

FAQs

Who is protected under this area of the NYC Human Rights Law?

Everyone in New York City is protected based on their actual or perceived race, national origin, color, religion, age, alienage or citizenship status, gender, gender identity, sexual orientation, disability, or housing status. Housing status is related to the kind of place you live—such as a private building, public housing, or the shelter system—or to being homeless.

Are police misconduct issues generally handled by the NYC Commission on Human Rights?

No. Police misconduct should be reported to the Civilian Complaint Review Board (CCRB) which investigates claims related to excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language by officers of the NYPD. You can also file a complaint with the NYC Commission on Human Rights, however, if the misconduct is connected to your race, national origin, color, religion, age, alienage or citizenship status, gender, gender identity, sexual orientation, disability, or housing status.

Can I make an anonymous report?

The Commission encourages New Yorkers to report discriminatory acts, even if they wish to remain anonymous. The Commission can launch its own investigation without revealing your identity.

What are the outcomes if I win a claim of bias-based profiling?

Under the Law, if there is a finding that law enforcement has engaged in bias-based profiling, the Commission can order police officers to stop targeting you and require them to undergo training about this area under the NYC Human Rights Law. The Commission may also require to take additional steps to ensure that the behavior does not continue. Additionally, the Commission can require both the officer and the law enforcement agency to institute or reinforce good policies and change bad ones.

Which law enforcement agencies are covered?

The Law covers the NYPD and its police officers. It also covers peace officers employed by the City, such as sheriffs and some guards in City facilities. It also applies to “special patrolmen” appointed by the NYPD, such as school safety officers.



BIAS-BASED PROFILING BY LAW ENFORCEMENT

Under the NYC Human Rights Law



Call **311** and ask for the NYC Commission on Human Rights or call the Commission directly at **212-416-0197** if you believe a police or peace officer has violated the NYC Human Rights Law’s prohibition of bias-based profiling.

To file a complaint regarding excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language by officers of the NYC Police Department, visit **NYC.gov/CCRB** or call **1-800-341-2272** to contact the Civilian Complaint Review Board.

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BIAS - BASED PROFILING BY LAW ENFORCEMENT

Under the NYC Human Rights Law

Bias-based profiling occurs when police or peace officers target you for arrest or other criminal law enforcement action, not because of specific information linking you to unlawful activity, but instead because of your protected status under the Law—your race, national origin, color, religion, age, alienage or citizenship status, gender, gender identity, sexual orientation, disability, or housing status. It may also apply to policies and procedures that have a disproportionate impact on a particular group, even if they do not explicitly target that group.

Scenarios To Help You Identify BIAS-BASED PROFILING:

- 1 After school dismissal, police officers tell African-American students from a middle school to leave the neighborhood. White students from the same school are allowed to remain in the area.
- 2 On a weekend night, two women are standing on the same corner, checking their mobile phones. The first, a transgender woman, is stopped by officers, questioned about her activities and asked for identification. The second, who appears to be cisgender, is not stopped, questioned or asked for identification.
- 3 In a city park, officers tell people who appear to be homeless to “move along” from benches. Those who do not appear to be homeless are not told to move. This affects mainly homeless people of color.
- 4 NYPD officers who are stationed at subway entrance areas subject individuals who appear to be Muslim, Arab, or South Asian to bag checks, even though there is no indication that these individuals are engaged in unlawful behavior. Other subway riders are not required to undergo bag checks.

If you believe that you have been subjected to bias-based profiling, call **311** and ask for the NYC Commission on Human Rights or call the Commission directly at **212-416-0197**.

Strategic Actions by the Commission

The NYC Commission on Human Rights is committed to preventing and addressing bias-based profiling by:

- Investigating claims by organizations and members of the public;
- Working with community partners to educate residents about the NYC Human Rights Law;
- Working with the NYPD on issues related to the Law; and
- Educating City agencies on the Law and working with them to develop policies that embrace principles of diversity and inclusion.

