

THE REGIONAL EMERGENCY MEDICAL SERVICES
COUNCIL OF NEW YORK CITY, INC.

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PUBLIC FACT-FINDING HEARING ON DETERMINATION
OF PUBLIC NEED FOR A NEW AMBULANCE SERVICE,

CHASDEI DEVORAH, INC., dba EZRAS NASHIM

The New York-Presbyterian
Brooklyn Methodist Hospital
East Pavillion Auditorium,
2nd Floor, 506 6th Street,
Brooklyn, New York 11215
October 30th, 2019
5:00 p.m.

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A P P E A R A N C E S:

FRANK SCHORN, HEARING OFFICER

MARIE DIGLIO, EXECUTIVE DIRECTOR OF OPERATIONS

SCOTT ORLANSKI

JOSEPH MARCELLINO

NORMAN GILLARD

JAMES DOWNEY

DOMINICK BATTINELLI

JOSEPH MARCELLINO

DOV JACOB

NANCY BENEDETTO

DR. JOSEF SCHENKER

GARFUNKEL WILD, P.C.

Attorneys for Ezras Nashim
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BY: JAMES E. DERING, ESQ.

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Attorneys for Chevra Hatzalah
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BY: JEFFREY P. REISNER, ESQ.

1 REMSCO HEARING - EZRAS NASHIM

2 HEARING OFFICER SCHORN: I want
3 to thank you for coming here this
4 evening for the fact-finding and public
5 hearing on the determination of public
6 need for the new ambulance service.
7 Now, should I say Devorah? Should we
8 say Ezras Nashim? What's our preferred
9 nomenclature?

10 MR. DERING: Ezras Nashim,
11 please.

12 HEARING OFFICER SCHORN: I'm
13 giving more long vowels than I should.
14 I apologize. So, I'm going to be
15 respectful of everyone's time here
16 tonight and thankful for the very strong
17 showing up, community-wise, and
18 professionally, people who are
19 interested in the EMS community.

20 I want to thank the Regional EMS
21 Council for being so accommodating to
22 everyone's needs. My needs have been
23 accommodated. I want to say, first,
24 thank you to Marie for giving me the
25 opportunity to do this. Some people

1 REMSCO HEARING - EZRAS NASHIM
2 have offered me condolences for being
3 here tonight. I don't know why they
4 would say that. I think it's very
5 exciting. I'm just going to give you a
6 little bit of an intro into myself.

7 I am not a member of your
8 community, but I am a member of your
9 community. I am not Jewish; however, I
10 am an EMT. I have been an EMT since
11 2000 -- pardon me, nope, since 1996. I
12 shortchanged myself. I've been a member
13 of the volunteer EMS community. I
14 volunteered with a group in my community
15 in Glendale, Queens for a period, a very
16 short period, a very intense period, and
17 it was very educational.

18 I volunteered for much longer
19 periods with the Central Park Medical
20 Unit in Manhattan. I am thrilled to be
21 here, because it brings together two
22 very important parts of my life. I've
23 been an attorney for a number of years;
24 though my professional days are usually
25 spent with sixth graders, teaching them

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math. As I often say, teaching math is a foreign language, but being a lawyer and working within EMS is bringing together things that I think are very, very important.

I think that we all will acknowledge that whatever our feelings are on the application, pro or con, I think we are all here in the spirit of how can we help our community and we may have different viewpoints. I will tell you what I tell my sixth graders: Whatever you say, you say with respect. Don't make it personal. Let's talk about the facts and I am very gratified in having some general discussions with two attorneys.

You know, some people think that's not such a good thing. It's nice. I get to talk with attorneys, not that often, but the two attorneys that I spoke with here tonight, Mr. Dering and Mr. Reisner, have been very accommodating with each other, very

1 REMSCO HEARING - EZRAS NASHIM

2 civil, and I want to thank them in
3 advance as well.

4 I definitely want to say thank
5 you to Regional EMS Council Ambulance
6 Committee for their advice, and their
7 assistance, and their presence here
8 tonight. Would you like to identify
9 yourselves for the record, just so that
10 especially -- I want to say thank you to
11 Daniel, our stenographer, so he gets an
12 idea of who you are, can we identify
13 ourselves at the table?

14 MR. ORLANSKI: Scott Orlanski.

15 MR. GILLARD: General Gillard.

16 MR. DOWNEY: James Downey.

17 MR. BATTINELLI: Dominick
18 Battinelli.

19 MR. MARCELLINO: Joseph
20 Marcellino.

21 MR. JACOB: Dov Jacob.

22 MS. BENEDETTO: Nancy Benedetto.

23 DR. SCHENKER: Josef Schenker.

24 HEARING OFFICER SCHORN: And I
25 will do a better job of passing around

1 REMSCO HEARING - EZRAS NASHIM
2 the baton to the next person in the
3 relay race. The order that we're going
4 to do is kind of set forward. Let me
5 just talk a little bit about what we're
6 going to do. We're going to do a little
7 bit of preliminary stuff over here.

8 The application for a new
9 ambulance is something which is
10 counterintuitive. It doesn't
11 necessarily make sense. So for those
12 who are not necessarily in tuned with
13 this, and that includes most people, it
14 would seem to make sense that an
15 ambulance, another ambulance, squad, or
16 ambulances period, is a welcome thing.
17 It would be great to have more
18 ambulances: More ambulances, more
19 assistance, less people in distress,
20 saving lives; that's what EMS is about.

21 The New York State law has very
22 specific protocols that establish what
23 you need to do to allow a new ambulance
24 service to come into being. That
25 process is known as a Certificate of

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1 Need. There's a process where you need
2 to show that whatever is here, I'm going
3 to use the vernacular, just ain't
4 enough; it's not good enough. We need
5 to show why whatever is here now is not
6 sufficient. And again, I'm coming from
7 a standpoint with like, yeah,
8 ambulances, volunteer ambulances.
9 That's not the hat that I'm wearing. I
10 have to go and follow what the State
11 protocol and what the Regional EMS
12 protocol is there, and what it says, and
13 what has to be proven by the applicant.

14 So, the applicant, Ezras Nashim,
15 needs to show more than 50 percent that
16 it is and it has satisfied the State
17 rules for a new ambulance and that's all
18 set out to Section 30-08 in the New York
19 State public health law and I'm not
20 making judgements on this side.

21 I'm here; I'm your host. I get
22 to ask questions. I'm not making
23 determinations yet. After you're all
24 done, I'm going to have a 10-day period
25

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where I scratch my head and make somebody very unhappy or make a lot of people very unhappy and a lot of people very happy, one way, shape or form. Please don't hate the messenger. I'm going to do the best that I can. I feel very bad for the umpires at the World Series tonight in Game 7 because this guy, who doesn't have as much luck in hitting home runs in softball, is feeling the same pain that they have.

I'm going to rely on Marie for telling me how much time members of the community have. We've generally had discussions with the two counsel for the pro and con, the applicant and the opposition, as to who are going to go forward.

We have a couple of things over here. So, I would not call this dirty laundry, but there's procedural issues. So, an issue came forward and we're going to speak to the two gentleman, and Ms. Marie Diglio, if I'm incorrect, that

1 REMSCO HEARING - EZRAS NASHIM
2 the applicant, Ezras Nashim, has
3 submitted a PowerPoint and copies of
4 which I have here and which I have
5 regard for the time being and it was
6 submitted within the last five days and
7 there has been concern, and I want you
8 guys to correct me, so let me just get
9 it out.

10 So, there's concern whether
11 this, because it was received within the
12 last five days and that may be subject
13 to correction, because I didn't receive
14 it, but the Regional Council did,
15 whether it can be part of the record of
16 proceedings, or part of the application,
17 or how this can be addressed, if at all.

18 And I'd like to hear from -- I
19 think this, since it was submitted, I'm
20 going to ask that the opposition be
21 heard first. If you would, and if
22 there's any correction in what I said so
23 far -- so, Mr. Reisner, could you speak
24 to your concern and feel free to give us
25 your voluble.

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MR. REISNER: Yes, Hearing Officer Schorn. Thank you for that introduction. My name is Jeff Reisner. I'm here on behalf of Chevra Hatzalah and I do take issue with the submission of the PowerPoint at issue. I do not believe it is properly part of the record and I believe that it should not be referenced or viewed by the public, or seen, or factored into the analysis by the Ambulance Committee, or the REMSCO, or yourself, Hearing Officer Schorn for the following reasons:

It has been submitted that it is merely a summary of the application. Having now had an opportunity to review the PowerPoint, I take issue with that characterization. I believe that it is much more than that because I believe what it does is, it embellishes a number of the irrelevant and misleading aspects of the application while ignoring a great deal of the data that this process and this public hearing are designed to

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review.

Specifically, on page 3 of the PowerPoint, there are various underlined words. Those underlines speak to facts that are stated in the application, but they embellish those facts. One of those facts is that the application seeks to only place one new ambulance in the community of Borough Park. That is, in and of itself, a disingenuous thing when it is considered in the context of the CO, and process, and the laws and procedures that need to be followed with respect to gaining an ambulance license versus the expansion of ambulance services in New York City and the rest of New York State.

It is genuinely difficult to comprehend how the service, as characterized in the application, could be carried out with one ambulance. I believe that it's disingenuous. I believe that it is a misrepresentation of the ultimate intent of the applicant.

REMSCO HEARING - EZRAS NASHIM

Similarly, I believe that the underlined word "two" on page 3 referring to the two-square miles that comprise Borough Park is disingenuous, because a simple review of Public Health Law Section 30-10 shows that an ambulance service that is put into place to serve based on a religious need, which I believe from all things contained in the application is the essence of the applicant's application, I believe that they will take advantage of Section 30-10, which allows them to then go into adjacent territories, most specifically, Flatbush, which I think enhances the chances that this will not be carried out in the way that the application is setting it up.

Additionally, and most importantly, I take issue with the underlined use of the word "trauma" on page 5 of the PowerPoint. The word "trauma" is inflammatory and it is unduly damaging to my client, Chevra

1 REMSCO HEARING - EZRAS NASHIM
2 Hatzalah, and the good work that they
3 do. It is a direct attack on them by
4 stating that the women of the Orthodox
5 Jewish community are suffering trauma by
6 not respecting the primacy of life
7 doctrine that has been blessed by 49
8 rabbis, which has been submitted as
9 Exhibit G to my opposition papers. And
10 I do not believe that it is appropriate
11 for these PowerPoints to be shown and I
12 think that they should be disregarded by
13 the Council and not analyzed in
14 connection with their decision here
15 tonight.

