

Testimony of Michael Sisitzky
On Behalf of the New York Civil Liberties Union
Before the New York City Council Committee on Public Safety
Regarding the Mayor’s Blueprint to End Gun Violence

March 30, 2022



1 Whitehall Street, 3rd Fl.
New York, NY 10004
nyclu.org

Donna Lieberman
Executive Director

Wendy Stryker
President

The New York Civil Liberties Union (NYCLU) respectfully submits the following testimony regarding the Mayor’s Blueprint to End Gun Violence. The NYCLU, the New York affiliate of the American Civil Liberties Union, is a not-for-profit, non-partisan organization with eight offices throughout the state and more than 180,000 members and supporters. The NYCLU’s mission is to promote and protect the fundamental rights, principles, and values embodied in the Bill of Rights of the U.S. Constitution and the New York Constitution. Protecting New Yorkers’ right to be free from discriminatory and abusive policing is a core component of this work.

Introduction

On January 24, 2022, Mayor Adams released his proposed “Blueprint” to address the reported increase in gun-related violence over the past two years. After years of crime rates continuing to plummet to historic lows, New York City – like many places around the country – has experienced an increase in gun-related incidents since the start of the COVID-19 pandemic. But instead of digging deeper to address the root causes of violence, the NYPD and the administration have called for rollbacks to common-sense criminal legal system reforms and have offered “solutions” that amount to little more than repackaged versions of tried and failed policing tactics of the past.

Even the few positive elements of the Blueprint are immediately undercut by the plan’s core commitment to more policing and more incarceration. The plan’s calls for expanding the Summer Youth Employment Program and increasing support for violence interruption programs are important, but those proposals ring hollow when read alongside calls for rolling back Raise the Age and for flooding neighborhoods with broken windows-inspired anti-gun officers that amount to the Street Crimes Unit 3.0.

New Yorkers deserve a gun violence response plan that is grounded in community- and evidence-based solutions, not the same old fearmongering that seeks to conflate any and all crime with bail reform and that doubles down on failed, racist, broken windows policing tactics



that do nothing more than criminalize poverty and devastate Black and Brown communities.

The City Council must reject the very premise of the Mayor’s Blueprint – namely that there is a way for us to police our way to community safety. The safest communities are not the ones with the most police or the highest jail populations; they are the communities with the most resources, the strongest social safety nets, and the most accessible and non-punitive clinical supports for people in crisis.

None of this will be possible unless and until the City Council finally confronts the size, scope, and power of the NYPD. The over-resourcing of the NYPD has meant the defunding of New York’s public health infrastructure and social safety net, which makes it all the more challenging for City officials to tackle the root causes of gun violence, homelessness, and a myriad of other challenges.

While oversight concerning the Mayor’s Blueprint and NYPD activities more broadly is crucial, the Council must be proactive in identifying areas of responsibility that can be moved outside of the Department, divesting from funds currently allocated to the NYPD for those responsibilities, and reinvesting those funds into communities and into non-carceral, non-punitive services to support New Yorkers. That means prioritizing investments in community violence intervention programs, support services for victims and survivors of violence, and alternatives to police response for people experiencing mental health crises and homelessness in lieu of continuing to throw endless resources into policing and mass incarceration.

As discussed below, the Mayor’s Blueprint refuses to consider anything other than a central role for law enforcement and will continue to underinvest in the resources necessary for communities to truly thrive. Our testimony focuses on the most harmful aspects of the Blueprint that demand a response from City lawmakers and that should be at the center of councilmembers’ attention when negotiating and approving the upcoming FY23 budget.

Though not the focus of our testimony, we also urge the Council to reject outright the Blueprint’s calls for rolling back hard-fought wins on bail reform, Raise the Age, and discovery reform. New Yorkers advocated tirelessly for years to add a modicum of fairness and justice to our criminal legal system, and it is imperative that our elected officials not undo those critical reforms and condemn countless people to needless incarceration on account of bad-faith, fact-free fearmongering.

