

CURRENT INTRODUCTION NUMBER:

Int. No. 487

INITIAL SPONSORS:

Speaker Mark-Viverito, Dromm, Menchaca and Espinal

TITLE:

A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the police department.

BILL SUMMARY:

This plain language summary is for informational purposes only and does not substitute for legal counsel. For more information, you should review the full text of the bill, which is available online at legistar.council.nyc.gov.

The federal Immigrations and Customs Enforcement Agency (“ICE”) files an “immigration detainer” with the New York City Police Department (“NYPD”) when they believe an individual in NYPD custody is subject to removal from this country. The immigration detainer serves as a request that the NYPD detain the individual for up to 48 hours beyond when the individual would otherwise be released so that the individual’s custody may be transferred to ICE. This bill would significantly restrict the conditions under which the NYPD complies with these ICE requests. The NYPD would only honor an immigration detainer if it was accompanied by a warrant from a federal judge, and also only if that person had been convicted of a “violent or serious” crime during the last five years or was listed on a terrorist database.

The bill would also allow the NYPD to honor an immigration detainer even if not accompanied by a judicial warrant if the subject had been convicted of a “violent or serious” crime or is a possible match on the federal terrorist watch list and had previously been deported.

CODE SECTIONS AFFECTED:

- Amends Administrative Code § 14-154

EFFECTIVE DATE:

Thirty days after it becomes a law.

NOTE: When reading the full text of the bill online at legistar.council.nyc.gov, language that is enclosed by [brackets] is proposed to be removed, and language that is underlined is proposed to be added.