16 HEARING OFFICER SCHORN:
17 Mr. Reisner, thank you very much.
18 Mr. Dering, I assume that you may want
19 to speak on the issue.

20 MR. DERING: Yes, please. Thank
21 you, Hearing Officer.

22 HEARING OFFICER SCHORN: Do you
23 need the microphone?

24 MR. DERING: Oh, no. I'm fine.
25 Thanks.

1 REMSCO HEARING - EZRAS NASHIM

2 HEARING OFFICER SCHORN: Okay.

3 MR. DERING: My name is Jim

4 Dering. I represent Ezras Nashim. The
5 Point -- and I know my adversary didn't
6 -- it wasn't submitted late. Marie is
7 here. She can tell you that it was
8 submitted on time; that's not the issue.
9 The concerns that were raised -- I'll be
10 honest; when you look at the PowerPoint,
11 it's just a summary of certain
12 information that's in the application
13 and it's a means to guide the discussion
14 of the presentation with regard to the
15 application. It's very standard for
16 these types of presentations.

17 The things that I heard were
18 arguments about the merits of the
19 application. I didn't hear that
20 something in there, in the PowerPoint,
21 is not in our application. Everything
22 that's in that PowerPoint is in that
23 application. It's explanatory. It hits
24 the highpoints and it summarizes or
25 represents information from the

1 REMSCO HEARING - EZRAS NASHIM
2 application, and the fact that we're
3 hitting highpoints and it doesn't hit
4 every single point in the 180 pages of
5 the application, I think that's a bit
6 disingenuous. We could have a 180-page
7 PowerPoint. Instead, we have a 10-page
8 PowerPoint to hit the highlights and I
9 -- this is just a non-issue quite
10 frankly.

11 MR. REISNER: If I could address
12 just the timeliness issue, Hearing
13 Officer.

14 HEARING OFFICER SCHORN: Go
15 ahead.

16 MR. REISNER: I don't contend
17 that it was untimely with respect to the
18 five-day period for the papers in
19 support. My contention is that if the
20 applicant wanted to include this as part
21 and parcel of its applicant or
22 presentation, it should have been
23 submitted as an exhibit to the
24 application in the first instance. That
25 is the basis for my timeliness

1 REMSCO HEARING - EZRAS NASHIM

2 objection.

3 HEARING OFFICER SCHORN: I'm
4 going to give you my considered opinion
5 and I hope that I'm going to be as
6 Solomonic as I possibly can, but who
7 knows? I'm going to make a couple of
8 notes. The Department of Health has had
9 a request by the Regional Council as
10 stated. I'm going to read something
11 from an e-mail yesterday from Daniel
12 Jonas, who is unit chief, operations
13 branch, and they are an EMT and they are
14 part of the New York State Department of
15 Health up in Albany. And I'm going to
16 give a piece of this e-mail so you guys
17 can share.

18 It says, "Dear Marie, I have
19 checked and determined that the
20 Department has not objected to public
21 hearings in which the applicant provides
22 a visual presentation or handout to
23 summarize the content and purpose of
24 their application. The hearing officer
25 may mediate concerns by ensuring that

1 REMSCO HEARING - EZRAS NASHIM
2 the material does in fact summarize the
3 application or reintroduce "details and
4 information" already submitted by the
5 applicant in a fashion to improve the
6 understanding of everyone attending the
7 public hearing."

8 I'm going to continue. "It is
9 important that no "new" information is
10 introduced by the applicant and it is
11 beneficial if the applicant also makes
12 hard copies of such presentation, e.g.
13 PowerPoint, page printouts, or the like
14 to be submitted so that the H.O.,
15 Hearing Officer, can compile all
16 submissions from the hearing."

17 It goes on saying different
18 instances when some sort of a visual
19 presentation happened. I'm not going to
20 go into that at this point. So, the
21 timeliness doesn't seem to be there. I
22 don't know that the 10 pages itself is
23 so different. And again, with
24 exception, I'm going to speak to the
25 objections that are raised by

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Mr. Reisner, but I don't think it's so different that it could not be seen, could not be seen by some. I don't make the final decision, but it could not be seen by some as being summarizing or reintroducing details already submitted by the applicant, I think can be seen.

To the extent, Mr. Reisner, that you have concerns over the idea of trauma and that what you're identifying on page 5 is objectionable, I think that you're having and have had an opportunity to bring this forward and that is something that we, I and the Ambulance Committee, will have the ability to go and examine and I will be sure to include that in my report.

Same thing with regards to your identifying issues with the underlining of one ambulance and then two-square miles of Borough Park. You know, I think that may be something which may -- again, we're here for a public hearing. I think that may be helpful. It's very

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possible that Mr. Dering might address it, he and/or the people on behalf of the applicant may want to address it or not. I don't know. You may want to address it further later on today.

So, that being said, and I don't really mind going out on large tree limbs that are very solid -- I think this is a very solid tree limb where I'm not going to fall off; however, I am in a room full of EMTs and doctors, so if I fall, I feel well-protected. So, I am going to allow it as being informative and I will note that it's not the application in chief. It is informative and may be differing in some aspects which may be cause for us to discuss: Hey, you know, what is the range? What is the actual number of ambulances that we have? So, I'm going to allow the PowerPoint.

I have a stash -- I want to say thank you to whoever made the copies, color no less, and I'm going to pass

1 REMSCO HEARING - EZRAS NASHIM
2 them down over here. I think Halloween
3 is happening one day earlier, but this
4 is not candy. Are any ambulance
5 committee members in need? I assume,
6 Mr. Dering, you have yours. Am I okay
7 if I proceed without the microphone? In
8 the back, are we okay? Thumbs up,
9 thumbs down.

10 UNIDENTIFIED SPEAKER: You're
11 fine.

12 HEARING OFFICER SCHORN: Thank
13 you in the back. Again, being
14 respectful of everyone's time, a general
15 hope is that we're out of here in a
16 two-hour period. I'm not sure when the
17 clock started, but I'm going to try to
18 be respectful and try not to go on.

19 Testimony, I'm going to ask the
20 people that are going to speak here
21 tonight -- I am not going to ask anyone
22 to swear. I am going to ask if anyone
23 happens to want to speak, that they will
24 say that they promise or affirm that
25 they're going to tell the truth here

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tonight. I will ask anybody who speaks here tonight to identify themselves, especially for our purposes, to know who you are, and also to make sure that we have a record, and we need to make sure that -- we have our wonderful stenographer, that we're not driving the poor guy crazy and just say thank you to Daniel. Can we give Daniel an applause for being here.

(Whereupon, applause was given.)

I'm going to try to not ask a whole bunch of questions until I have to. I'm going to try not to interrupt folks. I sometimes serve as a volunteer small claims arbitrator and sometimes I tell the people before me I don't want to -- you know, if I ask a question, I don't want you to think that I'm for you or against you. So, I just want you to understand, if I ask some questions, that doesn't necessarily mean I'm taking any position. I just want to find out or I just might be curious. Well, let's

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put it this way: I am curious.

Before I go, just so you know, again, I mentioned that I'm not a member of your religious community. I have however worked with two organizations I'm going to call it. I've worked for a non-profit organization in one of my earlier bits of my legal career that helped settle refugees who are Jewish from throughout the world. That was very satisfying, and very meaningful, and very important to me.

I also worked with a firm that had, the main partners, wonderful people, who happened to have been Orthodox. One of the partners in the firm was an EMT, is an EMT, and Michael and I happened to have even done calls in the office. We even had a poor client having a seizure. I think that was even before he got the bill.

So, I just want to have some acknowledgement in the community that I do respect what Hatzalah, what Ezras

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Nashim is seeking to do. I think,
again, we're all looking to see how can
we help and I think we need to keep that
as our prism. I'm going to ask
Mr. Dering to start and give his
presentation. We're then going to be
followed by Mr. Reisner.

We're then going to have the
applicant, people from Ezras Nashim, to
support I think probably it's going to
be Ms. Levine, Ms. Pomerantz,
Ms. Husney, Ms. Sprei. I hope I'm
saying names right. And then we're
going to be alternating: Community, pro
and con, for it and against, supporting
and opposition, and if there happens to
be some sort of a reason to move things
around, I hope you'll be patient with
me. I'm doing the best I can folks.
Just please understand and stay with me.
All right, Mr. Dering?

MR. DERING: Oh, thanks. And
Hearing Officer, there were some other
witnesses as far as that you hadn't

1 REMSCO HEARING - EZRAS NASHIM

2 mentioned.

3 HEARING OFFICER SCHORN: Okay.

4 MR. DERING: We can deal with
5 that when we get there.

6 HEARING OFFICER SCHORN: Okay.
7 All right. Do you need the microphone?

8 UNIDENTIFIED SPEAKER: There's a
9 microphone right here.

10 HEARING OFFICER SCHORN: You
11 have one by you?

12 MR. DERING: Great. Thank you.
13 Great. Well, Good evening, everyone.
14 In the spirit of the community forum as
15 indicated by the Hearing Officer, I
16 wanted to give everyone a heartfelt
17 hello and good evening.

18 As mentioned, my name is Jim
19 Dering. I'm representing Ezras Nashim
20 and we want to thank the Hearing
21 Officer, and the Ambulance Committee,
22 and everyone in attendance for being
23 here. This hearing, as we all know, is
24 a hearing concerning public need related
25 to Ezras Nashim's ambulance application

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and I think there are a number of things
that most people here can agree on.

And if we can start on some
common ground, the purpose of this
hearing is not to determine Jewish law.
That's not the purpose of the forum.
And even if it was, which it's not, I
don't think there's a dispute with
regard to certain concepts in Jewish law
that both the applicant and the
opponents have referenced in the context
of the application and those are:

Under Jewish law, a male and a
female who are unmarried cannot touch
each other and I think most people also
agree that there is an exception for
emergency circumstances, so these things
aren't in dispute. I think everyone can
also agree that there's a cultural norm
in the Orthodox Hasidic community of
women living their lives in modesty.

For perspective, I represent
Ezras Nashim, but I can't shake the
hands of any of the members of the

1 REMSCO HEARING - EZRAS NASHIM
2 organization. It is that cultural
3 modesty and the trauma that can result
4 from it not being honored that forms the
5 need for Ezras Nashim's ambulance
6 application. In terms of things that
7 everyone here can agree on, we hope and
8 would certainly expect that one of them
9 is also that emergency medical care that
10 can provide a secondary trauma to a
11 segment of the community constitutes an
12 absence or at least an inadequacy of
13 ambulance care to those individuals.