“Neighborhood Safety Teams”

The Blueprint’s very first proposal is the return of dedicated units to aggressively focus on gun-related enforcement. While they have been given a new name and a new modified uniform, these new “Neighborhood Safety Teams” are the direct successors to the former Street Crime and anti-crime units – both of which were disbanded following years of violent, racially disparate enforcement and far too many high-profile killings of New Yorkers.¹

The Street Crime Unit – a plainclothes unit primarily tasked with cracking down on gun offenses – gained notoriety for its overly aggressive tactics and for the 1999 killing of Amadou Diallo; four Street Crime officers fired 41 shots at Diallo after claiming to mistake his wallet for a gun. After years of mounting criticism following Diallo’s killing, the NYPD disbanded the Street Crime Unit in 2002.² But even with the unit formally disbanded, many of the officers who had been assigned to the unit were simply moved into rebranded “anti-crime” units, where they would retain their anti-gun mandate and continue to be involved in higher rates of shootings and alleged misconduct when compared to other officers on the force.³

By 2020, when former Commissioner Shea announced the disbandment of the anti-crime units, he noted that they represented an outdated model of policing and, citing their officers’ involvement in a disproportionate number of misconduct complaints and fatal shootings, declared that their approach had too often served to pit police officers against communities.⁴ Indeed, a 2018 analysis from The Intercept found that plainclothes officers, including those assigned to anti-crime units, were involved in nearly a third of all fatal police shootings since 2000.⁵

Now, the Mayor promises that this time, history will not repeat itself. Officers assigned to the new Neighborhood Safety Teams are dressed in modified uniforms, as opposed to plainclothes, are equipped with body



¹ Officers from the Street Crimes unit were responsible for the 1999 killing of Amadou Diallo, while Anti-Crime officers played roles in the deaths of Eric Garner, Saheed Vassell, and Antonio Williams, among others.

² Troy Closson, *Can Adams Rebuild, and Rein In, a Notorious N.Y.P.D. Unit?* N.Y. Times, Jan. 5, 2022, <https://www.nytimes.com/2022/01/05/nyregion/eric-adams-nypd-anti-crime-unit.html>.

³ Ali Watkins, *N.Y.P.D. Disbands Plainclothes Units Involved in Many Shootings*, N.Y. Times, June 15, 2020, <https://www.nytimes.com/2020/06/15/nyregion/nypd-plainclothes-cops.html>.

⁴ *Id.*

⁵ George Joseph & Liam Quigley, *Plainclothes NYPD Cops are Involved in a Staggering Number of Killings*, The Intercept, May 9, 2018, <https://theintercept.com/2018/05/09/saheed-vassell-nypd-plain-clothes/>.



cameras, and – we are told – have received enhanced trainings on the civil and constitutional rights of New Yorkers.⁶ We’ve heard promises like this on all these topics before only to see the predictable results: years of de-escalation trainings failed to stop the shocking displays of police violence directed at racial justice protesters in 2020, the Department has faced persistent criticism for its delays in turning over body camera footage to Civilian Complaint Review Board (CCRB) investigators, and while officers in modified uniform may be more easily identifiable as law enforcement when approaching members of the public, it amounts to little more than a wardrobe change when what’s truly needed is a culture change within the Department to actively hold officers to account for aggressive acts of misconduct.

The Mayor’s plan calls for these new units to be deployed to 30 precincts with the highest-reported rates of violent crime. Troublingly, these are also the precincts that see some of the highest rates of police misconduct complaints. Based on an NYCLU analysis of CCRB data, these new units will be deployed in nine of the ten precincts with the highest number of misconduct complaints since 2000.⁷ An influx of even more officers into these very communities – especially officers with a mandate to aggressively crack down on suspected violent crime – seems destined to bring with it the exact approach that made the Street Crime and anti-crime units outliers in generating such a high volume of complaints and uses of force.

