



Mayor's Office of
Immigrant Affairs

Small Business Services
Office of Street Vendor Services



Know Your Rights

With Law Enforcement as a Street Vendor in New York City

Overview

As a street vendor in New York City, your workplace is typically in outdoor, public spaces such as streets, sidewalks, parks, or plazas, rather than inside a building. This means you may have more interactions with different types of law enforcement agents than indoor business owners.

Below is an overview of the different law enforcement agencies you may encounter, your rights with each, and best practices. For more information, visit nyc.gov/streetvendor

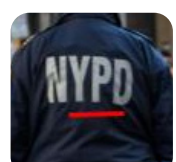
Law Enforcement Agencies

Department of Sanitation Police (DSNY)



The New York City Department of Sanitation (DSNY) Police is the lead New York City government agency enforcing street vendor laws. For an overview of street vending laws and requirements, visit nyc.gov/streetvendor

New York City Police Department (NYPD)



The New York City Police Department (NYPD) is the primary local law enforcement agency in New York City and may also conduct street vendor enforcement.

In addition to DSNY and NYPD, street vendor businesses may encounter civil inspectors from the NYC Department of Health (DOHMH), Parks Department, or Department of Consumer and Worker Protection (DCWP).

To file a complaint against a DSNY officer, or a DOHMH, Parks Department, or DCWP inspector, contact the Department of Investigations (DOI) by phone at **212-825-5900** or online at nyc.gov/site/doi

To file a complaint against an NYPD officer, contact the Civilian Complaint Review Board (CCRB) by phone at **800-341-2272** or online at nyc.gov/site/ccrb/

What to Know if DSNY or NYPD Approaches You

Your Rights

- City workers, including police, are not allowed to use City time or resources to help with civil immigration enforcement. They do not ask about your immigration status when you apply for a permit or when they enforce street vendor laws. New York City also has privacy laws that limit how your personal information can be shared.
- You do not have to answer any questions about your immigration status.
- You can identify which agency the officers are with by looking at the letters or symbols on their badge or uniform.
 - » NYPD officers are required to give their name, badge number, and agency if they are asked for them.
 - » DSNY officers are required to give their name, badge number, and business card if they are asked for them. If a DSNY officer does not have a business card on hand for them to distribute, they must allow the person an opportunity to write down their information.
- You may ask officers for a copy of any summons issued. Officers must give you a copy of such summons.
- You may ask officers what specific violation they observed.
- Learn about the Business Owner Bill of Rights by visiting nyc.gov/bizrights

Your Responsibilities

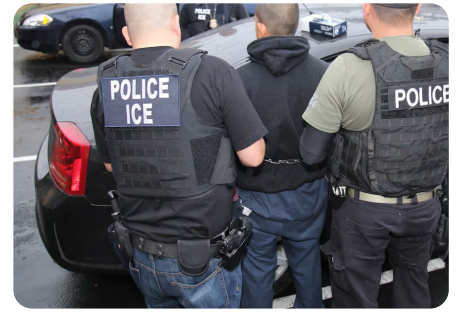
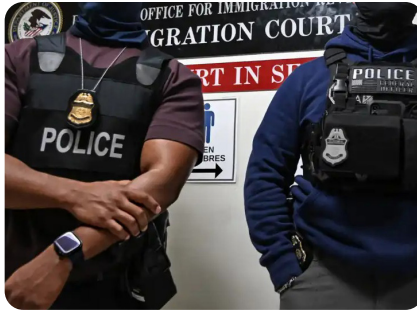
- When operating a street vendor business, each food and general vendor is required by law to wear their Mobile Food Vendor License or General Vendor License on their person.
- You must show your vendor license upon demand to any police officer, health inspector, or other authorized officer or employee of the City.
- If you do not have a visible vendor license or do not show an officer your ID if asked, this could lead to fines, infractions, or detainment by local law enforcement. Acceptable ID includes a New York State Driver's license or IDNYC.
- You should avoid actions that could lead to contact with the criminal system by familiarizing yourself with street vendor laws and requirements.