14 We hope the hearing can remain
15 focused on that, the needs of the women
16 who the ambulance service would serve,
17 as opposed to any red herrings unrelated
18 to the issue of need. Thank you.

19 HEARING OFFICER SCHORN: Thank
20 you very much. Mr. Reisner?

21 MR. REISNER: Thank you, Hearing
22 Officer Schorn. Thank you Mr. Dering.
23 And I think that my learned colleague is
24 correct when he says that there are a
25 few things that we can agree on here

1 REMSCO HEARING - EZRAS NASHIM
2 and the first and most important of
3 those things is that this is not about
4 an interpretation of Jewish law. It is
5 about an interpretation of the facts and
6 circumstances in the community as they
7 apply to the determination and finding
8 of whether there exists a public need as
9 that term is defined in Department of
10 Health Policy 06-06.

11 Where we take issue with one
12 another, I believe, is apparently an
13 interpretation of the emergency
14 circumstances doctrine, because it is
15 Chevra Hatzalah's position that if
16 you're adhering to the emergency
17 services exception to the doctrine, who
18 I'll call the doctrine of modesty, then
19 there is no need for Ezras Nashim's
20 application.

21 And most pointedly, by way of
22 pointing that out, pardon that double
23 usage of the word "point," but is the
24 response times. I represent ambulance
25 companies all across the state. I've

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been involved in well over a dozen of these public hearings as a hearing officer, as counsel for and as counsel against. I've had the pleasure of representing literally dozens of ambulance companies and there is no single ambulance model out there that can touch Chevra Hatzalah. They have response times under two minutes, the best in the country, and for any applicant to apply for a Certificate of Need based on an assertion that a response time of eight minutes with BLS only care trumps a response time of a minute and a half with ALS care just isn't there. It doesn't meet the need. There is no lack of care when you're talking about a 300 percent increase in response time with a lower level of care at the door.

To quote Hearing Officer Schorn's wise words earlier, when you boil the essence of what we need to decide here down today, what we have to

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look at is a standard that is and I
quote, "what we have just ain't good
enough" and the application doesn't
prove that what they have in Borough
Park just ain't good enough, because it
is good enough. It's the best in the
country and any finding of need goes
against that. It goes against
everything in 06-06 and it goes against
everything in Article 30.

Now, I do take some issue with
the usage of the word "trauma," as I
said earlier. I don't think that that's
an appropriate characterization of what
occurs and as part of my opposition to
the applicant's application as
Exhibit G, I've attached 23 letters of
women who have been treated by Hatzalah
over the last several years. None of
them saying, I was traumatized by the
encounter and by the emergency. All of
them say how grateful they were that
Hatzalah was there in their time of
need.

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In further showing of that, we have a number of ladies from the community in Borough Park here tonight. Ladies, could you please stand in showing of your support.

(Whereupon, a portion of the audience stood up.)

Thank you very much. I think that that's a very strong showing that the emergency doctrine is the important focus, if you get into a religious component of the analysis. You don't get there, because the circumstances of the legal requirements around the analysis under 06-06 don't allow you to get there. There are eight variables in 06-06 and the only one that can even arguably involve any religious component would be the final one: other local factors.

However, even if you did weigh into the religious argument in making your decision, which I don't believe you have to, especially since it's not

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disputed that it's improper, you will find that 49 local Borough Park rabbis came out in opposition to the application. That is a very strong showing; I submit almost as strong as the ladies' presence here today against the need.

Now, I would be a little remiss if I didn't point out that the thrust of the application does appear to be based in the religious doctrine of modesty and I can't help but notice that there's a camera here recording the proceedings, and that there's been a documentary made about Ezras Nashim, and there are all sorts of advertisements out there, and it just doesn't appear to be an organization that conducts itself in a way that's congruent with the argument of modesty.

And the other thing that I just have to bring up, by virtue of the misleading nature of that argument within the application is that, there is

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a recent advertisement by Ezras Nashim, which is also attached to my papers as Exhibit H, wherein Ezras Nashim is seeking to recruit men to joint part of their emergency response teams.

Many people in this room are actively involved in the emergency medical system. I, myself, have been an EMT. I'm not active at present; however, I have been on enough emergency scenes to know that if you have a man on your emergency response team, the doctrine of modesty is going to be challenging to live up to.

And I would submit that again, it is better for us to avoid the issue in its entirety in making the decision; however, since these issues have been raised in the application, I do have to present them and make them part of the record on behalf of my client.

I think, in closing, that it is the wisest course of action to focus on the analysis laid out in 06-06, wherein,

1 REMSCO HEARING - EZRAS NASHIM
2 in order to issue an ambulance
3 certificate, you have to find that there
4 is a lack of available care that is not
5 readily correctible by reallocation of
6 existing resources and you have to do
7 that by analyzing the eight variables
8 laid out in 06-06, seven of the eight of
9 which have no relevance to religion
10 whatsoever.

11 Follow that analysis and you
12 will wind up exactly where Hearing
13 Officer Schorn told you, it will lead
14 you to an analysis of what he said:
15 "What we have just ain't good enough."
16 But the problem is that you can't answer
17 that statement or question in the
18 affirmative, because what you have is
19 good enough. It's the best in the
20 country and you might say it's the best
21 in the world. There is just no need
22 here. Thank you.

23 HEARING OFFICER SCHORN: Thank
24 you very much, Mr. Reisner. A couple of
25 things I just want to make note. I hope

1 REMSCO HEARING - EZRAS NASHIM
2 that whatever -- it's nice to be quoted,
3 but I don't want whatever I said to have
4 been an endorsement or to be seen as
5 endorsement of either side of the coin
6 here, either for the applicant or for
7 the opposition, so I just want to make
8 sure that whatever I was quoted in
9 saying was not me endorsing or opposing
10 the applicant in any way.

11 I will make, as a point of
12 order, going back to my sixth grade hat,
13 please watch your cellphones. Please
14 make sure they don't ring. Put them in
15 the full and off position and at least
16 don't have them making noise, if you
17 could, and I thank you in advance for
18 that. All right. We're going to --
19 Mr. Dering, am I right that --

20 MR. DERING: Could I make a
21 suggestion, Hearing Officer?

22 HEARING OFFICER SCHORN: Yeah.

23 MR. DERING: So what might make
24 it easier, if you want me to introduce
25 the witnesses, if that makes sense to

1 REMSCO HEARING - EZRAS NASHIM

2 you.

3 HEARING OFFICER SCHORN: That's
4 fine.

5 MR. DERING: Then we'll get
6 them.

7 HEARING OFFICER SCHORN: Just
8 for the record, I think just so that the
9 applicant has its information put
10 forward, we're going to do that. After
11 each person speaks, there's going to be
12 an opportunity for the opposition. So,
13 Mr Reisner, you can ask questions of the
14 applicant if that's something you'd like
15 to do and we'll continue that way.

16 MR. DERING: Great.

17 HEARING OFFICER SCHORN: And
18 Marie, we're working on -- are we on a
19 time limit on this or what's our --

20 MS. DIGLIO: That's up to you.

21 HEARING OFFICER SCHORN: So, are
22 we planning or being relatively concise?

23 MR. DERING: Yeah, I mean,
24 nothing, I don't think, that we have is
25 overly long.

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REMSCO HEARING - EZRAS NASHIM

HEARING OFFICER SCHORN: Okay.

MR. DERING: That's one of the reasons we did the PowerPoint to try to --

HEARING OFFICER SCHORN: That's perfectly fine and I sometimes go on too much myself, so I should not be calling the kettle black.

MR. DERING: Okay. First, we'll have Leah Levine, Celia Pomerantz, and then Miriam Sprei is going to join them for questions -- any questions, but Leah and Celia will be giving a PowerPoint, okay?

HEARING OFFICER SCHORN:
Mr. Dering, can I make a comment?

MR. DERING: Sure.

HEARING OFFICER SCHORN: I'm told that the president of Ezras Nashim is not allowed to be in the room because their position, as I understand, as a New York City criminal court judge --

MR. DERING: Civil court judge.

HEARING OFFICER SCHORN: Civil

1 REMSCO HEARING - EZRAS NASHIM
2 court judge.

3 MR. DERING: And we actually
4 addressed that in the comments.

5 HEARING OFFICER SCHORN: Okay.
6 I just want to make sure that we're
7 clear. So, could you just comment on
8 that in a brief second --

9 MR. DERING: Sure.

10 HEARING OFFICER SCHORN: As to
11 why she's not here.

12 MR. DERING: Sure. So, the
13 director of Ezras Nashim is Rachel
14 Freier and she is a New York City civil
15 court judge, and what happens when
16 you're a judge, you're subject to
17 certain ethical restrictions and so, as
18 a matter of due course, she had to check
19 with the Judicial Ethics Committee to
20 see if she would be able to appear here
21 and testify and they indicated to her
22 that she could not and that's why she's
23 not here.

24 And she is obviously a
25 significant part of the organization and

1 REMSCO HEARING - EZRAS NASHIM
2 it's a big loss for us not to have her
3 here, but she obviously wants to follow
4 the rules. And I should point out that
5 Leah Levine is her daughter and so, will
6 be speaking and then we also have the
7 benefit of Rachel's husband, David, who
8 is here and will be providing comments
9 as well, so thank you.

10 HEARING OFFICER SCHORN: Thank
11 you.

12 MR. DERING: And so Leah and
13 Celia, if you would like to come over
14 here and then, what I'm thinking as well
15 is, maybe Miriam, if you can come and
16 like stand behind so you can be involved
17 in answering any questions. And for
18 their benefit, I'm going to run the
19 PowerPoint. I'm going to change the
20 slides.

21 (Whereupon, Ms. Pomerantz,
22 Ms. Levine and Ms. Sprei approached the
23 microphone.)

24 HEARING OFFICER SCHORN: And
25 Ladies, when you speak, could you

1 REMSCO HEARING - EZRAS NASHIM
2 identify yourselves before you actually
3 give your substantive discussion and
4 thank you again and welcome here
5 tonight.

6 MS. POMERANTZ: Good evening.
7 I'm Celia Pomerantz. I'm a registered
8 nurse with a bachelor in science of
9 nursing.

10 UNIDENTIFIED SPEAKER: We can't
11 hear you.

12 MS. POMERANTZ: I'm employed at
13 NYPD Medical Division.

14 UNIDENTIFIED SPEAKER: We can't
15 hear you.

16 HEARING OFFICER SCHORN:
17 Ms. Pomerantz, I'm going to pass the
18 microphone, either way as you prefer.

19 (Whereupon, microphone was
20 adjusted.)