Recent comments from the administration give even more reason for concern. On the day the new Neighborhood Safety Teams rolled out, Mayor Adams sent a message to New Yorkers seemingly meant to discourage them from exercising their First Amendment right to document police activities. The Mayor castigated New Yorkers who film police encounters, claiming that the act of recording police has gotten “out of control” and telling them, “Stop being on top of my police officers while they’re carrying out their jobs. That is not acceptable, and it won’t

⁶ Mark Morales & Peter Nickeas, *The NYPD has Resurrected its Controversial Anti-Crime Unit. Success will be Determined by Avoiding Mistakes of the Past*, CNN, Jan. 27, 2022, <https://www.cnn.com/2022/01/27/us/nypd-anti-crime-unit-eric-adams/index.html>.

⁷ Compare Amanda Woods & Kevin Sheehan, *First Wave of NYPD’s New Anti-Gun Units Hits the Streets*, N.Y. Post, Mar. 14, 2022, <https://nypost.com/2022/03/14/first-wave-of-nypds-new-anti-gun-units-hits-the-streets/> with NYCLU, COP OUT: ANALYZING 20 YEARS OF RECORDS PROVING IMPUNITY, 14 (Dec. 2021), https://www.nyclu.org/sites/default/files/field_documents/nyclu-2021-ccrbdata-report.pdf.



be tolerated.”⁸ The Mayor cannot insist that New Yorkers trust in the supposed enhanced constitutional rights trainings for these officers on the one hand while telling New Yorkers that he will not tolerate their own exercise of First Amendment rights on the other. The NYPD has a long history of interfering with the public’s right to document police activities – a history that led both New York City and New York State to explicitly codify the right to record police activities into city and state law in recent years.⁹ And as the videos documenting the killing of Eric Garner, George Floyd, and too many others demonstrate, bystander footage is often the only reason that the public learns about extreme instances of police violence and killings that would have otherwise been swept under the rug.¹⁰

As these new units have begun rolling out, the Mayor has also demanded a doubling down on broken windows policing tactics.¹¹ Made infamous by former Mayor Giuliani and fully embraced during the era of mass stop-and-frisk under Mayor Bloomberg, broken windows or so-called “quality-of-life” policing aggressively targets low-level conduct on the – faulty – theory that this will deter more serious crime. The reality, however, is that the only thing broken windows policing is effective at is needlessly criminalizing people of color and poor people at overwhelmingly disproportionate rates.¹² While the Mayor has objected

⁸ Erin Durkin, *Mayor Eric Adams Revives Controversial NYPD Unit Responsible for Chokehold Death of Eric Garner*, Politico, Mar. 16, 2022, <https://www.politico.com/news/2022/03/16/adams-rolls-out-controversial-nypd-gun-unit-00017789>; Nia Prater, *Eric Adams: Filming NYPD at Unsafe Range “Won’t Be Tolerated,”* N.Y. Mag., Mar. 16, 2022, <https://nymag.com/intelligencer/2022/03/eric-adams-filming-nypd-at-close-range-wont-be-tolerated.html>.

⁹ See N.Y.C. Admin. Code § 14-189; N.Y. Civil Rights Law § 79-p.

¹⁰ One need only read the initial press release issued by the NYPD and by the Minneapolis Police Department following the killings of Eric Garner and George Floyd, respectively, to see the alternate reality that the departments would have attempted to spin in the absence of cell phone footage.

¹¹ Rocco Parascandola, *Broken Windows Is Back: NYPD Announces New Crackdown on Quality-of-Life Crimes as Mayor Adams Pushes Police Brass*, N.Y. Daily News, Mar. 23, 2022, <https://www.nydailynews.com/new-york/nyc-crime/ny-broken-windows-policing-crime-nypd-adams-sewell-quality-of-life-20220323-gfshakzdonebjdioebiohrrzmi-story.html>