Who is ICE?



Immigration and Customs Enforcement (ICE) is a federal law enforcement agency responsible for immigration enforcement. ICE officers are not the same as local law enforcement, and your rights when encountering ICE officers depend on where you are located during the interaction.

Anytime you interact with ICE, you always have the right to remain silent. You can refuse consent to searches of your belongings by saying, **"I do not consent to a search."**



When lawfully present in any public space, you have the right to record any interactions with ICE as long as you do not physically interfere with the officers or otherwise impede legitimate law enforcement operations.

Starting to record may put you at risk. Other people may also record ICE's interactions with you, as long as they do not interfere with officers or impede legitimate law enforcement operations. You may report an ICE sighting to the New York State Attorney General at ag.ny.gov/federal-actions-form

Know Your Rights During Encounters with ICE

In a Public Space (sidewalk, street, park)

Street vendors typically vend outdoors in public spaces, such as streets, sidewalks, plazas, and public squares.

ICE can enter public spaces without a warrant and may approach you freely.

However, you still have rights. You do not have to answer their questions. You have the right to remain silent.



If ICE starts a conversation with you:

- You may ask: **"Am I free to leave?"**
 - » If they say yes, you may walk away slowly and calmly.
 - » However, if the ICE agents keep asking questions, you may say: **"I choose to remain silent."**
- If they say no, you are not free to go:
 - » You may say, **"I want to exercise my right to remain silent."**
 - » You may say, **"I would like to speak to an immigration attorney."**
 - » You may say, **"I do not wish to sign anything."**
 - » If you need an interpreter, you may say, **"I need an interpreter."**
 - » You should avoid engaging in a physical altercation with law enforcement officers.

In a Private Space (inside break room, storage room, and/or restaurant kitchen)

ICE can enter the public space of any workplace without needing any type of warrant. This includes supermarkets, retail stores, and restaurant dining areas.

EMPLOYEES ONLY

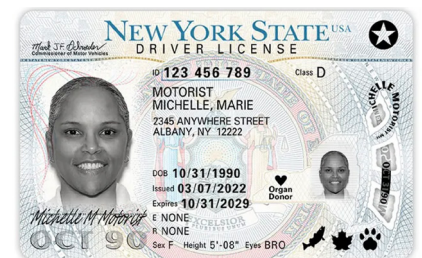
However, ICE cannot legally enter private areas of a workplace unless the officer has the owner's permission or a judicial warrant. This includes break rooms, storage rooms, and restaurant kitchens.

If ICE comes to a private space:

- You do not have to open the door, unless an ICE agent presents a judicial warrant or has the owner's permission to enter the space.
- You have the right to remain silent.
- You can ask ICE for their ID and/or a judicial warrant, and if they say that they do have a warrant, you may ask them to slide it under the door. If the document is signed by a judge, you will need to comply.
- If they say they do not have a warrant, you do not have to let them in. You may say, **"I do not want to speak with you."**
- If ICE tries to search you, you can say, **"I do not consent to a search."**

Best Practices While Street Vending

- You should always carry valid identification, such as a New York State Driver's License or IDNYC. You may obtain an IDNYC by visiting nyc.gov/idnyc
- Keep your vendor license on your person and wear it visibly.
- Keep all documentation of your summonses or tickets and proof of payment in a safe, dry location.
- If you are a merchandise vendor, you should carry receipts with you for all merchandise you intend to sell while vending.
- If you receive a criminal summons, you may need to appear in court. Be on time, and unless directed otherwise by your attorney, attend in person. If you miss your court date, a warrant may be issued for your arrest.



Stay Connected

- Need Immigration Legal Help? Call NYC's Immigration Legal Support Hotline at **800-354-0365**
- Need Business Services for Street Vendors? Call **888-SBS-4NYC (888-727-4692)**
- Have Questions About Other City Services? Many services are available to all New Yorkers, regardless of immigration status. For help call **311**.

These phone numbers are free, confidential, available in your language, and provided by the City Government of New York.