21 MS. POMERANTZ: Better now?

22 HEARING OFFICER SCHORN: Yes.

23 MS. POMERANTZ: Good evening.
24 My name is Celia Pomerantz. I'm a
25 registered nurse with a bachelor in

1 REMSCO HEARING - EZRAS NASHIM
2 science of nursing and I work with NYPD
3 medical division. As a volunteer for
4 Ezras Nashim, I am the director of
5 dispatch as well as the overnight charge
6 member. I will be providing some of the
7 highlights in connection with the
8 application for the new volunteer
9 ambulance service.

10 Ezras Nashim would like to thank
11 the New York City REMSCO, the Chair of
12 the Ambulance Committee, and the Hearing
13 Officer for this opportunity to present.
14 Thank you.

15 Many of you may know Ezras
16 Nashim's director, Rachel Freier, and
17 may wonder why she's not presenting
18 tonight. Rachel very much wanted to be
19 here this evening to make this
20 presentation; it is her passion, Ezras
21 Nashim. However, as you may know,
22 Rachel is the New York City's civil
23 court judge and as a judge, she is
24 subject to the restrictions on judge's
25 providing public testimony. To make

1 REMSCO HEARING - EZRAS NASHIM
2 sure that she follows those rules, she
3 consulted the Judicial Ethics Committee,
4 and was advised this past Friday that
5 she cannot attend this evening.

6 Well, that is certainly
7 disappointing to Judge Freier and all of
8 us here at Ezras Nashim. She needs to
9 follow these rules, so I made this
10 presentation tonight to the best of my
11 ability. At times, it may be necessary
12 to consult with her to respond to
13 particular questions, but she will be
14 available by phone, e-mail, and text.

15 I have also with me, Miriam
16 Sprei, an Ezras Nashim volunteer EMT,
17 who is a first aid teacher, labor coach,
18 and doula. Leah Levine, Director of
19 Outreach and Development of Ezras
20 Nashim, Leah?

21 MS. LEVINE: Is this good?

22 UNIDENTIFIED SPEAKER: Yeah.

23 MS. LEVINE: When my mother,
24 Judge Ruchie Freier, began volunteering
25 to help the women of Ezras Nashim as a

1 REMSCO HEARING - EZRAS NASHIM
2 pro bono lawyer, she had no idea that
3 she would become their director and a
4 paramedic. For so many years, she
5 worked so hard for this very day.

6 We never thought that she would
7 not be able to be here to share with us
8 this great moment to speak with her
9 passion to you, the respected members of
10 the REMSCO Ambulance Committee. But my
11 mother's passion is not her's alone; it
12 is mine too, and it is the dream of so
13 many women to have their need met, to
14 fill the gap in pre-hospital emergency
15 care so that we women can have the care
16 that we need, which is an ambulance for
17 the women and by the women of our
18 community. I'm so proud and honored to
19 be here representing my mother. Thank
20 you so much for this opportunity.

21 MS. POMERANTZ: Okay. Some
22 pointers: Ezras Nashim is a New York
23 State-certified basic life support first
24 response agency that has been operating
25 since 2013. Ezras Nashim is a volunteer

1 REMSCO HEARING - EZRAS NASHIM

2 agency staffed by women EMTs who are
3 observing of the Jewish faith, created
4 to serve the unique needs of women in
5 Orthodox Hasidic communities.

6 Ezras Nashim has been recognized
7 for the service that we provide in
8 addition to receiving a constant stream
9 of thanks from the people who we serve
10 as well as their familiars. Ezras
11 Nashim has formally been recognized by
12 those who oversee EMS services on the
13 state and city level. That includes
14 earning the 2017 State EMS Council's EMS
15 Agency of the year award, as well as
16 being recognized by this REMSCO in 2018,
17 receiving the New York City REMSCO
18 agency of the year award. We are very
19 proud of these awards. They evaluate
20 the specific and unique needs of women
21 in the Orthodox Hasidic community and
22 Ezras Nashim's role in addressing those
23 needs.

24 Ezras Nashim has also been
25 recognized by the Borough of Brooklyn.

REMSCO HEARING - EZRAS NASHIM

This year, we received a citation from Brooklyn Borough President, Eric Adams recognizing Ezras Nashim during women's history month. The citation states, among other things:

"Where on behalf of all Brooklynites, I salute Ezras Nashim, a newly New York State-certified basic life support first response organization, which is endorsed by prominent Rabbonim. I applaud Ezras Nashim for training women as emergency medical technicians who can assist women, particularly women in the Orthodox Jewish community in emergency situations and provide the particular care and attention that they need. I commend Ezras Nashim for allowing women to focus on their health, reclaiming women's roles as healers and midwives for mothers, daughters, sisters and fellow women. I appreciate Ezras Nashim for the outstanding contributions it has made in our communities and I thank them

1 REMSCO HEARING - EZRAS NASHIM

2 for all that they have done to help our
3 communities move forward as one
4 Brooklyn."

5 While Ezras Nashim is a New York
6 State-certified basic life support first
7 response agency, it is not an ambulance
8 service, so when Ezras Nashim responds
9 to calls that need ambulance transport,
10 it calls 911. This includes the extra
11 step of the dispatcher sending an
12 ambulance. Ezras Nashim's application
13 seeks approval to compliment its
14 existing services by the establishment
15 of a new volunteer BLS ambulance service
16 with one ambulance, with an operating
17 territory of two-square miles of Borough
18 Park and to respond to direct calls from
19 those in need of help.

20 As this slide states, the
21 existence of public need for such
22 services for observing Jewish women in
23 the Borough Park community is clear.
24 Jewish law prohibits Orthodox Hasidic
25 men from touching unrelated women.

REMSCO HEARING - EZRAS NASHIM

There is an exception for
life-threatening emergencies when no
qualified woman is available. The
Jewish law in the existence of an
exception is not at issue over here.
What is key in that context, however, is
that the exception to Jewish law does
not avoid observant Jewish women
experiencing trauma from touching by men
rendering pre-hospital care.

Orthodox Hasidic women are
raised in a culture with strict
expectations of modesty. Even siblings
of the opposite gender are taught not to
touch each other. From a young age, we
must cover most of our bodies. As well,
we are taught that certain parts our
bodies must be private and cannot be
seen or touched by any man except our
husband. We cover our legs and arms and
the genders are segregated socially.
This is the norm in our community. This
is the culture of modesty. With limited
male/female contact in such a degree

REMSCO HEARING - EZRAS NASHIM

that a female is not supposed to even shake the hand of a male to whom she is not married. This is the norm in our culture and the way of life that we know and faithfully follow.

After being expected to have no contact with a male who we are not married to for our entire lives and abide by those expectations, what has been engrained in us for our entire lives and abiding by those expectations, what has been engrained in us since we were young does not change in the event of a medical emergency. In fact, it makes things so much worse. During times of medical emergencies, patients, regardless of their religious or cultural backgrounds are vulnerable, stressed, and often frightened. For observing Jewish women, being touched by a male EMT, especially who is a community member goes against our culture and the way we have lived for our entire lives.

REMSCO HEARING - EZRAS NASHIM

Making matters even worse,
imagine that your care involves an area
of your body that's afforded the utmost
privacy; even for women not raised under
strict religious roles, or even worse,
the care needed involves a birth or the
observant Jewish women must be touched
by a male in the presence of her husband
or in front of multiple others. We'll
hear a little later about a personal
story, about someone that has
experienced this trauma and what she had
to do.

The stress of these
circumstances on an Orthodox Hasidic
woman is so great that it can cause
lasting traumas secondary two weeks into
the emergency call. The trauma caused
by these circumstances is to such a
degree that it causes observant women to
avoid seeking emergency medical services
or to delay seeking services until their
condition worsens.

By only having an ambulance

1 REMSCO HEARING - EZRAS NASHIM
2 service in Borough Park that can cause
3 secondary trauma to observant Jewish
4 women, despite even the best intentions
5 by existing ambulance providers, clearly
6 constitutes the absence, reduced
7 availability, or inadequate level of
8 care, inadequate service for these
9 women.

10 We respectfully submit that to
11 argue otherwise is disrespectful to
12 women and disregards the needs of a
13 significant segment of this population.
14 Ezras Nashim's application is limited to
15 Borough Park, which is a two-square mile
16 area. Borough Park is known for its
17 large Hasidic Jewish population. It's
18 home to one of the largest Orthodox
19 Hasidic communities outside of Israel.
20 There is a clear need for an ambulance
21 service that meets the needs of
22 observant females in our community.

23 Not only does that need exist
24 now, but the population is growing.
25 Brooklyn's population increased

REMSCO HEARING - EZRAS NASHIM

5.3 percent from 2010 to 2016. Within Brooklyn, Borough Park's population has the highest birth rate, the highest life expectancy rate and the lowest homicide rate. Direct calls to Ezras Nashim for emergency medical services continue to grow. The call volume as follows: 347 calls in 2018. We're on track for 428 in 2019 and 475 projected for 2020. Leah?

MS. LEVINE: Satisfying the public need by branding Ezras Nashim's application will have no adverse impact on the other ambulance agencies since calls to Ezras Nashim are new and unique. Ezras Nashim only responds to calls made directly to it, and its very purpose is to satisfy an existing unmet need, not to compete with others. In Borough Park, despite this need always existing, it has never been and/or currently is not any ambulance service that is only staffed by Orthodox and Hasidic female EMTs and guarantees the

1 REMSCO HEARING - EZRAS NASHIM
2 ability to respond to calls from
3 Orthodox and Hasidic females.

4 Some ambulance services have
5 submitted opposition to Ezras Nashim's
6 ambulance application claiming that they
7 employ some female EMTs or that they
8 would be willing to employ some female
9 EMTs to address the need making the
10 argument that the absence of care that
11 Ezras Nashim's application is seeking to
12 address can be corrected or improved
13 with existing resources. Such arguments
14 are simply not credible.

15 This need has always existed.
16 It has not been a secret yet to date
17 that those who oppose Ezras Nashim's
18 application have never done anything to
19 address it. In fact, Ezras Nashim,
20 through my mother when she first got
21 involved, approached ambulance agencies
22 that have submitted opposition to ask if
23 they can be part of the solution, but to
24 no avail.