¹² A 2016 analysis by the Office of the Inspector General for the NYPD found that there was no “clear, direct link” between low level enforcement and rates of more serious felony crime. That analysis also found that enforcement was “concentrated” in areas with “high proportions of black and Hispanic residents, New York City Housing Authority (NYCHA) residents and males aged 15-20.” Office of the Inspector General for the NYPD, AN ANALYSIS OF QUALITY-OF-LIFE SUMMONSES, QUALITY-OF-LIFE MISDEMEANOR ARRESTS, AND FELONY CRIME IN NEW YORK CITY, 2010-2015, June 2016, https://www1.nyc.gov/assets/doi/reports/pdf/2016/2016-06-22-Pr18oignypd_qualityoflife_report.pdf.



to the use of the term “broken windows” to describe his plan,¹³ his office has reportedly been pushing for more enforcement of offenses like public urination, public drinking, and unreasonable noise – all of which have been central to broken windows style approaches.¹⁴

In short, between the Blueprint’s revival of the anti-crime units and the Mayor’s recommitment to broken windows policing, the administration is doubling down on precisely the same approaches that have long been the drivers of discriminatory and abusive policing in New York City. The Council must call on the administration to take a different approach and to not repeat the mistakes of the past. To the extent that the NYPD remains committed to these tactics, the Council must look for ways to reduce their harmful impact through reductions to the NYPD budget and through investments that provide more dedicated support for alternatives to police enforcement, including violence interrupter programs that can operate in lieu of and independently from the police.

The Council must also demand greater transparency about the makeup and operations of these new Neighborhood Safety Teams, as well as real accountability for any misconduct. As noted above, officers assigned to the former Street Crime and anti-crime units generated misconduct complaints and were involved in fatal shootings at rates wildly out of proportion to the average officer. If the administration is serious that this time will be different, the NYPD should release full disciplinary files for all officers assigned to these new units, including all misconduct allegations regardless of the severity of the accusation or the ultimate disposition, and not just the trivial amount of disciplinary data currently made public on the NYPD’s website. The Council must also ensure that the CCRB has adequate resources and staffing to respond to any complaints that will undoubtedly be generated as a result of these new units and the NYPD’s renewed emphasis on broken windows enforcement.

Expanded Surveillance

The Blueprint calls for expanding the NYPD’s already vast surveillance infrastructure, and the Mayor has specifically called for increased use of face recognition technology.¹⁵ The City Council must emphatically reject

¹³ Chris Sommerfeldt, et al, *Mayor Adams Insists NYC Crime Crackdown Not a Return to “Broken Windows” Policing, Others Not So Certain*, N.Y. Daily News, Mar. 25, 2022, <https://www.nydailynews.com/new-york/nyc-crime/ny-nyc-mayor-adams-broken-windows-policing-20220325-orqhru6kh5fsdft5ztyuo4vg24-story.html>.

¹⁴ Parascandola, *supra* note 11.

¹⁵ Sally Goldenberg & Joe Anuta, *Adams Eyes Expansion of Highly Controversial Police Surveillance Technology*, Politico, Feb. 8, 2022,



these calls. Time and time again, the NYPD has proven that it cannot be trusted to use new technologies responsibly, nor has the Department been willing to comply with the most basic transparency obligations. The NYPD's flawed and unaccountable use of face recognition technology in particular should prompt a ban on its further use by law enforcement, not a reckless expansion of its reach.

In June 2020, the City Council passed the Public Oversight of Surveillance Technology (POST) Act, requiring the NYPD to fully disclose the extent of its surveillance technology infrastructure and the policies that govern the use of these technologies. The POST Act was passed in response to the NYPD's long and troubling history of engaging in surveillance tactics that target political dissent, criminalize communities of color, and jeopardize all New Yorkers' privacy. Despite years of assurances from the NYPD to the contrary, the City Council recognized the obvious fact that the NYPD cannot be trusted to monitor its own use of surveillance technologies and to keep the full extent of its surveillance infrastructure secret from the public and policymakers.

