File #: Int 0695-2026, **Version:** *

Int. No. 695

By Council Members Narcisse, Cabán, Morano, Louis and Farías

A Local Law to amend the administrative code of the city of New York, in relation to the department of correction report on jail population statistics

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 9-137 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

a. Definitions. For the purposes of this section, the following terms have the following meanings:

Correctional health services. The term "correctional health services" means the entity responsible for delivering health and mental health services to incarcerated individuals in the department's custody.

M Designation. The term “M Designation” refers to a person in custody whose period of confinement in a city correctional facility lasts 24 hours or longer, and who, during such confinement, receives treatment for a mental illness, but does not include individuals seen by mental health staff on no more than two occasions during their confinement and assessed on the latter of those occasions as having no need for further treatment in any city correctional facility or upon their release from any such facility.

Serious Mental Illness. The term “serious mental illness” refers to a person who exhibits significant functional impairment or clinical distress as determined by correctional health services or a successor jail health authority, or a person who is prescribed anti-psychotic or mood-stabilizing medication as a result of a mental health diagnosis.

Single Point of Access. The term “Single Point of Access” refers to a program which reviews eligibility and makes referrals to connect people with serious mental illness to treatment and other services, and any

successor program.

[a.] b. Within 45 days of the end of each quarter of the fiscal year, the department, in coordination with correctional health services, shall post a report on its website containing information related to the incarcerated individual population in city jails for the preceding quarter. Such quarterly report shall include the following information based on the number of incarcerated individual admissions during the reporting period, and based on the average daily population of the city's jails for the preceding quarter in total, and as a percentage of the average daily population of incarcerated individuals in the department's custody during the reporting period:

1. Age, in years, disaggregated as follows: 16-17, 18-21, 22-25, 26-29, 30-39, 40-49, 50-59, 60-69, 70 or older.

2. Gender, including a separate category for those incarcerated individuals housed in any transgender housing unit.

3. Race of incarcerated individuals, categorized as follows: African-American, Hispanic, Asian, white, or any other race.

4. The borough in which the incarcerated individual was arrested.

5. Educational background as self-reported by incarcerated individuals after admission to the custody of the department, categorized as follows based on the highest level of education achieved: no high school diploma or general education diploma, a general education diploma, a high school diploma, some college but no degree, an associate's degree, a bachelor's degree, or a post-collegiate degree.

6. The number of incarcerated individuals identified by the department as a member of a security risk group, as defined by the department.

7. The number of people in custody with an M designation disaggregated by race, gender, co-occurring substance use disorder, reported homelessness upon arrest, reported homelessness at discharge, and whether a Single Point of Access application has been submitted to the department of health and mental hygiene or any other city agency.

8. The number of people in custody with serious mental illness disaggregated by race, gender, co-occurring substance use disorder, reported homelessness upon arrest, reported homelessness at discharge, and whether a Single Point of Access application has been submitted to the department of health and mental hygiene or any other city agency.

§ 2. This local law takes effect in 90 days.

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LS #18226
Int. #1331-2025
1/7/2026 4:47 PM