25 Ezras Nashim has been public for

REMSCO HEARING - EZRAS NASHIM

a number of years regarding the need for an ambulance service of all female EMTs to serve the need of the female segment of the Orthodox and Hasidic community and its intention is to satisfy that need. In fact, Ezras Nashim has conducted a very successful public campaign in which I personally have been very active for signatures and support and for donations to start an ambulance service.

Despite this very public campaign, none of the other ambulance companies who now say that they can address the need have ever stepped forward to taking steps to address the need. Similarly, they have never reached out to Ezras Nashim to see how they might be of help. The only thing those ambulance companies have done is to mail letters opposing Ezras Nashim's application. In other words, the only steps to those ambulance companies have taken is to frustrate Ezras Nashim's

REMSCO HEARING - EZRAS NASHIM

effort to step up and attend to the need that has existed, but which has not been addressed by anyone and which has been suppressed for far too long.

Furthermore, even if there was reasonable basis to credit the claimed willingness of these ambulance companies to address the longstanding need of observant Jewish women in Borough Park -- and we respectfully submit that there is no such basis -- the unique circumstances provide for the need of Orthodox Hasidic women to be met by Orthodox and Hasidic women who know the Hasidic and Orthodox customs and rituals and know the concerns of Orthodox and Hasidic women, which can reduce their level of stress.

This is the very reason why Hatzalah was formed, to service the Jewish community years ago and the very same reasoning applies here. Members of Ezras Nashim previously tried to address Hatzalah's prohibition on women EMTs as

REMSCO HEARING - EZRAS NASHIM

members, but they were unsuccessful in changing the organization's policies.

Some organizations opposing Ezras Nashim's application cite concerns of competition or alleged confusion by an addition of another ambulance service, but we respectfully submit that such claims lack credibility on their face. Ezras Nashim is seeking approval to operate a single BLS ambulance in a two-square mile area and only for calls made directly to it. These calls will come from observant Jewish women who are already calling Ezras Nashim for their first responder services and from observant Jewish women callers who currently avoid calling for ambulances due to the modesty concerns described before.

Furthermore, when Ezras Nashim currently responds to calls that require an ambulance, they contact 911, which results in FDNY responding. FDNY has not objected to Ezras Nashim's

1 REMSCO HEARING - EZRAS NASHIM
2 application and granting this
3 application would in no way harm FDNY.
4 In fact, the number of calls that Ezras
5 Nashim will respond to would be
6 negligible compared to the number of
7 calls that FDNY addresses each year.
8 Ezras Nashim having the ability
9 to transport patients will actually
10 benefit FDNY by reducing its workload,
11 albeit to a very small degree, allowing
12 FDNY to attend others in need by giving
13 us our ambulance. We thank FDNY for its
14 support. Thank you very much.
15 (Whereupon, applause was given.)
16 MS. POMERANTZ: Ezras Nashim has
17 received significant community support
18 in connection with this ambulance
19 application. While the issue here
20 should be appropriate services from a
21 public health perspective, Ezras Nashim
22 has received significant rabbinical
23 support. This includes the letter of
24 support from Rabbi Eli Dov Wachtfogel,
25 Head of the Academy of Zichron Mosche

REMSCO HEARING - EZRAS NASHIM

Yeshiva. His letter provides among other things, in his letter:

"I fully endorse the chessed, [compassion] mission of Ezras Nashim namely, women helping women. In this way, women will not compromise their tznius [modesty] in an emergency situation. Rabbi Yaakov Moshe Hillel, Head of the Academy of Yeshivat Ahavat Shalom concurred and affixed his stamp and signature to Rabbi Wachtfogel's letter of support. Rabbi Moshe Bransdorfer, Grand Rabbi of Congregation Heichel Hora'ah did the same."

By this, Ezras Nashim has the endorsement of leading rabbis of (Hebrew term), located in Israel. As an analogy, the U.S. Courts have a hierarchy, with the lower parts located locally and the highest level, the U.S. Supreme Court, located in Washington. Similarly, the rabbis who have endorsed Ezras Nashim are at the highest level. They are the hierarchy of rabbis.

REMSCO HEARING - EZRAS NASHIM

Ezras Nashim has worked with many additional rabbis and others as well. An online petition has over 2,000 signatures of support: Brooklyn Borough President, members of the New York State Assembly, members of the New York City Council, Chairperson of the Brooklyn Community Board 15, health care providers and many others, the publisher and the managing editor of The Jewish Press.

The Orthodox Hasidic women of Borough Park have a clear and specific need. We respectfully submit that our need which has been suppressed for so long is undeniable and the time has come to fill that need. We appreciate your consideration and we have brought some other people to talk tonight in regards to this need. Thank you very much.

(Whereupon, applause was given.)

HEARING OFFICER SCHORN: I'd like to say thank you to Ms. Levine, Ms. Pomerantz and Ms. Sprei for

1 REMSCO HEARING - EZRAS NASHIM
2 presenting here tonight. Mr. Reisner,
3 do you have questions, anything that you
4 would like to raise?

5 MR. REISNER: I do have a few.

6 MS. LEVINE: Ms. Sprei has a
7 couple of points that she would like to
8 add.

9 HEARING OFFICER SCHORN:
10 Ms. Sprei, I'm sorry. I apologize,
11 Ms. Sprei.

12 MS. SPREI: My name is Miriam
13 Sprei and mostly -- can you hear me?
14 Better?

15 HEARING OFFICER SCHORN: Better,
16 thank you.

17 MS. SPREI: I am an EMT for
18 almost 35 years and the origin of my EMT
19 license was actually to join with
20 Hatzalah in a special field, not
21 specifically for general calls, but
22 specifically really for childbirth and
23 related kind of situations where a woman
24 would actually prefer a woman. I love
25 Hatzalah. I think they have a special

REMSCO HEARING - EZRAS NASHIM

place, but I think there's a special way
and a special place for a woman where a
woman needs a woman.

I'm a mother of 12 children.
I've had 12 childbirths with male
obstetricians. I did not have a problem
with that. This is not a religious
problem. It's just the way I feel as a
woman. I have been a doula volunteering
in Maimonides for the past 20 years and
I feel that a woman needs a woman near
her in signs of the stress, especially
during stressful times like childbirth
and sometimes related issues.

And as a woman myself, if I ever
had to give birth and believe me, some
of my births went very quickly, I would
never, as much as I like Hatzalah, I
just could not -- I said to my husband,
"I will never -- do not call them." I
cannot tolerate that exposure. I'll do
it myself, but maybe it was silly, but
that was my trauma and thank God I made
it in time to the hospital with my

1 REMSCO HEARING - EZRAS NASHIM
2 husband racing with the taxi or whatever
3 it was. Thank God for that, but I'm a
4 proud mother of 12 children,
5 grandmother, and great grandmother by
6 now, and I think I have a special
7 calling as a woman to help other women.

8 As an EMT, as a volunteer, I
9 have been in situations where some of
10 them were not really childbirth. A
11 woman got burned on her breast and she
12 called us. She didn't want to expose
13 herself. Now, I don't think this is a
14 religious issue. I just feel, as a
15 woman, it's just an inborn nature for
16 her to feel more comfortable with
17 another woman and we handled her. She
18 was very happy with our care.

19 I am also working as an EMT for
20 all these many years with the Borough's
21 camp for 30 years as an EMT. So, I have
22 been in many different situations and
23 I've even handled the male staff and
24 they have no problem with it, so it's
25 just not a religious issue. I handled a

1 REMSCO HEARING - EZRAS NASHIM
2 man with a cardiac arrest -- almost,
3 let's say a heart attack and it wasn't a
4 religious issue, I think. It's just I
5 think they would have felt more
6 comfortable with a man.

7 But I see that with going on
8 calls, with FDNY when I was going as a
9 ride-along, I realized that there was a
10 male EMT and a female EMT and they knew
11 their place. It was not a religious
12 issue. It was just, if it was a female
13 patient waiting for help, it was the
14 female EMT who did the actual checking,
15 the personal checking, taking her vitals
16 and the male would be taking the notes
17 and doing all the recording. It was the
18 opposite way if it was a male patient.
19 The male knew it was his job to do the
20 vitals and the female would do the
21 recording.

22 I just feel this is very special
23 place. We also had a woman who we
24 attended to, who her husband had called
25 for us, because his wife was, who is

REMSCO HEARING - EZRAS NASHIM

mentally ill, was fooling around with the medication. She did not take her medications properly. He was afraid for his life; she had taken out a knife. So, he called us, but when we got there, this woman was in her bed, under her covers, she was stark naked. That may be why they called -- why they wanted us to be there. We helped her get dressed, convinced her to come to the hospital with us, but the main thing is really, we had really great backup with the Fire Department and they have been really good with us, but some women are -- in some situations, especially in childbirth situations, it was women that really would have felt more comfortable with us doing the transport along with it. Thank you.

HEARING OFFICER SCHORN: Thank you, Ms. Sprei.

(Whereupon, applause was given.)

HEARING OFFICER SCHORN: If you could just remain in the area and be

1 REMSCO HEARING - EZRAS NASHIM
2 available for questions.

3 MR. REISNER: Ma'am, I didn't
4 get your name.

5 MS. SPREI: Miriam Sprei,
6 S-P-R-E-I.

7 MR. REISNER: Thank you. Could
8 I ask you just a couple of questions?

9 MS. SPREI: Sure.

10 MR. REISNER: You've given birth
11 to 12 children; is that correct?

12 MS. SPREI: Yes.

13 MR. REISNER: And all of them
14 are healthy, I suspect.

15 MS. SPREI: Yes.

16 MR. REISNER: Wonderful, I am
17 happy to hear that. And in giving birth
18 to those children, you birthed with male
19 physicians, right?

20 MS. SPREI: Right.

21 MR. REISNER: And you didn't
22 take issue with that.

23 MS. SPREI: No.

24 MR. REISNER: Yet you, through
25 Ezras Nashim, are asserting that there's

1 REMSCO HEARING - EZRAS NASHIM
2 a distinction between birthing with a
3 male physician and a male emergency
4 medical technician, correct?

5 MS. SPREI: Exactly. Only
6 because a Hatzalah member might be my
7 neighbor. It might be somebody that
8 knows me in a different way. It may be
9 a relative and I just did not feel
10 comfortable. When I went to the
11 doctor's office, I had an interview with
12 the doctor and I felt comfortable. This
13 is an emergency situation where I just
14 got traumatized by the fact that, hey,
15 who is this guy?