Almost two years later, the NYPD is still trying to keep the public in the dark on its surveillance capabilities and practices. We already knew that the NYPD possesses and routinely deploys an arsenal of surveillance tools that include face surveillance, x-ray vans, Stingrays, ShotSpotter, and drones, among others. But we still don't know how many of these technologies are used in coordination with other, the extent to which information about New Yorkers is being collected or shared with third parties and other government agencies, or even the total costs of NYPD spending on these programs.

Instead, the NYPD released a set of surveillance impact and use policies that were lacking in detail, contained no serious consideration of the potential for biased and disparate enforcement, grouped together multiple tools into vague and overbroad categories, and were replete with inaccuracies and misleading statements.¹⁶

The first draft of the Department's proposed face recognition policy astonishingly suggested that the technology made no use of artificial intelligence or machine learning, despite the fact that most such systems rely on precisely these mechanisms as a basic function. Nor did

<https://www.politico.com/news/2022/02/08/adams-police-surveillance-technology-00006230>.

¹⁶ The NYCLU provided a more detailed analysis of the NYPD's draft policies in our public comments to the Department. NYCLU, *Comments on Draft Surveillance Impact and Use Policies*, Feb. 24, 2021,

https://www.nyclu.org/sites/default/files/field_documents/nyclu_letter_on_post_act_draft_policies_0.pdf.



the policies meaningfully account for the fact that face recognition and other forms of biometric surveillance are notoriously inaccurate, particularly when used to attempt to identify women and people of color.¹⁷ This oversight was glaring, as when systems like these are used by police, the real risks of misidentification cannot be overstated, especially considering the potential for lifelong consequences that can result from even a single encounter with law enforcement.¹⁸

In addition to the misleading statements in its own policy documents, the Department also misrepresented its officers' use of Clearview AI's controversial face recognition platform – which has scraped billions of photographs without permission from social media sites. Despite claiming to have no relationship with Clearview AI in 2020, a public records request revealed that the NYPD engaged in a trial program from December 2018 through March 2019 and that officers conducted thousands of searches using the platform, with dozens of officers reportedly having continued making use of the system long after the trial's formal conclusion.¹⁹

Beyond the Department's less than forthcoming approach to transparency, the NYPD's actual use of the technology in practice has been riddled with highly flawed, unscientific, and even unlawful methods – including running searches based on celebrity lookalike photos, digitally editing suspect photos (including through effects that substantially alter the suspect's appearance), and arresting people while relying almost exclusively on the basis of a possible "match" without taking additional investigative steps to establish probable cause.²⁰

¹⁷ See, e.g., Joy Buolamwini & Timnit Gebru, *Gender Shades: Intersectional Accuracy Disparities in Commercial Gender Classification*, 81 *PROC. OF MACHINE LEARNING RES.* 1, 1 – 15 (2018); see also Jacob Snow, *Amazon's Face Recognition Falsely Matched 28 Members of Congress With Mugshots*, *ACLU Free Future*, July 26, 2018, <https://www.aclu.org/blog/privacy-technology/surveillancetechnologies/amazonsface-recognition-falsely-matched-28>; cf. Paul Berger, *MTA's Initial Foray Into Facial Recognition at High Speed Is a Bust*, *Wall Street Journal*, Apr. 7, 2019, <https://www.wsj.com/articles/mtas-initial-foray-intofacial-recognition-at-high-speed-is-a-bust11554642000>

¹⁸ See, e.g., Kashmir Hill, *Wrongfully Accused by an Algorithm*, *N.Y. Times*, June 24, 2020, <https://www.nytimes.com/2020/06/24/technology/facial-recognition-arrest.html>, Kashmir Hill, *Another Arrest, and Jail Time, Due to a Bad Facial Recognition Match*, *N.Y. Times*, Dec. 29, 2020, <https://www.nytimes.com/2020/12/29/technology/facial-recognition-misidentify-jail.html>.

