



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, Corporation Counsel

Press Release

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For Immediate Release

**NEW YORK CITY AND HOMELESS ADVOCACY GROUP
REACH LEGAL SETTLEMENT ON POLICE POLICIES**

***SIGNED BY MANHATTAN FEDERAL COURT JUDGE THIS AFTERNOON,
AGREEMENT REAFFIRMS EXISTING POLICIES, APPROPRIATENESS OF PAST POLICE CONTACTS WITH
HOMELESS AND EFFORTS BY THE CITY TO WORK WITH HOMELESS ACTIVISTS***

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New York, April 1, 2003 – The New York City Law Department has announced today an agreement with Picture the Homeless Inc., an advocacy group represented by the New York Civil Liberties Union, regarding increased contact between Police Department and homeless individuals. The stipulation for settlement, signed yesterday and approved this afternoon by Manhattan Federal Court Judge Sidney H. Stein, codifies the City's position that homeless should be treated the same as all others when coming into contact with the police. If a person indicates he or she is homeless, the police will offer outreach services, like space in shelters. Only if the person refuses services, cannot provide identification and is breaking a law will the person be arrested, consistent with existing policy and practice.

In announcing the settlement, the City maintained that the recent increases in the frequency of contact between the Police Department's Homeless Outreach and Transit Bureau Units and homeless individuals has yielded increased delivery of services in addition to an increase in the number of arrests. The City strongly affirmed there had been no new policy of selective-enforcement against the homeless and provided data to the plaintiffs to support this. The suit settlement involved no damages and liability admissions.

"The Police Department has and will continue to adhere to the same policies and practices in the enforcement of laws towards both homeless and non-homeless individuals," noted Gail Donoghue, Special Assistant to the Corporation Counsel, New York City Law Department, who helped negotiate the settlement. "However, we're happy to have reached an amicable resolution. We feel both the City and the advocates have shown a continued desire to work together. It also reaffirms a commitment by the Bloomberg Administration and the Law Department to limit litigation when negotiation can achieve a far more fruitful result."

As part of the settlement, the Police Department has agreed to distribute directives to the Homeless Outreach Unit and the Transit Bureau as a confirmation of its existing policy and practice. This directive details the non-selective enforcement policies and has been distributed to officers and read at roll calls at these units.

The settlement also reaffirms a priority of Law Department Corporation Counsel Michael A. Cardozo – and a major commitment by the Bloomberg Administration – to work with aggrieved parties whenever possible and avoid unnecessary litigation.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the

world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 100,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at www.nyc.gov or via direct link at www.nyc.gov/html/law/home.html.

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