16 MR. REISNER: It's an emergency,
17 right?

18 MS. SPREI: Yes, exactly and
19 that caused a lot more stress.

20 MR. REISNER: It's an inherently
21 stressful situation, correct?

22 MS. SPREI: Inherently, right,
23 and I definitely do not want a male. I
24 do not want to be exposed to a male.

25 MR. REISNER: But the nature of

1 REMSCO HEARING - EZRAS NASHIM
2 the emergency is such that quick action
3 must be taken. Would you agree with
4 that?

5 MS. SPREI: In a childbirth
6 situation, I did not feel the need that
7 there was a danger. I did not feel that
8 I was in a true danger.

9 MR. REISNER: And you didn't
10 need EMT in that situation, it sounds
11 like; is that right?

12 MS. SPREI: I was just
13 traumatized -- I don't know that I was
14 in need. I needed someone to hold my
15 hand. Even in the childbirth situations
16 in the hospital years ago, we did not
17 allow anybody else in the room really,
18 even the husband. I felt -- that's why
19 I became a doula. I felt that I needed
20 another woman near me to support me.

21 MR. REISNER: Sure, but you've
22 said that this is not a religious issue,
23 correct?

24 MS. SPREI: No, I just feel it's
25 innate in a woman's nature.

1 REMSCO HEARING - EZRAS NASHIM

2 MR. REISNER: It's not a
3 religious issue of need.

4 MS. SPREI: I don't think it's
5 specifically a religious issue, no.

6 MR. REISNER: Thank you.
7 Wouldn't it be fair to say that --

8 MS. SPREI: It is a cultural,
9 because it's not a religious issue about
10 having a male doctor exactly. I just
11 was traumatized by the fact that I may
12 have a member of our community or it
13 might be somebody that I did not want to
14 face up with.

15 MR. REISNER: But it might not
16 be as well, correct?

17 MS. SPREI: Maybe.

18 MR. REISNER: Hatzalah has over
19 1,000 members; isn't that right?

20 MS. SPREI: Yeah, but they are
21 still community members.

22 MR. REISNER: Sure. And you had
23 joined Hatzalah at one point or
24 considered or applied?

25 MS. SPREI: We were hoping that

1 REMSCO HEARING - EZRAS NASHIM
2 Hatzalah would integrate us. We are not
3 really here to compete with Hatzalah. I
4 don't think this is a competition. I
5 think this is a compliment, because I
6 feel that a woman has a special -- there
7 are women that would prefer to have a
8 woman there and there are special needs
9 that a woman has in certain situations
10 where a woman, even though Hatzalah is
11 great, I think where a woman would be
12 more preferable.

13 MR. REISNER: But you
14 specifically had explored joining
15 Hatzalah at sometime in the past I think
16 is what you led with when you
17 started when you started speaking; is
18 that right?

19 MS. SPREI: Yes, as an emergency
20 -- yes.

21 MR. REISNER: And that
22 experience left you with a bad taste in
23 your mouth it sounds like.

24 MS. SPREI: No, I just don't
25 know why it never happened. I was never

1 REMSCO HEARING - EZRAS NASHIM
2 into politics. I'm not sure why it
3 never evolved, But two years ago, when
4 Ms. Ruchie Freier decided that she would
5 go on with it, I was very excited.

6 MR. REISNER: Wouldn't it be
7 fair to say that your disdain for
8 Hatzalah has something to do with the
9 fact that your involvement with them was
10 not able to evolve the way that you'd
11 hope that it would?

12 MS. SPREI: Can you repeat the
13 question?

14 MR. REISNER: Wouldn't it be
15 fair to say that your disdain for
16 Hatzalah has evolved somewhat --

17 MS. SPREI: I have no disdain
18 for Hatzalah. I just feel that a woman
19 has a special place in dealing in
20 emergencies in certain situations and it
21 really would be ideal if we could work
22 together, but I don't think that's my
23 choice at this point.

24 MR. REISNER: Okay. But it's
25 not a religious issue as to need,

1 REMSCO HEARING - EZRAS NASHIM

2 correct?

3 MS. SPREI: No, to me, it's not
4 a religious issue. Not at all.

5 MR. REISNER: Thank you.

6 And ma'am, your name?

7 MS. POMERANTZ: Celia Pomerantz.

8 MR. REISNER: Celia Pomerantz,
9 thank you. And Ms. Pomerantz, you were
10 speaking about the one ambulance slide
11 on page 3 of the PowerPoint, correct?

12 MS. POMERANTZ: (Indicating.)

13 MR. REISNER: And can you tell
14 me how many people live in Borough Park?

15 MS. POMERANTZ: We know that the
16 population is increasing in Borough Park
17 by leaps and bounds. Highest birthrate,
18 Maimonides Hospital, 12,000 births, I
19 believe, a year.

20 MR. REISNER: There's a lot of
21 people, right?

22 MS. POMERANTZ: A lot of people
23 in Borough Park.

24 MR. REISNER: Over 100,000, I
25 think, right?

1 REMSCO HEARING - EZRAS NASHIM

2 MS. POMERANTZ: Correct.

3 MR. REISNER: And it stands to
4 reason that there could be circumstances
5 where more than one emergency could come
6 in to Ezras Nashim at a time; is that
7 fair to say?

8 MS. POMERANTZ: Yes, I actually
9 had that as a dispatcher. I was
10 dispatching one night and we had one
11 call and within five minutes, we had
12 another call.

13 MR. REISNER: Okay.

14 MS. POMERANTZ: We had an EMT to
15 respond to each location and they both
16 ended up very happy and safe and I
17 couldn't believe that, wow, we had a
18 double-call. Some days we have, you
19 know, a few calls, some days less, some
20 days more. This is a specific need of a
21 specific segment of Borough Park. It's
22 not to say that everyone in Borough Park
23 is going to be calling.

24 MR. REISNER: Sure.

25 MS. POMERANTZ: But those that

1 REMSCO HEARING - EZRAS NASHIM

2 want us, we have this service that was
3 never around.

4 MR. REISNER: And you advertise
5 so that people know to call you, right?

6 MS. POMERANTZ: Well, I mean,
7 it's pretty new.

8 MR. REISNER: Right, you have
9 vehicles that have your phone number on
10 them?

11 MS. POMERANTZ: Right.

12 MR. REISNER: There are flyers,
13 and Facebook pages, and media coverage,
14 and all sorts of things, correct?

15 MS. POMERANTZ: Yes.

16 MR. REISNER: So people know
17 that. So you get the word out so they
18 can call you; fair to say?

19 MS. POMERANTZ: Yeah, I mean --

20 MR. REISNER: Sure.

21 MS. POMERANTZ: If there is an
22 emergency and they didn't know -- they
23 only wanted a lady, they didn't know the
24 number, I don't know what may have
25 happened. A lot of these women may just

1 REMSCO HEARING - EZRAS NASHIM
2 not want to call and say you know, I
3 rather whatever -- whatever has to
4 happen, happen and that's very
5 unfortunate.

6 MR. REISNER: You hope more
7 call, I would say; is that right?

8 MS. POMERANTZ: I'm sorry?

9 MR. REISNER: You hope that more
10 call eventually over time, right?

11 MS. POMERANTZ: It's about the
12 need. Whoever wants us, we are here for
13 them. Whether it's, you know, I don't
14 know the numbers, but whatever number it
15 is, at least we saved that person's
16 life. At least we helped that person in
17 a dignified manner.

18 MR. REISNER: And going back to
19 the time you had two calls at once. How
20 did you handle both of those as far as
21 your interface with transport?

22 MS. POMERANTZ: We had our
23 radios, so we had EMTs responding to
24 both and myself, as the dispatcher, was
25 in touch with the FDNY system.

1 REMSCO HEARING - EZRAS NASHIM

2 MR. REISNER: What was the
3 response time before FDNY was on the
4 scene with an ambulance?

5 MS. POMERANTZ: I would have to
6 check. This was going back three years
7 ago. I'd have to check the actual
8 response times. I have to go through
9 the call log, because we actually log
10 the times the member got there and the
11 time the ambulance got there --

12 (Noise in audience.)

13 MR. REISNER: Was it under two
14 minutes?

15 MS. POMERANTZ: I don't
16 remember.

17 MR. REISNER: Have you ever seen
18 a circumstance where you were able to
19 put an EMT on scene and then call 911, I
20 believe you said is how you operate,
21 right?

22 MS. POMERANTZ: Right.

23 MR. REISNER: You call 911 and
24 have FDNY on scene in less than two
25 minutes?

1 REMSCO HEARING - EZRAS NASHIM

2 MS. POMERANTZ: I don't know if
3 the FDNY got there before the member,
4 but Ezras Nashim was able to get there,
5 stay with the patient, stabilize the
6 patient. They are certified EMTs, so
7 being able to keep the patients safe,
8 whether it's giving oxygen, controlling
9 bleeding, and when the ambulance gets
10 there, we work together with that
11 transport, which meets that need even
12 more, because if we would have our own
13 ambulance, they won't have that radio.
14 We would have someone on shift for that
15 ambulance that's going right away.

16 I wouldn't even have to make
17 that second call to FDNY. It would be a
18 call put out, members going, ambulances
19 going, done. We saved a few minutes
20 there.

21 MR. REISNER: For one patient?

22 MS. POMERANTZ: Correct.

23 MR. REISNER: But what about the
24 other patient who is calling at the same
25 time?

1 REMSCO HEARING - EZRAS NASHIM

2 MS. POMERANTZ: We would still
3 have a member going and stabilizing that
4 patient, doing whatever they would have
5 to do in the emergency, and we do have
6 FDNY as our backup. They have mutual
7 aid with us and they still will consider
8 to back us up in the event that we have
9 a double emergency and we have our
10 ambulance heading out to emergency
11 number one and the next mutual aid, the
12 dispatcher would call and say -- the
13 same way we do it now.

14 So, you know, we're starting out
15 slowly. We're not going in, aiming at
16 multiple ambulances at one time. We're
17 a new organization and we're taking
18 small steps at a time.

19 MR. REISNER: When you call
20 FDNY, do they respond with an Orthodox
21 woman EMT?

22 MS. POMERANTZ: They don't -- I
23 don't think there could be Orthodox. I
24 don't know if they do, but many times
25 there is a female EMT. In the event

1 REMSCO HEARING - EZRAS NASHIM
2 that it's not, the male EMTs have been
3 very respectful. They say, "you can do
4 your part" and, you know, we have a
5 mutual respect there. We give over the
6 vitals. We're talking to them, telling
7 them what's happening. They're just not
8 involved in the actual patient care
9 on-hand. They're not -- whatever it is,
10 if we need that back up, they're doing
11 our transport.

