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Int. No. 595

By Council Members Hudson, Louis, Ossé, Cabán and Epstein

A Local Law to amend the administrative code of the city of New York, in relation to requiring that people in the custody and staff of the department of correction have access to gender-affirming items and medical devices

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-168 to read as follows:

§ 9-168 Access to gender-affirming items and medical devices. a. Correctional health services, during intake screening, shall establish a process by which people in custody may request access to wigs, hair extensions, chest binders, tucking undergarments or gaffs, prosthetics, or other similar items or medical devices that are used by individuals to affirm their self-determined gender identity.

b. Upon receipt of information from correctional health services, the department shall, consistent with other requests for accommodations pursuant to medical need, facilitate access and permit a person in custody to possess gender-affirming items or medical devices.

c. Any initial denial, or subsequent revocation of permission, for a person in custody to possess gender-affirming items or medical devices by the department must be supported by a written decision which includes a detailed explanation, all evidence supporting the decision, and current contact information for the board of correction and the New York city commission on human rights. The written decision shall be issued to the affected person and the board of correction within 24 hours of the department's initial denial or revocation of access, to gender-affirming items or medical devices.

d. The department shall, consistent with other requests for accommodations pursuant to medical need,

permit staff to possess gender-affirming items or medical devices while working at a facility operated by the department of correction.

§ 2. This local law takes effect 120 days after it becomes law.

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