

COMMUNITIES UNITED FOR POLICE REFORM

SUPPORT THE COMMUNITY SAFETY ACT *LEGISLATION TO COMBAT DISCRIMINATORY POLICING AND HOLD THE NYPD ACCOUNTABLE*

The *Community Safety Act* is a landmark police reform legislative package that currently consists of four bills aimed at ending discriminatory policing and bringing real accountability to the NYPD. New Yorkers want to live in a safe city where police officers treat all residents equally and respectfully, and are not above the law. These four bills were introduced in the City Council in October 2012, and the bills are now awaiting a final hearing and vote. The *Community Safety Act* includes:

Intro 800a – Protecting New Yorkers against discrimination by the NYPD

- Establishes a strong and enforceable ban on profiling and discrimination by the New York City Police Department.
- Expands the categories of individuals protected from discrimination. The current prohibition covers race, ethnicity, religion, and national origin. The bill would expand this to also include: age, gender, gender identity or expression, sexual orientation, immigration status, disability, and housing status.
- A meaningful “private right of action” would be created for individuals who believe they have been unjustly profiled by the NYPD.
- New Yorkers would be able to bring intentional discrimination claims and/or disparate impact claims, though not for monetary damages.

Similar laws exist in Illinois, W. Virginia & Arkansas. This bill is also similar to the federal End Racial Profiling Act.

Intro 881a – Establishing independent oversight of the NYPD

- Assigns responsibility for NYPD oversight to the Commissioner of the Department of Investigation. (In NYC, the DOI currently oversees about 300 city agencies - including the Fire Department, Department of Education and Human Resources Administration – but not the NYPD.)
- Oversight would include reviewing NYPD operations, policies, programs and practices.
- Reports would be made public and revisited annually to see if recommendations have been followed.

There is independent monitoring of the FBI, CIA, LAPD and every major New York City agency except for the NYPD

Intro 799 – Protecting New Yorkers against unlawful searches

- Ends the practice of the NYPD deceiving New Yorkers into consenting to unnecessary searches
- Requires officers to explain that a person has the right to refuse a search when there is no warrant or probable cause
- Requires officers to obtain proof of consent to a search.

Similar laws exist in Colorado and West Virginia.

Intro 801 – Requiring NYPD officers to identify themselves and explain their actions

- Requires officers to provide the specific reason for their law enforcement activity, such as a stop-and-frisk
- Requires officers to provide document to the person with the officer's name and information on how to file a complaint at the end of each police encounter

Similar laws exist in Arkansas, Minnesota and Colorado.