12 MR. REISNER: Right, but there's
13 is no guarantee you're going to get even
14 a female EMT, much less a female
15 Orthodox EMT, when you call FDNY,
16 correct?

17 MS. POMERANTZ: Correct, so
18 our --

19 MR. REISNER: Thank you.

20 MS. POMERANTZ: Our team would
21 be Orthodox, understanding the cultural
22 norms, understanding the traditions and
23 that's what makes our community -- there
24 are those in the community who want us,
25 who need us -- that's what makes them

1 REMSCO HEARING - EZRAS NASHIM
2 more comfortable. People understand --
3 we understand -- they would understand
4 that portion of that need. It kind of
5 goes together with the general need of
6 what the population wants.

7 MR. REISNER: But when you face
8 a situation where you got two calls at
9 once, you cannot, with one ambulance,
10 service both of those calls and
11 therefore, you cannot meet the need in
12 the way that you are portraying yourself
13 to be able to meet the need is the
14 implication, correct?

15 MS. POMERANTZ: To be honest,
16 this happened one time three years ago
17 and it was about at five to six minute
18 gap of time. But again, we would fall
19 back on that mutual aid with the FDNY
20 who has been backing us up all this time
21 for over five years.

22 MR. REISNER: Five to
23 six minutes?

24 MS. POMERANTZ: No, when I'm
25 saying five to six minutes was the

1 REMSCO HEARING - EZRAS NASHIM
2 difference between the two calls: One
3 call and six minutes later, another
4 call. But when I complete a call, the
5 call is completed on our dispatch system
6 when either the patient goes to the
7 hospital or RMA (phonetic).

8 So when I say "call," the help
9 was already there by the time the second
10 call came in. When I say "call," it
11 wasn't completed, because we were still
12 getting the patient ready for transport
13 and I tell the dispatcher when I train
14 them, the only time you close out a call
15 is one or two things: It's either
16 transporting or RMA. So the five to
17 six minutes was the timeframe between
18 the two calls --

19 (Noise in audience.)

20 MR. REISNER: Your response time
21 is eight minutes, give or take, correct,
22 on average?

23 MS. POMERANTZ: I would have to
24 check that.

25 MR. REISNER: That's what the

1 REMSCO HEARING - EZRAS NASHIM
2 application says.

3 MS. POMERANTZ: Okay.

4 MR. REISNER: And that's before
5 you put BLS on the scene, correct?

6 MS. POMERANTZ: That's --

7 MR. REISNER: Because you're not
8 an ALS agency.

9 MS. POMERANTZ: Not yet. Not
10 ALS yet.

11 MR. REISNER: Then you run into
12 an additional amount of time to get ALS
13 on the scene once you arrive, assess the
14 scene and then have to call FDNY,
15 correct?

16 MS. POMERANTZ: We would ask for
17 their help, yes.

18 MR. REISNER: Thank you.

19 HEARING OFFICER SCHORN: Thank
20 you very much. I'm going to have a --
21 I'm fortunate, I get to ask some
22 questions and I want to say thank you
23 and I want to apologize for the
24 ignorance I'm going to show. One of my
25 questions is:

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REMSCO HEARING - EZRAS NASHIM

Does Ezras Nashim have Chevra
Hatzalah as a mutual aid partner?

MS. SPREI: A what?

HEARING OFFICER SCHORN: Does
Ezras Nashim use Chevra Hatzalah as a
mutual aid partner?

MS. LEVINE: (Indicating.)

HEARING OFFICER SCHORN: Can you
comment why you don't? If there is a
reason? Have you considered?

MS. LEVINE: I'm not sure what
ended up happening, but I'm sure my
mother reached out to Hatzalah and they
didn't want to have anything to do with
us.

UNIDENTIFIED SPEAKER: They
don't want us.

MS. LEVINE: They don't want us.

HEARING OFFICER SCHORN: I thank
for whatever energy is in the room. I'm
going to ask the ladies that are here,
and if there are other people in the
community that would like to
participate, I promise you will have an

1 REMSCO HEARING - EZRAS NASHIM

2 opportunity. So there is no agreement
3 or understanding?

4 MS. LEVINE: No, they don't want
5 to work with us.

6 HEARING OFFICER SCHORN: Again,
7 I'm coming from a place of respect, but
8 a place of lack of information.

9 In the presentation, there is a
10 note, I think it's under the public
11 need, one of the first bullet points is
12 that, "Jewish law prohibits Orthodox
13 Jewish men from touching unrelated
14 woman." The second bullet point says,
15 "there is an exception for
16 life-threatening emergencies when no
17 qualified woman is available."

18 We already, EMTs, have often
19 been on calls where there's an
20 emergency, but not necessarily a
21 life-threatening emergency. Is there
22 any distinction that's being made when
23 there is a non-life -- there's a broken
24 arm. There's, I think you mentioned, a
25 burn, there's something that's not

1 REMSCO HEARING - EZRAS NASHIM
2 life-threatening, but it's an urgent
3 matter that needs attention.

4 Is that something that is
5 addressed by males when it's a
6 non-life-threatening situation or is
7 this something that your community finds
8 is very much conjecture?

9 MS. POMERANTZ: The people that
10 call us, they make that initial choice
11 when calling us. We have what I call
12 sometimes check-out situations: It's an
13 elderly woman, she didn't remember, did
14 I take my blood pressure medication?
15 Did I not? It's not such a big
16 emergency. Maybe when we get there, it
17 might be. She might be 250 over 100.
18 Yes, that's a big emergency, so as soon
19 as our agency would assess that, then,
20 yes, it becomes life-threatening.

21 But many times, we get calls and
22 some people downplay it. Some people up
23 -- you know, make it more than it is,
24 but we don't know. Dispatch our women,
25 we just have to respond whether -- we

1 REMSCO HEARING - EZRAS NASHIM
2 have to respond to each call, so we
3 don't always know right at the time,
4 life-threatening or not. Well,
5 life-threatening, we do know, but we
6 don't always know when a
7 non-life-threatening turns into
8 life-threatening. So, they definitely
9 -- and they make that first choice to
10 call us.

11 HEARING OFFICER SCHORN: Thank
12 you. And one more question: As women,
13 why don't you join Hatzalah? And again,
14 I don't know the answer, so --

15 MS. LEVINE: We definitely have
16 tried.

17 HEARING OFFICER SCHORN: If I
18 told a joke, I'll be glad to tell you
19 another one, but, no really, why don't
20 you join Hatzalah?

21 MS. LEVINE: That's what we've
22 tried for years. That's what we were
23 trying, and trying, and trying, but
24 Hatzalah doesn't allow females to join.

25 HEARING OFFICER SCHORN: So

1 REMSCO HEARING - EZRAS NASHIM
2 you're saying females are not allowed to
3 join?

4 MS. LEVINE: They're not allowed
5 to join Hatzalah. They want it to be
6 only men in their agency.

7 HEARING OFFICER SCHORN: So
8 Hatzalah does not have any females that
9 are on their response crews?

10 MS. LEVINE: No. That was like
11 the best option, but they -- after, you
12 know, time, and time, and time again,
13 asking and asking, they always rejected
14 us.

15 MS. POMERANTZ: This was an idea
16 many, many years ago. Because like you
17 said, something that was suppressed for
18 so many years.

19 HEARING OFFICER SCHORN: I'm not
20 sure -- to be quite honest with you, the
21 question was in fact on my mind. It's
22 one of those implicit things and maybe
23 sometimes it's so -- I think it's
24 important that you mention like -- okay.
25 So, if you've got Hatzalah and if you

1 REMSCO HEARING - EZRAS NASHIM
2 have a response from within the Jewish
3 community, existing Jewish community
4 cannot provide a first responder who is
5 female; am I accurate or am I inaccurate
6 other than your position?

7 MS. LEVINE: So my mother
8 actually did go a few years ago when she
9 was starting with the rabbis and they
10 did tell her and I remember it
11 happening, that Hatzalah doesn't feel
12 it's appropriate to have males and
13 females together working in the same EMS
14 agency. They feel like it could lead to
15 inappropriate things, so the rabbis told
16 us open up on your own. They thought
17 that would be the best way to keep, you
18 know, to get the women to help the need
19 and to make sure we don't get into any
20 inappropriate situations.

21 HEARING OFFICER SCHORN: And I
22 appreciate, Ms. Levine, I'm not asking
23 you to speak on behalf of Hatzalah and
24 we're not using rules of hearsay and
25 evidence like that, so I'm not going to

1 REMSCO HEARING - EZRAS NASHIM
2 ask you whether that is true or not
3 true, but my concern is, and I hope that
4 someone will correct if I'm
5 misunderstanding, that if a female said:
6 Hey, I'm an EMT, I'm a doula, I'm an RN,
7 I'm this; I'd like to be part of the
8 first response team, where do I sign up,
9 Hatzalah?

10 MS. LEVINE: They would say no.

11 HEARING OFFICER SCHORN: They
12 would say, Thank you, but we wouldn't be
13 able to use your services?

14 MS. LEVINE: Yes.

15 HEARING OFFICER SCHORN: I teach
16 in East Williamsburg and I have
17 wonderful people in the community,
18 Hasidic people in the community. I see
19 Hatzalah fly cars. I know how fast they
20 respond. I know that the response time
21 is very fast and I'm going to raise a
22 question, because, and Mr. Reisner
23 already did, and I think he made the
24 point very well. He's talking about --
25 I mean, Hatzalah has and is very

1 REMSCO HEARING - EZRAS NASHIM
2 well-known for their response time and
3 they are there and they're, as my
4 grandfather would say, "Johnny on the
5 spot."

6 Would you say that that response
7 time should be discounted or is the
8 other factors of being present as a
9 female to other females even more
10 overriding?

11 MS. LEVINE: Yeah, in many
12 situations, you know, having that
13 secondary trauma could be overriding the
14 three-minute response time, you know?
15 There's so many different situations
16 where the extra two minutes doesn't make
17 a difference and it makes more a
18 difference to have a female, someone who
19 is going to, you know, keep the patient
20 calm and, you know, do the right thing
21 for the patient.

22 HEARING OFFICER SCHORN: Okay.

23 MS. LEVINE: They do have an
24 unbelievably fast response time.

25 HEARING OFFICER SCHORN: I thank

1 REMSCO HEARING - EZRAS NASHIM
2 you. I'm going to hold questions
3 because I love to ask questions, but I'm
4 not going to. I'm going to ask the
5 Ambulance Committee to ask any questions
6 they would like to share.

