

Steven Banks  
Commissioner

Joslyn Carter  
DHS Administrator

33 Beaver Street  
New York, NY 10004

212 361 7963 tel

To All DHS Staff (programs and security):

I am writing to reinforce certain DHS policies around facility access and warrants. We take the safety of our shelter clients, staff and the surrounding communities very seriously, and we also maintain a positive working relationship with the NYPD and the criminal justice arms of the City. However, we also seek to maintain the confidentiality of clients while we protect safety and stability within shelters.

I. Warrant Sweeps

*It is not the policy of the City to conduct "warrant sweeps" in shelters, nor is it the policy of this Agency for DHS staff or DHSPD to conduct any activities related to open warrants without NYPD involvement and the approval of the Commanding Officer and Executive Officer of the NYPD Management Team at DHS.*

To protect the safety of our clients and staff, as well as the surrounding community, NYPD may seek to identify specific individuals with open felony warrants, may conduct an operation to address specific criminal activity, or may enter shelter in hot pursuit of a suspect. DHS and DHSPD will support those targeted efforts when requested in joint operation with the NYPD precinct, which means NYPD personnel will be on site and participating.

II. Requests by Law Enforcement to Enter Facilities

*Except in cases where the NYPD is responding to a 911 call originating from within a facility or in 'hot pursuit' of a suspected criminal who has just entered the facility, the NYPD may not enter any DHS facilities, including those operated by DHS providers/vendors, without a warrant signed by a judge. Other law enforcement officials, including federal officers and agents, may not enter DHS facilities, including those operated by a DHS provider/vendor, without a warrant signed by a judge.*

When officers appear at DHS facilities with a signed warrant, including facilities operated by providers/vendors, staff should immediately notify the appropriate Program Administrator and the DSS Office of Legal Affairs, [calhounm@hra.nyc.gov](mailto:calhounm@hra.nyc.gov) and [ligrestip@hra.nyc.gov](mailto:ligrestip@hra.nyc.gov), 929-221-7327/6556. However, parole officers may meet with their clients without a warrant and/or issue non-judicial warrants, and the NYC Sheriff can process mental health removal orders without a warrant.

III. Requests for Confidential Information

*Client information maintained by the Department of Social Services (DSS), the Human Resources Administration (HRA) and the Department of Homeless*

*Services (DHS) is confidential pursuant to Federal, State and Local Law, as well as Agency policy.*

Confidential client information includes demographic information, as well as personal identifying information such as name and address, birth date, case number, client identification number, etc. Absent documented individual consent, HRA and DHS staff, as well as HRA and DHS providers/vendors, are prohibited from disclosing any client confidential information to entities outside of HRA and DHS, unless permitted or required by law.

Both DHS and HRA frequently receive routine requests for confidential information about their clients from non-City entities. Routine data requests include requests for information about clients that occur in the normal course of Agency business, which include requests made pursuant to judicial subpoenas, authorizations and court orders. All such requests, including any requests made to HRA or DHS providers/vendors, are, and should continue to be, processed through the DSS Office of Legal Affairs, [calhounm@hra.nyc.gov](mailto:calhounm@hra.nyc.gov) and [ligrestip@hra.nyc.gov](mailto:ligrestip@hra.nyc.gov), 929-221-7327/6556. However, NYPD officers may make information requests directly to DHS Security for information pertaining to an active investigation, using the forms designated for this purpose.

Non-routine requests for information are requests for purposes that are unrelated to serving the needs of HRA and DHS clients or are for purposes outside the scope of official Agency business. All non-routine requests for confidential client information from outside entities that are in writing, by telephone or in-person must immediately be referred to the DSS General Counsel.

#### IV. Providing Shelter to Immigrants

*There have been no changes to the eligibility rules for our benefits and services for our clients who are immigrants.*

Clients who are immigrants and who are concerned that they may be at risk of deportation may obtain free, safe immigration advice and assistance from: ActionNYC hotline at 1-800-354-0365. If a family member or friend is detained and in need of a lawyer, assistance may be available through: The Legal Aid Society's hotline at 1-844-955-3425.

If you have questions, please speak with your supervisor.

Thank you,

Joslyn Carter



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