Legislation Details (With Text)

File #:	Int 1153-2023 **Version:** A	**Name:**	Requiring reports on removals involving individuals experiencing homelessness and the outcomes for those individuals.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on General Welfare
On agenda:	8/3/2023		
Enactment date:	1/20/2024	**Enactment #:**	2024/034

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring reports on removals involving individuals experiencing homelessness and the outcomes for those individuals

Sponsors: Sandy Nurse, Shahana K. Hanif, Chi A. Ossé, Lincoln Restler, Tiffany L. Cabán, Diana I. Ayala, Kristin Richardson Jordan, Julie Won, Oswald J. Feliz, Carmen N. De La Rosa, Nantasha M. Williams, Christopher Marte, Pierina Ana Sanchez, Alexa Avilés, Mercedes Narcisse, Crystal Hudson, Gale A. Brewer, Shekar Krishnan, Jennifer Gutiérrez, Amanda C. Farías, Carlina Rivera, James F. Gennaro

Indexes: Report Required

Attachments: 1. Summary of Int. No. 1153-A, 2. Summary of Int. No. 1153, 3. Int. No. 1153, 4. August 3, 2023 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 8-3-23, 6. Minutes of the Stated Meeting - August 3, 2023, 7. Committee Report 12/7/23, 8. Hearing Testimony 12/7/23, 9. Hearing Transcript 12/7/23, 10. Proposed Int. No. 1153-A - 12/13/23, 11. Committee Report 12/19/23, 12. Hearing Transcript 12/19/23, 13. December 20, 2023 - Stated Meeting Agenda, 14. Hearing Transcript - Stated Meeting 12-20-23, 15. Minutes of the Stated Meeting - December 20, 2023, 16. Int. No. 1153-A (FINAL), 17. Fiscal Impact Statement, 18. Legislative Documents - Letter to the Mayor, 19. Local Law 34

Date	Ver.	Action By	Action	Result
8/3/2023	*	City Council	Introduced by Council	
8/3/2023	*	City Council	Referred to Comm by Council	
12/7/2023	*	Committee on General Welfare	Hearing Held by Committee	
12/7/2023	*	Committee on General Welfare	Laid Over by Committee	
12/7/2023	*	Committee on Veterans	Hearing Held by Committee	
12/7/2023	*	Committee on Veterans	Laid Over by Committee	
12/7/2023	*	Committee on Mental Health, Disabilities and Addiction	Hearing Held by Committee	
12/7/2023	*	Committee on Mental Health, Disabilities and Addiction	Laid Over by Committee	
12/7/2023	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/7/2023	*	Committee on Housing and Buildings	Laid Over by Committee	
12/19/2023	*	Committee on General Welfare	Hearing Held by Committee	
12/19/2023	*	Committee on General Welfare	Amendment Proposed by Comm	
12/19/2023	*	Committee on General Welfare	Amended by Committee	
12/19/2023	*	Committee on General Welfare	Approved by Committee	Pass
12/20/2023	A	City Council	Approved by Council	Pass

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12/20/2023	A	City Council	Sent to Mayor by Council
1/19/2024	A	City Council	Returned Unsigned by Mayor
1/20/2024	A	Administration	City Charter Rule Adopted

Int. No. 1153-A

By Council Members Nurse, Hanif, Ossé, Restler, Cabán, Ayala, Richardson Jordan, Won, Feliz, De La Rosa, Williams, Marte, Sanchez, Avilés, Narcisse, Hudson, Brewer, Krishnan, Gutiérrez, Farías and Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to requiring reports on removals involving individuals experiencing homelessness and the outcomes for those individuals

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-152 to read as follows:

§ 21-152 Reports on removals involving individuals experiencing homelessness. a. Definitions. For purposes of this section, the following terms have the following meanings:

Affected individual. The term "affected individual" means any individual perceived as experiencing homelessness who is temporarily or permanently removed from a location or whose personal property has been cleared at a location.

Agency removal. The term "agency removal" means a removal by or on behalf of any agency or agencies or a removal where an agency representative was present, except that such term does not include a police-directed removal.

Police-directed removal. The term "police-directed removal" means a removal by an employee of the police department without coordination with another agency or entity.

Removal. The term "removal" means an action or directive by or on behalf of any agency, that results in an individual perceived as experiencing homelessness temporarily or permanently leaving a location or the clearing by or on behalf of any agency of personal property, which may include a sleeping bag, shelter, tarp, tent, bed, cardboard, metal sheeting, furniture, or other objects at a location.

Robot. The term "robot" means an artificial object or system that senses, processes, and acts, to at least

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some degree, and is operated either autonomously by computers or by an individual remotely. The term does not include unmanned aerial vehicles.

Shelter. The term "shelter" means a building or individual units within a building, used by the department or by a person under contract or similar agreement with the department to provide temporary emergency housing.

Transitional housing. The term "transitional housing" means placement in a shelter, stabilization bed, or safe haven.

b. No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner, in consultation with the police commissioner, the commissioner of sanitation, and the commissioner of parks and recreation, shall submit to the speaker of the council, the public advocate, and the mayor, and publish on the department's website, in a machine readable format, a report on removals conducted during the prior month. The report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information and any additional information the commissioner deems appropriate, set forth in separate columns:

1. A unique identification number for each removal;

2. Whether the removal was an agency removal or a police-directed removal;

3. The council district where the removal occurred;

4. Whether or not at removal has previously been conducted at that location;

5. The source of initiation for the removal, including but not limited to requests by an agency, office, organization, or 311 report;

6. The date and time of the start of the removal;

7. The agencies and divisions within agencies with personnel present for the removal;

8. The non-government entities present for the removal;

9. The number of agency personnel present and total hours spent on the removal by personnel,

disaggregated by agency;

10. The number of affected individuals involved in the removal; and

11. The cost of removals, including, but not limited to, the costs associated with the following information:

(a) The number of agency staff present during and before a removal, disaggregated by the agency and relevant job title;

(b) The total time an agency was present before and during a removal;

(c) Any overtime hours used to conduct a removal, including a methodology on how overtime hours were calculated; and

(d) Any additional costs such as the use of any specialized equipment during a removal, including unmanned aerial vehicles and robots.

c. No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner shall submit to the speaker of the council, the public advocate, and the mayor and publish on the department's website, in a machine readable format, a report on the same-day outcomes for individuals experiencing homelessness involved in a removal during the prior month. Such report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

1. A reference to the unique removal identification number as reported in subdivision b of this section;

2. The council district where the removal occurred;

3. The number of affected individuals on the date of the removal;

4. The number of affected individuals who were offered housing vouchers on the date of the removal;

5. The number of affected individuals who were offered housing voucher applications on the date of the removal;

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6. The number of affected individuals who were offered direct permanent housing placements on the date of the removal;

7. The number of affected individuals who were offered supportive housing on the date of the removal;

8. The number of affected individuals who were offered placement in transitional housing on the date of the removal;

9. Any services not listed in paragraphs 4 to 8 of this subdivision offered to an affected individual on the date of the removal;

10. The number of affected individuals who were detained involuntarily and brought to a hospital for a mental health evaluation pursuant to section 9.41 or 9.58 of the mental hygiene law;

11. The number of affected individuals who entered transitional housing on the date of the removal; and

12. The number of affected individuals who were arrested on the date of the removal.

d. The reports required by subdivisions b and c of this section shall include a data dictionary.

e. Except as otherwise expressly provided in this section, no report required by subdivision b or c of this section shall contain personally identifiable information.

f. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

§ 2. This local law takes effect 100 days after it becomes law.

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