



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 487-A

COMMITTEE: Immigration

TITLE: To amend the administrative code of the city of New York, in relation to persons not to be detained by the police department.

SPONSORS: The Speaker (Council Member Mark-Viverito) and Council Members Dromm, Menchaca, Espinal, Arroyo, Chin, Constantinides, Johnson, Lander, Levine, Richards, Rose, Rodriguez, Reynoso, and Palma

SUMMARY OF LEGISLATION: Proposed Intro. 487- A would amend the administrative code of the City of New York to restrict the conditions under which the New York Police Department (“NYPD”) complies with the Immigrations and Customs Enforcement Agency (“ICE”) immigration detainers. Under this amendment, NYPD would only honor immigration detainers if the detainers were accompanied by a warrant from a federal judge and also if the person has been (1) convicted of a “violent or serious” crime during the last five years; or (2) was listed as a possible match on a federal terrorist database. The bill allows NYPD to honor immigration detainers without a judicial warrant if the subject of the detainer (1) has been convicted of a “violent or serious” crime and has been previously deported; or; (2) is a listed as a possible match on federal terrorist database.

EFFECTIVE DATE: This local law would take effect 30 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0*	\$0*	\$0*
Net	\$0	\$0	\$0

IMPACT ON REVENUES: This legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: This legislation would have no impact on city expenditures as existing Police Department resources would be used to comply with any additional requirements created by this law.

* Proposed Intro. 486-A will reduce the number of inmates held by the NYC Department of Corrections (DOC) on ICE detainers and thereby eliminate some of the costs associates with housing them. According to the Department, in 2013, the Department held 2,045 inmates past their release times on ICE detainers. The DOC spent approximately \$43,000 on food and supplies for inmates held past their City release date on an ICE warrant. Accordingly, narrowing the categories of inmates detained on ICE warrants by the Department could generate approximately \$43,000 in annual savings.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York Police Department/New York Department of Corrections

ESTIMATE PREPARED BY: Ellen Eng, Legislative Financial Analyst

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LEGISLATIVE HISTORY: This legislation was introduced on October 7, 2014 as Intro. 487 and referred to the Committee on Immigration. A hearing was held by the Committee on Immigration on October 15, 2014 and the legislation was amended and laid over. The Committee will vote on the amended legislation Proposed Intro. 487-A on October 20, 2014 and, upon successful vote by the Committee, Proposed Intro. 487-A will be submitted to the full Council for a vote on October 22, 2014.

DATE PREPARED: October 20, 2014