7 MR. DOWNEY: I think I have a
8 series of questions.

9 UNIDENTIFIED SPEAKER: Fair
10 enough.

11 MR. DOWNEY: Going to the
12 application, page 2. It talked about
13 1960's on the first Orthodox Jewish EMS
14 service. At the time, 300 women from
15 Borough Park (indiscernible). Why was
16 that disbanded and why, at the time, was
17 not a women's organization formed off of
18 that?

19 MS. LEVINE: Well, I know that
20 is was disbanded. The women didn't have
21 enough power and women in support to
22 fight for the needs in the community.
23 So that's why 30 years later when my
24 mother was approached to help out with
25 this cause --

1 REMSCO HEARING - EZRAS NASHIM

2 MS. POMERANTZ: Leah.

3 MR. DOWNEY: Is there any place
4 else in the world where there's a
5 strictly Orthodox Jewish women's
6 volunteer ambulance service?

7 MS. SPITZER: In Israel, there's
8 over 120 women and they are located in
9 different situations. Anytime a woman
10 calls, the ambulance will get there
11 immediately.

12 MR. DOWNEY: Is that strictly a
13 woman's organization or is it mixed?

14 MS. SPITZER: It's together.
15 It's a separate group, but they work
16 together.

17 HEARING OFFICER SCHORN: Ma'am,
18 I'm going to ask you, could you please
19 identify yourself? I'm not sure who you
20 are. You seem to approach the podium.
21 You seem to be friendly.

22 MS. SPITZER: They want me to
23 answer the question.

24 HEARING OFFICER SCHORN: I
25 appreciate that. Could you --

REMSCO HEARING - EZRAS NASHIM

MS. SPITZER: My name is Eugena Spitzer (phonetic). I'm an EMT for over 30 years. I was part of the forming -- my father, may he rest in peace, he passed some months ago, he was one of founders of Hatzalah. He was the Hatzalah before Hatzalah. He would always help people, while the ambulances arrived, he already took the patients and helped them.

So when they formed Hatzalah, it was a group of men that said this is not for men. Women have to help women, so they trained 40 women EMTs and they trained in 1976 and trained as EMTs. And we in turn (indiscernible) and we trained 300 women for them to give childbirth and CPR, and so that women should be able to help each other by the time the ambulance comes, first aid would proceed (phonetic). Some men did not like the idea. They went to the rabbis and they said, "no, we don't want women in the occupation," and somehow it

1 REMSCO HEARING - EZRAS NASHIM
2 dissipated, and ever since then, we've
3 been trying to form it.

4 And a few years ago, Rachel
5 Freier and Leah got involved to revolve
6 the need for it and together and we
7 built this organizing and now we're here
8 up to here and we are trying to start
9 our ambulance. And I can tell you, we
10 have so many humiliating stories that we
11 felt we would create the need for it. I
12 respect Hatzalah. They saved me. They
13 saved my husband. They really helped a
14 lot, but there is a need for women to
15 help women and I'm embarrassed that
16 there are women who are saying
17 differently.

18 HEARING OFFICER SCHORN:
19 Ms. Spitzer, thank you very much.
20 Mr. Downey, any more questions?

21 MR. DOWNEY: Several more.

22 HEARING OFFICER SCHORN: I'm
23 told that we need a break and I know
24 that I will need a break. Mr. Downey,
25 are you --

1 REMSCO HEARING - EZRAS NASHIM

2 MR. DOWNEY: I will come back
3 after break.

4 HEARING OFFICER SCHORN: We are
5 going to have a break. I'm told that we
6 have someone who must leave because of
7 time pressure and we're running late.
8 Paula Eisel (phonetic), am I saying it
9 right? Ms. Eisel, and you're speaking
10 on behalf of the application?

11 MS. EISEL: Yes.

12 HEARING OFFICER SCHORN: In
13 favor of Ezras Nashim. All right.

14 MS. EISEL: I'll be super quick.
15 I'm a filmmaker and I've followed the
16 formation of Ezras Nashim for five years
17 and I am Orthodox. I am not Hasidic, so
18 I have kind of like an insider/outsider
19 status and I can tell you from following
20 these women since 2013, the need for
21 this, for Ezras Nashim, for an
22 ambulance, is so great within this
23 community. This 12 women that are here
24 are nothing compared to the hundreds of
25 women that I've met that were so

1 REMSCO HEARING - EZRAS NASHIM

2 thankful to finally have women meeting
3 their needs.

4 I think it's ironic also that
5 Ezras Nashim has tried to join Hatzalah
6 for 30 years. They have banned women
7 from joining and not only did they not
8 let them join, they're not now letting
9 them start their own organization, so
10 they are essentially just trying to
11 silence women completely. They don't
12 want them in and they don't want them to
13 have their own thing.

14 (Whereupon, applause was given.)
15 I think in the age of "me too", it's
16 discrimination and to have a secular
17 lawyer judge the modesty of women and
18 say that advertising isn't modest is
19 really out of line.

20 (Whereupon, applause was given.)
21 He knows nothing. That's not Jewish
22 law, that not everyone in Borough Park
23 agrees with that. So he's just a
24 mouthpiece. You should know that. But
25 there is a great, great need for this

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organization. I'm pregnant. I have three other children. I have been in situations where I actually, in Queens did have to call Hatzalah, because there was a snowstorm and as I'm having contractions, waddling in snow that's up to my knees, the Hatzalah member wouldn't hold my hand to help me walk because he didn't want to touch me. So, you have a culture that there's intense segregation, but then all of the sudden, you want that to go away? That's not realistic. People don't just walk out of those things that are in you since the time you're three years old in an instant.

And there's a lot of talk about response time and I want to just clarify that the way you're calculating response time is from when the call is made until the ambulance comes, but you're not factoring all the time that the woman has waited to call. She's calling much later than she would call. She's

1 REMSCO HEARING - EZRAS NASHIM
2 hesitating. She's waiting hours,
3 20 minutes, whatever it is. That
4 response time is much more and you have
5 no way of measuring that.

6 So, I wanted to say that it
7 would be a real travesty of culture and
8 justice if you do not approve this
9 application. Thank you.

10 (Whereupon, applause was given.)

11 MR. REISNER: Rachel Mandelbaum,
12 she's advised me that she has to get
13 home to her children as well.

14 HEARING OFFICER SCHORN: Okay.
15 Not a problem. Thank you,
16 Ms. Mandelbaum.

17 MS. MANDELBAUM: Good evening.
18 My name is Rachel Mandelbaum. I
19 actually have twin babies at home and a
20 family of many, thank God. I came here
21 tonight and proudly so to attest how
22 Hatzalah was there for me in the most
23 vulnerable moment and with much
24 professionalism and compassion. They
25 responded efficiently, which is

1 REMSCO HEARING - EZRAS NASHIM
2 well-known and acted so appropriately
3 which calmed me to an extreme degree.

4 In fact, at the time, I was
5 living in a building and I had a
6 neighbor who realized that I was in a
7 state of emergency, in a state of labor.
8 She was actually skilled and educated in
9 the field, offered to come help and I
10 refused. I preferred having Hatzalah
11 there.

12 Many women in this crowd also,
13 have been assisted in childbirth by
14 Hatzalah in a very respectful, special
15 way and it is actually very honorable
16 for me to be able to do this in
17 gratification and thankfulness to
18 Hatzalah.

19 I do feel that -- I'm also a
20 principal in a school and I have seen
21 Hatzalah in different situations, but in
22 childbirth, in labor, I felt more
23 comfortable having Hatzalah. I actually
24 had the next baby where I managed to
25 make it to the hospital, but I needed

1 REMSCO HEARING - EZRAS NASHIM
2 Hatzalah to get me there, because it was
3 of times' essence and I chose to call
4 them again, which I think says a lot.
5 Thank you for the opportunity.

6 (Whereupon, applause was given.)

7 HEARING OFFICER SCHORN: Before
8 we break, there is one more person,
9 Simeon Blitman --

10 MR. DERING: Hearing Officer, is
11 there any way -- I have two of our
12 primary witnesses in our case and she
13 may have to go to a bat mitzvah.

14 HEARING OFFICER SCHORN: I'm
15 going to have to go to a bathroom.

16 MR. DERING: I guess the hard
17 thing is we have our burden of proof.

18 HEARING OFFICER SCHORN: I
19 agree.

20 MR. DERING: Mr. Blitman, how
21 urgent is your --

22 DR. BLITMAN: One minute.

23 HEARING OFFICER SCHORN: If you
24 do one minute -- if you need to, I'll
25 try to forbear nature and try to

1 REMSCO HEARING - EZRAS NASHIM

2 maintain modesty myself.

3 DR. BLITMAN: Hi. My name is

4 Dr. Blitman. I'm a speech language
5 pathologist. I grew up in Borough Park.
6 I've been practicing for 20 years in
7 Borough Park for 20 years. I have a PHD
8 from Columbia University and I love
9 Hatzalah. I have many of my friends
10 that are at Hatzalah and I really had
11 lack of sleep over Shabbas (phonetic)
12 over Saturday thinking about this
13 because I didn't to put down Hatzalah
14 and I still don't want to put down
15 Hatzalah, because I think the woman that
16 stood before, they have a right to stand
17 because they represent people that help
18 the community.

19 However, as a speech language
20 pathologist in the neighborhood, I have
21 plenty of people that call me up on the
22 phone that say, do you have female
23 therapist that can touch the throat when
24 you have a voice disorder, and I will
25 sometimes have to contract out because

1 REMSCO HEARING - EZRAS NASHIM
2 they don't want to be touched by a male
3 speech pathologist.

4 There's a sensitivity -- and I
5 think the word "sensitivity" is
6 broad-ranged and I think that when you
7 take the sensitivity of somebody that
8 doesn't want to come to you because they
9 have never been touched by a male, in
10 today's day and age, not even in the
11 Hasidic world, but the world in general,
12 you have Hollywood executives opening
13 their doors or having people sit in a
14 room because they're afraid of being
15 exposed for violating sexual harassment.
16 This is not about sexual harassment.
17 This is sensitivity. This is people who
18 don't want to be touched by a male.

19 Now, correct, Hatzalah is a
20 phenomenal organization. Their response
21 time is amazing, but the sensitivity of
22 a female is pertinent. You know, as a
23 kid, I remember meeting Hershel Weber,
24 the originator of Hatzalah in the Pan Am
25 Terminal when I was 5 years old. I