¹⁹ <https://www.buzzfeednews.com/article/carolinehaskins1/nypd-has-misled-public-about-clearview-ai-use>; <https://nypost.com/2020/01/23/rogue-nypd-cops-are-using-sketchy-facial-recognition-app-clearview/>

²⁰ Clare Garvie, *Georgetown Law Center on Privacy & Technology, Garbage In, Garbage Out: Face Recognition on Flawed Data*, (2019), <https://www.flawedfacedata.com/>.



The NYPD has proven that it cannot be trusted with the continued use of this dangerous technology. Instead of investing further in flawed, racist technologies as called for in the Blueprint, New York City must join the growing movement of cities throughout the country that are rejecting and banning face recognition and other biometric surveillance technologies. We urge the Council to stop funding the existing use of these tools in the city budget and to reject the Mayor's misplaced calls for an even more expansive surveillance state.

Mental Health Response

Although the Blueprint calls for reallocating mental health resources into supports for people experiencing homelessness or mental health crises, the plan also appears to support expanded use of involuntary inpatient commitment as well as involuntary outpatient commitments under Kendra's Law. These procedures are extraordinary uses of state power subject to strict constitutional limits to prevent abuse. These orders are not some panacea for dealing with crime, and the Council should push back on any efforts to expand their use under the guise of public safety.

While the Blueprint itself does not directly speak to police involvement in responding to mental health crises, developing a non-police response should be an essential priority of the City Council. The reality is that the NYPD currently plays an outsized and entirely inappropriate role in those responses. NYPD officers are neither mental health professionals nor are they social workers, yet far too often, they are dispatched to respond to crises where a trained, licensed, civilian professional could better assess, deescalate, and resolve the situation.

Nowhere is this more apparent than in the NYPD's handling of calls related to people experiencing a mental health crisis. NYPD officers respond to roughly 200,000 mental health crisis calls annually,²¹ a symptom of a system that provides care only after people experience a mental health issue instead of providing services and supports that promote health and wellness and that avert crisis. Police officers lack the training and skills needed to provide a safe and appropriate response,²² and the presence of armed officers in these encounters too

²¹ Caroline Lewis, *The NYPD Currently Responds to Mental Health Crisis 911 Calls. Advocates Have Another Approach*, Gothamist, June 14, 2020, <https://gothamist.com/news/nypd-currently-responds-mental-health-crisis-calls-advocates-have-another-approach>.

²² Police have limited options, all grounded in traditional policing models of command, control, and coercion principles, when responding to a person in crisis. They may arrest the individual; refer the person to mental health services or



often leads to escalation. The police killings of Mohamed Bah, Deborah Danner, Saheed Vassell, Kawaski Trawick, and far too many others are tragic reminders of our city’s failure to develop a mental health response that actually prioritizes getting people the healthcare and services that they need.

The NYPD’s continued entrenchment in mental health crisis response flies in the face of nationwide initiatives to fundamentally transform the role of policing. We must end this over-reliance and ensure that the NYPD is no longer tasked with responding to calls of New Yorkers experiencing a mental health or substance use crisis. If the Mayor’s Blueprint reflects a serious commitment to reallocating mental health resources where they will matter most, then the City must immediately establish and provide sufficient funding for a civilian crisis system that deploys culturally competent and gender competent social/crisis workers, medics, and mental health peers – not law enforcement officers. Such crisis response professionals must have the training and expertise to safely stabilize people in crisis and connect them to services and/or treatment, if necessary, and to do so in a way that dramatically reduces the risk of serious injury and death to those in crisis. The design, implementation, and monitoring of such a crisis response system must be driven by impacted communities.

At the state level, Daniel’s Law (A.4697/S.4814) is an example of how to provide the opportunity to meet this moment with a bold new vision for community safety that starts with removing police as the default solution to address mental health needs, and this framework can serve as a model for a new approach here in New York City.

Policing of Homelessness

As with police response to mental health calls, the Blueprint itself calls for a reallocation of resources to address homeless but does not speak to a specific role for the NYPD. That said, unsheltered New Yorkers have historically been severely impacted by the types of broken windows policing tactics being embraced that are now being embraced by the administration, and recent policy announcements and continued sweeps by the NYPD merit condemnation.

