (Department of Health and Mental Hygiene) would have the primary responsibility for promulgating rules and developing procedures, as well as for monitoring the specific programs required by State law.”

Perkins said that about 1,000 children in New York City become “poisoned” by lead annually “at levels high enough to require medical case management.”

“And this is an underestimate, because many children are not screened for lead,” he said. “The cost to educate a lead-poisoned child can be many times higher than a ‘mainstream’ education. And the cost of health care for a lead-poisoned child can be exorbitant. The cost to parents in grief over their child’s lost abilities and the cost to the child in lost human potential can never be measured adequately.”

Perkins’ bill would require landlords to inspect every apartment with a child under seven years of age for conditions that may cause lead exposure, and correct it.

Landlords would be expected to look for peeling paint, evidence of friction or chipping, and underlying conditions that may cause paint to peel. They would also be expected to provide a written notice to tenants.

The City would also set specific goals for reducing the number of new cases of lead-poisoned children.

The DOHMH and Department of Housing Preservation and Development would gather, and make public, information about the causes of lead poisoning in the city.

Today, lead paint is said to be the greatest source of lead poisoning. Ingestion or inhalation of lead-contaminated house dust is children’s primary route of environmental exposure.

Lead dust can be inhaled or swallowed when present on contaminated surfaces, such as children’s toys, hands and foods.

It is generated not only from peeling or chalking lead paint on aging or damaged structures, but also from normal abrasion of even intact painted surfaces, such as window and doorframes.

Lead is particularly harmful to the developing brain and nervous system, although it affects virtually every system in the body.

Very severe poisoning in children can cause coma, convulsions and even death. Most lead-poisoning children, however have no symptoms.

Therefore, most cases will not be diagnosed and treated unless appropriate screening is done.

At least 81 percent of the highly poisoned New York City Children are known to be Black, Latino or Asian.

In some communities of color and low-income areas, up to 30 percent of one- and two-year-olds are affected.

Brooklyn’s Pratt Area Community Council, a non-profit organization in Bedford-Stuyvesant, reported in June that, in 2000, at least 11,597 children were lead poisoned, and 43 percent of these children were Brooklyn residents.

“Lead poisoning is an issue that cannot be fully understood without paying particular attention to the racial and economic makeup of these children who undergo cognitive damage; the families that endure long-term emotional and economic distress; and the communities that suffer loss of leadership,” said the group in a report entitled “The Politics of Poison.”

Without a doubt, in New York and nationally,” the group added, “low income people of color, and immigrant populations, disproportionately bear this burden.”

Councilwoman Helen Foster made no bones in asserting that the impact of lead poisoning on minority children is a form of environmental racism, blasting Miller for not acting fast enough to adopt Perkins’s bill.

“And I guarantee you that, if this in some way could affect his sons, he’d be out here right now,” she said at the press conference on the steps of City Hall. “We would be having hearings. [The bill] would be passed. The fact of the matter is that the majority of kids that are affected are Black and Latino and Asian.’

Miller said that the Committee on Housing and Buildings will reconvene immediately after the summer recess in order to “re-write New York City’s lead paint abatement law.”

“Now that the court has created a framework, the Council will move forward,” he said. “This is the first issue on our legislative agenda for the fall. And we will address it expeditiously while listening to the voices of the public and considering the widest possible range of expert testimony from health officials and doctors.”