For too long, the NYPD’s targeted harassment of New Yorkers experiencing homelessness has been a point of shame for our city. NYPD officers, in collaboration with the Department of Homeless Services and

transport the person for an involuntary psychiatric evaluation; resolve the situation informally, for example, asking the individual to leave the scene; or if the individual is a crime victim, take a report, and perhaps provide assistance.



the Department of Sanitation, continue to threaten unsheltered homeless New Yorkers with the destruction of their belongings in so-called “sweeps” or “clean-ups.”²³ In normal circumstances, these tactics are cruel and coercive; the fact that these operations have continued in direct defiance of CDC guidance in the midst of a global pandemic unconscionable.²⁴

Last week, Mayor Adams announced that the City had set a goal of dismantling 150 homeless encampments by the end of the month.²⁵ Just days ago, in freezing cold weather, dozens of NYPD and Sanitation officers conducted a sweep targeting unsheltered New Yorkers under the Brooklyn-Queens Expressway in Williamsburg, confiscating or destroying their tents, bedding, and what other few belongings they possessed.²⁶ Not only do these sweeps contravene CDC guidance, but they do nothing to address the underlying conditions that lead to people living on the streets in the first place, namely the notoriously dangerous conditions within the City’s congregate shelters, the lack of sufficient safe haven and stabilization beds, and the long-term inability of the City to provide for permanent housing.²⁷ Committing to a mass clearing of homeless encampments without a plan in place to provide safe, stable housing is reckless and risks the lives and safety of an already extremely vulnerable population.

Before and during the pandemic, police have also been called on to remove New Yorkers experiencing homelessness from the subway systems, threatening those seeking shelter in the subway with a criminal summons unless they agreed to be transported to often unsafe city shelters.²⁸ Although the prior administration purported to disband the NYPD’s Homeless Outreach Unit in 2020, the police continue to criminalize New Yorkers experiencing homelessness for their mere existence in public places. In February, Governor Hochul and Mayor

²³ Andy Newman & Nicole Hong, *New York is Pushing Homeless People Off the Streets. Where Will They Go?* N.Y. Times, Aug. 2, 2021, <https://www.nytimes.com/2021/08/02/nyregion/homeless-camps-relocate.html>.

²⁴ *Id.*

²⁵ Jaclyn Jeffrey-Wilensky, *Adams Says He’s Kicking Homeless New Yorkers Out of Their Encampments. Where Will They Go?* Gothamist, Mar. 26, 2022, <https://gothamist.com/news/mayor-adams-removing-homeless-encampments>.

²⁶ Gwynne Hogan, *Dozens of City Workers Sent to Clear Homeless Encampment Under BQE*, Gothamist, Mar. 28, 2022, <https://gothamist.com/news/dozens-of-city-workers-sent-to-clear-homeless-encampment-under-bqe>.

²⁷ *Id.*

²⁸ Mirela Iverac, *Six Months In, Critics Say de Blasio’s Strategy to Help Homeless in Subways isn’t Working*, Gothamist, Jan. 22, 2020, <https://gothamist.com/news/sixmonths-critics-say-de-blasios-strategy-help-homeless-subways-isnt-working>.



Adams announced a so-called “Subway Safety Plan” to remove unsheltered New Yorkers from the subways – a plan that prominently includes a police response. This approach risks a troubling escalation of sweeps and criminalization of unsheltered New Yorkers who are themselves seeking safety within the subway system, while doing little to meet their longer term needs for supportive housing and culturally appropriate supports and services.

Policing is not a solution to homelessness. The City Council must do more to support longer term investments in housing, health care, and services that actually respond to and meet people’s needs and close the chapter on callous practices like sweeps and other tactics that do little more than criminalize poverty.

Conclusion

The NYCLU thanks the Committee for the opportunity to provide testimony, and we welcome the opportunity to work with the Council to advance real solutions to gun violence that invest in New Yorkers’ futures and not in failed policing tactics of the past.